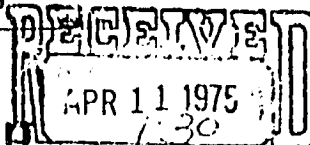


Water Right Number 1260-2

1. Considered MAY 21, 19 75
2. Name of Applicant BEVERLY BURNHAM
3. Post Office Address MILLBORD
4. Amount of Water claimed 4.57 (
5. Source of Water supply GROUND WATER (3-80' WELLS)
6. Water to be used for IRRIGATION
- Acres to be irrigated 320
7. Water to be diverted and used in TRIPP County
- about 3W, 2N miles of WEWELA
8. Proof of Publication Received 1st 5-21-75
- Not Received _____
- Approved _____
- Subject to _____
- Not Approved _____
- Action Deferred _____

10. Remarks:

No. 1260-2Map No. 1067-2 Water Division No. 2 KEYAPAH RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

Beverly Burnham

1. Name of Applicant _____
Post-office address Millboro, State South DakotaIf a corporation show date and place of incorporation _____
Contract & Direct Labor

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work Burnham Irrigation Project4. Amount of water claimed (cubic feet per second) 4 575. Source of water supply ground water6. Location of point of diversion South 7⁰ East, 2740 Feet; South 5⁰ 15' East, 2500 feet; and
South 2³⁰ East, 2720 feet from the NW Corner, Section 15, T95N, R77WCounty Tripp7. Annual period or periods during which water is to be used April thru October8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 320

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.
NW $\frac{1}{4}$	160		
SW $\frac{1}{4}$	160		
Section 15, T95N, R77W			

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.

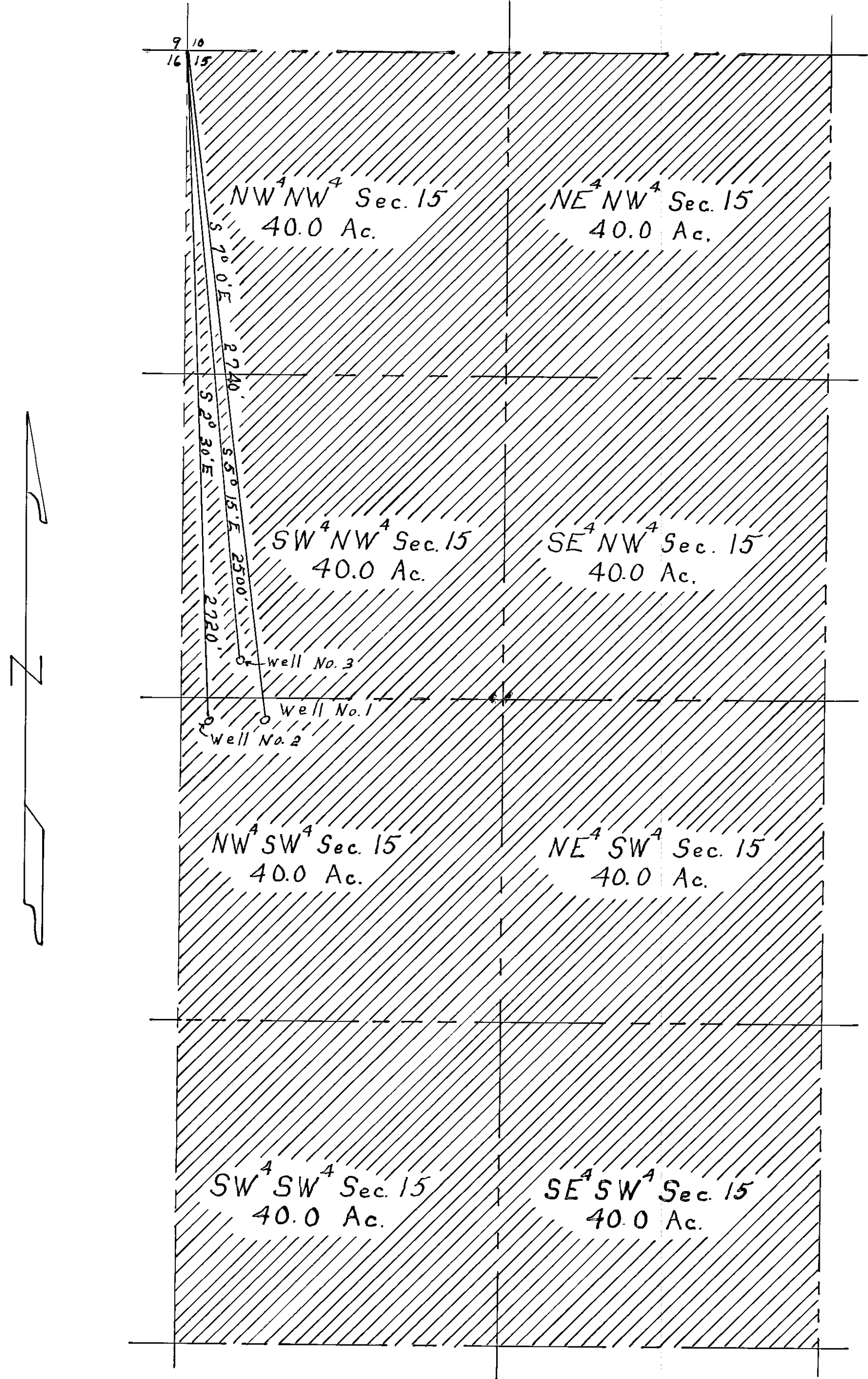
A. Works proposed to divert water from its natural source.
Wells, pumps, motorsB. Works proposed to transport water to place of use.
MainlineC. Works proposed to apply water to beneficial use.
Center pivot sprinkler systemsEstimated Total Cost \$ 45,000.00Attachments. Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
(See instructions concerning preparation.)STATE OF SOUTH DAKOTA)
Pughes) ss.
County of _____)I, Beverly Burnham 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 Beverly Burnham
11th day of April, 1975

