

Water Right Number 1257-2

1. Considered JULY 24, 19 75
2. Name of Applicant L-7 RANCH COMPANY
3. Post Office Address MISSION
4. Amount of Water claimed 6.0
5. Source of Water supply 3 - 350' WELLS
6. Water to be used for IRRIGATION
- Acres to be irrigated 420
7. Water to be diverted and used in TODD County
about 4W-5S miles of MISSION
8. Proof of Publication Received 7-2-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 1254-2Map No. 1064.2 Water Division No. 2 KEYAMNA RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)District 1 1/2 184

APR 1975

17.00

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

L7 Ranch Company, % Robert J. Lamoureux

1. Name of Applicant _____
Postoffice address Box 373, Mission State South Dakota 57555

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract and Direct labor3. Name of diversion work L. 7 - West Wells4. Amount of water claimed (cubic feet per second) 6.005. Source of water supply Ground water6. Location of point of diversion Center NW $\frac{1}{4}$, Sec 35, Center NE $\frac{1}{4}$, Sec. 34 and Center SE $\frac{1}{4}$,
Section 27, T38N, R29WCounty Todd7. Annual period or periods during which water is to be used April thru November8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, _____ Total number of acres to be irrigated 420

List below each forty acre subdivision, or lot, or fraction thereof, show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SE $\frac{1}{4}$, Section 27	140		
NE $\frac{1}{4}$, Section 34	140		
NW $\frac{1}{4}$, Section 35	140		
All in T38N, R29W			

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 4 years.11. Choice of newspaper for Notice of Intent to Appropriate Water publication Winner Advocate, Winner, S.D.

12. Principal Features of the Proposed Water Supply System.

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

three wells, pumps and motors

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

mainline to pivots

C. Works proposed to apply water to beneficial use.

Center Pivots sprinkler systems

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 Hughes) ss.I, Robert J. Lamoureux 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 Robert J. LamoureuxSubscribed and sworn to before me this 7th day of April 1975Betty Westlund
Notary Public (or other qualified officer)BETTY WESTLUND, Land/Water Clerk II
Water Rights Division

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1257-2

L7 RANCH Co.
(Applicant)

P.O. Box 378, Mission
(Post Office Address)

SOUTH DAKOTA 57555 With the following modifications.
(State)

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.

IN CONSIDERING WATER RIGHTS ON INDIAN LANDS THAT MAY BE CLAIMED ON INDIAN TREATY BASIS, IT IS THE POLICY OF THE COMMISSION THAT THE PERMIT IS APPROVED IN ADDITION TO ANY WATER RIGHTS WHICH MAY ACCRUE ON INDIAN LAND.

Date of first receipt of application APRIL 7 19 75
Date of return to applicant for correction, amendments or changes required APRIL 8 19 75
Date of receipt of corrected application MAY 23 19 75
Approved JULY 24 19 75 Recorded in Book 13 Page 333

WATER RIGHT PERMIT NO. 1257-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1257-2 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 APRIL 7 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 24 19 78
3. The whole of said work is to be completed on or before JULY 24 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 24 19 84
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 6.0 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 JULY 24 19 84; said water to be used during the following described annual period: APRIL THRU NOVEMBER

Witness my hand this 29th day of JULY 19 75

WATER RIGHTS COMMISSION

By

Wm W Butler
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 30 inches, Depth 366 feet
- (2) Casing, Type steel Diameter 16 inches Thickness standard
(wood, concrete, steel, etc.)
- (3) Perforated Screen,
Type _____, Diameter 16 inches, Length 180 feet
- (4) Gravel Pack, Thickness 7 inches, Length of gravel pack 360 feet

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 sands

Depth to top of water bearing material 80'

Depth to bottom of water bearing material 360'

Thickness of water bearing material 310'

Depth to water (ground surface to water level) _____

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

On same owner's property 40 rds. On property owned by others More than one 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.

