

1415A-2

WATER PERMIT NO. 2290-2

Phone: _____

Name of Applicant: Joe Burull & Son

Post Office Address: Rt 7, Box ¹⁵ 17, Reliance SD 57569

Amount of Water Claimed: 2.45 cfs (no add'l) Total Acres: 170 (no add'l)

Source of Water Supply: groundwater (dugout)

Water to be used for: irrigation County: Lyman

About 12 miles SE of Kennebec

PRIORITY Date Received: 8-13-93 Fee: \$50 Remarks: corrects

location of lands covered by No. 1415-2 & corrects location of the dugout

Corrected Application Received: _____ Period of Annual Use: April 1- Oct 31

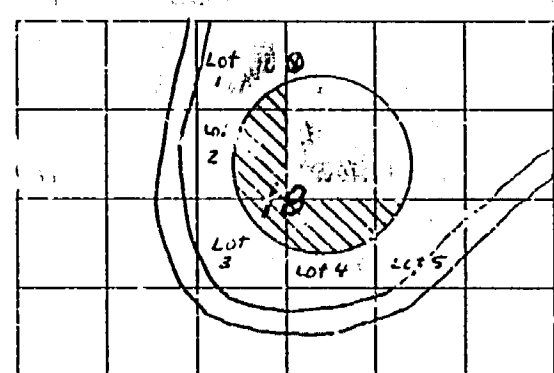
WATER QUALITY APPROVAL RECEIVED: 8-23-76 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: NW 1/4 NE 1/4 Sec 18-T103N-R74W

Land to be Irrigated: NE 1/4, Lots 1, 2, 3, 4 & 5

Sec 18-T103N-R74W



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: _____ REMARKS: _____

Type of Map: aerial PREPARED BY: Tim Schaal Reviewed and the Number

Assigned on: 8-16-93 By: Karen Schlaak

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1415A-2

(1) Joe Burull and Son, of RR #7 Box 15, Reliance, SD 57569 made Application No. 1415A-2, August 14, 1993 for a water permit to correct the location of the irrigated acreage and correct the location of the diversion point as developed under Water Permit No. 1415-2. The groundwater dugout supplies water for irrigation purposes in Lyman County, South Dakota. Permit No. 1415A-2, with a priority date of April 14, 1976 (established under Water Permit No. 1415-2) was approved November 15, 1993 and issued to the applicants for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water. Water Permit No. 1415A-2 did not authorize an increase in the diversion rate or the number of acres being irrigated.

The applicable portions of Water Permit No. 1415-2 have been incorporated into this Water License No. 1415A-2.

(2) it is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.43 cubic feet of water per second for beneficial use. The location of the diversion point is 2000 feet north and 200 feet east of the center of Section 13, T103N, R74W (NW¼ NE¼).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land: all in Section 18, T103N, R74W

NW¼ NE¼	20.0 acres	Lot 1	4.5 acres
NE¼ NE¼	4.5 acres	Lot 2	23.0 acres
SW¼ NE¼	40.0 acres	Lot 3	12.0 acres
SE¼ NE¼	24.0 acres	Lot 4	31.0 acres
		Lot 5	11.0 acres
		TOTAL	170.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Joe Burull & Son of RR #7 Box 17, Reliance, SD 57569 the holders and/or owners of Incorporated Water Permit No. 1415A-2 is issued a license to appropriate water, the right to use 2.43 cubic feet of water per second from groundwater (dugout) with a priority date of April 14, 1976 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 Incorporated Water Permit No. 1415A-2 and subject to South Dakota State Law.


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

JAN 4 1994

date

FORM 2: Application for Irrigation in South Dakota
(Type or print)

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
505 773-2352

No. 14154-2 Hydrologic Unit 10140204
in White River
Newspaper Kennebec Advocate & Chamberlain
(office use only) Register



Application For Soil/Water Compatibility Permit And Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 1415-2
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)
Corrects location of lands covered by Water Permit No. 1415-2 and corrects the location of the diversion point location (dugout)

1. Name of Applicant Joe Burull and Son Phone _____
(check one) ☐ Owner ☐ Tenant/lessee

Mailing Address Rt 7, Box 17, Reliance SD 57569

2. Amount of water claimed 2.43 *CFS or ***GPM ***AF Total Acreage 170 no add'l
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity or dam/dugout if applicable (correct 81.5 acres)