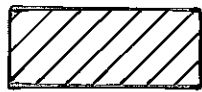
Subscribed and sworn to before me this _____ day of _____, 1975

Notary Public (or other qualified officer)

BETTY WESTLUND, Land/Water Clerk 11

Beverly Burnham Irrigation Project
 in W² Sec. 15-T 95 N-R 77 W-Tripp County, S.D.
 Scale-1"=400'



 Land to be Irrigated

All land to be Irrigated owned by Beverly Burnham & William Heese

Location of land to be Irrigated				
Location	Section	Township	Range	Acres
NE ¹ NW ⁴	15	95	77	40.0
SE ¹ NW ⁴	15	95	77	40.0
SW ¹ NW ⁴	15	95	77	40.0
NW ¹ NW ⁴	15	95	77	40.0
NE ¹ SW ⁴	15	95	77	40.0
SE ¹ SW ⁴	15	95	77	40.0
SW ¹ SW ⁴	15	95	77	40.0
NW ¹ SW ⁴	15	95	77	40.0
Total				320.0

I hereby certify that the map and plans of
 the Beverly Burnham Irrigation Project
 consisting of this sheet is an accurate
 representation of the survey made under
 my supervision.
 Dated this 26th day of March, 1975.

Engineer
 Harry Sandstrom

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1260-2
BEVERLY BURNHAM MILLBORN, SE
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57554 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.

Date of first receipt of application APRIL 11 1975
 Date of return to applicant for correction, amendments or changes required _____ 19____
 Date of receipt of corrected application _____ 19____
 Approved MAY 21 1975 Recorded in Book 13 Page 266

WATER RIGHT PERMIT NO. 1260-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1260-2 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 11 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 21 1977
3. The whole of said work is to be completed on or before MAY 21 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 21 1984
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 4.57 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 MAY 21 1984; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 23RD day of MAY 1975

WATER RIGHTS COMMISSION

By: Wm. W. Butler
 Chief Engineer, Executive Officer
 CIVIL ENGINEER LICENSE NO. 10000

Permit 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 22 inches, Depth 80 feet
- (2) Casing, Type Plastic Diameter 12 inches Thickness std
(wood, concrete, steel, etc)
- (3) Perforated Screen,
Type slotted, Diameter 12 inches, Length 60 feet
- (4) Gravel Pack, Thickness 5", Length of gravel pack 80'

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 15 feet

Depth to bottom of water bearing material 80 feet

Thickness of water bearing material 65 feet

Depth to water (ground surface to water level) 15 feet

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

On same owner's property 120 rds. On property owned by others 1 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.

Bernard B. Burnham
Signature of Applicant

Conservation
Commission
Form VI 01

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 ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

Disapproved: _____

NAME: Mrs. Beverly L. Burham
ADDRESS: Millboro, South Dakota
COUNTY: Tripp

LEGAL DESCRIPTION

1. WELL LOCATION: NW $\frac{1}{4}$ & SW $\frac{1}{4}$ 15, 95-77
2. AREA TO BE IRRIGATED: W $\frac{1}{2}$ 15, 95, 77

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center Pivot
4. CROPS TO BE IRRIGATED: Corn and Alfalfa and grain

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 2-3% ON ABOUT $\frac{3}{4}$ & 0-9% ON ABOUT $\frac{1}{4}$ OF THE AREA
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: ANSELMO-METAL F.S.L. INTAKE
FAMILY 1.5, ANSELMO L.F.S. INTAKE FAMILY 1.5, DUNDY L.F.S. INTAKE
FAMILY 3.0, METAL F.S.L. INTAKE FAMILY 1.5, WINTER F.S.L. INTAKE
FAMILY 1.0.