Robert J. Lamoreaux
Signature of Applicant

Conservation
Commission
Form WI 21

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE OF

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: _____

Disapproved: _____

NAME: LT RANCH COMPANY
ADDRESS: MISSION, SOUTH DAKOTA 57555
COUNTY: Todd County

LEGAL DESCRIPTION

- West Wells TWP 38 North Range 29W
1. WELL LOCATION: Center NW $\frac{1}{4}$ Sec. 35, NE $\frac{1}{4}$ Sec 34, SE $\frac{1}{4}$ Sec 27
 2. AREA TO BE IRRIGATED: 133 Acres Sec. 35, Sec 34, & Sec 27

TYPE OF IRRIGATION

3. GRAVITY ☐ SPRINKLER (Indicate Type): Center Pivot Sprinkler System
4. CROPS TO BE IRRIGATED: Alfalfa Hay

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: NW $\frac{1}{4}$ 35 = 0-9%, NE $\frac{1}{4}$ 34 = 0-9%, SE $\frac{1}{4}$ 27 = 0-9%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Dryland clay loam NW $\frac{1}{4}$ 35 - IIc2 & IVc8, NE $\frac{1}{4}$ 34 - IIIc9 & IVc8, SE $\frac{1}{4}$ 27 - IIc2, IIIc2, IIIc8, IVc8. Majority of soils are fine sandy loams

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-329
8. SALINITY: EC = 342 micromhos/cm (low-med.)
9. SODIUM: SAR = 0.19 (low)

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

Soil Conservation Service Office, Mission, So. Dak.

and:

that the legal description for the location of the well and land to be
irrigated is true and correct.

Robert J. Lamoureux

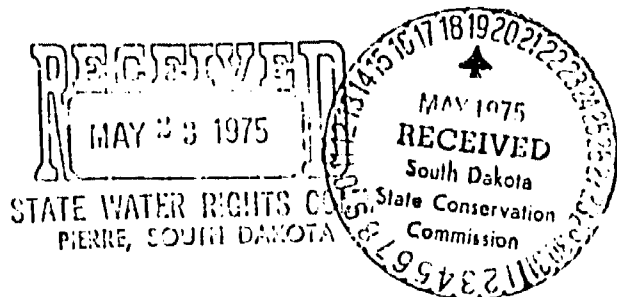
Subscribed and sworn before me this

28 day of April 1975.

Elizabeth C. Kessler

Notary Public

(Title) MY COMMISSION EXPIRES APRIL 2, 1978



REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: L7 Ranch Company
 Address: Mission, SD 57555

Date Rec'd: May 5, 1975
 Sample No.: 75-329
 Identification: #2 Test well
T 38N, R 29W

WATER ANALYSIS

Calcium (Ca)	51	ppm*	2.55	me/l**
Magnesium (Mg)	11	ppm	0.90	me/l
Sodium (Na)	6	ppm	0.25	me/l
Potassium (K)	9	ppm	0.23	me/l
Sulfate (SO ₄)	7	ppm	0.15	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.06	me/l
Bicarbonate (HCO ₃)	217	ppm	3.56	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	178	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	342	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.19			
Sodium	6.36	% of cations		
Residual sodium carbonate	0.11	me/l		
pH	7.80			
Others:				

*ppm=parts per million
 **me/l=milliequivalents per liter

***g.p.g.=grains per gallon.

COMMENTS: Total cations 3.93 me/l
 Total anions 3.77 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-329

Amount Enclosed \$

Signed

Form 6. - Notice of Intent to Appropriate Water

No. 1257-2

Publish first publication, on or before

July 10, 1975

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 6, 1975

Notice is hereby given that L7 Ranch Company

whose post office address is -- Mission , 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 6.0 cubic feet of water per second of time from the ground water through the L7 West Wells, the point^s of diversion of which ~~is~~ ^{are} to be located in the Center of the NW $\frac{1}{4}$, Section 35, Center of the NE $\frac{1}{4}$, Section 34 and center of the SE $\frac{1}{4}$

of Section 27, Twp. 38N, Range 29W. Said water to be used for the purpose of providing irrigation on/the following described land:
portions of

SE $\frac{1}{4}$, Section 27; NE $\frac{1}{4}$, Section 34 and NW $\frac{1}{4}$, Section 35, all in T38N, R29W

This application No. 1257-2 will be considered by the Water Rights Commission at the North Lounge, Surbeck Center, S.D. School of Mines, Rapid City, S.D. upon the 24th day of July, 1975 at 75 2:30 P.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bu

cc:

L7 Ranch Company & Robert Lamoureux, Box 373, Mission, S.D. 57555

Form 8 Proof of Publication - Notice of
Intent to Appropriate Water

No. 1257-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Tripp) ss.

