

Considered: _____

1272A-2
WATER PERMIT NO. ~~1272A-2~~

MAP No. Same

Name of Applicant Willis Nelson

Post Office Address RT. 1 Tilden NE.

Amount of Water Claimed ~~2.5 cfs~~ 0.9 cfs Total Acres See No. 1272-2

Source of Water Supply Groundwater - Ogallala

Water to be used for IRR County Todd

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received 4-15-85 Not Received _____

APPLICATION: Approved 7-10-85 Subject to _____

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

PRIORITY _____ Date Received 2-8-85 Fee \$50.00 Remarks _____

2-8-85 Permit app. is for add. diversion point on 1272-2

Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED NA Per Greg Powell APPROVED/CONDITIONAL (Circle one)

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

Diversion Point SW⁴SW⁴ sec. 33 T37N R29W

Land to be Irrigated Same as #1272-2

35					

Well Log: Driller Chase Well Drilling Inc. Licensed YES _____ NO _____

Depth of Well 300' REMARKS _____

Type of Map Aerial PREPARED BY Donald Bristow ASCS Reviewed and the Number

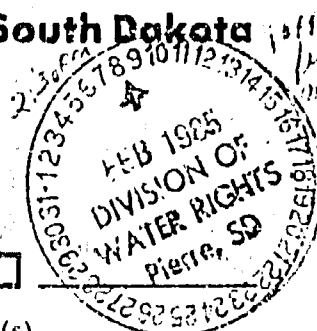
assigned on 3-14-85 By Kevin C. Yarr

No. 1272A-2 Hydrologic Unit 10150006
 Map No. Same Basin Piobram
 Newspaper Todd Co. Tribune Box 229 Mission Wad

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

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

- New ☒ Vested Right ☐ Future Use ☐
☐ Application to amend Permit No. _____ with old priority date retained
☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐
☒ Application to: ☐ Change use ☐ Change diversion point(s) ☒ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. 1272-2
☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____



1. Name of Applicant Willis Nelson Phone No. (402) 368-7725
 Post Office Address RR 1, Tilden NE State 68781
 (Street, RR or Box) Zip Code
 2. Amount of water claimed (c.f.s) 0.9 Total acres irrigated 136.0 (N. Add'l) see # 1272-2
 3. Source of Water supply groundwater - Ogallala
 4. Location of point of diversion The additional diversion is located 600' N and 1330' E of SW corner sec 33 T37N R29W
 County Todd
 5. Counties where water will be used Todd
 6. Annual period during which water is to be used spring thru fall
 7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
<u>see permit</u>	
<u># 1272-2</u>	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

The acreage is irrigated with an Electrogator center pivot.
 Two groundwater wells are used having hydroturbine pumps and 40 HP motors.

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

STATE OF SOUTH DAKOTA)
 County of _____)^{ss}

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

* Signed Willis Nelson

Subscribed and sworn to before me this 4 day of Feb 1985

 MILAN E. PETERSEN
 My Comm. Exp. May 12, 1986

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1272A-2
Willis Nelson RT. 1 Tilden
 (Applicant) (Post Office Address)
Nebraska 68781 With the following qualifications.
 (State) (Zip Code)

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit, shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

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

Date of first receipt of application February 8, 1985
 Date of return to applicant for correction, amendments or changes required —, 19—
 Date of receipt of corrected application —, 19—. Approved July 10, 1985

The Water Management Board hereby approves this Water Permit No. 1272A-2 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is February 8, 1985
2. One-fifth of the work is to be completed on or before —, 19—
3. The whole of said work is ~~to be completed on or before~~ —, 19—
4. The time limit for proof of beneficial use of water is —, 19—
5. The water appropriated shall be used for the purpose of Irrigation
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.9 cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served. For irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before —, 19—; said water to be used during the following described annual period: May 1 to September 1

WATER MANAGEMENT BOARD

By: John H. [Signature]
 Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
SEP 11 1985, 19—

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 1272A-2, Willis Nelson

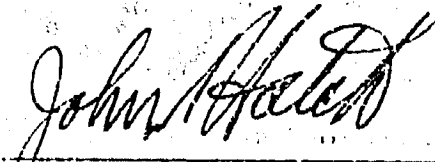
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1272A-2, Willis Nelson, Rt 1, Tilden, Nebraska.

The Chief Engineer is recommending APPROVAL of Application No. 1272A-2 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

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

See the attached report for additional information.



JOHN HATCH, Chief Engineer

March 27, 1985

REPORT ON APPLICATION NO. 1272A-2

WILLIS NELSON

March 25, 1985

This application is to authorize an additional diversion point for the lands permitted under No. 1272-2. No additional water is requested. The location of the additional diversion is the SW 1/4 SW 1/4 Section 33, T37N, R29W.

The well was drilled into the Ogallala aquifer. Information concerning the geology and aquifer characteristics of this area can be obtained from the report written for Permit No. 1272-2.

Permit No. 1272-2 holds a priority date of June 24, 1975 for 2.0 cfs of groundwater for irrigation.

Conclusions:

1. No additional water is requested under this permit.
2. No existing water rights will be affected.
3. Since no additional water is requested, Permit No. 1272A-2 should hold the same priority date as Permit No. 1272-2.
4. Approval of this permit is in the public interest and constitutes beneficial use of the waters of the state.

Greg Powell / RS

GREG POWELL
Natural Resource Engineer

Instruction to Newspaper - Publish first publication of the following Notice on or before
May 29, 1985 with 2nd publication 1 week later. The ^{Water Rights Division} applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1272A-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Rights No.~~

Notice is hereby given that Willis Nelson whose mailing address is
RR#1, Tilden, Nebraska, ~~South Dakota~~ has made an application for a permit

to appropriate 0.9 cubic feet per second of water from one additional well 300 feet deep
 (Ogallala formation) located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, T37N-R29W to irrigate land
 authorized by Permit No. 1272-2. This application does not change the number of acres
 irrigated under Permit No. 1272A-2.

This publication is a readvertisement to correct publication of this application dated
 April 3, and April 10, 1985.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends
APPROVAL of Application No. 1272A-2 because 1) unappropriated water is available,
 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and
 4) is in the public interest.

This application will be considered by the Water Management Board at Civil Defense
Room, basement of Capitol Building, Pierre, SD, July 10 19 85 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the
 Board is authorized to make a determination on this application after it reaches a con-
 clusion based upon facts presented at the public hearing. Any interested person who may
 be affected by a Board decision and who intends to participate in the hearing before the
 Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a
 written petition with BOTH the Applicant and the Chief Engineer by June 28, 1985.
 The petition may be informal, but it must include a statement describing the petitioner's
 interest in the application, the reason for the petitioner's opposition to or support of
 the application, and the signature and mailing address of the petitioner or his legal
 counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12
 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24,
 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (~~ground~~) 46-6-3, 46-6-3.1,
 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (~~future use~~) 46-5-38 thru 46-5-40; (~~transfer lands~~)
 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD
 74:02:01:01 thru 74:02:01:15; (~~future use~~) 74:02:01:24 thru 74:02:01:25; (10,000 AFA)
 74:02:01:15:02 thru 74:02:01:15:05.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on
 this application or to assist access to the hearing by the handicapped can contact the
 Water Rights Division, DWHR, 3rd Flss Bldg, Pierre SD (605 773-3352) for assistance
 prior to the hearing date. The time of the hearing will be automatically extended for
 at least twenty days upon written request of the applicant or any person who has filed
 a petition to oppose or support the application. The request for extension must be filed
 with the Chief Engineer by June 28, 1985.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION No. 1272A-2, Willis Nelson

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1272A-2, Willis Nelson, RR 1, Tilden NE.

