

1. Considered 1-26, 1976
2. Name of Applicant GUPTILL FARMS, INC.
3. Post Office Address INTERIOR
4. Amount of water claimed 3.81
5. Source of water supply WHITE RIVER
6. Water to be used for IRRIGATION

Acres to be irrigated 267

7. Water to be diverted and used in JACKSON & KASHABAUGH County
about 2E, 3S Miles of INTERIOR

8. Proof of Publication Received 1-24-77

Not received

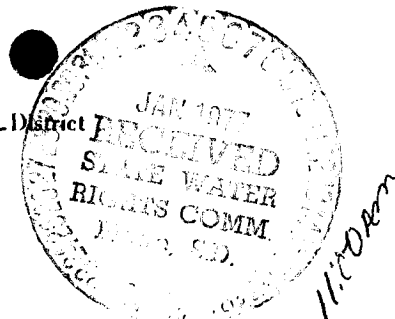
9. Application Approved

Subject to

Not approved

Action deferred

10. Remarks:

No. 1505-2Map No. 1281-2 Water Division No. 2 WHITE RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Guptill Farms Inc.
Postoffice address Interior, State South Dakota
If a corporation show date and place of incorporation November, 1976; Martin
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Guptill Irrigation Project No. 1
4. Amount of water claimed (cubic feet per second) 3.81 cfs
5. Source of water supply White River
6. Location of point of diversion See attached sheet

County Jackson & Washabaugh

7. Annual period or periods during which water is to be used March 1 to June 30 and Late Fall
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 267.0

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>See attached sheet</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Kadoka Press
12. Principal Features of the Proposed Water Supply System.

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

Pump

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

Pipe and Gravity

C. Works proposed to apply water to beneficial use.

Gravity & Gated PipeEstimated Total Cost \$25,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of _____

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

Signed _____

Subscribed and sworn to before me this 20th day of December, 1976Michael Olney
Notary Public (or other qualified officer)

All lands described are owned by "Guptill Farms Inc."