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-174
8. SALINITY: EC = 415 micromhos/cm (low-medium)
9. SODIUM: Sodium Adsorption Ratio = 1.17 (low)

Residual Sodium Carbonate = 0.95 me/l
(not considered a hazard on these soils)

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

and;

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

Mrs. Beverly L. Buchanan

Subscribed and sworn before me this

12th day of March 1975.

M. S. S. S.

Notary Public

(Title)

My Commission Expires 3-22-82

1975

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

Submitted by: Mrs. Beverly L. Purnham
 Address: Millboro, SD 57554

Date Rec'd: March 14, 1975
 Sample No. 75-174
 Identification Well-85
Sec. 15, T 95N, R 77E

WATER ANALYSIS

Calcium (Ca)	56	ppm*	2.80	me/l**
Magnesium (Mg)	3	ppm	0.25	me/l
Sodium (Na)	33	ppm	1.44	me/l
Potassium (K)	15	ppm	0.39	me/l
Sulfate (SO ₄)	16	ppm	0.34	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.11	me/l
Bicarbonate (HCO ₃)	244	ppm	4.00	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)	200	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	412	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.17			
Sodium	29.50	% of cations		
Residual sodium carbonate	0.95	me/l		
pH	7.51			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 4.88 me/l
 Total anions 4.45 me/l

By: Shirley Kitten

Service Performed

Amount Due

Irrigation analysis

\$6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-174

Amount Enclosed \$

Signed

Form 6 - Notice of Intent to Appropriate Water

1260-2

Publish first publication, on or before May 8, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 16, 1975

Notice is hereby given that Beverly Burnham
whose post office address is Millboro, 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
4.57 cubic feet of water per second of time from the ground water through the
Burnham Irrigation Project, the point of diversion of which is to be located in the _____

SW 1/4 NW 1/4 and NW 1/4 SW 1/4

of Section 15, Twp. 95N, Range 77W. Said water to be used for the purpose
of providing irrigation on the following described land:

W 1/2, Section 15, T95N, R77W

This application No. 1260-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 21st day of May, 1975, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By.

BURTON F. JONES
Water Rights Specialist

SFJ/bw

cc: lrs/ Beverly Burnham, Millboro, S.D. 57554

No. 1260-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Tripp) ss.

I, Al. L. Johansen hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Winner Advocate

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 Winner

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

April 23, 1975

April 30, 1975

Al. L. Johansen
(Signature)

Barbara
(Title)

April 30, 1975
(Date Signed)

No. 1260-2
**NOTICE
INTENT TO APPROPRIATE
WATER**
Pierre, South Dakota 57501
April 15, 1975.

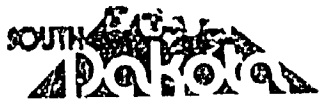
Notice is hereby given that
Beverly Burnham, whose post
office address is Millbrook, South
Dakota, has made an application
in accordance with the provi-
sions of the water laws of South
Dakota for a permit to appropri-
ate for beneficial use 4.57 cubic
feet of water per second of time
from ground water through the
Burnham Irrigation Project, the
points of diversion of which are
to be located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15,
Twp. 95N, Range 77W. Said
water to be used for the purpose
of providing irrigation on the
following described land: W $\frac{1}{2}$,
Section 15, T95N, R77W.

This application No. 1260-2 will
be considered by the Water
Resources Commission at their
office at Pierre upon the 21st day
of May, 1975, at 2:30 P.M. All
interested persons may appear
and be heard.

**WATER RESOURCES COM-
MISSION**

By: Burton F. Jones
BURTON F. JONES
Water Rights Specialist. (17-18)

DELIVERED @
Comm MTA
5-21-75



Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1260-2

September 7, 1984

Mrs. Beverly Burnham
Millboro, South Dakota 57554

Dear Mrs. Burnham:

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. 1260-2 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.

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,

Maxine Swirling
Staff Assistant

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

A drillers log for each of your wells will need to be obtained before the Water License can be issued. If you do not have copies ory checking with the well driller, he may still have copies of the logs. When the logs and fee are received by this office your License can be issued.

STANDARD FORM NO. 64

January 29, 1965

Permit No. 1360-2

NOTICE OF WATER LICENSE DEFICIENCY FOR REQUESTERS

Mrs. Beverly Burdhan
Billboro, SD 57554

Dear Mrs. Burdhan:

September 7, 1964 you were notified the final inspection fee of \$50.00 is due before Water License No. 1360-2 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 SDL 46-2-13(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 46-5-36.1 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

JS08:MR

PLEASE NOTE: A drillers log for each of your wells will need to be obtained before the Water License can be issued. If you do not have copies try checking with the well driller, he may still have copies of the logs. When the logs and fee are received by this office your License can be issued.

March 14. 1985

S.D. Dept of Water & Natural Resources
Water Right Division
Pierre S.D.