The Chief Engineer is recommending APPROVAL of Application No. 1272A-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit, shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

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

See the attached report for additional information.



JOHN HATCH, Chief Engineer
May 23, 1985

REPORT ON APPLICATION No. 1272A-2

WILLIS NELSON

May 20, 1985

This application requests an additional well to irrigate the lands authorized by permit No. 1272-2. The additional diversion point provides 0.9 cfs of additional water. The additional diversion is located in the SW 1/4 SW 1/4 of Section 33, T37N, R29W.

Aquifer - Ogallala

Aquifer and Geology Characteristics

The Ogallala is an excellent source of good quantity of water. The drillers log indicates the static water level is 50 feet below land surface. The geology in this immediate area appears to restrain lateral movement of water. There seems to be a narrow belt lying in an east to west direction where wells are capable of producing only 400 gpm and two wells are necessary to adequately irrigate with a center pivot.

Observation well data is available for this area. Two wells, TD-76C and TD-76D, are in the proximity of this irrigation. The observation well readings indicate a 2-3 foot drop in the water levels from 1976 to 1980 and then relatively consistent water level readings from 1981 to the present. The wells do indicate seasonal fluctuations of 1-2 feet in the water level readings.

Conclusions

1. Water is available in this area.
2. The geology of this immediate area makes adequate irrigation with one well unfeasible.
3. Observation well data is available to monitor water level reading of this area.

Greg Powell / *rs*

GREGORY POWELL

Natural Resources Engineer

Bibliography

Water Rights Division, Permit Files and Observation Well Files, DWRN,
Joe Foss Building, Pierre SD 57501

OBSERVATION WELL LEVEL READINGS

RECORD TYPE [P]

LOCATION ~~037A-19M-2~~ ~~0012~~OBSERVATION WELL NUMBER ~~037A-16D~~

DATE	READING
01-19-1977	65.1
06-08-1977	65.0
07-19-1977	65.2
08-19-1977	65.0
09-08-1977	66.1
10-12-1977	66.1
11-22-1977	65.9
06-19-1978	63.8
08-04-1978	64.2
08-25-1978	64.8
09-15-1978	65.0
10-11-1978	65.5
11-01-1978	65.7
03-14-1979	65.4
04-16-1979	65.2
05-24-1979	65.0
06-06-1979	64.3
06-24-1979	64.5
07-11-1979	64.3
07-25-1979	64.5
08-08-1979	64.7
08-27-1979	65.2
10-03-1979	65.8
02-25-1980	65.7
03-08-1980	65.2
03-04-1980	65.4

DATE	READING
06-25-1980	65.5
07-10-1980	65.9
08-06-1980	66.4
08-28-1980	67.0
09-17-1980	67.3
11-18-1980	68.0
02-19-1981	67.8
03-01-1981	
05-20-1981	66.8
06-10-1981	66.9
07-01-1981	67.0
07-21-1981	67.3
08-04-1981	67.7
08-26-1981	68.0
09-29-1981	68.7
11-05-1981	68.9
12-22-1981	69.2
03-09-1982	68.4
04-20-1982	68.0
06-09-1982	68.0
07-01-1982	67.9
07-28-1982	68.1
08-17-1982	68.7
10-20-1982	69.5
03-15-1983	68.4
04-26-1983	68.8

5-26-92

PK

-4-8
2829-12
12

RECORD TYPE POBSERVATION WELL NUMBER TD-76D

1-11-84

037N 29W 33CCCC

0851001

TD-74C

19	1977	90.7	112	05	1979	92.4
08	1977	90.4	03	23	1980	91.7
19	1977	91.5	05	07	1980	91.4
19	1977	92.1	06	04	1980	91.9
08	1977	92.0	06	25	1980	92.0
12	1977	91.8	07	16	1980	92.7
22	1977	91.5	08	06	1980	93.0
02	1978	90.8	08	28	1980	93.4
18	1978	90.9	09	17	1980	93.5
19	1978	90.9	11	18	1980	93.5
04	1978	91.5	02	19	1981	92.7
25	1978	91.9	04	21	1981	92.5
15	1978	91.8	05	20	1981	92.3
11	1978	92.1	06	10	1981	92.3
01	1978	91.9	07	01	1981	92.5
06	1978	91.6	08	26	1981	93.5
18	1979	91.8	09	29	1981	93.9
24	1979	91.6	11	05	1981	93.6
06	1979	91.4	03	09	1982	93.2
20	1979	91.5	04	20	1982	93.2
11	1979	91.3	06	09	1982	93.6
25	1979	91.7	07	01	1982	92.8
08	1979	91.9	07	28	1982	93.2
22	1979	92.4	08	17	1982	93.7
12	1979	92.8	09	16	1982	94.1
10	1979	90.7	10	20	1982	93.7

5-24-79

OBSERVATION WELL LEVEL READINGS

RECORD TYPE PLOCATION Ø 37N-29W-33CCCC
N/S F/WOBSERVATION WELL NUMBER TD-76C

DATE

READING

DATE

READING

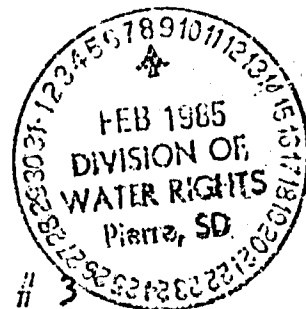
Ø3-15-1983 93.0Ø4-26-1983 93.2Ø5-25-1983 92.9Ø6-22-1983 93.2Ø8-25-1983 93.81Ø-Ø5-1983 94.4Ø4-24-1984 92.8Ø5-23-1984 92.8Ø6-26-1984 93.8Ø7-11-1984 92.7Ø8-Ø8-1984 93.3Ø9-25-1984 94.311-14-1984 93.8Ø3-26-1985 93.ØØ4-3Ø-1985 93.1 - - - . - - - . - - - . - - - . - - - . - - - . - - - . - - - . - - - . - - - . - - - . - - - . - - -

Chase Well Drilling, Inc.

AINSWORTH, NEBRASKA 68210

(402) PHONE 387-1680

Willie Nelson
South of T & D # 3



WELL LOG

719

0	-	20	Sandstone and sand
20	-	40	Sand and very little clay and sandstone
40	-	80	Sand, sandstone and little clay
80	-	140	Sand, sandstone and very little clay
140	-	160	Clay and sand
160	-	180	Sand and sandstone
180	-	215	Sand and little clay
215	-	260	Butte rock
260	-	300	Clay and sandstone

155 - 170 Chatters

No. 1272-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Todd) ss.

I, Kathy R. Klob hereby

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

Water was taken from the Todd County Tribune

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

City of Mission

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

April 3, 1985

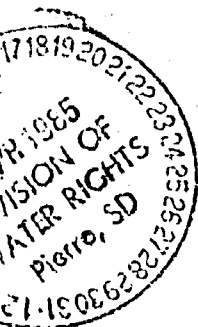
April 10, 1985

Kathy R. Klob
(Signature)

Bookkeeper
(Title)

4/10/85

(Date Signed)



Cost of Printing: 60 lines @ .365 =
21.90; plus 20% on 21.90 =
4.62
26.52

Notice of Hearing

on Application No. 1272A-2 to Appropriate Water
to Amend Water Permit No. 1272-2

Notice is hereby given that Willis Nelson whose mailing address is RR 1, Tilden, Nebraska, has made an application for a permit for an additional diversion point (300 ft. well-Ogallala) to irrigate land covered by permit No. 1272-2. The additional well is located in SW 1/4 SW 1/4 Section 33, T37N-R29W. This permit application does not allow any increase in the diversion rate authorized by permit No. 1272-2.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1272A-2 because 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and 3) is in the public interest.

