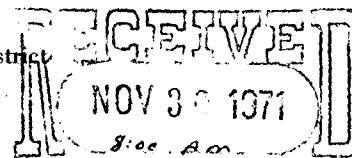


1. Considered March 15, 19 72
2. Name of Applicant George Leach
3. Post Office Address Kilgore, Nebraska
4. Amount of Water claimed 1.33
5. Source of Water supply Ground water well
6. Water to be used for irrigation
- Acres to be irrigated 125.60
7. Water to be diverted and used in Todd County
about 10 miles West and 18 miles South of Mission
8. Proof of Publication Received 2.25.72
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 1095-2Map No. 929-2Water Division No. 2 KEYAPAH RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

District

STATE WATER COMMISSION
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant ~~George Leach~~ CLYDE E. BREWER (TRANS: 1-15-74)Postoffice address Kilgore, State Nebraska

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) employment of others3. Name of diversion work LEACH IRRIGATION PROJECT4. Amount of water claimed (cubic feet per second) 1.33 - 600 gpm5. Source of water supply well6. Location of point of diversion Center of SW $\frac{1}{4}$ Section 35, T36N, R30WCounty Todd County7. Annual period or periods during which water is to be used May - October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 125.6

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.	Land Description	No. Acres Irr.
NE $\frac{1}{4}$ SW $\frac{1}{4}$	31.4		
NW $\frac{1}{4}$ SW $\frac{1}{4}$	31.4		
SE $\frac{1}{4}$ SW $\frac{1}{4}$	31.4		
SW $\frac{1}{4}$ SW $\frac{1}{4}$	31.4		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use _____ years.11. Choice of newspaper for Notice of Intent to Appropriate Water publication Todd County Tribune

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ _____

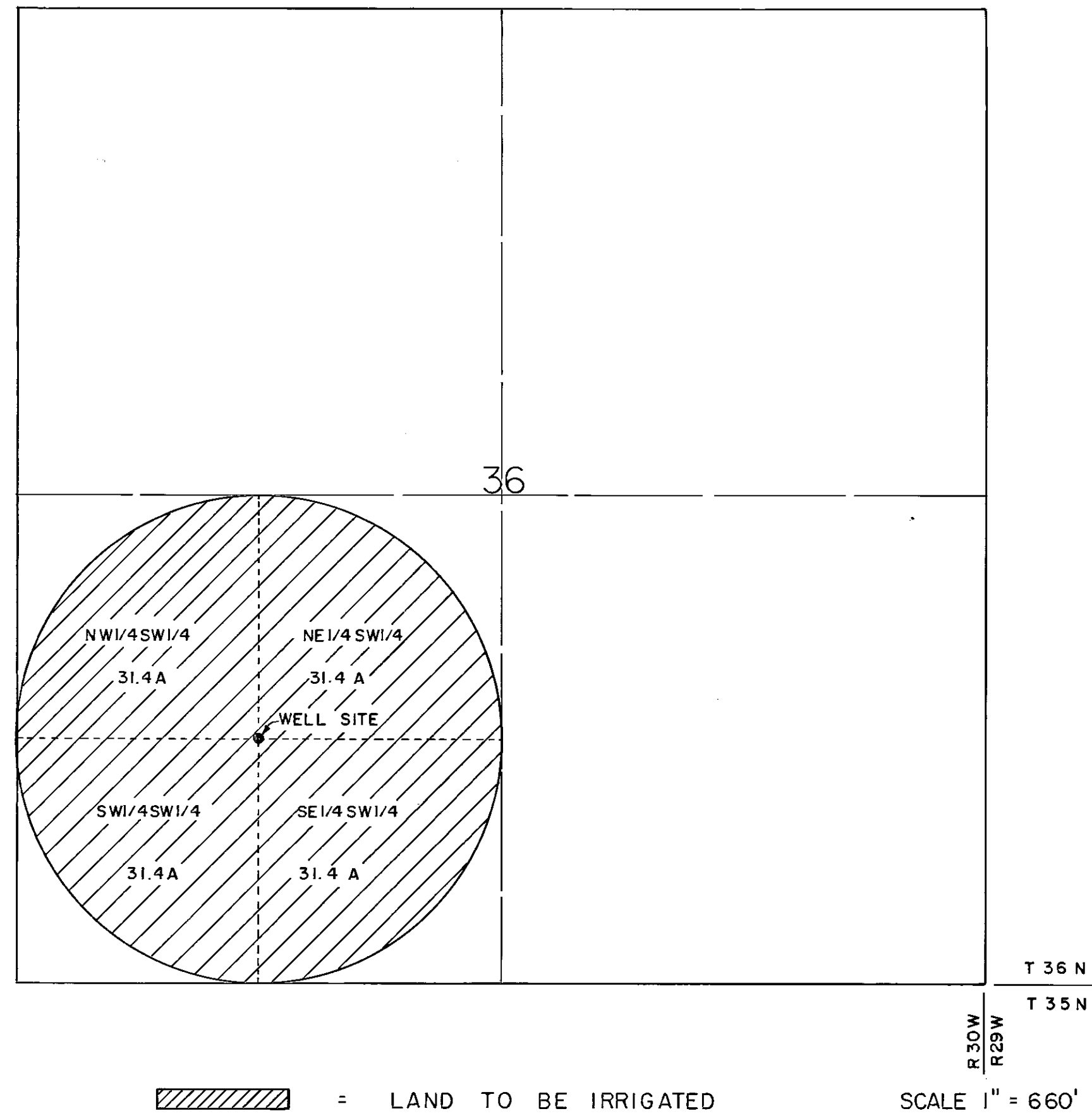
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Todd) ss.I, George Leach the applicant, certify that I have read the foregoing application and 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.Signed George E. LeachSubscribed and sworn to before me this 29th day of November, 1974

