

Considered: _____

WATER PERMIT NO. 956A-1

MAP No. same

Name of Applicant Clarence Archibald

Post Office Address Hettinger, ND 58639

Amount of Water Claimed no additional Total Acres 14.6

Source of Water Supply North Fork of Grand River

Water to be used for irrigation County Perkins

About 5 miles NE of Lodgepole SD

PROOF OF PUBLICATION: Received May 8, 1986 Not Received _____

APPLICATION: Approved May 11, 1986 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received June 1, 1984 Fee \$50.00 Remarks application to

amend Permit No. 956-1 with old priority date retained

Corrected Application Received _____ Period of Annual Use Apr. 1 to Oct. 31

WATER QUALITY APPROVAL RECEIVED March 11, 1986 APPROVED / CONDITIONAL (Circle one)

WI-1 Description same as Application YES ☒ NO _____ REMARKS _____

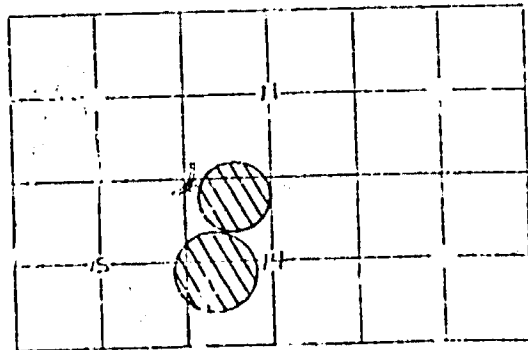
Diversion Point North Fork Grand River: 363 Ft. E.

and 264 Ft. S from the NW corner of

sec 14 - T22N - R12E

Land to be Irrigated NE 1/4 SE 1/4, SE 1/4 NE 1/4 of

sec 15 - T22N - R12E



Well Log: Driller VA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map Aerial photo PREPARED BY Ron Duvall Reviewed and the Number

assigned on March 17, 1986 by Ron Duvall

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 778-8352

No. 956A-1 Hydrologic Unit 10130301
Map No. same Basin Grand River
Newspaper Lemmon Leader, Box 180, 57438

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

- New ☐ Vested Right ☐ Future Use ☐
☒ Application to amend Permit No. 956-1 with old priority date retained
☐ Change diversion point(s) ☐ Add diversion point(s) ☒ Change acreage ☐ Other ☐
☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other ☐ See Permit No. _____
☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____

1. Name of Applicant Clarence Archibald Phone No. 605-564-2636
 Post Office Address Hettinger, North Dakota State 58639
(Street, RR or Box) Zip Code
 2. Amount of water claimed (c.f.s.) .29 No. Add'l total acres irrigated 14.6
 3. Source of Water supply North Fork Grand River
 4. Location of point of diversion North Fork Grand River: 363 ft E and 26 1/4 ft S from NW
Corner Section 14, T22N, R12E County Perkins

5. Counties where water will be used Perkins
 6. Annual period during which water is to be used 4-1 to 10-31
 7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
NE 1/4 Section 15 T22N R12E	10.5
SE 1/4 Section 15 T22N R12E	4.1

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
 This permit covers a portion of a center pivot not included in Permit No. 956-1.
 This permit will also be an amendment to permit No. 956-1 as provided for by
 SDCL 46-5-34.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA
 County of Perkins

I, CLARENCE ARCHIBALD

the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction

Signature Clarence Archibald Date March 10, 1984
Dennis C. [unclear]

My Commission expires 8/4/91

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 956A-1
Clarence Archibald Hettinger ND
 (Applicant) (Post Office Address)
ND 58639 With the following qualifications:
 (State) (Zip Code)

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed.

Flows of the Grand River proposed for use under this Permit are included under U.S. Withdrawal 594-1 for storage in Shadehill Reservoir. Restrictions on the use of water granted under this Permit may be necessary if the Bureau of Reclamation develops the Shadehill Irrigation Project under such withdrawal.