3. Source of water supply groundwater (dugout)

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T14N R53W)
2000' North and 200' East of the center of Sec 18-T103N-R74W (NW 1/4 NE 1/4) County Lyman

5. County or counties where water will be used Lyman

6. Annual period during which water is to be used April 1 - October 31

7. List below each forty acre subdivision, 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
NW 1/4 NE 1/4 Section 18-T103N-R74W	20.0
NE 1/4 NE 1/4	4.5
SW 1/4 NE 1/4	40.0
SE 1/4 NE 1/4	24.0

Land Description	Acres
Lot 1 Section 18-T103N-R74W	4.5
Lot 2	23.0
Lot 3	12.0
Lot 4 & Lot 5	31 & 11

8. Type of Irrigation: Gravity: ☐ Towline: ☐ Center Pivot: ☒ Gun: ☐ Other (Specify): _____

9. Crops to be irrigated: _____

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

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

STATE OF SOUTH DAKOTA)

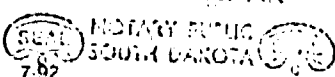
County of Hughes

Joe Burull & Son, the applicant, certify that I have read this application and examine the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Burull & Son by Joe Burull

KAREN SCHLAACK

Subscribed and sworn to before me this 14th day of August 19 93



KAREN SCHLAACK, Notary Public
My Commission Expires
April 1, 2001

Notary Public

REPORT ON
WATER PERMIT APPLICATION NO. 1415A-2
JOE BURULL & SON
October 7, 1993

Water Permit Application No. 1415A-2 has been filed by Joe Burull & Son to correct the location of the diversion point and to correct the location of irrigated lands described in Water Permit 1415-2.

Discussion:

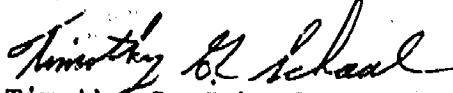
Water Permit No. 1415-2 was filed on April 14, 1976 to appropriate 2.66 cubic feet of water per second (cfs) from a dugout (groundwater) located in the SE 1/4 NW 1/4 of Section 13 to irrigate 260 acres located in portions of the NE 1/4 of Section 18, the NW 1/4 of Section 17, the SE 1/4 of Section 8 and the SW 1/4 of Section 7; all in T103N-R74W.

An inspection of Water Permit No. 1415-2 for licensing purposes was completed on July 29, 1991. The inspection found the system capable of diverting 2.43 cfs from the dugout to irrigate 170 acres; however, the location of the dugout and the location of 81.5 acres of the 170 acres being irrigated were incorrect.

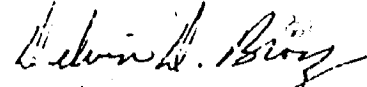
Water Permit Application No. 1415A-2 is being filed to correct the location of the dugout and to correct the location of the 81.5 acres. The correct location for the dugout should be the NW 1/4 NE 1/4 of Section 18-T103N-R74W. The correct location for the 81.5 acres should be Lots 1,2,3,4 & 5 of Section 18-T103N-R74W. Water Permit Application No. 1415A-2 does not authorize any increase in diversion rate or number of acres irrigated.

Conclusions:

1. Water Permit Application No. 1415A-2 should be approved. Approval should not have any adverse effects on existing Water Permits/Rights.
2. Approval of Water Permit Application No. 1415A-2 does not authorize any increase in the diversion rate or number of acres irrigated for Water Permit No. 1415-2.


Timothy G. Schaal, P.E.
Natural Resources Engineer III

Reviewed by:


Delvin D. Brosz, P.E.
Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1415A-2, Joe Burull and Son

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1415A-2, Joe Burull and Son, Rt 7 Box 17, Reliance, SD 57560.

The Chief Engineer is recommending APPROVAL of Application No. 1415A-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 qualification:

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

See report on application for additional information.