This application will be considered by the Water Management Board at Civil Defense Room in Capitol Building Basement, Pierre, SD May 15, 1985 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by May 3, 1985. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-3-1 thru 46-3-18, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe

No. 1272A-2

Instruction to Newspaper - Publish first publication of the following Notice on or before April 3, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1272A-2 to Appropriate Water
and/or to Amend Water Permit or Water Rights No. 1272-2

Notice is hereby given that Willis Nelson whose mailing address is
RR#1, Tilden, Nebraska, ~~South Dakota~~ XXXXXXXXXXXX has made an application for a permit

for an additional diversion point (300 ft well-Ogallala) to irrigate land covered by permit No. 1272-2. The additional well is located in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, T37N-R29W. This permit application does not allow any increase in the diversion rate authorized by permit No. 1272-2.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends
APPROVAL of Application No. 1272A-2 because 1) ~~unappropriated water is available;~~
2) ~~there will be no unlawful impairment of existing rights;~~ 3) ~~is in the public interest.~~ is beneficial use of water and

This application will be considered by the Water Management Board at Civil Defense
Room in Capitol Building Basement, Pierre, SD May 15 1985 at 10:00 am.

The recommend
Board is auth
clusion base
be affected
Board and pr
written peti
The petition
interest in
the applicat
counsel if 1

This applica
thru 46-1-15
46-5-25; 46-
46-6-6.1, 46
46-5-30 4, 4
74:02:01:01
~~74:02:01:15~~

*improper
advertisement*

final or binding upon the Board and the
is application after it reaches a con-
hearing. Any interested person who may
participate in the hearing before the
ases according to SDCL 1-26, must file a
Chief Engineer by May 3, 1985
a statement describing the petitioners
petitioner's opposition to or support of
dress of the petitioner or his legal
ent need not file a petition.

ns of SDCL 46-1-1 thru 46-1-9, 46-1-12
46-2-17, 46-5-1 thru 46-5-16, 46-5-24,
46-2A-12; (tyrond) 46-6-3, 46-6-3.1,
46-5-38 thru 46-5-40; (transfer lands)
20.1, 46-5-8.1; and Board Rules ARSD
1-24 thru 74:02:01:25; (10,000 AFA)

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on
this application or to assure access to the hearing by the handicapped can contact the
Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance
prior to the hearing date. The time of the hearing will be automatically extended for
at least twenty days upon written request of the applicant or any person who has filed
a petition to oppose or support the application. The request for extension must be filed
with the Chief Engineer by May 3, 1985.

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

No. 1272A-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Todd) ss.

I, Kathy Klein hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Todd County Tribune

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

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

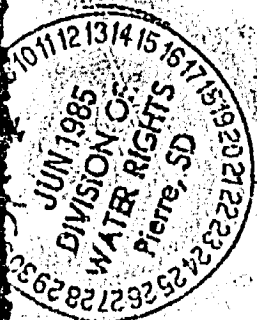
May 29, 1985

June 05, 1985

Kathy Klein
(Signature)

Bookkeeper
(Title)

6/05/85
(Date Signed)



Cost of Printing: 102 lines @ .325 =
22.63 plus 20% on ad publication =
18.10
40.73 total cost

Notice of Hearing

on Application No. 1272A-2 to Appropriate Water
Notice is hereby given that Willis Nelson whose mailing address is RR No. 1, Tilden, Nebraska, has filed an application for a permit to appropriate 0.9 cubic feet per second of water from one additional well 300 feet deep (Ogallala formation) located in the SW 1/4 SW 1/4 Section 33, T37N-R29W to irrigate land authorized by Permit No. 1272-2. This application does not change the number of acres irrigated under Permit No. 1272A-2.

This publication is a readvertisement to correct publication of this application dated April 3, and April 10, 1985.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1272A-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Civil Defense Room, Basement of Capitol Building, Pierre, SD, July 10, 1985 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-21, must file a written petition with BOTH the Applicant and the Chief Engineer by June 28, 1985. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel. If legal counsel is obtained, the applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15, 46-2-3, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-18, 46-5-24, 46-5-25, 46-5-30, 46-5-31, 46-2A-1 thru 46-2A-10, 46-2A-12, 46-6-3, 46-6-3.1, 46-6-6, 46-6-10, 46-6-13, 46-6-14, and Board Rules ARSD 74:02:01, 01 thru 74:02:01, 15.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, 300 Foss Bldg, Pierre SD (605 773-3552) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least two days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 28, 1985.

Publ: May 29 and June 5, 1985.

WATER RIGHTS DIVISION
(605) 773-3352

November 8, 1984

Willis Nelson
RR
Tilden, Nebraska 68781

Dear Mr. Nelson:

I inspected your irrigated lands after having talked to you about your irrigation. Two things have to be taken care of before I can license your permits.

- (1) You need to get a water permit to irrigate the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25, T37N, R29W. We do have a copy of a letter from you, received in 1982, stating that the land was irrigated, but a water permit application and soil/water compatibility permit application form were never mailed to you. I have enclosed these two forms. You will not need to have a water sample analyzed.
- (2) Permit #1272-2 identified only one well to be used to irrigate the SW $\frac{1}{4}$ of Section 33, T37N, R29W. Because there are two wells you need to submit an application for an additional diversion. I have enclosed that form. Water Rights Office also needs a copy of the well logs for each of the wells on the SW $\frac{1}{4}$ of Section 33.

Please sign all the forms in the presence of a notary and return them. The fee to permit the additional acres is \$225.00 and the fee for the additional well is \$50.00. Please enclose \$275.00 when you return the forms and the two well logs.

Once the application is processed and approved by the respective Boards I will be able to continue the water licensing process.

Sincerely,

Greg Powell
Natural Resources Engineer

GP:ms
Enc.



September 23, 1985

Mr. John Patch
Water Rights Division
S. D. Dept. of Water & Natural Resources
Joe Foss Building
Pierre, South Dakota 57501

Re: Water Permit # 1272A-2
and # 1922-2

Dear Sir:

I have received your letter and water permits. I notice that the date from which we may claim right to is February, 1985. The original wells were installed in 1975 and 1980. I feel that these documents should be dated the same date as the original permits were dated which is 1975 and 1980.

At the time of the original application for #1272-2, a permit was issued to irrigate a quarter of land, whether it took one or two wells was insignificant. We feel we have complied with everything that was requested when the wells were installed.

It seems that every two or three years you come up with something new that requires an additional outlay of cash and now the date from which we may claim right to has been moved up to 1985 which is incorrect.

I notice that on the water permit, the application number is shown as 1922-3, however, when it was published in the newspaper it was listed as 1922-2.

Sincerely,

Willis Nelson

Willis Nelson

RR 1

Tilden, Ne. 68781

WN:jn

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

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

Water Rights Division
605 773-3352

September 26, 1985

Willis Nelson
RR 1
Tilden NE 68781

Dear Mr. Nelson:

Thank you for your letter concerning Water Permits No. 1272A-2 and 1922-2.