This permit is subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application June 1, 1984
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____ Approved May 14, 1986

The Water Management Board hereby approves this Water Permit No. 956A-1 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is see 956-1 February 15, 1972.
2. One-fifth of the work is ~~to be~~ completed ~~on or before~~ _____, 19____.
3. The whole of said work is ~~to be~~ completed ~~on or before~~ _____, 19____.
4. The time limit for proof of beneficial use of water is _____, 19____.
5. The water appropriated shall be used for the purpose of irrigation.
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed no odd' cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served. For irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation ~~on or before~~ _____, 19____; said water to be used during the following described annual period: Apr 1 - Oct 31

WATER MANAGEMENT BOARD
 By: John H. Hallett
 Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
JUN 20 1986, 19____

REPORT ON APPLICATION NO. 956A-1

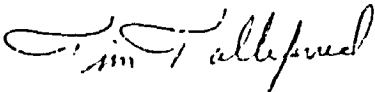
Clarence Archibald

March 18, 1986

Application No. 956A-1 requests a transfer of 14.6 acres originally developed by Water Permit No. 956-1. Irrigated acreage developed under Water Permit No. 956-1 will be abandoned and will be replaced by 14.6 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15-T22N-R12E, Perkins County. This application will not increase the total acres irrigated or amount of water diverted. This application will amend Water Permit No. 956-1 by transferring 14.6 acres. The priority date of this application will be February 15, 1972 the same priority date of Water Permit No. 956-1.

Conclusions

1. Application No. 956A-1 requests a transfer of 14.6 acres. This is not an increase in the amount of water diverted under 956-1, therefore, existing water rights will not be impaired.
2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
3. This permit be approved subject to the irrigation questionnaire being submitted each year.



TIM TOLLEFSRUD
Natural Resource Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION No. 956A-1, Clarence Archibald

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 956A-1, Clarence Archibald, Hettinger ND.

The Chief Engineer is recommending APPROVAL of Application No. 956A-1 because 1) the proposed transfer can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed.
2. Flows of the Grand River proposed for use under this Permit are included under U.S. Withdrawal 594-1 for storage in Shadehill Reservoir. Restrictions on the use of water granted under this Permit may be necessary if the Bureau of Reclamation develops the Shadehill Irrigation Project under such withdrawal.
3. This permit is subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
March 19, 1986

Affidavit of Publication

STATE OF SOUTH DAKOTA }
COUNTY OF PERRINS }

SS:

NOTICE OF HEARING On Application No. 956A-1 To Amend Water Permit No. 956-1

Notice is hereby given that Clarence Archibald whose mailing address is Hettinger, North Dakota, has made an application for a permit to transfer the location of lands to be irrigated. Permit No. 956-1 specified that 703.9 acres were to be irrigated in Sections 10, 11, 13, 14, 15-T22N-R12E. This application proposes to delete 14.6 acres irrigated under Permit No. 956-1 and transfer the acreage to the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15-T22N-R12E. The point of diversion is located on the North Fork of the Grand River in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14-T22N-R12E. This application does not authorize any increase in acreage irrigated or water appropriated from the North Fork of the Grand River.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 956-1 because 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and 3) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD May 14, 1986 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by May 2, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-21, 46-5-23, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, FWNH, Joe Foss Building, Pierre, SD (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by May 2, 1986.

(Pub. March 26, April 2, 1986)

I, Allen M. Jurek
being the owner sworn under oath say: The Lemmon Leader is a legal weekly newspaper of general circulation as required by South Dakota Code of Nineteen Hundred Thirty-Nine, and any acts amendatory thereto, published by the Leader Publishing Co., Inc. in Lemmon, in said county and state, and has been such legal newspaper during the time hereinafter mentioned; that during all of said time as an employee or officer of said newspaper I have had personal knowledge of the facts stated in this affidavit; that the advertisement headed:

Notice/#956A-1

Dept. Water & Nat. Resc.

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive weeks upon the following dates, to-wit:

March 26, April 2, 1986

that the full amount of the fees charged for publishing the same to-wit: the sum of \$44.92 inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me this 26
day of March 1986

Notary Public, South Dakota

(Seal)



My Commission Expires: April 13, 1987

No. 95

Instruction to Newspaper - Publish first publication of the following Notice on or before March 21, 1986 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 956A-1 ~~to Appropriate Water--~~
and/or to Amend Water Permit ~~or Water Right~~ No. 956-1

Notice is hereby given that Clarence Archibald whose mailing address is Hettinger, North Dakota, ~~South Dakota~~ has made an application for a permit

to transfer the location of lands to be irrigated. Permit No. 956-1 specified that 703.9 acres were to be irrigated in Sections 10, 11, 13, 14, 15-T22N-R12E. This application proposes to delete 14.6 acres irrigated under Permit No. 956-1 and transfer the acreage to the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15-T22N-R12E. The point of diversion is located on the North Fork of the Grand River in the NW $\frac{1}{4}$ of Section 14-T22N-R12E. This application does not authorize any increase in acreage irrigated or water appropriated from the North Fork of the Grand River.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 956-1 because 1) ~~unappropriated water is available,~~
2) ~~will be no unlawful impairment of existing rights,~~ 2) is beneficial use of water and
3) ~~is in the public interest.~~