Notary Public (or other qualified officer)

My commission expires: Nov 24, 1978



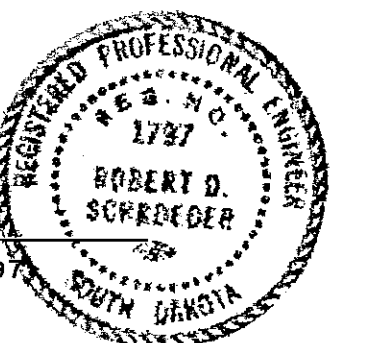
LOCATION	SECTION	TWP.	RANGE	ACRES
NE1/4SW1/4	35	36N	30W	31.4
NW1/4SW1/4	35	36N	30W	31.4
SE1/4SW1/4	35	36N	30W	31.4
SW1/4SW1/4	35	36N	30W	31.4
TOTAL				125.6

ENGINEER'S CERTIFICATE

I, ROBERT SCHROEDER, A SOUTH DAKOTA REGISTERED PROFESSIONAL ENGINEER NUMBER 1797, CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT DELINEATION OF IRRIGATION WELL SITE LOCATED IN THE SW1/4 SEC. 35 T36N R30W 6th PM TODD COUNTY, SOUTH DAKOTA. THE ABOVE DESCRIBED LAND BEING OWNED BY GEORGE LEACH.

DATED: 9-15-71

Robert Schroeder
ROBERT SCHROEDER PE-1797



ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF CHERRY) SS

ON THIS 15 DAY OF September, 1971, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY, APPEARED ROBERT SCHROEDER WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME AND HE ACKNOWLEDGED THE SIGNING OF SAID ENGINEER'S CERTIFICATE TO BE HIS VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL THE AFORESAID DATE.

MY COMMISSION EXPIRES: NOVEMBER 24, 1973

Janet E. Lawler
NOTARY PUBLIC

MAP N2 929-2 (APPL N2 1095-2)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1095-2

GEORGE LEACH CLYDE E. KILGORE
(Applicant) BREWER (Post Office Address)

NEBRASKA (State) With the following modifications:

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application NOVEMBER 30, 19 71

Date of return to applicant for correction, amendments or changes required DECEMBER 7, 19 71

Date of receipt of corrected application JANUARY 13, 19 72

Approved MARCH 15, 19 72, Recorded in Book 12 Page 66

WATER RIGHT PERMIT NO. 1095-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1095-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is NOVEMBER 30, 19 71
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 15, 19 74
3. The whole of said work is to be completed on or before MARCH 15, 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 15, 19 77
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 injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 1.33 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, and if for the irrigation purposes said appropriation must be limited to not more than 3 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 MARCH 15, 19 77; said water to be used during the following described annual period: MAY THRU OCTOBER

Witness my hand this 17TH day of MARCH, 19 72

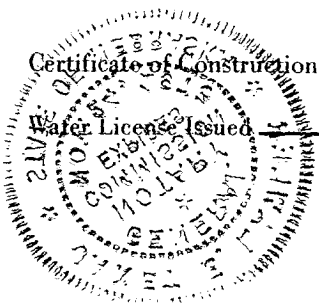
WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____



12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack. Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 1/4 mile rds. On property owned by others 1/2 mile rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

1972
PL

George J. Leach
Signature of Applicant

35-36-30

SARGENT IRRIGATION CO.