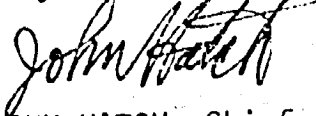
Permit No. 1272A-2 authorizes one additional well. The original permit No. 1272-2 was approved by the Water Rights Commission for a diversion rate of 2.0 cubic feet per second from one well located in the center of the SW $\frac{1}{4}$ of Section 33, T37N, R29W. The irrigation was developed on this land; however, two wells were used to provide the necessary water. According to state law, an additional diversion point (well) for which an application is made, after the construction period, requires a new application for the additional diversion point and a new priority date.

Permit No. 1922-2 was approved to irrigate the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25, T37N, R29W. This land was not included in the original permit. The land was actually being irrigated in violation of South Dakota Water Rights Law. To correct this violation, a new permit for the additional lands was necessary. A new permit application receives a priority date of the day the application is received.

The last digit for Permit No. 1922-2 is a 2. It was published correctly and has been corrected in our records.

Both permits were acted on in accordance with the Water Rights laws of this state. If you should have further questions concerning your water permits please feel free to contact me.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:GP:ks

Equal Opportunity Employer

October 22, 1985

Mr. John Hatch
Water Rights Division
S. D. Dept. of Water & Natural Resources
Joe Foss Building
Pierre, South Dakota 57501

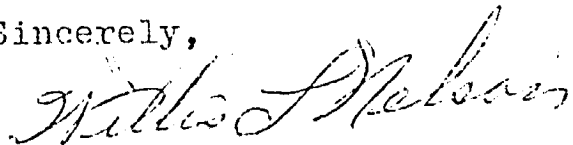
Re: Water Permit # 1272A-2
and # 1922-2

Dear Mr. Hatch:

When the first well was drilled in the center of the SW $\frac{1}{4}$ of Section 33, it was tested and found to be under 400 gallons so a second well was drilled immediately without the drilling rig ever leaving the field. If a new application was needed, I feel I should have been notified when the final inspection was made at that time and not ten years later. Therefore, the date from which we may claim right to should be the same as the first permit.

As for permit #1922-2, I was not the sole owner of this quarter when the pivot was put in and this was handled by our Manager who is no longer with us so I do not know the details pertaining to this quarter.

Sincerely,



Willis L. Nelson
RR 1
Tilden, Ne. 68781

WLN:jn



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

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

Water Rights Division
605 773-3352

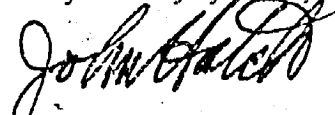
October 29, 1985

Willis L Nelson
RR 1
Tilden NE 68781

Dear Mr. Nelson:

Thank you for your letter concerning Water Permit Nos. 1272A-2 and 1922-2. I have reviewed our files and cannot find anything indicating that a final inspection was conducted ten years ago. If you have any information or such an inspection, please let me know. Unless documentation is received to indicate otherwise South Dakota water law requires that No. 1272A-2 retain the priority assigned.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:KL:ks

November 26, 1985

Mr. John Hatch
Water Rights Division
S. D. Dept. of Water & Natural Resources
Joe Foss Building
Pierre, South Dakota 57501

Re: Water Permit # 1272A-2

Dear Mr. Hatch:

Please excuse my delay in answering your October 29th letter. I have been out of town on Company business and taking care of the corn harvest.

Your letter of September 26th states that an additional diversion point (well) for which an application is made, after the construction period, requires a new application for the diversion point and a new priority date. I would like to repeat that the additional well was drilled immediately so was not after the construction period.

I read in the Instructions for Application for a Water Permit and/or Right, #7 -- Upon completion of the construction of the system and the application of water to beneficial use an inspection will be conducted. If, as you state, a final inspection was not made at that time this was an oversight on the part of the Water Rights Division. If a final inspection is necessary before we may claim right, I question that the law intends it to be ten years later. If you were Chief Engineer ten years ago perhaps you will know why this final inspection was never made.

I did not have the time then, nor do I now, to monitor the Dept. of Water to see if they are doing their job. I do know that making a final inspection ten years late is too much to accept. I am sure we have both had employees in the past that were incompetent. Such conditions or facts can generally be corrected and worked out so that no injustice is suffered by anyone.

Sincerely,

Willis L. Nelson

Willis L. Nelson
RR 1
Tilden, Nebraska 68781

WLN:jn



November 26, 1985

Mr. John Hatch
Water Rights Division
S. D. Dept. of Water & Natural Resources
Joe Foss Building
Pierre, South Dakota 57501

Re: Water Permit # 1272A-2

Dear Mr. Hatch:

Please excuse my delay in answering your October 29th letter. I have been out of town on Company business and taking care of the corn harvest.

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Sincerely,

Willis L. Nelson

Willis L. Nelson
RR 1
Tilden, Nebraska 68781

WLN:jn



Permit No. 1272-2 & 1272A-2

Water District

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

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

I have this day made a thorough examination of the water use system constructed by Willis L. Nelsonof Rt. 1, Tilden, NE 68781 holder ofPermit No. 1272-2 & 1272A-2 bearing the priority of 6-24-75 & 2-8-85 19 1272-2 & 1272A-2 authorizingthe diversion of 2.0 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: Two wells are used. Both wells are approximately 300 ft deep with 16 inch steel casing. The pumps are 7 stage Hydroturbines, size 10CL. The motors are 40 HP U.S. Electric.

B. Works used to transport water to place of use:
 well #1 has 20 ft of 8" steel pipeline.
 well #2 has 700 ft of 8" PVC pipe connecting it to the center of the pivot.

C. Works used to apply water to beneficial use:
 The pivot is a 10 tower Electrogator CP having 10 towers with 130 foot spans. The pivot has an endgun and operates @ 800 GPM with 60 psi.

The system is in the following condition GoodThe point of diversion is located well #1 - 1340 ft N & 1300 ft E ; well #2 - 600 ft N & 1330 ft E both from SW corner of sec. 33 T37N R29WThe works are capable of diverting and conveying to the place of use 1.8 cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows:

NW1SW4 33 - 33 AcNE4SW4 33 - 32 AcSE4SW4 33 - 30 AcSW4SW4 33 - 30 Accomprising a total of 125 acres of land and the license should be issued for 1.8 cfsApplicable permit qualifications have been complied with Yes NoExceptions to compliance are: Date 8/24/85Add'l Diversion bearing priority of 2/8/85 producing 0.90 cfs

(signature)

For Frank Smith

LICENSE FOR PERMIT NUMBER 1272-2

1. Legal location of wells: Well #1 - 1340' N & 1300' E ; Well #2 -
600 ft N & 1330 ft E both from SW corner of sec. 33 T37N R29W
dams & structures: _____

2. Well Information: Well Drilling Firm Chase

No. of wells 2 Depth approx 300 ft

Casing a) diameter 16" Screen a) type _____

b) length _____ b) length _____

c) type steel Static Water Level _____

Hydroturbine pump
13641
10CL

a) make #1 Hydroturbine

b) model 13642

c) size 10CL

d) capacity _____ GPM

e) turbine pump

no. of stages 7

Motor a) make US Electric #2 U.S. High

b) model no. R-8887-02-621 R28887 Thrust

c) horsepower rating 40 #04-75

d) motor efficiency rating 40 HP

7 stage

3. Distribution lines:

a) size of lines 8" 8"

b) type steel pre

c) length 20' 700'

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 _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valve (V/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

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 Electro-gator CP
- 2) number of towers 10
- 3) distance between towers 130'
- 4) overall length 1300'
- 5) End gun (Y/N) Y
- 6) high or low pressure
- 7) make & size of nozzles
- 8) PSI reading while system is running
- 9) GPM 800

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
- 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:

Inspected By Frank Smith

Water Rights Division - DWR
Conversation or File Documentation

File No. 1272-2

NAME OF PERSON OR FILE: Willis Nelson

ADDRESS: RR 1 Tilden NE 68781 COUNTY Todd

DATE: 2/14/85 TELEPHONE _____

RE: Well logs for permit 1272-2 & the add'l diversion

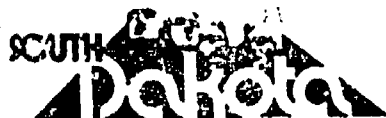
COMMENTS:

On February 14, 1984 I contacted Chase Well Drilling (402-387-1929) for the second time, to determine whether or not Mr. Nelson's well logs had been found. They had not. Chase Well Drilling did not know where they are. For this reason I would recommend we process this application without the well logs.