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD, May 14 1986 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by May 2, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, ~~(ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use)~~ 46-5-38 thru 46-5-40, ~~(transfer lands) 46-5-38.4, 46-5-33 thru 46-5-35, (10,000 AFA),~~ 46-5-20.1, 46-5-3.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use) 74:02:01:24 thru 74:02:01:25, (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least two ty days upon written request of the applicant or any person who has filed a petition ~~in~~ ^{oppose or support} the application. The request for extension must be filed with the Chief Engineer by May 2, 1986.

RECEIPT

Division of Water Rights

No 4 9678

South Dakota Department of Water and Natural Resources

Pierre, June 1, 1924

RECEIVED OF Clarence Archibald, Hettinger ND 5 8639

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____, to Appropriate Water, to construct works and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Filing Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH (RS)

January 31, 1984

Clarence Archibald
Hettinger, North Dakota 58639

Dear Mr. Archibald:

On September 27, 1983, I visited your farm for the final inspection of your Water Permit No. 956-1. The purpose of the final inspection is to compare the original conditions of the permit with what you have developed. After all necessary corrections are made the water permit is licensed and becomes a Water Right.

I discussed with you that some of your developed acreage is not covered by Permit No. 956-1. The 14.6 acres not covered by the old permit is too much acreage to overlook. The lands listed on the enclosed application are the areas which are not covered. The enclosed application will be an amendment to Permit No. 956-1, with the old priority date remaining in effect. The fee for amending a permit is \$50.00.

Soil and Water Compatibility is also required for this amendment. Enclosed is a WI-1 form which must be completed to obtain soil and water approval. I suggest you contact the Division of Conservation to determine what action is required on your part to complete the WI-1 form (773-3259).

Please answer the questions which have not already been completed and correct any errors. The forms must then be notarized and returned with the \$50.00 fee. Thank you for your time and consideration.

Sincerely,

Ron Duvall
Water Resources Engineer

RD:ms
Enc.

Equal Opportunity Employer

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

March 20, 1986

NOTE:

TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

Clarence Archibald
Hettinger, North Dakota 58639

Dear Mr. Archibald:

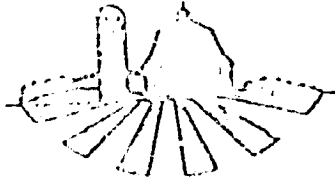
Your Application No. 956A-1 for a permit to appropriate water for
irrigation use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Lemmon Leader printed at Lemmon
South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your notice
of intent to appropriate water and to arrange for payment. Early contact with
the paper can eliminate delays. The publisher has been instructed to publish
your notice once each week for two consecutive weeks with the last publication
to occur at least thirty days before the board meeting. We must receive
Proof of Publication before the application can be considered by the Water
Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer
RD:ms
enclosures



Department of Agriculture

DIVISION OF CONSERVATION
Anderson Building 6 Pierre, South Dakota 57501
Phone 605/773-3258



August 14, 1985

Clarence Archibald
RR
Heltinger, ND 58639

Dear Mr. Archibald:

In reviewing your application for 14.6 acres located in the E1/2 15-22-13, the Irrigation staff has determined that the soils and waters are not compatible and will be recommending the Disapproval of your application to the State Conservation Commission at their September 12, 1985 meeting.

The Disapproval recommendation is based on the very high sodium content found in the water of the Grand River and through Irrigation the soil will be damaged.

We have also reviewed the possibility of a soil and water compatibility waiver but have determined it doesn't apply in this case.

To address this problem, I recommend the installation of automatic sprinkler shut-offs to be activated when passing through these 14 acres. Our authority doesn't effect those lands originally permitted under WR 956-1 but we do work with long time irrigators to assist them with problems.