I, D. L. Johanson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Winnipeg Advertiser

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 Winnipeg

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

June 11, 1975
June 16, 1975

D. L. Johanson
(Signature)

Subscriber
(Title)

June 18, 1975
(Date Signed)

No. 1257-2
NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
June 6, 1975

Notice is hereby given that L7
Ranch Company whose post
office address is Mission, 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 5.0 cubic feet of
water per second of time from
ground water through the L7
West Wells, the points of
diversion of which are to be
located in the Center of the
NW 1/4, Section 35, Center of the
NE 1/4, Section 34 and center of
the SE 1/4 of Section 27, Twp. 18N,
Range 29W. Said water to be used
for the purpose of providing
irrigation on portions of the
following described land: SE 1/4,
Section 27; NE 1/4, Section 34 and
NW 1/4, Section 35, all in T38N,
R29W.

This application No. 1257-2 will
be considered by the Water
Rights Commission at the North
Lounge, Surbeck Center, S. D.
School of Mines, Rapid City, S. D.
upon the 24th day of July, 1975 at
2:30 P.M. All interested persons
may appear and be heard.

WATER RIGHTS COM-
MISSION

By : HURTON F. JONES,
Water Rights Specialist (24-25)

RECEIVED
JUL 2 1975
STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA



United States Department of the Interior
OFFICE OF THE SOLICITOR

ROOM 211 - FEDERAL BUILDING
P.O. BOX 519
ABERDEEN, SOUTH DAKOTA 57401

Reference:
Water Rights
Rosebud

JUL 16 1975

Mr. Burton T. Jones
Water Rights Specialist
Water Rights Commission
Pierre, South Dakota 57501

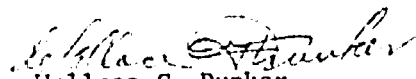
Dear Mr. Jones:

The Area Director, Bureau of Indian Affairs, has advised that on July 24, 1975, at 2:30 p.m., a Hearing will be held by the Water Rights Commission at the North Lounge, Surbeck Center, South Dakota School of Mines, Rapid City, South Dakota, on two applications of the L7 Ranch Company of Mission, South Dakota, for permits to appropriate for beneficial use 6.0 and 4.0 cubic feet of water per second of time from ground water, the points of diversion being the center of the NW $\frac{1}{4}$ of Sec. 35, center of the NE $\frac{1}{4}$ of Sec. 34 and the center of the SE $\frac{1}{4}$ of Sec. 27, T. 38 N., R. 29 W.; and the center of the SW $\frac{1}{4}$ of Sec. 29 and the center of the NW $\frac{1}{4}$ of Sec. 30, T. 38 N., R. 28 W., for the purpose of irrigation.

This letter will serve as our written objection to such applications for permits to appropriate ground water from lands within the boundaries of the Rosebud Indian Reservation. The issuance of such permits would be contrary to established law, which declares that the State lacks jurisdiction with respect to the adjudication of the waters of, or the lands, within the exterior boundaries of an Indian reservation. See 25 U.S.C.A., Sec. 381; Winters v. United States, 207 U.S. 564, 28 S.Ct. 207; United States v. Powers, 94 F.2d 783; United States v. McIntire, 101 F.2d 650; and United States v. Alexander, 131 F.2d 359.

In filing this objection to the issuance of such proposed permits and in writing this letter to you, we do not waive our right to challenge the State's jurisdiction by legal action or otherwise, and merely intend to call the State's attention to the fact that the State lacks jurisdiction in this matter.