Dear Sir:

Enclosed find check for \$50.00 for
land inspection fee on Water Right #1260-2.
I have been waiting to get the drilled log on the
wells before writing the \$50. As soon as I receive
the log I will send it on to you.

Thank you.

Sincerely,

Mr. Beverly Bernham
St Rt 10 Box 29
Milledale S.D. 57554



1260-2
1173-2

July 12, 1985

Edgar Grooms
Grooms Drilling Co.
Box 226
Valentine, Nebraska 69201

RE: Well logs for wells drilled for Beverly Burnham and Stanley Hanson,
Millboro, South Dakota.

Dear Mr. Grooms:

Our office is in the process of issuing water licenses for permits owned by the above named people. In order to complete their files and before the licenses can be issued, well logs are needed for wells drilled for Mrs. Burnham and Mr. Hanson.

Below are legal descriptions for the wells in questions. (All are in Tripp County).

Beverly Burnham

3 wells--#1-2420'N & 350'E of the SW Corner;
#2-2450'N & 1200'E of the SW Corner;
#3-1360'N & 150'W of the SW Corner;
All in Section 15, T95N, R77W (NW1/4SW1/4)

Stanley Hanson

3 wells--#1-1390'N & 560'W of the SE Corner
#2-630'N & 480'W of the SE Corner
#3-700'N & 720'W of the SE Corner
All in Section 19, T95N, R78W (SE1/4SE1/4)

If you still have copies of the well logs for the above referenced wells, please forward a copy of each to our office. It is very important that we obtain these logs. The water licenses are ready to be issued but cannot be done until this information is obtained.

Your prompt attention in this matter will be appreciated. If you have any questions, please contact our office.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms

cc: Beverly Burnham, SR#10, Box 29, Millboro, SD 57554
Stanley Hanson, Millboro, SD 57554

Water Rights Division - DWR
Conversation or File Documentation

File No. _____

NAME OF PERSON ~~XXXXXX~~ Edgar Grooms-Grooms Drilling

ADDRESS: Valentine, NE COUNTY _____

DATE: August 13, 1985 TELEPHONE 402-376-3410

RE: Logs for wells drilled for Stanley Hanson & Beverly Burnham

COMMENTS:

Sent letter to Grooms Drilling July 12, no response called him and ask
if he had any luck finding the logs, he indicated he was unable to find any
logs for those wells. He did indicate he remembered that Beverly Burnham's
wells were all between 85-90 feet deep and Sand, Stanley Hanson's wells
were all between 130-140 feet deep and all Red Rock.

August 12, 1985 called Juracek Well Boring in Burke concerning logs for
Mr. Hanson, they were also unable to find copies of the logs

Issue both licenses without logs. None available

File in Permit or other file as necessary. Use to document conversations and
what the other party was told; why action or decision was made.

4/82

NAME: Jerry Mahala

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

TO: Chief Engineer, Division of Water Rights, DWR, 4055 Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Beverly
Burnham of Millboro, SD holder of
Permit No. 1260-2, bearing the priority of April 11, 1975 authorizing
the diversion of 4.57 cu. ft. per second of the waters of Groundwater
for Irrigation purposes, in Tripp County.

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

- A. Works used to divert the water: 3 wells with 2" 10HP Reb Jacket submersible pumps into 200 gal. storage tank & Berkeley pump & Case 6 cyl. Diesel motor

- B. Works used to transport water to place of use:**

1200' - 6" Buried PVC pipe

- C. Works used to apply water to beneficial use:

" 10 tower center pivot
- 600 ft low line

The system is in the following condition Good

The point of diversion is located 3 wells located in NW 1/4 SW 1/4
 #1-2420'N 350'E of SW corner
 #2-2450'N 1200'E of SW corner
 #3-1360'N 150'E of SW corner
Section 15 - T95N - R77W

The works are capable of diverting and conveying to the place of use 2.0

to 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: 32.75 Ac. NW 1/4 SW 1/4,
32.75 Ac. NE 1/4 SW 1/4, 32.75 Ac. SW 1/4 SW 1/4, 32.75 Ac. SE 1/4 SW 1/4
21 Ac. SW 1/4 NW 1/4, 21 Ac. SE 1/4 NW 1/4 Section 15-T9S-N-R77W

comprising a total of 17.3 acres of land and the license should be issued for 2.47 (s) ^{2.0}

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are _____ on August 22, 1984

Timothy H. Lebac

LICENSE FOR PERMIT NUMBER 1260-2

1. Legal location of wells: NW 1/4 SW 1/4 Section 15-T95N-R77W

dams & structures: _____

2. Well Information: Well Drilling Firm Grooms Drilling

No. of wells 3 Depth 75-80 ft

Casing a) diameter 12" Screen a) type hand made slots
b) length 75'-80' b) length full length
c) type PVC Static Water Level 15'