If you have any questions please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Administrator

cf

DIS4150

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

OWNERS NAME: Clarence Archibald

OWNERS ADDRESS: _____

COUNTY LAND LOCATED IN: Ferkins

PHONE: 207-64

TENANT'S NAME AND ADDRESS: _____

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION _____

Depth _____

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: North Fork Grand River

Diversion Location: 363 ft E and 264 ft S from NW Corner Section 14, T22N, R12E

Legal Description	Acres	Legal Description	Acres
NE1/4 Section 15 T22N, R12E	10.0		
SE1/4 Section 15 T22N, R12E	4.1		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT. YEAR OBTAINED _____

LEGAL DESCRIPTION: SW1/4, NW1/4, Section 14; S1/2SW1/4, Section 11; all in T22N, R12E

IN WHAT NAME: Clarence Archibald

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____ (Specify) _____

6. CROPS TO BE IRRIGATED: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: _____ 10. ADJUSTED (SAR): _____

8. SALINITY (EC X 10³): _____ 11. PERCENT SODIUM _____

9. SODIUM (SAR) _____

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land and I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m. on _____, 19____, at the following location: _____ by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature of Water Sampler _____

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land (43 S.C. 4).

SUBSCRIBED AND SWORN BEFORE ME THIS

16 DAY OF 21, 1984

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE _____

Director, Division of Conservation

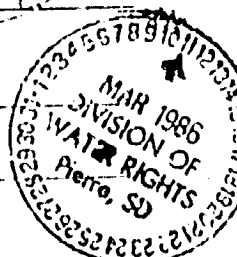
APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

IMPORTANT
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



South Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
Water Rights Division
605 773-3352

June 20, 1986

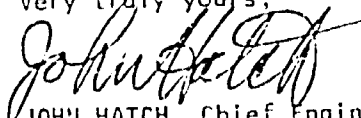
Clarence Archibald
Hettinger ND 58639

Dear Mr. Archibald:

Enclosed is your Water Permit No. 956A-1 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:tb

enclosure

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

No. 956A-1

Division of Water Rights
605 773-3352

June 27, 1986

Clarence Archibald
Hottinger
North Dakota 58639

Dear Mr. Archibald:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 956A-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

RON DUVAL
Natural Resources Engineer

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 11, 1988



SECOND NOTICE

Permit No. 956A-1

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Clarence Archibald
Hettinger ND 58639

Dear Mr. Archibald:

June 27, 1986 you were notified the final inspection fee of \$50.00 is due before Water License No. 956A-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 45-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the license fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

3508.wr

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 2, 1988



NOTICE

TO: Clarence Archibald
Hettinger ND 58639

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

John Hatch

SUBJECT: Notice of Water License Inspection Fee Requirement

The attached notice was sent certified mail return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you April 13 and April 19, 1988 to pick up and sign for the certified mail.

If you have any questions, please contact us.

*I did not get to Post office
due to Field work & calving.*

Clarence Archibald

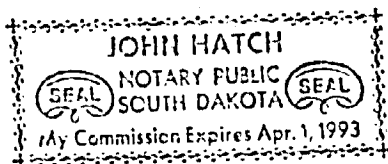


I hereby certify that on May 2, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice of Water License Inspection Fee Requirement addressed as follows:

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

COUNTY OF HUGHES)
Sworn to, before me, this 3rd day of May, 1988.
2118

John Hatch
Notary Public



LICENSE FOR PERMIT NUMBER 956-1

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____
b) length _____
c) type _____

Screen a) type _____
b) length _____

Static Water Level _____

Pump a) make _____
b) model _____
c) size _____
d) capacity _____ GPM
e) turbine pump
no. of stages _____

Motor a) make _____
b) model no. _____
c) horsepower rating _____
d) motor efficiency rating _____

3. Distribution lines:

a) size of lines 8 in
b) type EVC
c) length 4490 ft

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location or structure _____

5. System Type: a) siederoll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivots 2

- 1) make Valley Water drives
- 2) number of towers 10 & 13
- 3) distance between towers _____

- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure high

- 7) make & size of nozzles Rainbird
- 8) PSI reading while system is running 76 psi both running
- 9) GPM 800 & 1300

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES NO Check Items

- | | |
|------------|---|
| <u>1/1</u> | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| <u>✓</u> | 2. Special Qualifications to permit being abided by. |
| <u>✓</u> | 3. All Structures, wells and lands on map. |

REMARKS: motor: Ford 460
LP Gas
8 cyl.

motor: Ford 460
LP gas, 8 cyl.
S.N. 6317 K-21-HK

pump: Berkeley
S.N. 7165961
M.N. R4JRBM CW
imp. 13 1/2 in.

pump: Berkeley
S.N. 52187
M.N. B4JRBM CW
imp. 13 1/2 in.

956-1
Permit No. 956-1-1

Form 12

Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Clarence
Archibald of Hettinger N.D. 58639 holder of
Permit No. 56-1, 956-1-1, bearing the priority of February 15 1972 authorizing
the diversion of 10.0 cu. ft. per second of the waters of North Fork Grand River
for irrigation purposes, in Perkins County.