Recommendation: Process application without well logs. They cannot be found

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.

NAME: [Signature] 2/14/85



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

1272A-2

SEP 11 1983

Willis Nelson
RR
Tilden, Nebraska 68781

Dear Sir:

Enclosed herewith is your Water Permit No. 1272A-2 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 1272A-2.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JHms

enclosure

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

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

SECOND NOTICE

February 25, 1986

Permit No. 1272A-2 & 1922-2

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Willis Nelson
RR
Tilden, Nebraska 68781

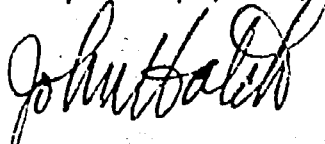
Dear Mr. Nelson:

September 11, 1985 you were notified the final inspection fee of \$50.00 is due before Water License No. 1272A-2 & 1922-2 can be issued. As of this date, the fee has not been received (total for the two permits \$100.00).

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 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 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,



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

S508.WR

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No. 4 9932

Pierre, February 8, 19 85

RECEIVED OF Willis Nelson, RR#1, Tilden, NE 68781
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1272A-2</u> to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Futurc Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for 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)

State of South Dakota
Water License No. 1272A-2

(1) Willis L. Nelson
of Route 1, Tilden, Nebraska 68781
made Application No. 1272A-2, February 8, 1985 for a water permit to appropriate
0.90 cubic feet per second of water from groundwater (one well-additional diversion point on #1
Todd County, South Dakota for irrigation purposes. Permit 1272-2.
Permit No. 1272A-2, with a priority date of February 8, 1985
was approved July 10, 1985 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ and for the application to beneficial use of said
water ~~on or before~~ completed.

The applicable portions of Water Permit No. 1272-2 are being incorporated into this
Water License No. 1272A-2. A priority date of June 24, 1975 (Permit No. 1272-2) is
retained for 0.9 cfs diversion rate and the remaining 0.9 cfs diversion rate will
carry a priority date of February 8, 1985 (Permit No. 1272A-2).

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 1.8 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are Well #1 - 1340 ft N & 1300 ft E;
Well #2 - 600 ft N & 1330 ft E, both from SW Corner of Section 33, T37N-R29W.

and

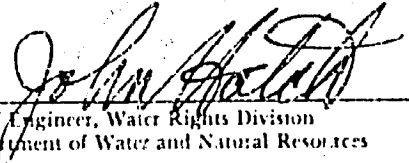
(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T37N-R29W

Section 33	NW $\frac{1}{4}$ SW $\frac{1}{4}$	33 acres	(CB)
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	32 acres	(CA)
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	30 acres	(CD)
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	30 acres	(CC)
TOTAL		125 ACRES	

(4) Pursuant to §46-5-30.1 Willis L. Neison
of RR 1, Tilden, NE 68781

the holder(s) and/or owner(s) of Water Permit No. 1272A-2 is issued a license to appropriate water, the right to use 1.8 cubic feet per second of water from groundwater (two wells) with a priority date of 0.9 cfs from February 8, 1985 and 0.9 cfs from June 24, 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. 1272A-2 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources
JOHN HATCH
JUN 20 1986

RECEIPT

Division of Water Rights

410338

South Dakota Department of Water and Natural Resources

Pierre, March 3, 19 86

RECEIVED OF Willis Nelson, RR Tilden, NE 68781

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1272A-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

JOHN HATCH 

No. 1272A-2

1272-2

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

JUN 20 1986

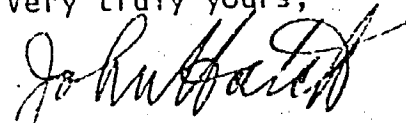
Willis Nelson
RR 1,
Tilden, Nebraska 68781

Dear Mr. Nelson:

Enclosed herewith is, Water License No. 1272A-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:jts

Enclosures

Applicable portions of Water Permit No. 1272-2 are being incorporated into this Water License No. 1272A-2.

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

March 1, 1988

1272A-2
1922-2

Danielski Harvesting & Farming
Box 221
Valentine, NE 69201

Dear Mr. Danielski:

Mr. Willis Nelson of Tilden, Nebraska has notified our office that he is no longer farming and has sold his land to you. Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1272A-2 and 1922-2.

Please check over the forms and sign them in the presence of a notary public. Upon completion, return them to our office with the required filing fee of \$2.50 each (total of \$5.00). The water rights will then be transferred to your name.

South Dakota Water Law 46-54-30.3 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 us.

Sincerely,

Genny McMath

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl

NO. 1272A-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 3-3-88

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

SW 1/4 Section 33, T37N, R29W

formerly owned by Willis Nelson, Tilden, NE

has been transferred to Daniel's Harvesting & Farming, Box 221, Valentine NE 68201
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1272A-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

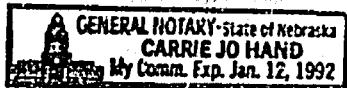
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA }
County of Sold } ss.

I, David Daniel's being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

David Daniel's
(Signed)

Subscribed and sworn to before me this 3 Day of March, 1988.



Carrie Jo Hand
(Notary Public)

RECEIPT

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

Pierre, _____ March 11, 1928

RECEIVED OF Danfeliski Harvesting & Fanning, Box #21, Valentine, NE 69201
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. _____		
Fee for Filing Transfer Form <u>1272A-2</u>	2	50
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	2 50

By John Hatch
Chief Engineer JOHN HATCH (S)

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

March 17, 1988

Danielski Harvesting & Farming
Box 221
Valentine, Nebraska 69201

Dear Mr. Danielski:

Enclosed is receipt No. 411172 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1272A-2.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

 **Department of
Water & Natural Resources**

1272A-2
1294-2A
1637-2
1922-2

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

February 17, 1989

Danielski Harvesting
Box 221
Valentine, NE 69201

Dear Mr. Danielski:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

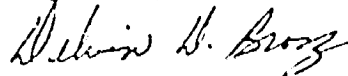


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division

Water Rights Program - File Documentation

NAME: Leonard Danielski

ADDRESS: Valentine NE

DATE: 3-31-03 **COUNTY:** Todd **TELEPHONE:** 402-376-3039

RE: Application to drill a replacement well

COMMENTS:

Leonard Danielski called regarding my letter dated March 26th. Mr. Danielski indicated they are going to abandon and plug the south well and drill a new well approximately 120 feet north.