Pump a) make Berkeley Motor a) make Case 6 cyl diesel
b) model B3IRMBM-CW b) model no. _____
c) size 13" c) horsepower rating _____
d) capacity 800-900 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:

a) size of lines 6"
b) type Riveted PVC
c) length 1200'

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 _____

i) Outlet tubes:

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

h) Distribution lines or canals:

1) size _____
2) type _____
3) length _____

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 2640' feet
2) make, model & number of sprinklers
88 Rainbird sprinklers
3) spacing of sprinklers 20'
4) nozzle size _____

5. System Type: c) center pivot

- 1) make O/Son
- 2) number of towers 10
- 3) distance between towers
130'
- 4) overall length 1320
- 5) End gun (Y/N) Yes Rainbird
- 6) high or low pressure high
- 7) make & size of nozzles ✓
- 8) PSI reading while system is running 75
- 9) GPM 450

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

REMARKS:

They have 3 wells, each well has a 2 inch 10 HP Red Jacket submersible pump. The wells are pumped into a 200 gal storage tank. They use a Berkeley pump and case motor at the tank.

State of South Dakota
Water License No. 1260-2

(1) Beverly Burnham
of SR#10, Box 29, Millboro, South Dakota 57554
made Application No. 1260-2, April 11, 1975 for a water permit to appropriate
4.57 cubic feet per second of water from groundwater (three wells)
Tripp County, South Dakota for irrigation purposes.
Permit No. 1260-2, with a priority date of April 11, 1975
was approved May 21, 1975 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before May 21, 1980 and for the application to beneficial use of said
water on or before May 21, 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 2.0 cubic feet per second of water
for beneficial use. The location of the diversion point(s) are #1-2420'N & 350'E of the SW Corner;
#2 - 2450'N and 1200'E of the SW Corner; #3 - 1360'N and 150'E of the SW Corner;
all in Section 13, T95N, R77W (NW1/4SW1/4)

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 T95N, R77W

Section 15	N $\frac{1}{2}$ S $\frac{1}{2}$	32.75 Acres	(B)
	NE $\frac{1}{2}$ S $\frac{1}{2}$	32.75 Acres	(CA)
	SW $\frac{1}{2}$ S $\frac{1}{2}$	32.75 Acres	(CC)
	SE $\frac{1}{2}$ S $\frac{1}{2}$	32.75 Acres	(CD)
	SW $\frac{1}{2}$ N $\frac{1}{2}$	21.00 Acres	(BC)
	SE $\frac{1}{2}$ N $\frac{1}{2}$	21.00 Acres	(BD)
	TOTAL	173.00 ACRES	

(4) Pursuant to §46-5-30.1 Beverly Burnham

of SR#10, Box 29, Millboro, South Dakota 57554

the holder(s) and/or owner(s) of Water Permit No. 1260-2 is issued a license to appropriate water, the right to use 2.0 cubic feet per second of water from groundwater (3 wells) with a priority date of April 11, 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. 1260-2 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources
JOHN HATCH
DEC 20 1985

WATER RIGHTS DIVISION
(605) 773-3352

August 16, 1985

Beverly Brunham
SR#10, Box 29
Hillboro, South Dakota 57554

Dear Mrs. Burnham:

I have contacted Grooms Drilling by letter and by telephone to obtain well logs for your wells. They have indicated they no longer have copies of the logs. Mr. Grooms indicated he had given copies of these logs to you at the time the wells were drilled.

The well logs are very important and should be placed with your water right file. However, since the logs are unable to be found, the water license can be issued without them. If you would happen to run across the logs in any of your files, please forward them to our office.

Water License No. 1260-2 will be issued and forwarded to you in the near future. If you have any questions, please contact us.

Sincerely,

Genny McIlath
Natural Resources Analyst

GH:ms

RECEIPT

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

No 4 9971

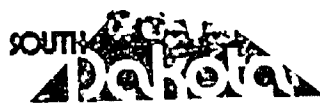
Pierre, March 15, 1935

RECEIVED OF Mrs. Beverly Bernham, SR #10, Box 29, Hillboro, SD 57554

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. 1250-2	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 (S)



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

DEC 20 1985

Mrs. Beverly Burnham
SR10 Box 29
Hillboro, South Dakota 57554

Dear Mrs. Burnham:

Enclosed herewith is, Water License No. 1260-2. 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,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:NC

Enclosures

WNR-817 3/83
Transmittal of Water License

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

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

February 9, 1990

BEVERLY BJRNHAM
SR #10 BOX 29
MILLBORO, SD 57554

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s) 1260-2. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if an action is to be taken concerning the violation.

The hearings will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

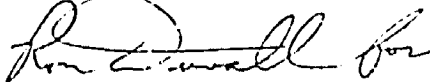
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 1260-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. 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.

