

Considered: _____

WATER PERMIT NO. 1884-2

MAP No. 1884-2

Name of Applicant Clyde E Brewer

Post Office Address HC 93 #10, Kilgore, NE 69216

Amount of Water Claimed no additional Total Acres 135

Source of Water Supply two wells #1 179 ft & #2 246 ft

Water to be used for IRR County TD

About 10W 18 miles south of Mission.

PROOF OF PUBLICATION: Received 10-30-84 Not Received _____

APPLICATION: Approved 12-5-84 Subject to _____

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

PRIORITY Date Received August 29, 1983 Fee 250.00 Remarks _____

7/31/84 Change of diversion and an additional ~~diversion~~ acreage
fee received July 30, 1984

Corrected Application Received _____ Period of Annual Use 4/1 to 11/1

WATER QUALITY APPROVAL RECEIVED 7/31/84 ~~APPROVED~~ CONDITIONAL (Circle one)

WI-1 Description same as Application YES ☒ NO _____ REMARKS Chg diversion and add'l diversion
no add'l water requested and the 135 acres was originally approved but not developed.
discussed with Dept. Ag, handled by sending over the buck sheet and we found out all the
wells are to be tied to gether. bw

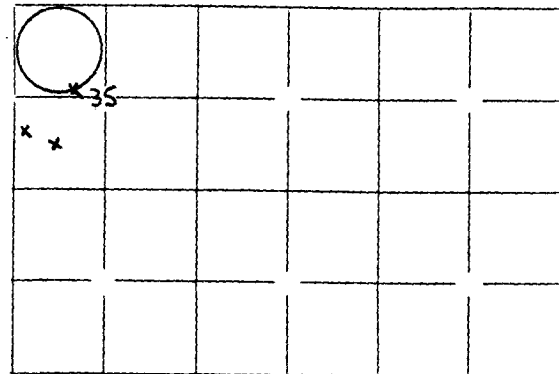
Diversion Point Change location Well #3- SE $\frac{1}{4}$ NW $\frac{1}{4}$; Well #2

NW $\frac{1}{4}$ SW $\frac{1}{4}$ and Well #1 in the approximate center of SW $\frac{1}{4}$

all located in Sec 35-T36N R30W

Land to be Irrigated _____

NW $\frac{1}{4}$ Section 35-T36N-T30W



Well Log: Driller Sargent Irrigation Co. Licensed YES ☒ NO _____

Depth of Well 179-246 REMARKS two Ogallala Formation wells

Type of Map aerial PREPARED BY Frank Smith DWNR Reviewed and the Number _____

assigned on 7/31/84 By Betty Westlund
Betty Westlund NRA III

cc: Nelson and Stukel

ec



Map No. 1884-2 Water Division No. 2 Niobrara Trib KE District
Above for Office Use 10150004

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in well location from permit #1183-2
Acreage not developed under Permit#1183-2

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Clyde E. Brewer Phone No.

Post Office Address HC 93 - #10 Kilgore Nebraska 69216
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

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

3. Name of diversion work _____ No Additional _____

4. Amount of water claimed (cubic feet per second) _____

5. Source of water supply two Ogallala formation wells

6. Location of point of diversion Well No. 2~~1~~ - 1600 ft. N, 12° 22' E and Well No. 3~~2~~ - 3140 ft. N
29° 34' E of SW Corner, Section 35, T 36N, R 30W.

County Todd

7. Annual period or periods during which water is to be used April - November

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 135

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.
NW $\frac{1}{4}$ Sec. 35, T36N, R30W	135

Land Description	No. Acres Irr.

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 ~~5~~ 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Todd County Tribune

12. Principal Features of the Proposed Water Supply System.

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

B. Works proposed to transport water to place of use.
4330 ft. of buried PVC Pipe

C. Works proposed to apply water to beneficial use.
Center Pivot Irrigation

Estimated Total Cost \$ _____

Attachments: 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 Yankton) ss.

I, Clark E. Brewer 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 Chas E Brewer

Subscribed and sworn to before me this 29 day of August, 1983

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1884-2

Clude Brewer

(Applicant)

HC 93 #10

Kilgore

(Post Office Address)

Nebraska

(State)

With the following qualifications.