I have to report on the conditions of the same as follows:

- A. Works used to divert the water:
Two Berkeley Pumps
Two Ford 460 Motors
- B. Works used to transport water to place of use:
8 in. PVC, approximately 4490 ft.
- C. Works used to apply water to beneficial use:
Two Valley Center Pivots, 10 and 13 Towers.
Total capacity 2100 cpm (800 + 1300)

The system is in the following condition Good

The point of diversion is located on the NW 1/4 NW 1/4 Section 14, T22N-R12E
approximately 4.5 E. 1/4 S. and 4.3 E. 237 S. from NW corner of Section 14, T22N-R12E

The works are capable of diverting and conveying to the place of use 4.68
cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: All in T22N-R12E

Section 14				Section 15		Section 11	
NW 1/4 NW 1/4 28 ac.				NE 1/4 NW 1/4 40 ac.		SW 1/4 SW 1/4 40 ac.	
NE 1/4 NW 1/4 37.5 ac.				NE 1/4 SE 1/4 10.5 ac.		SW 1/4 SW 1/4 40 ac.	
SW 1/4 NW 1/4 32.2 ac.				SE 1/4 NE 1/4 4.1 ac.		SE 1/4 SW 1/4 11.0 ac.	
SE 1/4 NW 1/4 23.5 ac.				NE 1/4 SW 1/4 28 ac.			

comprising a total of 250.8 acres of land and the license should be issued for 3.3 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date 6/9/88

Inspection was conducted by Ron Duvall
On September 27, 1983

Signature MZA Radi

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 956A-1

(1) Clarence Archibald of Hettinger, North Dakota 58639 made Application No. 956A-1, June 1, 1984 for a water permit to appropriate no add'l cubic feet of water per second from the North Fork Grand River, Perkins County, South Dakota for irrigation purposes. Permit No. 956A-1 with a priority date of February 15, 1972 was approved May 14, 1986 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 956A-1 authorized a transfer of 14.6 acres of land originally developed under Water Permit No. 956-1. The acreage developed under No. 956-1 was to be abandoned and replaced by 14.6 acres in the NE1/4 SE1/4 and SE1/4 NE1/4 Section 15, T22N, R12E. Permit No. 956A-1 did not authorize an increase in total acres irrigated or amount of water diverted.

The applicable portions of Water Permit No. 956-1 are incorporated into this Water License No. 956A-1. A priority date of February 15, 1972 is retained.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.30 cubic feet of water per second for beneficial use. The location of the diversion points are: a) 445 feet east and 118 feet south and b) 430 feet east and 237 feet south of the NW corner of Section 14, T22N, R12E.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land located in T22N, R12E:

Section 11
SW1/4 SW1/4 4.0 acres
SE1/4 SW1/4 11.0 acres

Section 15
NE1/4 SE1/4 10.5 acres
SE1/4 NE1/4 4.1 acres

Section 14
NW1/4 NW1/4 22.0 acres
NE1/4 NW1/4 37.5 acres
SW1/4 NW1/4 32.2 acres
SE1/4 NW1/4 22.5 acres
NW1/4 SW1/4 40.0 acres
SW1/4 SW1/4 12.0 acres
SE1/4 SW1/4 7.0 acres
NE1/4 SW1/4 28.0 acres

Total 230.8 acres

(4) Pursuant to Section 46-5-30.1 Clarence Archibald of Hettinger, North Dakota, 58639 the holder(s) and/or owner(s) of Incorporated No. 956A-1 is issued a license to appropriate water. the right to use 3.30 cubic feet of water per second from the North Fork Grand River with a priority date of February 15, 1972 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated No. 956A-1 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

SEP 14 1989

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, May 9, 1938, 19

411242

RECEIVED OF Clarence Archibald, Wattinger, SD 59639

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>9967-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	00

By John Hatch
Chief Engineer JOHN HATCH (MS)

**SOUTH DAKOTA Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

SEP 14 1989

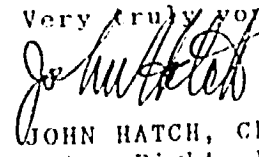
Clarence Archibald
Hettinger, ND 58639

Dear Mr. Archibald:

Enclosed is Water License No. 956A-1. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 411242 in the amount of \$50.60 which you paid for the inspection and issuance of the Water License.

