

ir Right Number 1666-2

1. Considered MAY 24, 19 79
2. Name of Applicant LARRY J. JUNDT
3. Post Office Address CUSTER, SD 7/20-7N-8E
4. Amount of water claimed 2.5
5. Source of water supply 35' WELL
6. Water to be used for IRRIGATION

Acres to be irrigated 178

7. Water to be diverted and used in FALL RIVER County
about 4E, 1 Miles NORTH of ORAL

8. Proof of Publication Received 5-18-79

Not received _____

9. Application Approved 5-24-79

Subject to Domestic use

Not approved _____

Action deferred _____

10. Remarks:

No. 1666-2Map No. 1429-2 Water Division No. 2 SOUTH CHEYENNE District 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 Larry J. Tundt
 Postoffice address 650 So 10th St, Custer State So Dak.
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of others
 3. Name of diversion work Tundt #1
 4. Amount of water claimed (cubic feet per second) 2.5
 5. Source of water supply Ground Water
 6. Location of point of diversion 33 Rods So. and 30 Feet W of the NE corner, Section 20, T7N, R8E
 County Fall River
 7. Annual period or periods during which water is to be used April Thru October
 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 178
 Last 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.
SE 1/4 SE 1/4 Sec 17-11	5	SW 1/4 NE 1/4 Sec 20	18
NE 1/4 NE 1/4 Sec 20	20	NE 1/4 SE 1/4 "	40
NW 1/4 NE 1/4 "	4	NW 1/4 SE 1/4 "	10
SE 1/4 NE 1/4 "	33	SW 1/4 SE 1/4 "	30
SE 1/4 SW 1/4 "	3	SW 1/4 SE 1/4 "	15

10. Time required to complete construction of water supply system _____ 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 Hot Springs Star
 12. Principal Features of the Proposed Water Supply System:

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

Well pump - Motor

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

Main line & Flex Hose

C. Works proposed to apply water to beneficial use.

Big GunEstimated Total Cost \$25,000Attachments: 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 Fall RiverI, Larry J. Tundt, 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 Larry J. TundtSubscribed and sworn to before me this 25th day of April, 1979Clara M. Clair

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1666-2
LARRY J. JUNDT 650 So. 10th ST., CUSTER
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57730 With the following modifications
 (State)

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

Date of first receipt of application APRIL 26 19 79
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved MAY 24 19 79 Recorded in Book 20 Page 326

WATER RIGHT PERMIT NO. 1666-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1666-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 26 19 79
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 24 19 81
3. The whole of said work is to be completed on or before MAY 24 19 84
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 24 19 88
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 2.5 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 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 MAY 24 19 88 said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 1ST day of JUNE 19 79

WATER RESOURCES COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 18", Depth 40'
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 12 3/4" Thickness 2 gauge
- (3) Perforated Screen.
Type Perforated Screen, Diameter 12 3/4", Length 20'
- (4) Gravel Pack, Thickness 3", Length of gravel pack 40'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Good Sand, used
some gravel To gravel pack
Test Well

Depth to top of water bearing material 4 feet

Depth to bottom of water bearing material 35 feet

Thickness of water bearing material 31 feet

Depth to water (ground surface to water level) 4 feet

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

On same owner's property 287 rds. On property owned by others 113 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Larry J. Randall
Signature of Applicant

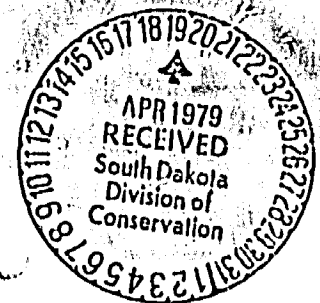
Larry Jung

SOIL AND WATER SAMPLING STUDY - IRRIGATION

Date Samples Taken Fall 1978 County Custer
Legal Description NE, 20, 7S, 8E Soil Type Valent, Jayem, Ascalon sandy loams and loamy sands
WATER QUALITY: _____
Sample Number _____ EC _____
SAR _____ RSC _____
ASAR _____