Very truly yours,


Wallace G. Dunker
Field Solicitor

cc: Office of the Area Director, Aberdeen
Superintendent, Rosebud Agency, Rosebud, South Dakota
Mr. Parnell Hagen, Area Soil Conservationist, LIA, Aberdeen, S.D.
L7 Ranch Company, c/o Robert Lamoureaux, Box 373, Mission, S.D. 57555

Form 9 - Forwarding Permit to Appropriate Water



No. 1257-2

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Office Building Number 2, Pierre, South Dakota 57501

Phone 605/224-3151

July 30, 1975

Robert J. Lamoureux
L7 Ranch Company
Box 297
Mission, South Dakota 57555

Dear Mr. Lamoureux:

Enclosed herewith is your Water Right Permit No. 1257-2 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 1257-2.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Rights Commission when you have completed the system and/or have put the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a water right.

P.S. This is to inform you that the Office of the Solicitor, United States Department of Interior in a letter dated July 16, 1975 contends that the State of South Dakota lacks jurisdiction with respect to the issuance of permits to use waters within the exterior boundaries of an Indian Reservation.

Respectfully,

WATER RIGHTS COMMISSION

VERN BUTLER

Acting Chief Engineer

VB/BFJ/bw

Encl: As stated

12-18-79

MR. CAMOUREAUX WAS IN THE
OFFICE - INDICATED EAST WELLS
AR IN - FIGURES ON GOING WITH
W WELLS THIS SPRING - IS AWARE
OF TIME LIMITS.

7-24-80

HAS CONTRACTED WITH SARGENT
DRILLING FOR W WELLS. THEY
HAVE BEEN UNABLE TO GET
THERE - WERE TO BE THERE
BY JULY 28. INDICATED THAT
DRILLERS BEING DELAYED WAS
BEYOND HIS CONTROL, AND THAT
HIS DRILLING WAS OR TO GO
AHEAD WITH

State of South Dakota
Water License No. 1257-2

(1) L-7 Ranch Company
of c/o Robert J. Lamoureaux, Box 297, Mission, South Dakota 57555
made Application No. 1257-2, April 7, 1975 for a water permit to appropriate
6.0 cubic feet per second of water from groundwater (three wells)
Todd County, South Dakota for Irrigation purposes.
Permit No. 1257-2, with a priority date of April 7, 1975
was approved July 24, 1975 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before July 24, 1980 and for the application to beneficial use of said
water on or before July 24, 1984.

and

(2) It is certified that the application 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 1.9 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1350'S and 150'E of the NW Corner of
Section 35, T.8N, R.29W (8C)

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following lands all in T38N, R29W

Section 35

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 33.8 Acres (BB)

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 34.0 Acres (BA)

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 32.5 Acres (BC)

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 34.3 Acres (BD)

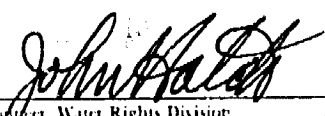
TOTAL 134.6 ACRES

(4) Pursuant to §46-5-30.1 L-7 Ranch

of c/o Robert J. Lamoureux, Box 297, Mission, SD 57555

the holder(s) and/or owner(s) of Water Permit No. 1257-2 is issued a license to appropriate water, the right to use 1.9 cubic feet per second of water from groundwater (one well) Ogallala with a priority date of April 7, 1975 from the location specified in (2) of this license. The water 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 Water Permit No. 1257-2 and subject to South Dakota State Law.


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

JOHN HATCH

APR 29 1985

Water District

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

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

I have this day made a thorough examination of the water use system constructed by Robert J. Lamoureux - L7 Ranch of Mission, SD holder of Permit No. 1257-2, bearing the priority of April 7 1975 authorizing the diversion of 6.0 cu. ft. per second of the waters of groundwater - Ogallala for irrigation purposes, in Todd County.

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

- A. Works used to divert the water: The well is 370' deep and cased with 16" steel. The pump is a size 115A having 5 stages and 850 gpm capacity. The motor is an U.S. Electric having 125 HP.
- B. Works used to transport water to place of use: The pipe is approximately 1250' long and is 10" steel.
- C. Works used to apply water to beneficial use: A Valley center pivot having 7 towers and an over all length of 1320'. It has an end gun. The pressure for the system is 50 psi with 850 gpm.