JOHN HATCH, Chief Engineer
October 14, 1993



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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

October 15, 1993

Quint Burull
Joe Burull and Son
Rt 7 Box 17
Reliance, SD 57569

Dear Mr. Burull:

Water Permit Application No. 1415A-2 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Kennebec Advocate, c/o Chamberlain Register printed at Chamberlain, SD (Ph # 734-6360). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 15, 1993

Kennebec Advocate
c/o Chamberlain Register
PO Box 550
Chamberlain, SD 57325

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1415A-2 to be published twice. Please publish the first notice on October 27, 1993, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Joe Burull and Son, Rt 7 Box 17, Reliance, SD 57569.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date 10/27/93

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on October 27, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1415A-2
to Amend Water Permit No. 1415-2

Notice is given that Joe Burull and Son, c/o Quint Burull, Rt 7 Box 17, Reliance, SD 57569 has filed an application for a water permit to specify the correct location of the irrigated acreage and the correct location of the diversion point. Water Permit No. 1415-2 appropriates 2.66 cubic feet of water per second (cfs) from a dugout located in the SE 1/4 NW 1/4 Section 18 to irrigate 260 acres located in portions of the NE 1/4 Section 18, NW 1/4 Section 17, SW 1/4 Section 8 and SE 1/4 Section 7; all in T103N-R74W. An inspection of Permit No. 1415-2 found the dugout constructed and supplying 2.43 cfs to irrigate 170 acres. This application is to correct the location of 81.5 acres of the 170 being irrigated. The correct location of the 81.5 acres is Lots 1, 2, 3, 4 & 5, Section 18-T103N-R74W. The irrigation of lands in Sections 7, 8 and 17 were never developed. This application also corrects the location of the existing dugout which is located in the NW 1/4 NE 1/4 Section 18-T103N-R74W. No increase in the diversion rate or the number of acres being irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1415A-2 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 15, 1993.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert P. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of _____) ss

I, Rob Hays

certify that the attached printed Notice was

taken from the Kennelick Advertiser

printed and published in Kennelick

County of Lyman and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

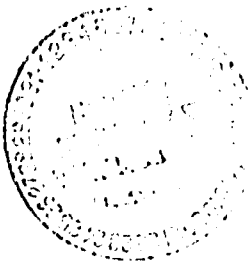
October 28

Cost of Printing: 19.40

Rob Hays
 (Signature)

Public
 (Title)

Nov. 1, 1993
 (Date Signed)

NOTICE OF APPLICATION
NO. 1415A-2

to Amend Water Permit No. 1415-2

Notice is given that Joe Hurull and Son, c/o Quint Burull, Rt. 7, Box 15, Reliance, SD 57569, has filed an application for a water permit to specify the correct location of the irrigated acreage and the correct location of the diversion point. Water Permit No. 1415-2 appropriates 2.66 cubic feet of water per second (cfs) from a dugout located in the SE 1/4 NW 1/4 Section 18 to irrigate 260 acres located in portions of the NE 1/4 Section 18, NW 1/4 Section 17, SW 1/4 Section 8 and SE 1/4 Section 7; all in T103N-R74W. An inspection of Permit No. 1415-2 found the dugout constructed and supplying 2.43 cfs to irrigate 170 acres. This application is to correct the location of 81.5 acres of the 170 being irrigated. The correct location of the 81.5 acres is Lots 1, 2, 3, 4 and 5, Section 18-T103N-R74W. The irrigation of lands in Sections 7, 8 and 17 were never developed. This application also corrects the location of the existing dugout which is located in the NW 1/4 NE 1/4 Section 18-T103N-R74W. No increase in the diversion rate or the number of acres being irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1415A-2 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Post Building, 522 E. Capitol, Pierre, SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by Nov. 15, 1993.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

(Oct. 28-Nov. 4)

File No. 1415A-2

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Joe Burull & Son

ADDRESS: Reliance COUNTY: Lyman

DATE: 10-28-93 TELEPHONE:

RE: Publication Notice

COMMENTS:

Talked with Carma from the Chamberlain Register. She stated the publication notice for Application No. 1415A-2 was published on October 27, 1993 in the Kennebec Advocate which is owned by the Chamberlain Register. October 27, 1993 was the last publication for the Kennebec Advocate (Lyman County). Carma said that all of the subscriptions for the Kennebec Advocate were being transferred to the Chamberlain Register (Brule County). Since all the subscriptions were being transferred, Eric Gronlund stated adequate notice would be given for Application No. 1415A-2.