Site	Depth ft.	CEC me/100g	ESP	Exch Na me/100g	Exch Mg me/100g	Exch Ca me/100g	EC Sat. Extr. umhos/cm	ph paste	SAR
50 paces NW of Ascalon Irrig. 1 yr. #1 Valent soil	0-1			0.16	0.99	3.57	2030	6.89	2.75
	1-2			0.15	1.10	6.47	443	7.01	0.88
	2-3			0.26	1.56	2.50	408	7.31	0.86
	3-4			0.14	1.13	2.39	352	7.61	0.33
Species S. 1/4 E. of tree Irr. 26 yr. #2 Jayem	0-1			0.46	2.73	9.40	913	6.98	2.85
	1-2			0.52	3.27	4.12	691	7.01	2.63
	2-3			0.52	2.66	6.35	802	7.42	2.21
	3-4			0.26	1.59	35.40	867	7.99	2.30
Species E. 1/4 corner of S. of ridge Irr. 26 yr. #3 Ascalon	0-1			0.34	1.88	8.62	837	6.91	2.42
	1-2			0.44	2.44	3.95	697	7.21	2.29
	2-3			0.53	3.27	5.64	676	7.21	2.86
	3-4			0.43	1.87	6.24	811	7.26	2.86
Species S. 1/4 E. of tree Irr. 26 yr. #4 Dryland Jayem	0-1			0.66	3.85	54.24	1778	8.01	2.90
	1-2			0.14	1.10	5.56	316	6.62	0.28
	2-3			0.18	2.21	8.36	377	7.35	0.27
	3-4			0.17	2.00	25.81	391	7.68	0.23
				0.15	1.90	21.54	384	7.78	0.25
Notes: See Soils Map for location orientation	0-1								
	1-2								
	2-3								
	3-4								

Note: Exchangeable sodium: Any level above 2 or 2.5 milliequivalents per 100 grams soil or above 8% is potentially hazardous.
Salinity: Any electrical conductance value above 3,000 micromhos is marginal, 6,000 and above definitely harmful to some crops.



HURON DRILLING INC. DRILLERS LOG

PAGE NO.

Larry Jundt

JOB NAME

LOCATION

8/8/78

DATE _____

19

RIG NO.

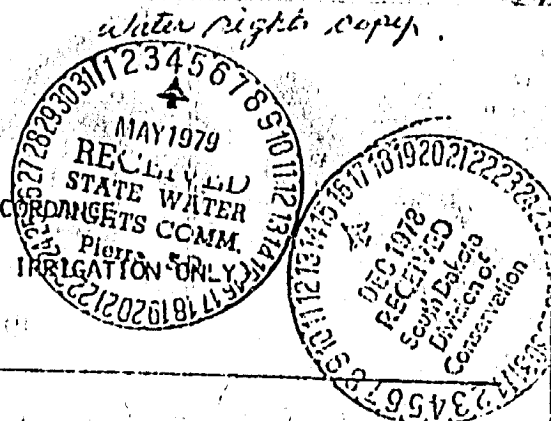
Raymond Kuehl

FOREMAN

Drill No.	DEPTH	TIME	REMARKS
1	20		0-4 Clay
2	35		4-35 Good sand
			Well cased with 4" Sch. 40 Plastic
			Pumped 600PM
			Waterhead 4 Ft.
			20 Ft. Slotted @ bottom

CONSERVATION
COMMISSION
FORM W1 #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME _____
ADDRESS _____
COUNTY _____

LEGAL DESCRIPTION

1. WELL LOCATION NE 1/4 - 15 - SE
2. LOCATION OF AREA TO BE IRRIGATED NE 1/4 (75%) SE 1/4 (95%)
- TYPE OF IRRIGATION Payls SE + SW 1/4 of Sec 20 (317-1000)
3. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN 1
4. CROPS TO BE IRRIGATED _____

WATER QUALITY

5. SAMPLE NUMBER 75-1077
6. SALINITY (EC X 10⁶) 22.94 - Very high
7. SODIUM (SAR) 4.75 - Moderate to high
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from _____ Conservation District, County Extension office or Soil Conservation Service.

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

APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
5th DAY OF December 1978.