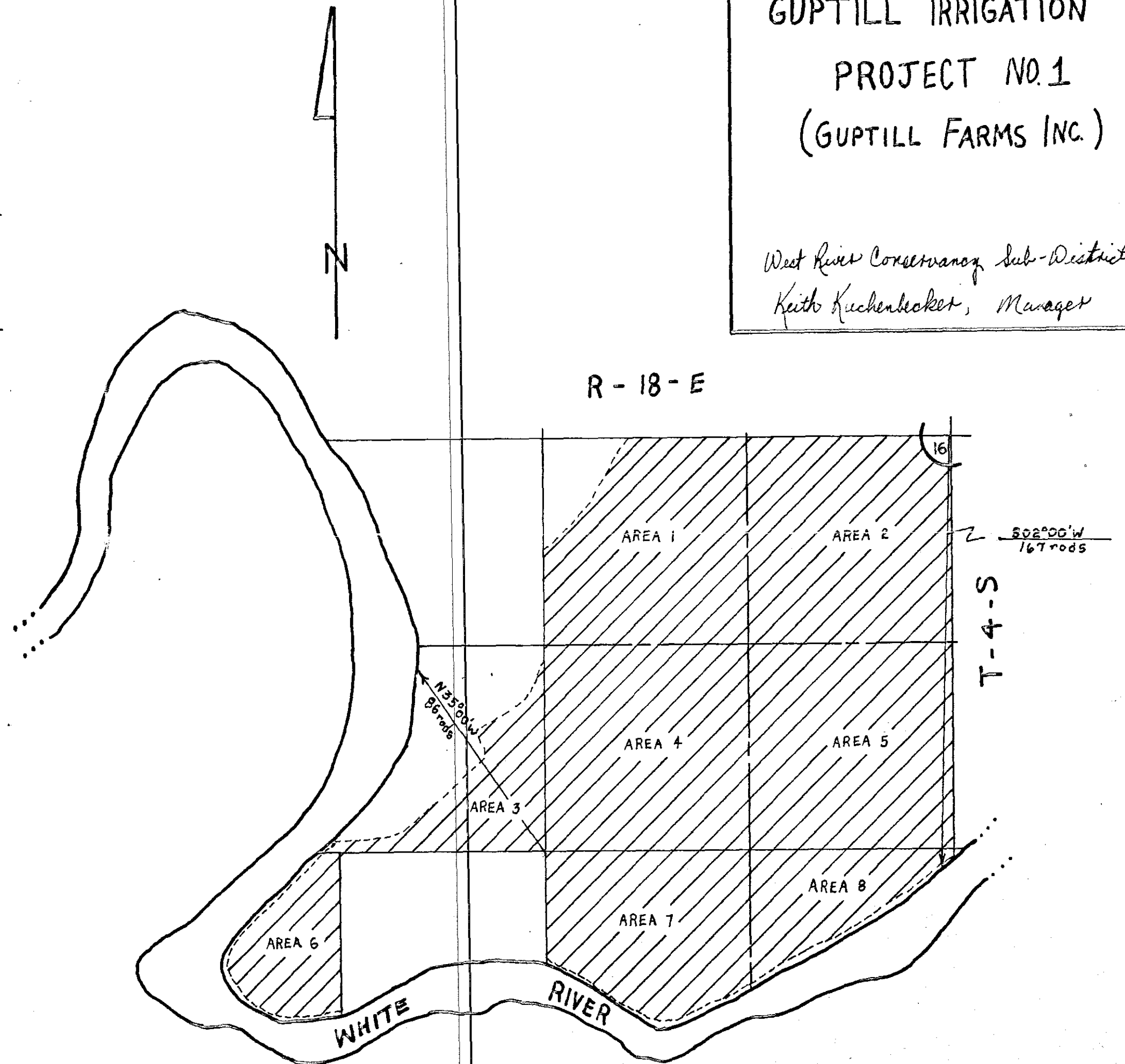
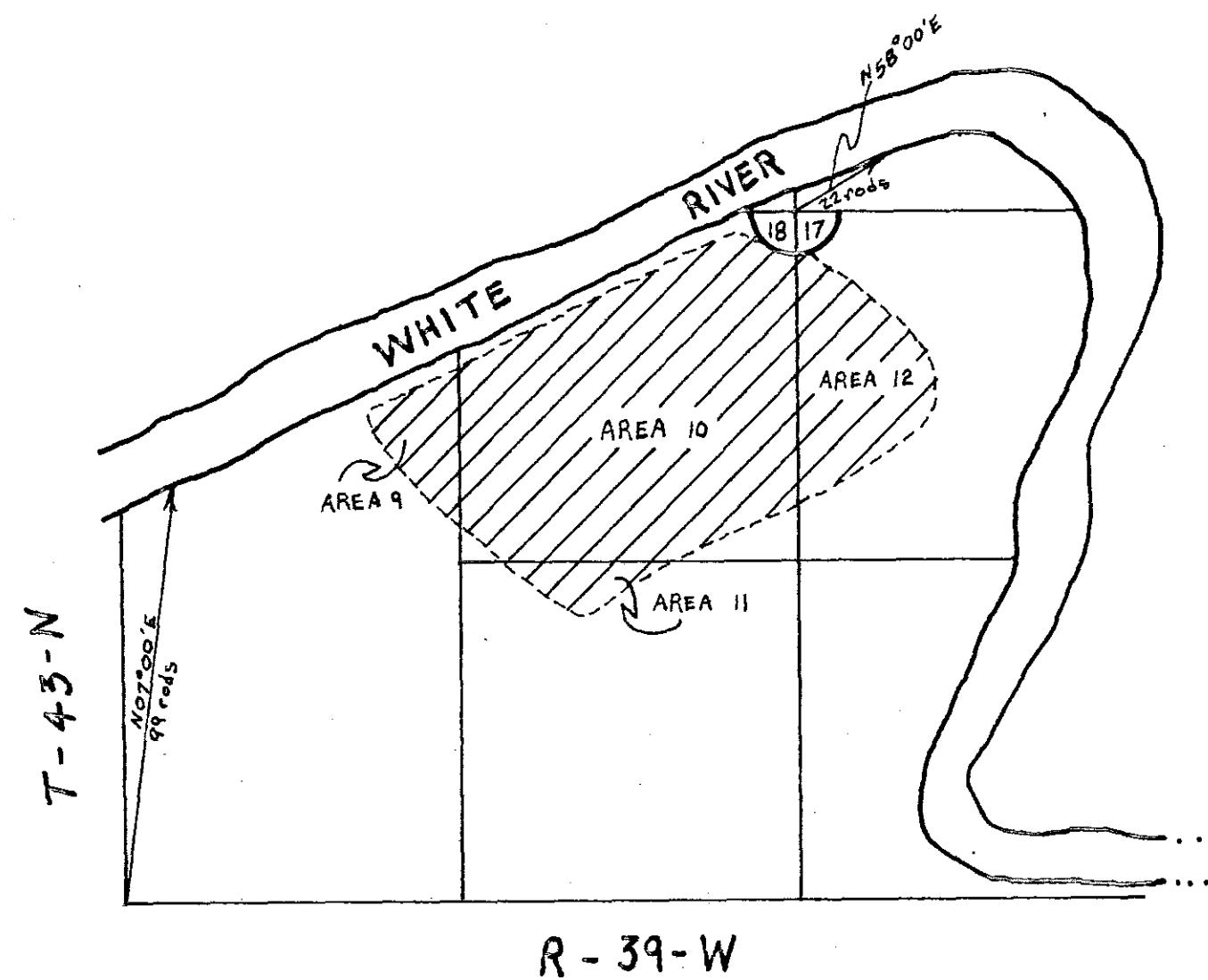
LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NW ¹ NE ⁴	16	4S	18E	35.0
2	NE ⁴ NE ⁴	16	4S	18E	40.0
3	Lot 2 28.45	16	4S	18E	15.0
4	SW ⁴ NE ⁴	16	4S	18E	40.0
5	SE ⁴ NE ⁴	16	4S	18E	40.0
6	Lot 6 13.90	16	4S	18E	12.0
7	Lot 4 29.25	16	4S	18E	27.5
8	Lot 3 15.00	16	4S	18E	14.0
9	Lot 4 52.50	18	43N	39W	3.5
10	Lot 1 33.50	18	43N	39W	30.5
11	SE ⁴ NE ⁴	18	43N	39W	2.0
12	Lot 1 30.85	17	43N	39W	7.5
TOTAL					267.0