Karen Schlaak

Karen Schlaak
Natural Resources Analyst

AFFIDAVIT OF PUBLICATION

State of South Dakota

ss

County of Brule

Bob Hays of said county, being, first duly sworn, on oath, says: That he/she is the publisher or an employee of the publisher of The Chamberlain Register, a weekly newspaper, published in the City of Chamberlain, in said County of Brule, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2; that said newspaper has been published within the said County of Brule and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the Notice of Application # 1415A-2

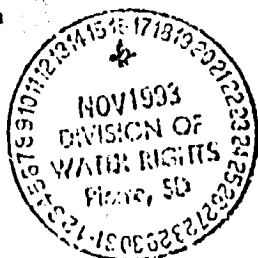
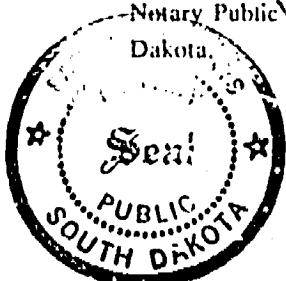
a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for one successive week(s) to wit:
Nov. 1993, 1993; _____, 19____;
 _____, 19____; _____, 19____;
 _____, 19____; _____, 19____;

That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:
19.95

Signed: Bob Hays
 Subscribed and sworn to before me this 17th day of November, 1993.

Notary Public in and for the County of Brule, South Dakota

Notary Public
 My Commission
 expires Oct. 1, 1996



NOTICE OF APPLICATION

NO. 1415A-2

to Atomic Water Permit No. 1415-2
 Notice is given that Joe Burull and Son, c/o Quint Burull, Rt. 7, Box 15, Reliance, SD 57569, has filed an application for a water permit to specify the correct location of the irrigated acreage and the correct location of the diversion point. Water Permit No. 141-2 appropriates 2.66 cubic feet of water per second (cfs) from a dugout located in the SE 1/4 NW 1/4 Section 12 to irrigate 250 acres located in portions of the NE 1/4 Section 18, NW 1/4 Section 17, SW 1/4 Section 8 and SE 1/4 Section 7; all in T103N-174W. An inspection of Permit No. 1415-2 found the dugout constructed and supplying 143 cfs to irrigate 170 acres. This application is to correct the location of 81.5 acres of the 170 being irrigated. The correct location of the 81.5 acres is Lots 1, 2, 3, 4 and 5, Section 18, T103N-R74W. The irrigation of lands in Sections 7, 8 and 17 were never developed. This application also corrects the location of the existing dugout which is located in the NW 1/4 NE 1/4 Section 18-T103N-R74W. No increase in the diversion rate or the number of acres being irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1415A-2 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by Nov. 15, 1993.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

(Oct. 28-Nov. 4)

Permit No. 1415-2White River

Water District

1415A-2 obtained to correct
acreage & diversion point
location(s).**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Joe Burnette Son
 of Rt. 7 Box 17, Reliance, SD holder of
 Permit No. 1415-2, bearing the priority of April 14 1976 authorizing
 the diversion of 2.66 cu. ft. per second of the waters of Groundwater (Dugout)
 for Irrigation purposes, in Lyman County.

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

A. Works used to divert the water:

Cornell Centrifugal Pump, Model - 5H64B4-1 with
Cummings 250 Hp Diesel, Model - MH 250

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

Approx. 1600 ft. - 12 inch Buried PVC

C. Works used to apply water to beneficial use:

Electrojector Center Pivot

The system is in the following Good

The point of diversion is located 2000 ft. North & 200 ft. East of the Center
of Sec. 18 - T103N - R74W (NW1/4 NE1/4)

The works are capable of diverting and conveying to the place of use 2.44
 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: Sec. 18 - T103N - R74W

NW1/4 NE1/4 - 20 Ac. Lot 1 - 4.5 Ac. Lot 4 - 31 Ac.

NE1/4 NE1/4 - 4.5 Ac. Lot 2 - 23 Ac. Lot 5 - 11 Ac.

SW1/4 NE1/4 - 40 Ac. 1-13 - 12 Ac.