They do not know what the new well will produce, but they will not increase the diversion rate of 810 gpm.

The May 1st – September 1 period of use is okay.

Basically with the diversion rate and the period of use they didn't know what was on the existing permit, so I said I'd mail them a copy for there records.

I explained the requirements for the map and he indicated he would be submitting one.



Karen Schlaak
Environmental Scientist

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. _____ Hydrologic Unit _____
	Basin _____
	Newspaper _____

RECEIVED
MAR 26 2003
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: _____ New _____ Vested Right _____ Amendment/Correction to Permit No. 1272 A-2
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

1. Name of Applicant Danielski Harvesting & Farming Phone 402-376-3039
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address P.O. Box 230 Valentine State NE 69201
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed _____ *CFS or 850 **GPM _____ ***AF Total Acreage _____
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Ground
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____
Sec 33 T 37N - R 29W County Todd
5. County or counties where water will be used Todd
6. Annual period during which water is to be used March - November
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres

8. Give a description of the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA) SS

County of Todd)

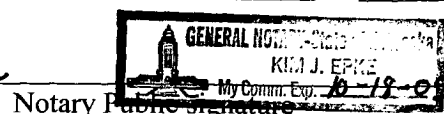
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Daniel H. Danielski, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Leonard Danielski

Subscribed and sworn to before me this 25th day of March 2003

Kim Epke



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 28" Depth 200'
- b) Casing Type PVC sch 26 Diameter 16" Thickness .625"
- c) Screen Type millslot Diameter 16" Thickness .625"
- d) Gravel Pack armor coat 1/8 x 1/4 Length of Gravel Pack 22' - 200'
- e) Depth to Top of Water Bearing Material 76'
- f) Depth to Water (ground surface to water level) 76'
- g) Distance to nearest existing domestic well:

On applicants property 1 mile On property owned by others NO

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

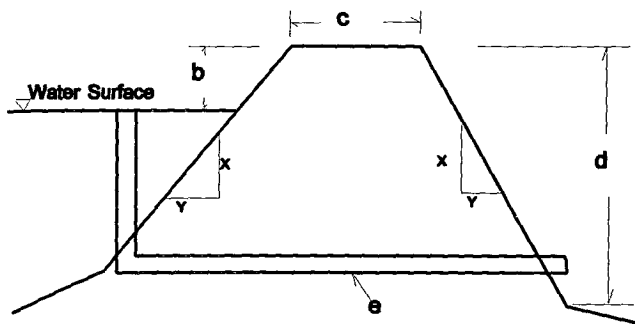
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 26, 2003

RECEIVED

APR - 8 2003

WATER RIGHTS
PROGRAM

Danielski Harvesting & Farming
Leonard Danielski
PO Box 230
Valentine NE 69201

Dear Mr. Danielski:

Thank you for submitting the *Application for a Permit to Appropriate Water* for Irrigation. It is my understanding that you are proposing to drill a replacement well(s) to your existing water right in the SW ¼ Section 33-T37N-R29W. Water Right No. 1272A-2 authorizes 1.8 cubic feet per second (810 gpm) from two wells to irrigate 125 acres. Please provide a brief explanation of what you are proposing. Are you going to replace one well or both wells? Will the existing well that is being replaced be abandoned or be used as a helper well?

The application you filed indicates a diversion rate of 850 gpm which is greater than the 810 gpm authorized by Water Right No. 1272A-2. Will you be increasing the authorized diversion rate?

The period of use listed on the original water right is May 1st – September 1st. Your recent application states the period of use for March – November. Is it your intent to expand the period when irrigation may take place?

Please submit a map showing the location of the new well(s) in relation to a government section corner or quarter corner by direction and distance is required. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).

If you have any questions, please contact Eric Gronlund or me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

**DANIELSKI HARVESTING & FARMING
P O BOX 230
VALENTINE NE 69201
402-376-3039
FAX # 402-376-2206**

DEAR KAREN SCHLAAK:

**PLEASE FIND ENCLOSED A MAP OF THE NEW WELL WITH THE
REQUESTED INFORMATION ON THE LOCATION FOR IT. IT HAS
BEEN SIGNED BY AN EMPLOYEE OF THE LOCAL FSA OFFICE.**

**IF YOU NEED ANY MORE INFORMATION, PLEASE FEEL FREE
TO CONTACT ME ANYTIME.**

THANK YOU,

A handwritten signature in black ink, appearing to read 'L. DanielSKI', written in a cursive style.