Clara M. Clay, Notary Public
(TITLE OR SEAL)

Conditional APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Submitted by: Larry J. Jundt
 Address: 650 S. 10th St.
Quater, SD 57730

Date Rec'd: December 6, 1978
 Sample No. 78-1077
 Identification Cell-35
NE1, Sec. 20, T. 71, R. 8E

WATER ANALYSIS

Calcium (Ca)	216	ppm*	10.30	me/l**
Magnesium (Mg)	43	ppm	3.54	me/l
Sodium (Na)	264	ppm	11.48	me/l
Potassium (K)	21	ppm	0.55	me/l
Sulfate (SO ₄)	960	ppm	19.97	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	140	ppm	3.92	me/l
Bicarbonate (HCO ₃)	166	ppm	2.72	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	136	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2294	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	4.28	Adjusted SAR	10.27	10.27
Sodium	11.53	% of cations		7
Residual sodium carbonate	0.00	me/l		7.8 89
pH	7.72			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 26.37 me/l
 Total anions 26.61 me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 78-1077

Amount Enclosed \$

Signed

REC-MGMT/FORM
12/78

CONDITIONAL

April 10, 1979

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF CONSERVATION

NAME OF APPLICANT Larry Jundt, Custer, SD

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

10A Runn clay loam

95A Kyle clay

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 3 times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 3-5 inches of water. Above not applicable on Jayem and Valent soils
3. ☐ Yes ☐ No Surface drainage suggested on _____.
4. ☐ Yes ☐ No Subsurface drainage suggested on _____.
5. ☐ Deep tillage (for the purpose of aiding movement of water through dense subsoils).

COMMENTS:

6. ☒ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application _____.

GENERAL COMMENTS:

Because you are tied with the Angustora Project, part of your application (approx. 30 ac.) can, when water is available, be irrigated with project waters, which are of some better quality than your well water. We are taking this into consideration in granting a conditional application.

Approximately 80 acres of Valent soils will be irrigated from well^{only} water. Soil samples taken 1-24-79 show no indication of salt accumulation in the 4-foot root zone; therefore, it is believed that water of quality shown in #78-1077 can safely be used.

The 25.3 acre field should be kept protected by the terraces as shown in the soils' map. With a gun system, you can irrigate these terraced slopes. It may be well to keep the terrace top and back slope in permanent vegetation.

Copy to applicant
Copy to Water Rights
Copy on File

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 38", Depth 36'
(2) Casing, Type Steel (wood, concrete, steel, etc), Diameter 16", Thickness 1/4"
(3) Perforated Screen, Type Johnson, Diameter 16", Length 15'
(4) Gravel Pack, Thickness 6", Length of gravel pack 30'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of water-bearing materials Coarse Gravel, Rounded
smooth edges

Depth to top of water bearing material 5'

Depth to bottom of water bearing material 35'

Thickness of water bearing material 30'

Depth to water (ground surface to water level) 3'

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

On same owner's property 120 rds. On property owned by others 100 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

[Signature]
Signature of Applicant

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

No. 1666-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Fall River) ss.

I, Charles Najacht hereby

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

Water was taken from the Hot Springs Star

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 Hot Springs of Hot Springs

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

May 9, 1979

May 16, 1979

Charles Najacht

(Signature)

Publisher

(Title)

May 16, 1979

(Date Signed)

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER
At Pierre, South Dakota 57501
May 4, 1979
Notice is hereby given that
Larry J. Jundt whose post office
address is Custer, South Dakota
has made an application in ac-
cordance with the provisions of
SDCL 46-1-1 thru 46-1-9, 46-1-14,
46-2-9 thru 46-2-11, 46-5-2, 13,
46-5-1 thru 46-5-8, 46-5-10 thru
46-5-22, 46-5-41, 46-6-3, 46-6-3.1,
46-6-5, 46-6-5.1, 46-6-10, 46-6-14
and Commission's Rules & ARSD
52:01:01:01 thru 52:01:01:13 for
a permit to appropriate for
beneficial use 2.5 cubic feet of
water per second of time from
ground water (one well) through
the Jundt #11 at the point of
diversion of which is to be
located in the NE 1/4 NE 1/4 of
Section 20, Twp. 17N, Range 8E,
Said water to be used for the
purpose of providing irrigation on
portions of the following de-
scribed land: SE 1/4, SE 1/4, Section
17, S 1/4, SW 1/4 and E 1/4, Section
20, all in T7N, R8E, S8E, Sec. 17,
This Application No. 1666-2 will
be considered by the Water
Rights Commission at Howard
Johnson's Motel, 2211 Lacrosse,
Rapid City, SD 57701 upon the
24th day of May 1979 at 10 A.M.
The Commission is authorized to
make a determination on this
application at the hearing. All
interested persons may appear
and be heard. Any person who
may be affected by a Commission
decision who desires to present
evidence or cross-examine wit-
nesses according to SDCL 1-26
may notify the Commission in
writing prior to the hearing or
orally at the hearing.
This hearing is an adversary
proceeding. Any person 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 at the hearing. Deci-
sions of the Commission may be
appealed to the Courts as pro-
vided by law.