SE1/4 NE1/4 - 24 Ac.

comprising a total of 17.2 acres of land and the license should be issued for 2.43 cfsApplicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: Dugout located in the NW1/4 NE1/4 Date July 29, 1991
Not the SE1/4 NE1/4

(signature)

Timothy A. Shaeel

LICENSE FOR PERMIT NUMBER 1415-2 & 1415A-2

1. Legal location of wells: 2000 ft. North & 200 ft. East of the
Center of Sec. 18-T103N-R74W (NW1/4 NE1/4)
dams & structures: _____

2. Well Information: Well Drilling Firm _____

Completion Report Yes ___ No ___ No. of Wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

Pump a) make Cornell Centrifugal Motor a) make Cummins 250 Diesel

b) model 5H64 B4-1 b) model No. MH 250

c) size 1542 c) horsepower rating 250 Hp

d) capacity 1100 gpm

e) turbine pump - no. of stages _____

f) operating PSI _____

3. Distribution lines or canals

a) size 12 inch

b) type Buried PVC

c) length ≈ 1600 ft.

Dugout - Approx. 200' x 350' x 20'

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

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 _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

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

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

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

d) center pivot

- 1) make Electrogon (170 H.)
- 2) number of towers 9
- 3) distance between towers _____
- 4) overall length ≈ 1600
- 5) end gun (Y/N) Yes
- 6) high or low pressure High 95 ps.
- 7) make & size of nozzles Rainbird
- 8) capacity (GPM) 1100

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
<u>X</u>	___	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	___	2. Special qualifications to permit being abided by?
<u>X</u>	___	3. All structures, wells and lands on map?
<u>X</u>	___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
___	<u>X</u>	5. Is chemigation used?
<u>NA</u>	___	6. If yes, does equipment comply with chemigation rules?

REMARKS:



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-318

August 5, 1993

Joe Burull & Son
Rt 7, Box 17
Reliance SD 57569

Dear Sirs:

Enclosed are applications forms for a Permit to Appropriate Water based on an inspection of Water Permit No. 1415-2 completed in July 1991, by Tim Schaal, an engineer with this office. This inspection showed that your system was not developed as originally permitted. Water Permit No. 1415-2 (copy enclosed) authorizes irrigation of the NE 1/4 Section 18 as well as lands in other sections. The enclosed map indicates more than the NE 1/4 is irrigated in Section 18. This application is to correct the location of the lands irrigated and also the location of the dugout.

Enclosed is a set of partially completed application forms. Please review the application, make any necessary changes and have it signed and notarized. The filing fee for this application will be \$50.00.

Obtaining water permits that accurately reflect your water use ultimately benefits you by protecting your right to use water. Water Permit No. 1415-2 can not be licensed until this application is processed and a permit obtained to reflect your current water use in accordance with state statutes. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
Phone: (605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JCE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-2181

August 17, 1993

Joe Burull & Son
c/o Quint Burull
Rt 7, Box 17
Reliance SD 57569

Dear Mr. Burull:

August 13, 1993 you submitted the Application for Irrigation based on an inspection of Water Permit No. 1415-2 conducted by Tim Schaal of this office. While you were in the office, you recalled previously submitting a \$50 fee.

I checked our records and found that Water Right No. 1397-2 was inspected by Tim Schaal at the same time as No. 1415-2. The water license for No. 1397-2 was issued August 7, 1992 with the \$50 inspection fee submitted July 8, 1992.

As I stated when you were in the office, you will be responsible for payment of advertising costs of the new application as well as the application fee. After proper public notice is given reflecting your current water use, the water license for the lands you irrigate in Section 18 will be issued. The inspection fee for this water license will be \$50.

If you have any further questions, please contact this office.

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 20 1993

Quint Burull
Joe Burull and Son
Rt 7 Box 15
Reliance, SD 57569

Dear Mr. Burull:

Enclosed is Water Permit No. 1415A-2 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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 Water License will be sent to you.

Very truly yours,

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

enclosures

**SOUTH DAKOTA
WATER PERMIT NO. 1415A-2**

Date of first receipt of application August 14, 1993.