The irrigation wells approved under this Permit will be located near domestic wells and other 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 or in adequate wells having prior water rights.

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

Date of first receipt of application August 29, 1983

Date of return to applicant for correction, amendments or changes required —, 19—

Date of receipt of corrected application —, 19—

Approved December 5, 1984, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 1884-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1884-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is July 31, 1984.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JUNE 5, 1987.
3. The whole of said work is to be completed on or before December 5, 1989.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is December 5, 1993.
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 No add'l 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 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 December 5, 1993; said water to be used during the following described

annual period: April 1 to November 1

Witness my hand this 4th day of January, 1985

THE WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Water Rights

JOHN HATCH

Certificate of Construction Issued —, 19—

Water License Issued —, 19—

D Well Information

Well #1 - 179 ft.
Well #2 - 246 ft.

(1) Drill Hole, Diameter 30", Depth _____

(2) Casing, Type Steel, Diameter 16 in., Thickness .219
(wood, concrete, steel, etc) #1 - 99 ft.

(3) Screen, Type Perforated, Diameter 16 in., Length ~~34~~ - 166 ft.
#1 - 179 ft

(4) Gravel Pack, Thickness 7 in., Length of gravel pack ~~34~~ - 246 ft.

E. Dugout Information or Estimates

(1) Surface dimensions, _____, Depth _____

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

(1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 80
#1 - 179 ft.

Depth to bottom of water bearing material #2 - 246 ft.
#1 - 76 ft.

Depth to water (ground surface to water level) #2 - 70 ft.

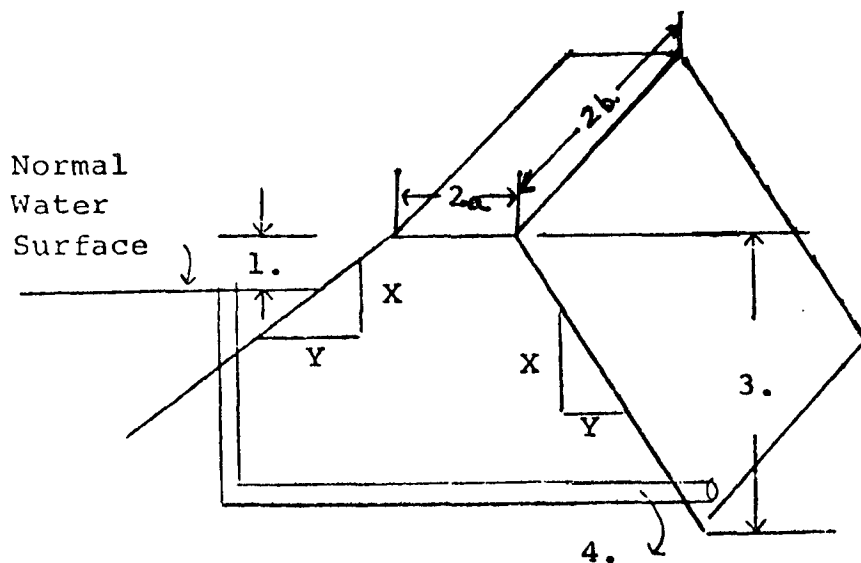
(2) Distance to nearest existing household or livestock watering well.

On same owner's property 40 rds.

On property owned by others 80 rds.