WATER RIGHTS COMMISSION
Betty Westlund
Water Rights Specialist
May 9, 1979



No. 1666-2

Publish first publication, on or before May 10, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 4, 1979

Notice is hereby given that Larry J. Jundt whose post office address is Custer, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.5 cubic feet of water per second of time from ground water (one well) through the Jundt #1, the point(X) of diversion of which is (XXX) to be located in the _____

NE 1/4 NE 1/4

of Section 20, Twp. 7 N, Range 8 E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4 SE 1/4, Section 17; SE 1/4 SW 1/4 and E 1/4, Section 20, all in T7N, R8E

This Application No. 1666-2 will be considered by the Water Rights Commission at Howard Johnson's Motel
2211 Lacrosse, Rapid City, SD 57701 upon the 24th day of May 1979

at 10 AM. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

BETTY WESTLUND

Water Rights Specialist

cc: Larry J. Jundt
650 S. 10th St.
Custer, SD 57730

FORM 6 - Notice of Intent to Appropriate Water
GROUNDWATER
BW/St

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6904

PIERRE,

April 26

1979

Larry J. Jundt, 650 S 10th St., Custer SD 57730

RECEIVED OF

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

Fee for Application for Permit to Appropriate Water No. 1666-2 (examination, processing, recording and filing)	250	00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		

TOTAL

250 00

WATER RIGHTS COMMISSION

By

John Hatch

Chief Engineer, Executive Officer

JOHN HATCH

k jw

1666-2

January 29, 1980

John McDill
Farmers Home Administration
14th & Galveston
Hot Springs, SB 57747

Dear Mr. McDill:

We received a telephone call from Larry Jundt regarding drilling a replacement well under his Irrigation Permit No. 1666-2.

Commission rules state that if the well is within 250' of the original location, no further permit is required from this office. Mr. Jundt indicated that the replacement well would be within the 250'.

If you have further questions regarding this matter, feel free to contact this office.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/gjy

Water Rights Division - DWR
Conversation or File Documentation

File No. 1666-2

NAME OF PERSON OR FILE: Larry Grant COUNTY

ADDRESS: Custer

DATE: 6/12/84 TELEPHONE 673-4140

RE: IQ

COMMENTS:

Mrs Grant said Jerry Vlien operated on shares
Oral ID 424-6455

4/13/84 called talked to Jerry Vlien said he sent it in - but
did give me information over phone

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: Betty Westlund

South Dakota
Department of
Water & Natural Resources

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

April 15, 1985

Jerry Vilen, operator
Oral SD 57766

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 1666-2. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

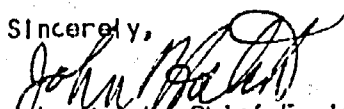
The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 1666-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit holder has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Sincerely,


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

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.



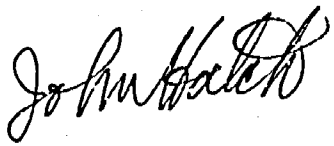
Department of Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Jerry Vilen (operator)
Oral, SD 57766

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352 

SUBJECT: Amendment to Water Permit No(s). 1666-2.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1666-2 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

cc: Larry J Jundt
650 S 10th St
Custer SD 57730



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 1666-2

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1666-2 to add the following qualification:

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

1666-2.

745-4112



United States
Department of
Agriculture

Farmers
Home
Administration

Star Route, Box 202
Hot Springs, SD 57747

Water Management Board
Water Rights Division
Joe Foss Building
Pierre, SD 57501

May 19, 1986



Dear Sirs:

The FmHA has received the letter you had sent to Jerry Vliem on March 26, 1986 in reference to Water Permit #1666-2.

Our tenant on the property, Jerry Vliem, will not be operating the unit for 1986.

At the present time FmHA cannot approve a new lease.

For any additional information needed please address all further correspondence to: FmHA, Star Route, Box 202, Hot Springs, SD, 57747.