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,



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



Department of Water & Natural Resources

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

February 23, 1990

1260-2

Beverly Burnham
SR #10, Box 29
Millboro SD 57554

Dear Ms. Burnham:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 1260-2. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall

RON DUVAL
Natural Resources Engineer
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 22, 1996

1260-2

Brian Burnham
RR 1 Box 37
Colome, SD 57528-9734

Dear Mr. Burnham:

Thank you for the prompt return of the 1996 irrigation questionnaire for Water Right No. 1260-2.

It is my understanding from the notation you made on the irrigation questionnaire, that you wish to have the water right transferred to your name. Enclosed is a partially completed "Notice of Transfer" form for use in filing the ownership change. Please review the form for accuracy and make any necessary corrections. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50.

Water Right No. 1260-2 will be transferred from Beverly Burnham to your name as soon as we receive the completed form and filing fee. If you have any questions concerning the water right or the transfer form, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 8, 1997

SECOND NOTICE
Permit No. 1260-2

Brian Burnham
RR 1, Box 37
Colome, SD 57528-9734

Dear Mr. Burnham:

On November 22, 1996, notice was sent to you concerning the transfer of Water Right No. 1260-2 in the name of Beverly Burnham. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath, (605) 773-3352.

Very truly yours,

RON DUVALL
Natural Resources Engineer
For John Hatch, Chief Engineer
Water Rights Program

enclosure

your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the article, or on the back if space does not permit.
- Write "Return Receipt Requested" on the envelope below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
 - 2. Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to: ~~XXXXXXXXXX~~

1260-2

Brian Burnham
RR 1, Box 37
Colome, SD 57528-9734

4a. Article Number

P 422 707 453

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☒ Certified
- ☐ Insured
- ☐ COD

7. Date of Delivery

5-12-97

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

Jean
Brian Burnham

6. Signature: (Addressee or Agent)

X *Brian Burnham*

Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees P
U.S.
Permit No. G-10



Print your name, address, and ZIP Code in this box •

DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES
WATER RIGHTS PROGRAM
220 E. CAPITOL JOE FOSS BLDG.
PIERRE, SOUTH DAKOTA 57501



NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1260-2

Date: 5-22-97

I/We request that Water Right No. 1260-2

formerly owned by: Beverly Burnham

be transferred to: (name & address) Brian Burnham, RR 1 Box 37, Colome, SD 57528-9734

Telephone No. 605 557-3289

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

172 acres in the SW 1/4 and S 1/4 NW 1/4 Section 15, T95N, R77W

I/We understand that the validity of Water Right No. 1260-2 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 SOUTH DAKOTA)

County of TRIPP)

I/We Brian Burnham 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.

(Signed)

Subscribed and sworn to before me this 22nd day of May, 19 97.

12-30-04 (Notary Public) Alona Burtz

NOTE: Water permits may be cancelled 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

415371

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 23, 19 97

RECEIVED OF Brian Burnham, RR 1, Box 37, Colome, SD 57528-9734

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

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. 1260-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50

50

By John Hatch (Signature)
Chief Engineer



1260-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 29, 1997

No. 1260-2

Brian Burnham
RR 1, Box 1
Colome, SD 57528-9734

Dear Mr. Burnham:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1260-2.

Our records now show you as the owner of Water Right No. 1260-2.

Sincerely,

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

enclosure

File No. 1260-2

Water Rights Division - DENR
Conversation or File Documentation

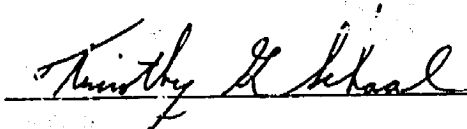
NAME OF PERSON OR FILE: Beverly Burnham

ADDRESS: SR 16, Box 29, Millboro, SD 57554 COUNTY: Tripp

DATE: January 7, 1998 TELEPHONE: XXXXXXX

RE: Reissue of license for Water Right No. 1260-2

The license for Water Right No. 1260-2 (Beverly Burnham) should be reissued to drop the 42 acres located in the lower S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 15-T95N-R77W. This acreage was previously irrigated with a towline system, which they no longer use. A portion of these acres are now irrigated with a center pivot authorized under Water Permit No. 2122-2.



Timothy G. Schaal, P.E.
Natural Resources Engineer III
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 27 1998

Brian Burnham
RR 1 box 37
Colome SD 57528-9734

Dear Mr Burnham:

Enclosed is Reissued Water License No. 1260-2. This water license is being reissued to delete irrigation of the S 1/2 NW 1/4 Section 15-T95N-R77W. Irrigation of these portions of land are covered by Water Right No. 2122A-2 (held by Rodney Hofeldt).

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

Very truly yours,

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

ks

enclosure

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 1260-2

(1) Beverly Burnham, SR 10 Box 29, Millboro SD 57554 was issued Water License No. 1260-2, December 20, 1985 for a right to appropriate 2.0 cubic feet of water per second from groundwater (three wells), Tripp County, South Dakota for irrigation purposes. Water License No. 1260-2, with a priority date of April 11, 1975 issued to Beverly Burnham for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

On May 23, 1997, Water Right No. 1260-2 was transferred to Brian Burnham.