The system is in the following condition GoodThe point of diversion is located 1350' S and 150' E of NW corner of
Sec 35 T38N R29WThe works are capable of diverting and conveying to the place of use 1.9
cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: NW¹ NW¹ 35 - 33.8
NE¹ NW¹ - 34.0 SW¹ NW¹ 35 - 32.5 SE¹ NW¹ 35 - 34.3 all of
T38N R29Wcomprising a total of 134.6 acres of land and the Fee use should be issued for 1.9 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date 11-8-84
(Signature)

LICENSE FOR PERMIT NUMBER 1257-2

1. Legal location of wells: 1350' S and 150' E of NW corner
of section 35 T38N R29W
 dams & structures. _____

2. Well Information: Well Drilling Firm Sargent

No. of wells 1 Depth 370'

Casing a) diameter 16" Screen a) type steel
 b) length Full depth b) length 3" x .150
 c) type steel Static Water Level 101'

Pump a) make Sargent Motor a) make 115 Electric
 b) model 30280 b) model no. R-9982-04-955
 c) size 115A c) horsepower rating 125
 d) capacity 850 GPM d) motor efficiency rating _____
 e) turbine pump:
 no. of stages 5

3. Distribution lines:
 a) size of lines 10"
 b) type steel
 c) length _____

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:
 1) size 10"
 2) type _____
 3) length _____

i) Outlet tubes:
 1) diameter _____
 2) type _____
 3) valued (Y/N) _____
 4) valve type _____
 5) location on structure _____

5. System Type: a) sizeroll:
 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 pivot

- 1) make Valley
- 2) number of towers 7
- 3) distance between towers _____
- 4) overall length 1320'
- 5) End gun (Y/N) Y - 12.150'
- 6) high or low pressure low
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 50
- 9) GPM 850

g) Gun

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

d) Gate Pipe

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

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make 11
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

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

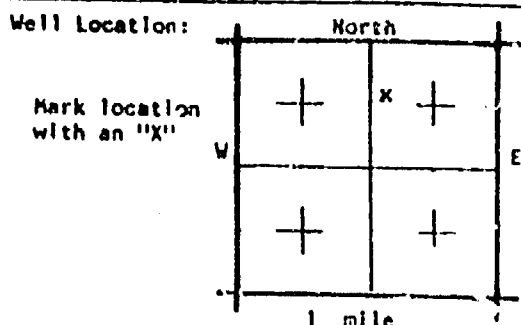
1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
2. Special Qualifications to permit being abided by.
3. All Structures, wells and lands on map.

REMARKS:

WELL DRILLER'S REPORT
SOUTH DAKOTA WATER RIGHTS COMMISSION

4-78

Well Owner:
Name L. J. Branch
Box 297
Address Mission, South Dakota



County Todd County
SW 1/4 NW 1/4 NE 1/4 Sec. 35 Twp. 38 Rg. 29

Proposed Use:
☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:
☐ Forward Rotary ☐ Bored ☐ Jetted
☒ Reverse Rotary ☐ Cable ☐ Other

Well Construction:
Diameter of Hole 32
Depth 370
Casing ☒ Steel ☐ Concrete
☐ Plastic ☐ Other
If other, specify _____
Was casing end left open No
Was a well screen installed Yes
Describe Well Screen
Diameter 16 Material Steel
Slot size 3/4" x .150
Was well gravel packed Yes
Was well grouted No
Was water sample taken No

Remarks:
ss sandstone
sm small
lys layers
m sand med sand
m-c med to coarse sand
f gr. fine gravel

Water Level Information:
Static water level 101 below land surface
If flowing: closed in pressure _____ PSI
rate of flow _____ GPM
Controlled by:
☐ Valve ☐ Reducers ☒ Other
If other; specify _____

Well Test Data:
☒ Pumped
☐ Bailed Describe: _____
☐ Other _____
Pumping Level Below Land Surface
270 ft. After 4 Hrs. pumped 323 GPM
267 " " 25 " " 308 "
260 " " 2 " " 700 "