Sincerely,

Eugene A. Nachtigall
Eugene A. Nachtigall
County Supervisor



Farmers Home Administration is an Equal Opportunity Lender.
Complaints of discrimination should be sent to:
Secretary of Agriculture, Washington, D.C. 20250

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
Division of Water Rights
605 773-3352

No. 1666-2

May 23, 1986

Farmers Home Administration
Star Route, Box 202
Hot Springs, South Dakota 57747

Dear Sir:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

DWNR-820A-8/83

NO. 1666-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: June 4, 1986

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

178 Acres - SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17; E $\frac{1}{2}$ & SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20 all in T7N-R8E

formerly owned by Larry Jundt, Custer, South Dakota

has been transferred to FmHA, Star Route, Box 202, Hot Springs, SD 57747

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1666-2 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 as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Fall River) ss.

I, Mark A. Nelson being first duly sworn on my oath depose 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.

Farmers Home Administration

By: Mark A. Nelson
(Signed)
Mark A. Nelson
Acting County Supervisor

Subscribed and sworn to before me this 4th Day of June, 1986.

Rita D. Britain
(Notary Public)
RITA D. BRITAIN, Notary Public
My Commission Expires October 13, 1991

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410458

Pierre, June 6, 19 86

RECEIVED OF FmHA, Star Route, Box 202, Hot Springs, SD 57747

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 _____ 1666-2	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	50

By John Hatch
Chief Engineer JOHN HATCH (115)

No. 1666-2

SOUTH DAKOTA
Department of
Water & Natural Resources

Jon Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

June 6, 1986

Farmers Home Administration
Star Route Box 202
Hot Springs, South Dakota 57747

Dear Sir:

Enclosed is receipt No. 410458 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1666-2.

Farmers Home Administration
Our records now show ~~you~~ as the owner of this Water Right.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WNR-821-7/79
Receipt & Notice of Filing of Transfer of Water Right

SOUTH DAKOTA
Department of
Water & Natural Resources

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

March 26, 1986

NOTICE

Jerry Vilen
Oral, SD 57766

Re: Violation of Water Permit No(s). 1666-2

Our records indicate that the 1985 Irrigation Questionnaire has not been received for Water Permit No(s). 1666-2. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1666-2 qualification:

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

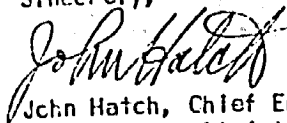
The hearing(s) will be at 2:00 p.m., May 14, 1986, Joe Foss Building, Room 216, Pierre, South Dakota. The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 1666-2 until either the 1985 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Sincerely,


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

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 16, 1986

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Jerry Vlien
Oral,
South Dakota 57766

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

*John Hatch
by Del Bragg*

SUBJECT: One Year Suspension of Water Permit No(s). 1666-2
If the 1985 Irrigation Questionnaire Is Not Received By
June 1, 1986

Pursuant to the provisions of the notice dated March 26, 1986 and following the Hearing May 14, 1986, the Water Management Board ordered:

That Water Permit No(s). 1666-2 be suspended until December 31, 1986, unless the required 1985 Irrigation Water Use Questionnaire is received by June 1, 1986.

Suspension of a permit means water may not be pumped during the 1986 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

Equal Opportunity Employer

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
May 26, 1986

Permit No. 1666-2

Eugene A. Nachtigall
Farmers Home Administration
St Rt, Box 202
Hot Springs SD 57747

RE: Permit NO. 1666-2, formerly owned by Larry Jundt

Dear Mr. Nachtigall:

I am writing to acknowledge receipt of your 1985 Irrigation Questionnaire. A notice was sent to you May 16, 1986 regarding the Board action taken May 14, 1986 to suspend your permit(s) if the 1985 irrigation questionnaire was not received before June 1, 1986.

You may disregard the May 16 notice. With receipt of your 1985 questionnaire(s), your permit(s) will not be suspended.

If you have any questions, please contact us.