Water License No. 1260-2 is being reissued to delete irrigation of the S 1/2 NW 1/4 Section 15-T95N-R77W. This acreage is authorized under No. 2122A-2.

(2) It is certified that the permit holder 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 1.87 cubic feet of water per second for beneficial use. The location of the diversion points are Well #1 - 2,420 feet north and 350 feet east; Well #2 - 2,450 feet north and 1,200 feet east; Well #3 - 1,360 feet north and 150 feet east; all from the southwest corner of Section 15-T95N-R77W (NW 1/4 SW 1/4).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 15-T95N-R77W	NW 1/4 SW 1/4	32.75 acres
	NE 1/4 SW 1/4	32.75 acres
	SW 1/4 SW 1/4	32.75 acres
	SE 1/4 SW 1/4	32.75 acres
Total		131 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Brian Burnham, RR 1 Box 37, Colome SD 57528-9734 the holder and/or owner of Reissued Water License No. 1260-2 is issued a license to appropriate 1.87 cubic feet of water per second from groundwater (three wells) with a priority date of April 11, 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 License No. 1260-2 and subject to South Dakota State Law.

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 27 1998

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3132
www.state.sd.us/denr

January 17, 2003

NOTICE

TO: BRIAN BURNHAM, 29605 314TH AVE, WINNER, SD 57580

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 1260-2. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 5, 2003, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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 Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1260-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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.

If the questionnaire(s) is(are) received in this office on/or before February 28, 2003, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1260-2

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 5621

Your item was delivered at 8:33 am on January 18, 2003 in WINNER, SD 57580. The item was signed for by B BURNHAM.

[Request Delivery Record >](#)

Track & Confirm

Enter label number: _____

[Track & Confirm FAQs](#)



POSTAL INSPECTOR'S
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. Terms of Use Privacy Policy

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7540 5621

BRIAN BURNHAM
29605 314TH AVE
WINNER SD 57580

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For inquiries:
Access Internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail
☐ Package Services

(See Reverse)

PS Form 153, February 2001



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2003

1260-2

Brian Burnham
29605 314th Ave
Winner SD 57580

Dear Mr. Burnham:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 1260-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

NOT TO SCALE

95-77

(218-4)

115.2
115.2

42.1

7.1
56.0
Well #1

66.2
66.2

Well #2

Well #3

65.0
65.0

7.7

6.6

15

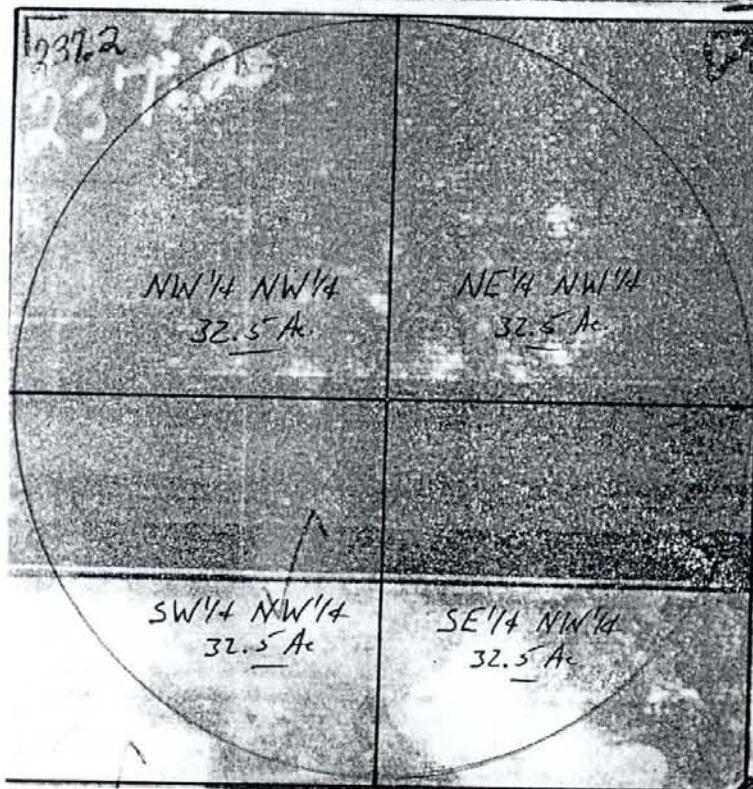
6.2
6.2

95-77

W/R 1260-2

1260-2

NOT TO SCALE



95-77 HEL
T1318 (218-L) (C-7)



NC
115
T1317

NC
95-77

Water Permit No. 2122-2 &
2122A-2
Timothy G. School
January 7, 1997



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 18, 2008

NOTICE

TO: BRIAN BURNHAM, 29605 314TH AVE, WINNER, SD 57580

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 1260-2. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2008**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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 Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1260-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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.