Date Soil/Water Compatibility Permit received July 23, 1976.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1415A-2 to Joe Burull and Son, Rt 7, Box 15, Reliance SD 57569 authorizing the construction of the water use system and the pricing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1415A-2 specifies the correct location of the irrigated acreage and the correct location of the diversion point. * Water Permit No. 1415-2 appropriates 2.66 cubic feet of water per second (cfs) from a dugout located in the SE 1/4 NW 1/4 Section 18 to irrigate 260 acres located in portions of the NE 1/4 Section 18, NW 1/4 Section 17, SW 1/4 Section 8 and SE 1/4 Section 7; all in T103N-R74W. An inspection of Permit No. 1415-2 found the dugout constructed and supplying 2.43 cfs to irrigate 170 acres. * This permit corrects the location of 81.5 acres of the 170 being irrigated. The correct location of the 81.5 acres is Lots 1, 2, 3, 4 & 5, Section 18-T103N-R74W. The irrigation of lands in Sections 7, 8 and 17 were never developed. This permit also corrects the location of the existing dugout which is located in the NW 1/4 NE 1/4 Section 18-T103N-R74W. No increase in the diversion rate or the number of acres being irrigated is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is April 14, 1976.
4. The date of approval of Permit No. 1415A-2 is November 15, 1993.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

By: _____

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

DEC 20 1993

date

RECEIPT

413975

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, December 29, 1993

RECEIVED OF Burull E. Son, HCR 7, Box 15, Reliance, SD 57569-9711

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. 1415A-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

John Skatch (CF)
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 4 1994

1415A-2

Quint Burull
Joe Burull and Son
RR 7, Box 15
Reliance, SD 57569

Dear Mr. Burull:

Enclosed is Water License No. 1415A-2 and Receipt No. 413975 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 1415A-2 is the final document which completes the process of obtaining a water right.

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 Division
(605) 773-3352

gm
enclosures

NOTE: The applicable portions of Water Permit No. 1415-2 have been incorporated into this Water License No. 1415A-2.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

1415A-2
413856

Pierre, August 13, 1993

RECEIVED OF Burull & Son HCR 7 Box 15, Reliance, SD 57569-9711

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 _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By *John H. Haddock*
Chief Engineer