Very truly yours,

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

Equal Opportunity Employer

SOUTH DAKOTA
Department of
Water & Natural Resources

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

January 29, 1988

TERRY STONBAUGH, OPERATOR
BUFFALO GAP, SD 57722

NOTICE

Re: Violation of Water Permit No(s). 1666-2

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 1666-2. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1666-2 qualification:

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

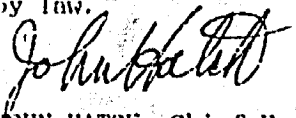
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

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

1. Suspend Permit No(s). 1666-2 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.


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

cc: Dan Lewis, County Supervisor, FmHA, HC 52, Box 202, Hot Springs, SD 57747

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



Department of Water & Natural Resources

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

March 14, 1988

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: TERRY STONBAUGH, OPERATOR

BUFFALO GAP, SD 57722

FROM: John Hatch, Chief Engineer
Water Rights Division
605-773-3352

SUBJECT: One Year Suspension Of Water Permit No(s). 1666-2

Pursuant to the provisions of the notice dated January 29, 1988, and following the hearing of March 2, 1988, the Water Management Board has ordered:

That Water Permit No(s). 1666-2 be **SUSPENDED** until December 31, 1988.

Suspension of a permit means water may not be pumped during the 1988 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

cc: Dan Lewis, County Supervisor, Fm 2A, HC 52, Box 202, Hot Springs SD 57747

SENDER: Complete Items 1 and 2 when additional services are desired, and complete Items 3/ and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following service(s) are available. Consult postmaster for fees and check box(es) for additional service(s) requested.
1. Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery ☒ (Extra charge) 1.

TERRY STOMBAUGH, OPERATOR
BUFFALO GAP, SD 57722

4. Article Number
P501-739 015

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

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

X
6. Signature - Agent
X Betty Jean Stombaugh
7. Date of Delivery
3-18-88

PS Form 3811, Mar. 1987

U.S.G.P.O. 1957-178-268

DOMESTIC RETURN RECEIPT

SENDER: Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to, the date of delivery. For additional fees the following services are available. Consult postmaster for rates and check box(es) for additional service(s) requested.

1. ☒ **Shelf** (to whom delivered, date, and addressee's address) 2. ☐ **Restricted Delivery** (Extra charge)

3. Article Addressed to: Dan Lewis, Co. Supervisor Fm HA MC 52, Box 202 Hot Springs 57747	4. Article Number P 501 739 027 Type of Service: ☐ Registered ☐ Insured ☐ Certified ☐ COD ☐ Express Mail
5. Signature - Addressee <i>[Signature]</i>	Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature - Agent X	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery MAR 15 1958	

PS Form 3811, Mar. 1987 * U.S.G.P.O. 1997-178-268

DOMESTIC RETURN RECEIPT

DATE MICROFILMED

CAMERA OPERATOR

Water Rights Division - DWR

File No.

1666-2

Conversation or File Documentation

NAME OF PERSON OR FILE:

Farmer Home Adm.

ADDRESS:

Hot Springs

COUNTY

DATE:

3-24-87

TELEPHONE

RE:

COMMENTS:

Dec. w/ Inha called and stated they had
an operator who would be leaving the land
under 1666-2 for one year - send FCP
to Terry Stombaugh, Buffalo Gap SD
for 1987

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:

Garry Brimble

Conversation or File Documentation

NAME OF PERSON OR FILE: Farmers Home AdministrationADDRESS: Hot Springs, SDCOUNTY Fall RiverDATE: June 24, 1988

TELEPHONE _____

RE: 1988 suspension of permit for not returning 1987 irrigation
COMMENTS: questionnaire

I discussed the suspension with Dan ? of the FmHA office, Hot Springs, SD by telephone on June 24, 1988. Dan stated that the center pivot has been sold and that there will be no irrigation in 1988. They want to keep the permit so that when they get the land sold the new owner can irrigate it if he/she wishes. Sale of the land is being held-up by legal proceedings

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

4/82

NAME: William W. Brong, P.E.
Hydrologist

Law Offices of
Louis K. Freiberg

Telephone
Rapid City (605) 343-5767
Wall (605) 270-8800

First Federal Plaza
909 St. Joe #420
Rapid City, South Dakota 57701-1159



October 11, 1988

South Dakota Water and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

RECEIVED
OCT 12 1988
SOUTH DAKOTA DEPARTMENT OF
WATER AND NATURAL RESOURCES
OFFICE OF WATER QUALITY

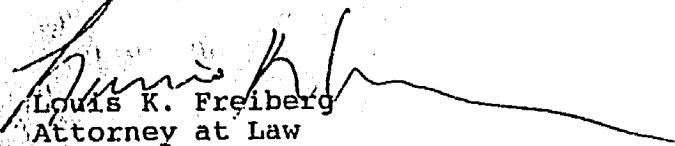
RE: Permit #1684-2 and prior water rights,
Blanche Sedivy

Enclosed is copy of deed wherein Blanche Sedivy transferred
her land to her children.