Well Log:

Formation	From	To
sand	0	10
sand, ss, mag lys	10	40
sand, ss	40	59
mag	59	60
sand, ss, mag layers	60	100
sand, ss	100	110
mag	110	112
sand, ss	112	116
mag	116	118
sand, ss	118	120
med sand, ss	120	150
med sand, ss, clay med lys	150	160
m sand, ss, clay lys	160	175
mag	175	177

(Use Back If Necessary)
See back

Date Completed: August 16, 1980

Driller:
Sargent Irrigation Co. # 273
Driller's or Firm's Name License No.
Box 78
Sargent, Nebraska
Address
Subsidiary 9-1-82
Signed By Joe Date

177-180	med sand, sandstone
180-184	red sand, sandstone, clay layers
184-204	med to coarse sand
204-207	clay
207-212	med coarse sand
212-214	clay
214-226	med coarse sand
226-240	med sand, sandstone
240-250	fine sand, sandstone
250-263	fine sand, sandstone, clay layers
260-280	med sand
280-294	med coarse sand
294-296	clay
296-300	med coarse sand
300-334	med sand, sandstone, clay layers
334-346	clay
346-352	coarse sand, fine gravel
352-356	clay
356-360	coarse sand, fine gravel
360-380	red rock



**Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1257-2
& 1258-2

March 15, 1985

Robert J. Lamoureux
L7 Ranch
Mission SD 57555

Dear Mr. Lamoureux:

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. 1257-2 & 1258-2 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. (\$100.00 total for the two)

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,

KAREN SCHLAACK
Administrative Aide

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

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

No 4 9977

Pierre, March 21, 1985

RECEIVED OF L7 Ranch, Barry & Jane Dunn, Box 297, Mission, SD 57555

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. 1257-2		
Fee for Filing Transfer Form _____	50	00
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)

No. 1257-2

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

APR 29 1985

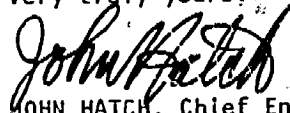
Barry & Jane Dunn
L-7 Ranch
Box 297
Mission, South Dakota 57555

Dear Mr. & Mrs. Dunn:

Enclosed herewith is, Water License No. 1257-2. This is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83
Transmittal of Water License

1257-2

**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
January 20, 1988

R. LAMOUREAUX L7 RANCH CO
BOX 329
MISSION, SD 57555

NOTICE

Re: Violation of Water Permit No(s). 1915-2 and 1987 Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1915-2. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1915-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will also be to determine if Permit No(s) 1257-2, 1258-2, 444-2 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

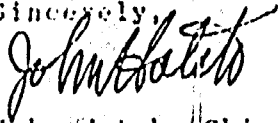
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 1915-2 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 1257-2, 1258-2, 444-2 also held by R. LAMOUREAUX L7 RANCH CO to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

The hearing(s) is an adversary proceeding. The permit owner 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.

Sincerely,



John Hatch, Chief Engineer
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

South Dakota
Department of
Water & Natural Resources

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

February 16, 1988

444-2
1257-2
1258-2
1915-2

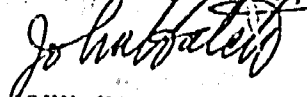
R Lamoureux
L-7 Ranch
Box 329
Mission SD 57555

Dear Mr. Lamoureux:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 444-2, 1257-2, 1258-2, 1915-2 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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



1257-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

January 29, 1993

NOTICE

TO: BARRY DUHN- L7 RANCH CO
HCR 14 BOX 221B
MISSION SD 57555

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 444-2, 1257-2 & 1258-2, 1915-2 and 1992 Irrigation
Questionnaire Requirements

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 444-2, 1257-2 & 1258-2, 1915-2. The request for the Questionnaires was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 444-2, 1257-2 & 1258-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1915-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:30 am, March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1915-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 444-2, 1257-2 & 1258-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaires are received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

1257-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 19, 1993

444-2
1257-2
1258-2
1915-2

Barry Dunn
L7 Ranch Company
HCR 14 Box 221B
Mission, SD 57555

Dear Mr. Dunn:

I am writing to acknowledge receipt of your 1992 irrigation questionnaires. You may disregard the January 29, 1993, Notice of Violation of Water Permit Nos. 444-2, 1257-2, 1258-2 & 1915-2 and 1992 Questionnaire Requirements.