T 669

T 669



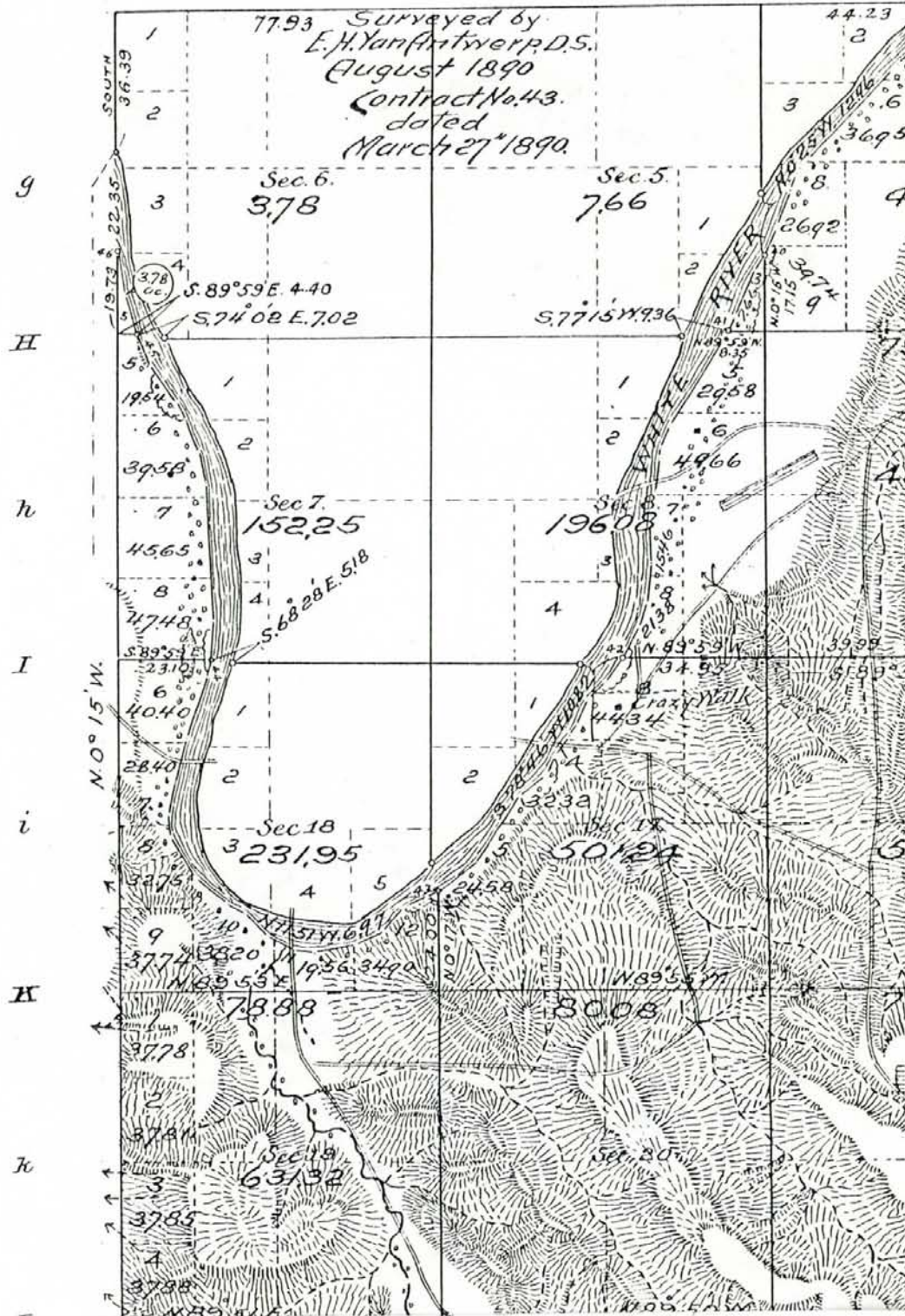
103-74

#1415-2

1415A-2
32702
Timothy H. Schaal
July 29, 1991

24 25 26 27 28 29 30 31-12

WEST.





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 23, 2007

1397-2
1415A-2

Joe Burull
414 Scotts Ln
Chamberlain SD 57325-1287

Dear Mr. Burull:

Enclosed is a "Notice" dated October 19, 2007 concerning your 2007 irrigation questionnaires. The notice was originally mailed to 25249 Brule Rd., Reliance SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



1415A-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 26, 2007

1397-2
1415A-2

Quinten Burull
720 Van Antwerp
Chamberlain SD 57325

Dear Mr. Burull:

I am writing acknowledge receipt of the 2007 irrigation questionnaires for Water Right Nos. 1397-2 and 1415A-2. On the forms, a notation was made that ownership of the water rights should be changed to your name.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (**total of \$5.00**). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1415A-2
Date: 1-6-08

I/We request that Water Right No. 1415A-2

formerly owned by: Joe Burull & Son, 414 Scotts Lane, Chamberlain SD 57325

be transferred to: (name & address) Quinten Burull, 720 Van Antwerp, Chamberlain SD 57325

Telephone No. 605 234-6083

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

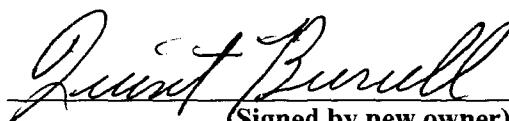
170 acres - NE ¼ and Lots 1 through 5 all in Section 18, T103N, R74W

I/We understand that the validity of Water Right No. 1415A-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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Quinten Burull, the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/8, 20 08

RECEIVED OF Burull Ranch 720 Van Antwerp Chamberlain SD 57325

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	2	50
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>1415A-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

03003

By

Y. Michael Erbe
Chief Engineer

of



**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 14, 2008

1397-2
1415A-2

Quinten Burull
720 Van Antwerp
Chamberlain SD 57325

Dear Mr. Burull:

I am writing to acknowledge receipt of the ownership changes you filed for Water Right Nos. 1397-2 and 1415A-2. The transfers have been completed. The water rights formerly held by Joe Burull and Son are now listed in your name.

Enclosed are your Receipt Nos. 03333 and 03335 in the amounts of \$2.50 each. You may keep these for you records.

If you have any questions, please contact me.

Sincerely,

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

enclosures

1415A-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

SEP 06 2016

1415A-2
2647-2
2701-2

Cody Burull
25299 Deer Valley Rd
Reliance SD 57569

Dear Mr. Burull:

Enclosed are Water License Nos. 2647-2 and 2701-2. They are the final water right documents completing your process of obtaining Water Rights. Included with the licenses is a map prepared by the staff engineer who conducted the field investigation.

Upon licensing, the applicable portions of Water Right No. 1415A-2 and Water Permit No. 2647-2 were incorporated into one license authorizing diversion of water from runoff into a dugout and storage dam. No. 2701-2 authorizes diversion of water from the White River to irrigate the same land and was licensed separately.