SOUTH HIGHWAY 21 - BOX 627

BROKEN BOW, NEBRASKA 68822

Phone 872-5125

BROKEN BOW, NEBRASKA

Dec

19

78

Name

George Leach

DATE

Address

Ridgely, South Dakota

TERMS

Cash

20	Top Soil Sand				
40	Coarse Sand limestone layer				
60	Coarse Sand limestone layer				
80	Sandstone coarse sand				
100	12 ft Sandstone & limestone off Sandstone				
120	Sandstone coarse sand				
140	Sandstone coarse sand				
160	off limestone & Sandstone 12 ft coarse sand				
180	Sandstone coarse sand				
200	Sandstone coarse sand				
220	10 ft Sandstone & coarse sand 10 ft Sandstone fine sand				
240	red rock fine sand				
260	red rock fine sand				

W. 22° 13' 20" N. L. 75° 10'

Sand

TEST LOG
December 1970

George Leach
Crookston, Nebraska

0-20	top soil & sand
20-60	coarse sand & limestone layers
60-80	SS & coarse sand
80-92	SS & limestone
92-100	SS
100-140	SS & coarse sand
140-148	limestone & SS
148-160	coarse sand
160-200	SS & coarse sand
200-210	SS & med. sand
210-220	SS & fine sand
220-260	red rock & fine sand

Dear Sir,
here is the log on the test hole that
~~was in the ground at that time~~ I am working
on now I don't know to much of this sand in
western Iowa ~~etc~~

Thank you

C. L. E.

No. 1095-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Todd) ss.

I, Judy Parker hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the The Todd Co. Tribune

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City of Mission

County of Todd and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

2/3/72

2/10/72

2/17/72

2/24/72

Judy Parker
(Signature)

Bookkeeper
(Title)

2/24/72
(Date Signed)

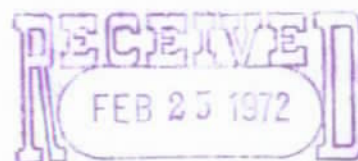
Notice of Intent to
Appropriate Water

Pierre, South Dakota 57501
January 25, 1972

Notice is hereby given that George Leach whose post office address is Kilgore, Nebraska, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.33 cubic feet of water per second of time from ground water through the Leach Irrigation Project, the point of diversion of which is to be located in the Center of the SW $\frac{1}{4}$ of Section 35, Twp. 36N, Range 30W. Said water to be used for the purpose of providing irrigation on the following described land: SW $\frac{1}{4}$, Section 35, T36N, R30W.

This application No. 1095-2 will be considered by the Water Resources Commission at their office at Pierre upon the 15th day of March, 1972, at 2:00 P.M. All interested persons may appear and be heard.

Water Resources Commission
By: Burton F. Jones,
Water Rights Specialist
Publ. Feb. 3, 10, 17, 24.



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

1095-2

Publish first publication, on or before **February 17**, 19**72**NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 25, 19**72**Notice is hereby given that **George Leach**whose post office address is **Kilgore, Nebraska**, ~~South Dakota~~, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use**1.33** cubic feet of water per second of time from ~~the~~ **ground water** through the **Leach Irrigation Project**

, the point of diversion of which is to be located in the _____

Center of the SW $\frac{1}{4}$ of Section **35**, Twp. **36N**, Range **30W**. Said water to be used for the purpose

of providing irrigation on the following described land:

SW $\frac{1}{4}$, Section 35, T36N, R30W

This application No. **1095-2** will be considered by the Water Resources Commission at their office at Pierre upon the **15th** day of **March**, 19**72**, at **2:00 P.** M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialistcc: **George Leach, Kilgore, Nebraska 69216**

NOTICE OF TRANSFER OF WATER PERMIT

TO: **WATER RIGHTS COMMISSION**State Office Building No. 2
Pierre, South Dakota 57501

Date

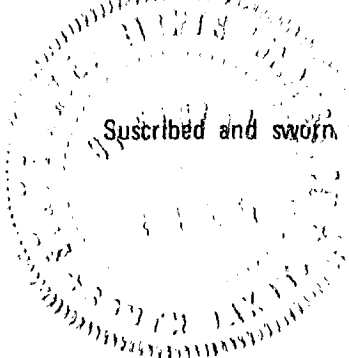
JANUARY 14, 1974

This is to notify you that title to the lands described as follows:

PORTIONS OF THE SW⁴, SECTION 35, T36N, R30W,
DESCRIBED IN WATER PERMIT NO 1095-2formerly owned by GEORGE LEACH, KILGORE, NEBR,has been transferred to CLYDE E. BREWER, KILGORE, NEBRtogether with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No.
1095-2 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of ~~Water Resources Commission~~ as evidence of the change of ownership.**WATER RIGHTS COMMISSION**

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)

County of HUGHES) ss.I, CLYDE E. BREWER being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.Clyde E Brewer
(Signed)Subscribed and sworn to before me this 14TH day of JANUARY, 1974Beth Westlund
(Notary Public)
Technical Assistant, W.R.C.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JUL 31 2002

1884-2

Clyde E Brewer
HC 93 Box 10
Kilgore, NE 69216

Dear Mr. Brewer:

Enclosed is Water License No. 1884-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 417190 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1884-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The applicable portions of Water Permit Nos. 1095-2 and 1183-2 have been incorporated into Water License No. 1884-2