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1260-2

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 3875

Status: **Delivered**

Your item was delivered at 7:27 AM on January 22, 2008 in WINNER, SD 57580. The item was signed for by J BURNHAM.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)[Site Map](#)[Contact Us](#)[Forms](#)[Gov't Services](#)[Jobs](#)[Privacy Policy](#)[Terms of Use](#)[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA

Public Inquiries
Toll-free 1-800-275-8777and 1-800-832-7268
Toll-free 1-800-832-7268

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 3875	
BRIAN BURNHAM 29605 314TH AVE WINNER SD 57580	
Waiver of Signature	☐ YES ☐ NO
Postmark Here	
POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com ® or call 1-800-222-1811	
☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel	



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 25, 2008

1260-2

Brian Burnham
29605 314th Ave
Winner SD 57580

Dear Mr. Burnham:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 1260-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Schlaak, Karen

From: Gronlund, Eric
Sent: Monday, April 16, 2018 8:36 AM
To: Schlaak, Karen
Subject: WR 1260-2, Brian Burnham

Mr. Burnham hold this water right for 3 wells. One of the wells is pumping sand and he wants to replace. The well will be in the same quarter-quarter, same depth and no additional diversion rate or acres is requested. I told him he could proceed to replace the well.

This is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15-T95N-R77W



1260-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 23, 2020

NOTICE

TO: BRIAN BURNHAM, 29605 314TH AVE, WINNER, SD 57580

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire has not been submitted for Permit No(s) 1260-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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 Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1260-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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.

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: PONCFS**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1260-2

Brian Burnham
29605 314th Avenue
Winner, SD 57580

RECEIVED

JAN 29 2020

WATER RIGHTS
PROGRAM

January 26, 2020

Water Rights Program
523 E. Capitol
Pierre SD 57501

Re: Permit No. 1260-2

I am enclosing the 2019 Water Management Board Irrigation Questionnaire that you recently mailed to me along with a 1-23-20 Notice stating I had not filed my questionnaire for 2019 for Permit No 1260-2.

I did in fact file the report online on November 5, 2019. I saved a copy for my records. I do not know why your records do not reflect this online filing.

In any event, I have filled out the form you sent. Will you please acknowledge receipt of this form and let me know that I am no longer in violation of my permit and that my name will be removed from the Board agenda?

If you would like to respond by email, my email address is bburnham@gwtc.net.

Thank you.

Sincerely,



Brian Burnham

Enclosure

1260-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 29, 2020

1260-2

Brian Burnham
29605 314th Ave
Winner SD 57580

Dear Mr. Burnham:

I am writing to acknowledge receipt of your 2019 irrigation questionnaire.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 1260-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

May 2, 2024

Blake & Brian Burnham
31166 300th St
Winner SD 57580

1260-2
2833-2
2834-2
2835-2

Dear Mr. Burnham:

I am writing you today in regard to your water permits/rights, Water Right No. 1260-2 and Permit Nos. 2833-2, 2834-2, and 2835-2 authorizing the irrigation of 131 acres, 130 acres, 130 acres, and 145 acres, respectively, for a combined total of 536 acres.

In reviewing the irrigation questionnaires submitted for the 2023 irrigation season, it was discovered that you had reported irrigation of 685 acres. I have enclosed copies of each questionnaire for you to review.

If this was simply a recording error, we can make that adjustment. However, if you have developed 149 acres more than what is authorized, a new permit application would be required.

For your convenience I have enclosed a new irrigation permit application. I've also enclosed a "Notice of Completion of Works" form for you to review and return if the systems have been fully developed.

Please feel free to call me with any questions regarding the permit application, permitting process, or questions regarding the questionnaires.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

File No. 1260-2
2833-2
2834-2
2835-2

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Blake & Brian Burnham, 31166 300th St, Winner SD 57580

DATE: 05/10/2024

RE: Reported irrigation of more acres than authorized

COMMENTS:

On May 2, 2024, I sent Burnhams a letter regarding their 2023 irrigation questionnaires. They had indicated the irrigation of 149 more acres than what they were permitted.

On May 8, 2024, Burnhams responded to my letter indicating that they had misread/recorded the number of irrigated acres. They requested that questionnaire reporting under 1260-2 be changed from 135 to 131 acres. 2833-3 be changed from 270 to 130 acres, and 2834-2 be changed from 135 to 130 acres.

New scans have replaced originals in the reporting database for the above mentioned permits. No adjustments were made to the 2835-2 questionnaire.



Amanda Dewell
Water Rights Program

We read the permits wrong. Sorry for the error! Attached are the corrections along with 3 Notices of Completion.
Thank you.
Brian Burnham
Blake Burnham