As long as you use the water beneficially, as state in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,



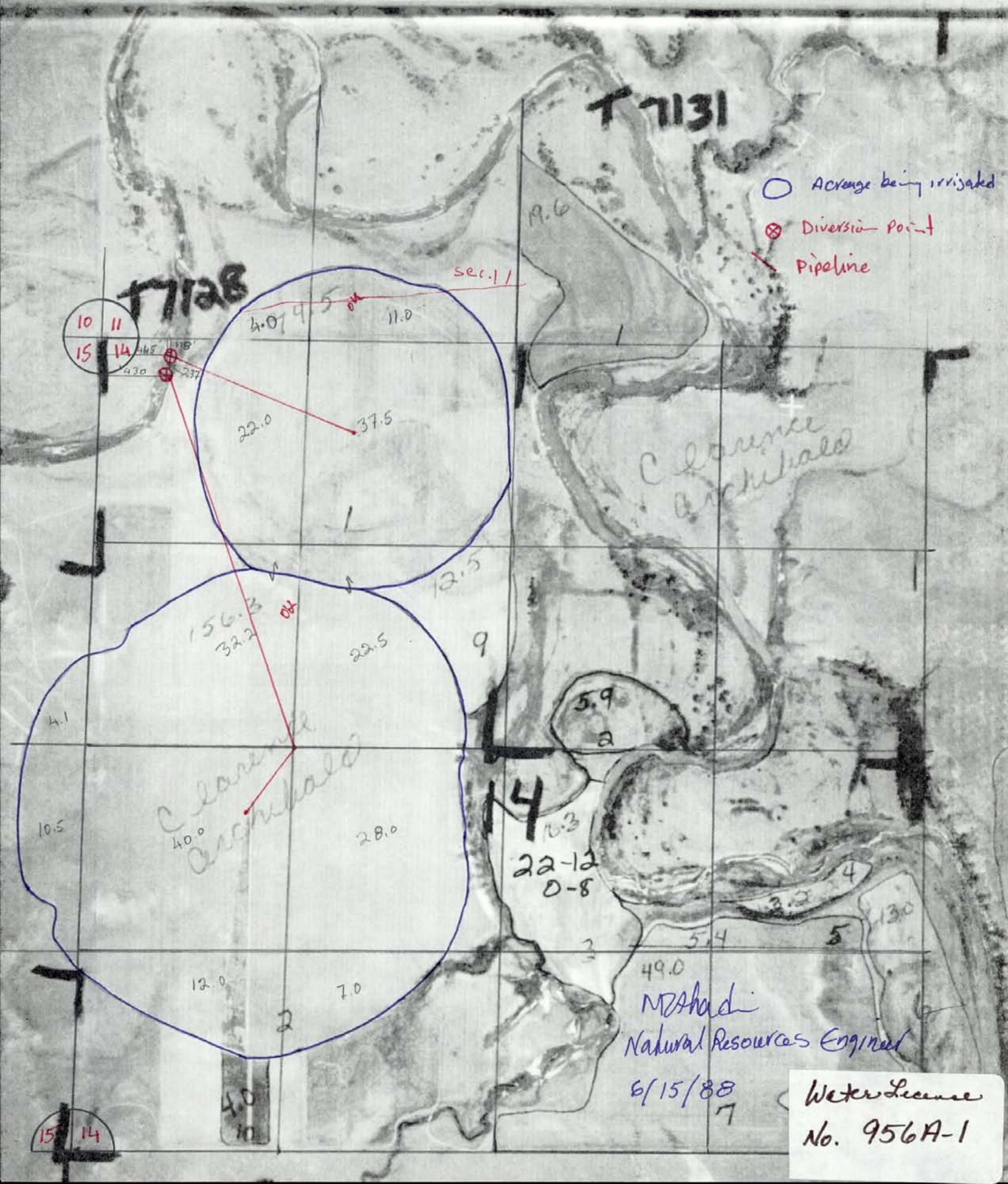
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

NOTE: The applicable portions of Water Permit No. 956-1 are incorporated into this Water License No. 956A-1. A priority date of February 15, 1972 is retained.



Chlorine N. Chlorine
NOT TO SCALE



956-1

NOT TO SCALE

N

15 14

Cherokee Archibald

Ron Duvall
Natural Resources Engineer
3/17/86

15.7

4.1

10.5

The acreage outlined
in red is not covered
by permit # 956-1

1 in = 660 ft

State
Land

Appl No 956A-1

47.2

3.7

5.4

17.2

14

11.3

99.9

162.4

10.2