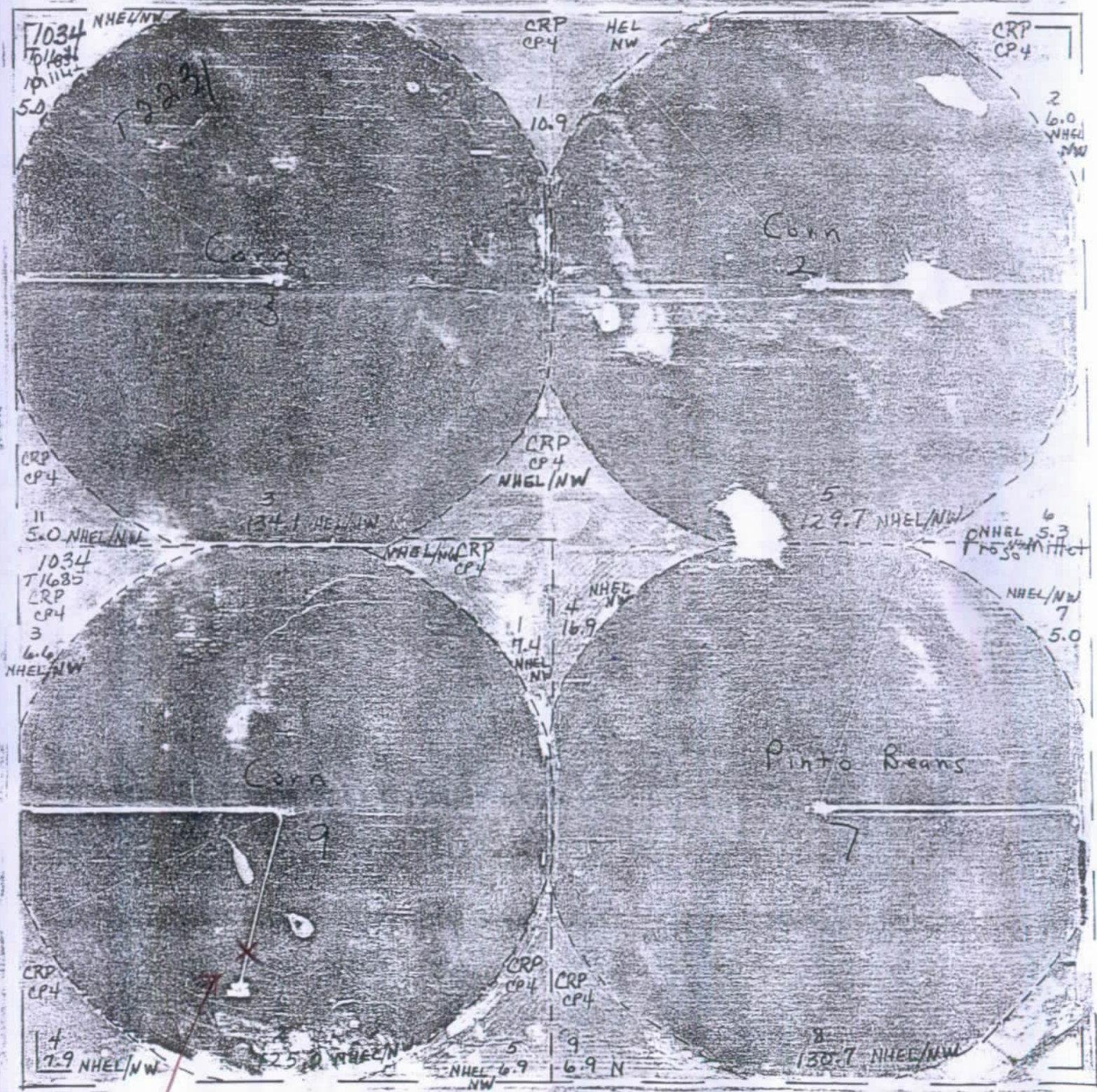
LEONARD DANIELSKI

NOT TO SCALE

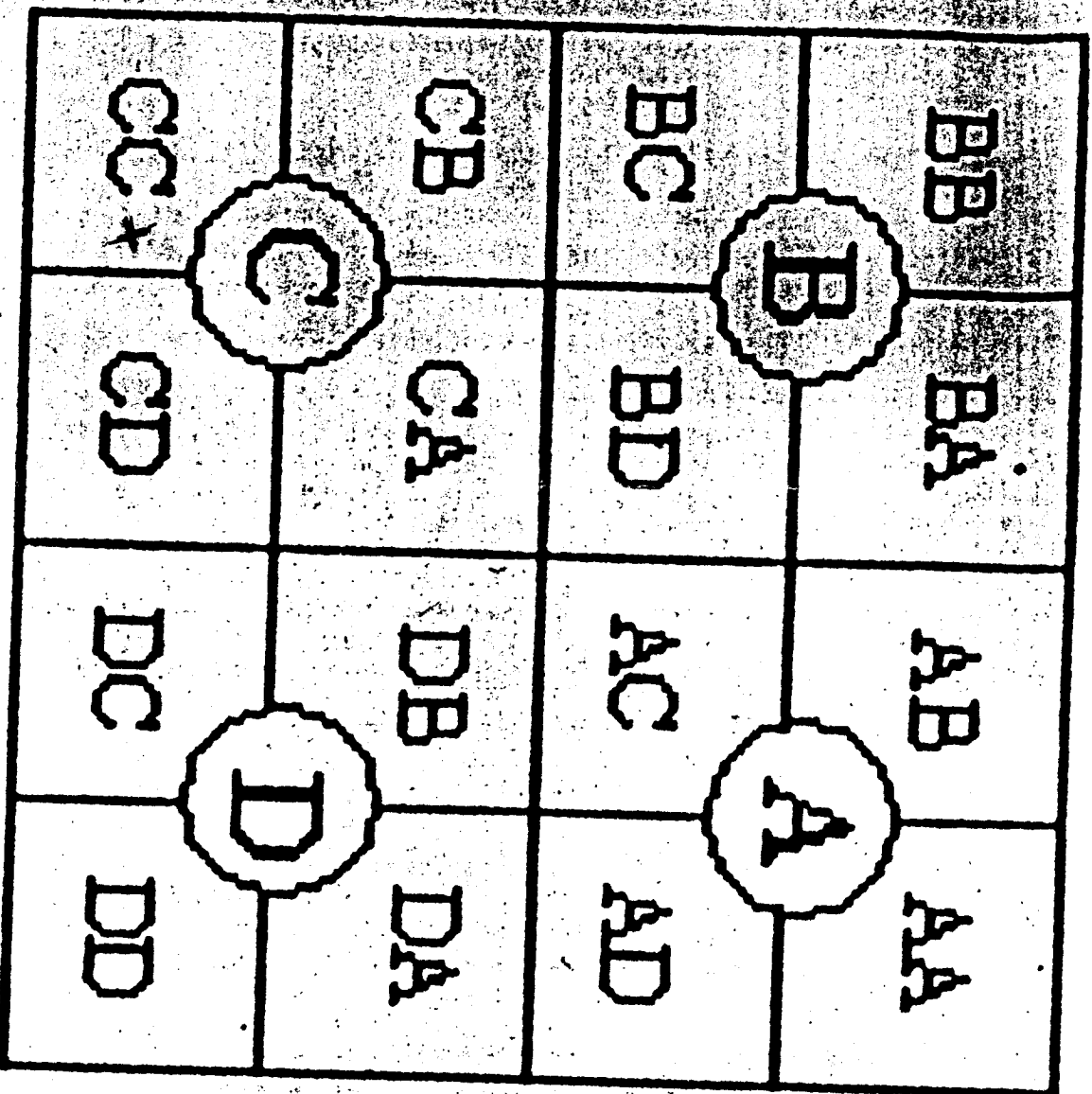
Todd Co.
T37N R29W

1977
50

Photo TD-5
Sec 33



Office use only



1 square mile

Map for help reading a map

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

April 8, 2003

RE: Request for a change of diversion point for Water Right No. 1272A-2, Danielski Harvesting & Farming

Danielski Harvesting & Farming has submitted a request for a change of diversion point for Water Right No. 1272A-2. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Water Right No. 1272A-2 appropriates 1.8 cubic feet of water per second (cfs) from two wells to irrigate 125 acres located in the SW $\frac{1}{4}$ of Section 33, T37N, R29W. Well No. 1 (north well) is located in the approximate center of the SW $\frac{1}{4}$ of Section 33. Well No. 2 (south well) is located to the southwest in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (600 feet north and 1330 feet east of the SW corner) of Section 33, T37N, R29W. The priority dates are February 8, 1985 (0.9 cfs) and June 24, 1975 (0.9 cfs).

Danielski Harvesting and Farming requests to construct a well located approximately 120 feet northeast of the south well as a replacement well. The south well will be abandoned and plugged. The new well will continue to be located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T37N, R29W. The new well will be constructed into the Oglalla Aquifer and no additional appropriation of water is authorized.

This is solely a replacement well in close proximity to the well that will be abandoned and plugged. Therefore, a detailed review existing domestic wells and prior water rights was not conducted. There have been no recent complaints on water availability in this area.



Eric Gronlund
Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding that the change of diversion point does not increase the potential for interference with existing diversions. In making the finding, "does not increase the potential for interference" is interpreted to mean potential for adverse interference. This replacement well for Water Right No. 1272A-2 is authorized without requiring application or publication of a notice of hearing pursuant to SDCL 46-2A-4.



Garland Erbele, Chief Engineer
Water Rights Program
April 14, 2003



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 15, 2003

Leonard Danielski
Danielski Harvesting and Farming
Box 230
Valentine NE 69201

Dear Mr. Danielski:

I am writing in regard to your request for a replacement well under Water Right No. 1272A-2. Water Right No. 1272A-2 appropriates 1.8 cubic feet of water per second (cfs) from two wells to irrigate 125 acres located in the SW $\frac{1}{4}$ of Section 33, T37N, R29W. Well No. 1 (north well) is located in the approximate center of the SW $\frac{1}{4}$ of Section 33. Well No. 2 (south well) is located to the southwest in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (600 feet north and 1330 feet east of the SW corner) of Section 33, T37N, R29W.

The request is for a new well to replace the south well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33. The new well will be located approximately 120 feet north of the abandoned well. No additional water will be appropriated.

Upon review of the request and pursuant to SDCL 46-5-13.1, you are authorized the change of diversion point without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. The abandoned well is to be plugged in accordance SD Well construction Standards.