The questionnaires were received in our office prior to the Water Management Board meeting, your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

1257-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 14, 1996

444-2
1257-2 ✓
1258-2

Roger Waldo
Waldo Realty
PO Box 467
O'Neill, NE 68763-0467

Dear Mr. Waldo:

Enclosed, as you requested, are copies of Water Right Nos. 444-2, 1257-2 and 1258-2. These water rights are currently listed in the name of L-7 Ranch Company.

Also enclosed are partially completed *Notice of Transfer of Ownership* forms for use in filing ownership changes with the water rights. Please complete the forms in the area marked *to be transferred to (name & address)*.... The forms will need to be signed in the presence of a notary public by the new owner. Upon completion, please return the forms to our office with a required filing fee of \$2.50 each (total of \$7.50).

If you have any questions about the water rights or need assistance in completion of the transfer forms, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 1257-2

Date: March 1st, 1996



I/We request that Water Right No. 1257-2

formerly owned by: L-7 Ranch Company

be transferred to: (name & address) Tom O. Milligan and Barbara A. Milligan

P. O. Box 32

Hooper, NE 68031-0032

Telephone No. 402-554-3822

Title to the following described land(s)/property has been transferred as described above:

NW¼ Section 35, T38N, R29W

I/We understand that the validity of Water Right No. 1257-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF NEBRASKA)

County of Nodge)

I/We Tom O. Milligan 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 that I know of my own personal knowledge that the information herein stated is true.

Tom O. Milligan
(Signed)

Subscribed and sworn to before me this 1st day of March, 19 96.

 GENERAL NOTARY - State of Nebraska
DUANE G. DAVIS
My Comm. Exp. July 26, 1998

Duane G. Davis
(Notary Public)

NOTE: Water permits may be canceled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414840

Pierre, _____ March 7, 19 96

RECEIVED OF Tripp & Todd Title Co. for Tom & Barbara Milligan, P.O. Box 1831, Winner, SD
the following amount in fees for services rendered as provided for by law: 57580

Fee for Application for Permit No. _____ to Appropriate Water, to construct
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. _____

Fee for Filing Transfer Form _____ Water Right No. 1257-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

Jake Hatch (Signature)



1257-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

March 18, 1996

No. 444-2

1257-2

1258-2

Tripp and Todd Title Company
P.O. Box 1831
Winner, SD 57580

Dear Sirs:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 444-2, 1257-2 and 1258-2.

Our records now show Tom O. and Barbara A. Milligan as the owner of Water Right Nos. 444-2, 1257-2 and 1258-2.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure

c: Tom O. and Barbara A. Milligan

1257-2

1997 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
PLEASE FILL OUT AND RETURN BEFORE DECEMBER 1, 1997

1257-2
TOM O & BARBARA A MILLIGAN
PO BOX 32
HOOPER NE 68031-0032

CHANGES TO ADDRESS LABEL, IF ANY:

*New owner: TLE
Rosebud, SD*

Telephone No. ~~605-747-2371~~
605-747-2371

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

HAS SYSTEM BEEN CONSTRUCTED? YES ☒ NO ☐

DID YOU IRRIGATE IN 1997? YES ☐ NO ☒ IF YES, NUMBER OF ACRES IRRIGATED _____

SOURCE OF WATER well

DID YOU CHEMIGATE IN 1997? YES ☐ NO ☒

TYPE OF SYSTEM (CHECK ALL THAT APPLY):

CENTER PIVOTS ☒ TOWNLINES ☐ BIG GUN ☐

FLOOD ☐ SPRINKLERS ☐ COTHER ☐



COMMENT SECTION:

This property is no longer owned by me. It was purchased from the Dennis by the Rosebud TLE Tribe. No water was pumped from this well in 1997.