Blanche has been very feeble for the last 10 or 12 years and
her husband died in 1974 and couldn't manage due to ill
health. Because of this and her health, she did not use some
of her water rights. These rights should not have been
forfeited if they were.

Advise as to present and past water rights and status.

Sincerely,


Louis K. Freiberg
Attorney at Law

LKF/js

Enclosure

Blanche E. Sedivy a/k/a Blanche Sedivy, a single person

grantor of P. O. Box 265, Rapid City, Pennington County,

State of South Dakota for and in consideration of One dollar

(\$1.00) and other valuable consideration - - - - - DOLLARS

GRANT'S, CONVEY'S AND WARRANTS TO Fred Sedivy a/k/a Arthur Fred Sedivy, Mary Lou Sedivy Guenther and Jean Sedivy Jones as tenants in common

granted of P. O. Box 1972, Rapid City, SD P. O. the following described

real estate in the County of Pennington in the State of South Dakota:

the West half of the South East Quarter and South East Quarter of the South East Quarter of Section 1, Township 1 North, Range 8 East and the Northwest Quarter of the Northeast Quarter of Section 12, Township 1 North, Range 8 East and the South half of the Southwest Quarter of the North East Quarter; and the East half of the South East Quarter of the Northeast Quarter less Block 1 and 2 and less Lot 7 of Sedivy Subdivision; and the South West Quarter of the South East Quarter of the North East Quarter and the North West Quarter of the South East Quarter of Section 8, Township 1 North, Range 8 East of the Black Hills Meridian, Pennington County South Dakota, subject to easements, restrictions and covenants of record and prior reservation of oil, gas and mineral rights of record. Also the West one-half of the Northeast one-fourth of the Southeast one-fourth (W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) less the part lying south and east of Creek of 1 North, Range 8 East Section 8.

NO MONETARY CONSIDERATION.

EXEMPT FROM TRANSFER FEE.

43-4-22(5)

All leases are assigned to grantees.

Dated this 27th day of October, 1981

☒ TRANSFER FEE PAID \$
☒ EXEMPT FROM TRANSFER FEE

Blanche E. Sedivy a/k/a Blanche Sedivy

RECORDED 100 110 42176

INDEXED 34 9930
300 Deed

STATE OF SOUTH DAKOTA, ss.

County of Pennington

Filed for record this 1st day of

1981 at

o'clock M. and recorded in

Book Page

Register of Deeds.

By Deputy,

NOTARY

Fees

STATE OF SOUTH DAKOTA, ss.

County of Pennington

On this the 27th day of October, 1981, before

the undersigned officer, personally appeared Blanche E. Sedivy a/k/a Blanche Sedivy, a single person

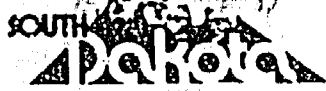
known to me or satisfactorily proven to be the person whose name subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

My commission expires 1982

88 AUG 25 FILE 52

CLERK OF DISTRICT COURT
PENNINGTON COUNTY
REGISTER OF DEEDS



Department of Water & Natural Resources

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

DEC 20 1988

2044-2
1666-2

Dan Lewis, County Supervisor
USDA-Farmers Home Administration
HCR 52 Box 202
Hot Springs, SD 57747

Dear Mr. Lewis:

Enclosed is Water License No. 2044-2. This is the final water right document completing your process of obtaining a Water Right. The applicable portions of Water Permit No. 1666-2 were incorporated into Water License No. 2044-2.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2044-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

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

enclosures



Report on Permit Nos. 1666-2 & 1840-2

Suspended for the 1988 irrigation season

Water Permit No. 1666-2: EmthA is the present owner and holder of this permit. Terry Stamburgh has leased the property for the 1988 crop season. The irrigation equipment has been removed from the property. The land was dryland farmed for the 1988 season.

Water Permit No. 1840-2: Only the water spreading portion has been used up to this time. Water could not be used from the Cheyenne River during 1988 because there was no flow in the river.

Delvin D. Brong, P.E.
Hydrologist
August 29, 1988