Each year when irrigation questionnaires are mailed to you, you will get two forms for the same land and the difference will be the source of water. The information for each will need to be reported separately.

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.

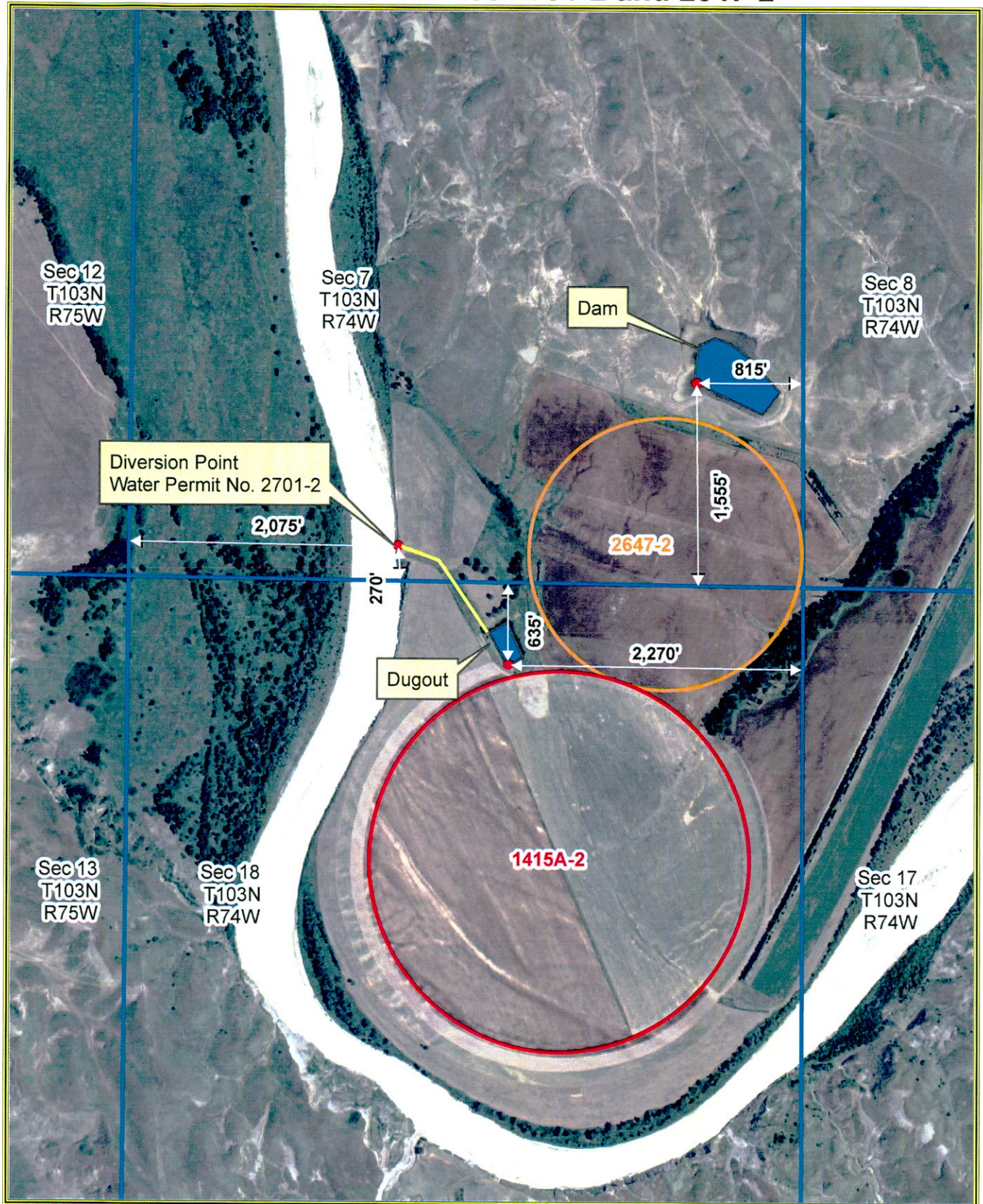
Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Cody Burull

Water Permit Nos 2701-2 and 2647-2



0 0.125 0.25 0.5 Miles

Mike DeFea
Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
December 23, 2015



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow... Today