THE PORTION OF THE FORM FOR REPORTING ACRES IRRIGATED IS ON THE BACK OF THIS PAGE. LISTED BELOW ARE TWO EXAMPLES OF HOW TO COMPLETE THE FORM:

EXAMPLE 1: IN JUNE & JULY, 130 ACRES WERE IRRIGATED USING A PIVOT SYSTEM (70 ACRES OF CORN & 60 ACRES OF ALFALFA). THE PUMP RATE OF THE PIVOT IS 800 GALLONS PER MINUTE AND YOU PUMPED 8 DAYS, (@ 24 HOURS PER DAY) ON THE CORN AND 22 DAYS ON THE ALFALFA:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: IN JUNE, 40 ACRES OF ALFALFA WERE IRRIGATED (USING GATED PIPE @ 3000 GPM) FOR 5 DAYS - 24 HOURS PER DAY; 60 ACRES OF BEANS WERE IRRIGATED (USING BIG GUN @ 380 GPM) FOR 10 DAYS AT 24 HOURS PER DAY:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

PLEASE SPECIFY IF ACTUAL IRRIGATION HOURS OR KILOWATT HOURS ARE BEING REPORTED.
FOR KILOWATT HOURS, INCLUDE DEPTH TO WATER & SYSTEM PRESSURE IN COMMENT SECTION.

NOT TO SCALE

NOT TO SCALE

L7 Ranch

209.3

119.4

164.3

L7

RANCH

6.2

134.6

33.8

34.0

6.0

119.4

WELL

34.3 AC

32.5

7.5

34

5.7

35

38.29

65.1

38.29



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

No. 1257-2

October 17, 2017

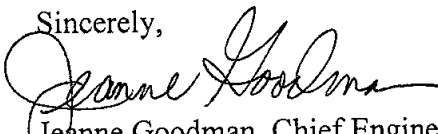
William Kindle, President
Rosebud Sioux Tribe
PO Box 430
Rosebud SD 57570

Honorable President Kindle:

The South Dakota Department of Environment and Natural Resources is in receipt of your letter opposing two water permit applications filed by Milligan, Mace, Boies, Flannery LLC for irrigation in Todd County. You will be receiving notice in the near future scheduling the two water permit applications for hearing before the South Dakota Water Management Board. The Rosebud Sioux Tribe will need to be represented by legal counsel if you choose to participate in the hearing before the Board.

Your letter also requests that Water Right No. 1257-2 be transferred to the Rosebud Sioux Tribe who owns the land authorized for irrigation by this water right. Water Right No. 1257-2 has been transferred to the Rosebud Sioux Tribe. Water Right No. 1257-2 is attached.

Sincerely,


Jeanne Goodman, Chief Engineer
Water Rights Program.

enclosure

State of South Dakota
Water License No. 1257-2

(1) L-7 Ranch Company
of c/o Robert J. Lamoureux, Box 297, Mission, South Dakota 57555
made Application No. 1257-2, April 7, 1975 for a water permit to appropriate
6.0 cubic feet per second of water from groundwater (three wells)
Todd County, South Dakota for Irrigation purposes.
Permit No. 1257-2, with a priority date of April 7, 1975
was approved July 24, 1975 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before July 24, 1980 and for the application to beneficial use of said
water on or before July 24, 1984.

and

(2) It is certified that the application 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 1.9 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1350'S and 150'E of the NW Corner of
Section 35, 38N, R29W (BC)

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following lands all in T38N, R29W

Section 35

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 33.8 Acres (BB)

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 34.0 Acres (BA)

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 32.5 Acres (BC)

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 34.3 Acres (BD)

TOTAL 134.6 ACRES

(4) Pursuant to §46-5-30.1 L-7 Ranch

of c/o Robert J. Lamoureux, Box 297, Mission, SD 57555

the holder(s) and/or owner(s) of Water Permit No. 1257-2 is issued a license to appropriate water, the right to use 1.9 cubic feet per second of water from groundwater (one well) Ogallala with a priority date of April 7, 1975 from the location specified in (2) of this license. The water 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 Water Permit No. 1257-2 and subject to South Dakota State Law.

John Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

APR 29 1985