Jackson County

Washabaugh County

GUPTILL IRRIGATION PROJECT NO.1 (GUPTILL FARMS INC.)

West River Conservancy Sub-District
Keith Kuchenbecker, Manager



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1505-2
PERRY GUPTILL FARMS, Inc. INTERIOR
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57750 With the following modifications:
 (State)

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed. This permit authorizes the diversion of water from the White River for ~~irrigation~~ until June 1 of each calendar year. After June 1, there shall be no diversions from the White River under this permit unless written authorization is issued by the Water Rights Commission or its legally appointed Representative. Diversions under this permit shall be in accordance with any written orders issued by the Commission or its Representative.

Date of first receipt of application JANUARY 5, 19 77
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved JANUARY 26, 19 77, Recorded in Book 17 Page 4

WATER RIGHT PERMIT NO. 1505-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1505-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JANUARY 5, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 26, 19 79
3. The whole of said work is to be completed on or before JANUARY 26, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 26, 19 86
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 3.81 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is

actually and beneficially applied for irrigation on or before JANUARY 26, 19 86; said water to be used during the following described annual period: MARCH 1 - JUNE 1

Witness my hand this 1ST day of APRIL, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

GUPTILL IRRIGATION PROJECT NO. 1

AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NW $\frac{1}{4}$ NE $\frac{1}{4}$	16	4S	18E	35.0
2	NE $\frac{1}{4}$ NE $\frac{1}{4}$	16	4S	18E	40.0
3	L2-28.45	16	4S	18E	15.0
4	SW $\frac{1}{4}$ NE $\frac{1}{4}$	16	4S	18E	40.0
5	SE $\frac{1}{4}$ NE $\frac{1}{4}$	16	4S	18E	40.0
6	L6-13.90	16	4S	18E	12.0
7	L4-29.25	16	4S	18E	27.5
8	L3-15.00	16	4S	18E	14.0
9	L4-52.50	18	43N	39W	3.5
10	L1-33.50	18	43N	39W	30.5
11	SE $\frac{1}{4}$ NE $\frac{1}{4}$	18	43N	39W	2.0
12	L1-30.85	17	43N	39W	7.5
TOTAL					267.0

DIVERSION POINTS:

On White River: 22 rods N58°00'E of the NE corner of Sec. 17, T43N, R39W; 99 rods N07°00'E of the SE corner of the NW $\frac{1}{4}$ of Sec. 18, T43N, R39W; and 167 rods S02°00'W of the NW corner of Sec. 16, T4S, R18E; and 86 rods N35°00'W of the SW corner of the NE $\frac{1}{4}$ of Sec. 16, T4S, R18E.

No. 1505-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Jackson) ss.

I, L. G. Parkinson hereby

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

Water was taken from the Kadoka Press

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 Kadoka

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

Thursday, January 13, 1977

Thursday, January 20, 1977

L. G. Parkinson
(Signature)

Publisher
(Title)

January 20, 1977
(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
January 6, 1977
Notice is hereby given that
Guptill Farms, Inc., whose post
office address is Interior, South
Dakota, has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
irrigation use 3.81 cubic feet of
water per second of time from the
Village River through the Guptill
ditch the point of diversion of which
is to be located in the between
prongs in Lot 4, Section 18, T43N,
R18E, and in Lot 3 of Section 16,
T43N, Range 18E. Said water
to be used for the purpose of
providing irrigation on portions of
the following described land:
Lots 2, 3, 4 and 6, Section
16, T43N, R18E; Lot 1, Section 17;
Lots 2 and 4, SE 1/4 NE 1/4, Section
16, T43N, R39W.
This application No. 1505-2 will
be considered by the Water
Rights Commission at their office
located upon the 26th day of
January, 1977, at 10:00 a.m. All
interested persons may appear
and be heard.
WATER RIGHTS COMMISSION
By: Burton F. Jones
Water Rights Specialist
Pub. January 13-20



Form 6 - Notice of Intent to Appropriate Water

No. 1503-2

Publish first publication, on or before 7 January 1977, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

7 January 1977, 1977

Notice is hereby given that Geptill Farms, Inc.
whose post office address is Interior, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
3.01 cubic feet of water per second of time from the Gustill through the
Gustill, the point of diversion of which is to be located in the

between points in Lot 4, Section 16, T43N, R39W, and in Lot 3

of Section 16, Twp. 40, Range 39. Said water to be used for the purpose
of providing irrigation on the following described land:

NE $\frac{1}{4}$, Lots 2, 3, 4 & 5, Section 16, T43N, R39W; Lot 1, Section 17;
Lots 1 & 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, T43N, R39W

This application No. 1503-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of January, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES

Water Rights Specialist

BFJ/bw

cc: Geptill Farms, Inc., Interior, South Dakota 57710



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 24, 1994

1505-2
2114-2

Guptill Farms, Inc.
% Perry Guptill
Box 142
Interior, SD 577750

Dear Mr. Guptill:

This letter is in response to your telephone call requesting an extension to pump from the White River beyond the mandatory June 1 shutoff date. You are hereby authorized to continue to divert from the White River under Water Permit Nos. 1505-2 and 2114-2 until July 15, 1994.

We will continue to monitor flows in the White River. If adequate flow for senior water rights is not available, you will be required to cease pumping.

If you have any questions, please contact Mark Rath or Del Brosz at phone (605) 773-3352.

Very truly yours,

John Hatch, Chief Engineer
Division of Water Rights