If you have any questions, please feel free to contact Eric Gronlund at (605) 773-3352.

Sincerely,

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

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit No. 1272A-2, Danielski Harvesting & Farming

ADDRESS: COUNTY: Todd

DATE: August 6, 2003 TELEPHONE:

RE: Call from Leonard Danielski

COMMENTS:

Mr. Danielski called in regards to a letter he received from Karen Schlaak on a new well they had drilled for irrigation. He reviewed the information on the well completion report and noticed that the driller made an error in the section number. The well is located in Section 33, T37N, R29W and not in Section 32 as described on the log. Mr. Danielski informed me that this was an additional "helper" well to the wells used to irrigate the SW ¼ of Section 33.

I checked the database and Danielski Harvesting holds a water right for irrigation of the SW ¼ of Section 33, T37N, R29W from two wells. Last April, Water Rights authorized a change of diversion point for the south well. The existing south well was then to be abandoned and plugged. Mr. Danielski explained that the new well did not produce as expected (only 200 gpm) so they intend to maintain all three wells for supplying the SW ¼ of Section 33. All three wells combined are needed to supply the 1.8 cfs authorized by their water right.

I stated that I would look into what is necessary to allow this under SDCL 46-5-13.1. I believe that as long as there is no increase in either the number of acres irrigated or the 1.8 cfs diversion rate authorized by No. 1272A-2 and the same water source is used that we can handle this administratively under SDCL 46-5-13.1 by amending what was requested last April.

NAME: Eric Hurlund

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

August 7, 2003

RE: Request for an additional diversion point for Water Right No. 1272A-2, Danielski Harvesting & Farming

This is an amendment to the request for a replacement well filed on March 26, 2003 and authorized by the Chief Engineer on April 15, 2003

Danielski Harvesting made a request for a new well to replace the south well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T37N, R29W. The new well was to be located approximately 120 feet north of the south well. The old south well was going to be abandoned and plugged. In a recent telephone conversation, Danielski indicated that the newly constructed well did not produce the amount of water anticipated. Therefore, it is Danielski Harvesting's intention to maintain the old south well and operate it in conjunction with the new well and other well authorized by Water Right No. 1272A-2 to produce the 1.8 cfs authorized by the water right.

SDCL 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Water Right No. 1272A-2 originally appropriated 1.8 cubic feet of water per second (cfs) from two wells to irrigate 125 acres located in the SW $\frac{1}{4}$ of Section 33, T37N, R29W. Well No. 1 (north well) is located in the approximate center of the SW $\frac{1}{4}$ of Section 33. Well No. 2 (south well) is located to the southwest in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (600 feet north and 1330 feet east of the SW corner) of Section 33, T37N, R29W. The priority dates are February 8, 1985 (0.9 cfs) and June 24, 1975 (0.9 cfs).

Danielski Harvesting and Farming has constructed an additional well in the general vicinity of their existing south well. The new well is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T37N, R29W. The new well is constructed into the Oglalla Aquifer and no additional appropriation of water is requested.

There is a considerable amount of irrigation that occurs in the area of this water right, especially to the north and northeast of the SW $\frac{1}{4}$ of Section 33, T37N, R29W. The Danielski's hold a number of the irrigation rights in the area. There are also a few domestic well logs on file within a one mile radius of Section 33. These domestic wells remain protected because appropriate rights must control their withdrawal so that they do not adversely impair adequate domestic wells. There have been no recent complaints on water availability in this area.

This request for an additional well may be granted because it does not increase the potential for adverse interference with prior rights or domestic wells.


Eric Gronlund
Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding that the additional of diversion point does not increase the potential for interference with existing diversions. In making the finding, "does not increase the potential for interference" is interpreted to mean potential for adverse interference. This additional well for Water Right No. 1272A-2 is authorized without requiring application or publication of a notice of hearing pursuant to SDCL 46-2A-4.

A handwritten signature in black ink, appearing to read "Garland Erbele". The signature is fluid and cursive, with the first name "Garland" written in a larger, more prominent script than the last name "Erbele".

Garland Erbele, Chief Engineer
Water Rights Program
August 11, 2003



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 11, 2003

Leonard Danielski
Danielski Harvesting and Farming
Box 230
Valentine NE 69201

Dear Mr. Danielski:

Last April, Danielski Harvesting was granted authorization to change the location of the south well authorized under Water Right No. 1272A-2. Water Right No. 1272A-2 appropriates 1.8 cubic feet of water per second (cfs) from two wells to irrigate 125 acres located in the SW ¼ of Section 33, T37N, R29W.

Danielski Harvesting made a request for a new well to replace the south well located in the SW ¼ SW ¼ of Section 33, T37N, R29W. The new well was to be located approximately 120 feet north of the south well. The old south well was going to be abandoned and plugged.

In your recent telephone conversation with Eric Gronlund you indicated that the newly constructed well did not produce the amount of water anticipated. Therefore, it is Danielski Harvesting's intention to maintain all three wells to produce the 1.8 cfs authorized by the water right.

Upon review of the request and pursuant to SDCL 46-5-13.1, Danielski Harvesting is authorized an additional diversion point without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. A new water right permit will need to be obtained if the combined production from the three wells produces more than 1.8 cfs.

If you have any questions, please feel free to contact Eric Gronlund at (605) 773-3352.

Sincerely,

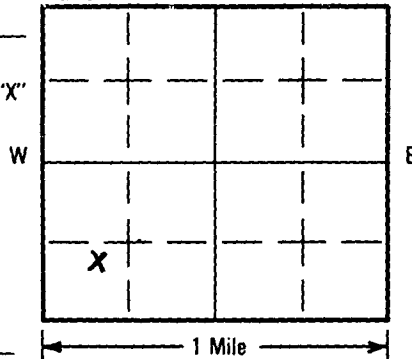
Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 SW 1/4 Sec 32 Twp 37 Rg 29
County Todd North

Please mark well location with an "X"



Well Completion Date 1-1-03

Well Owner: Danielski Farms
Business Name: _____
Address: PO Box 230
Valentine Ne 69201

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Med pepper sand		
Med pepper sand ^{Thin hard} sandstone w/ clay layer	0	62
Sandstone + limestone layer	62	89
Sandstone w/ Thin clay & limestone layer	89	121
med. Pepper sand + sandstone	121	132
Sandstone w/ thin limestone layer	132	187
Red Rock	187	200

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from _____ (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>16.151 LB/FT</u>	<u>16 IN</u>	<u>1 AGL FT</u>	<u>87 FT</u>	<u>30 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>	<u>23</u>	<u>15.5 lb./gal</u>	<u>0 ft</u>	<u>20 ft</u>
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure _____

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 16 IN Length 120 FEET

Material PVC

Slot Size .057 Set From 87 Feet to 207 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

YES, How: _____

☒ NO, Why Not? NA

Laboratory sent to for water quality analysis _____

STATIC WATER LEVEL

77 Feet

If flowing: closed in pressure _____ PSI

NA

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

Describe: Lowhead + Pumping

☐ Bailed

☐ Other

Pumping Level Below Land Surface

180 ft. After 2 Hrs. pumped 418 GPM

362 ft. After 2 Hrs. pumped 177 GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

JUL - 9 2003

This well was drilled under license # 4 189

WATER RIGHTS PROGRAM

And this report is true and accurate.

Drilling firm Grasch Irrigation Co. Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 7-8-03

14-03