G. Water Storage Dams

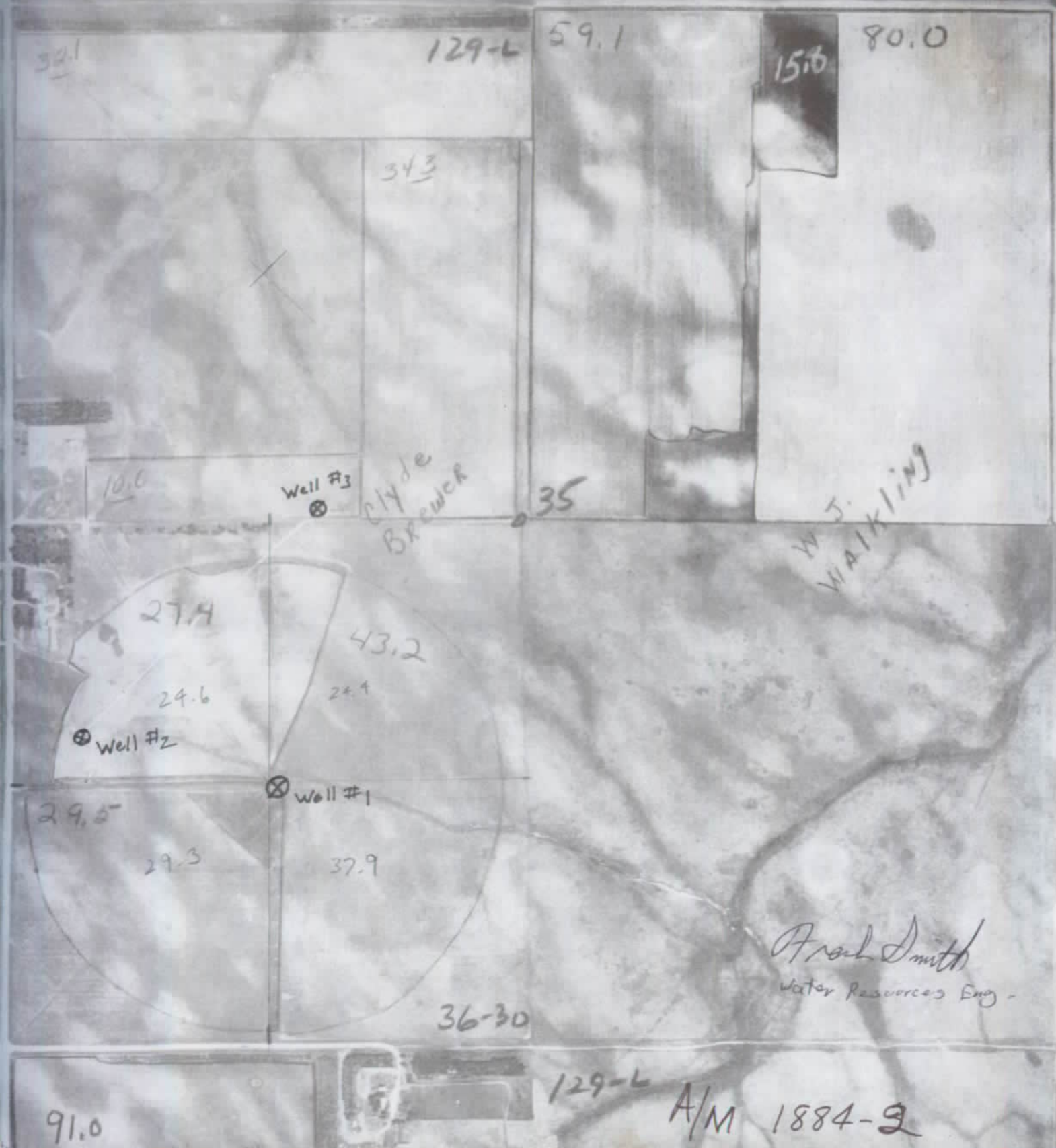
If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage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



1. Freeboard _____
 - 2a Crest width _____ b. length _____
 3. Height of Dam _____
 4. Outlet dimensions:
 - Pipe diameter _____
 - Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

Clyde E. Brewer
Signature of Applicant

NOT TO SCALE



NOT TO SCALE

12.3 12.3

12.3

11.2

12.9

Nollett

14.0

16.8

156-R

Charles Yenglin

21.0

19.5

44.9

122.9

C14
BRE

34 224

103.6

363°

7.0

13.8

321

A/M 156-R 19.7
1884-2

W/211 #2

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: N.W. 1/4 S.W. 1/4 Section 35 Township 36 Range 30
Well owner: Clyde Bremer R.R. Kilgore, Nebraska 69216
Date well &/ring completed: 4-30-76 Purpose of well: irrigation
(domestic, irrigation, industrial, other)

WELL LOG

Depth, top to foot in feet	Description of layer	Depth to top of water producing aquifer
0-9	sand	80 ft.
9-60	sand, ss	Depth to static water level 76 ft.
60-83	med sand, ss	Name of producing aquifer (if known)
83-87	clay	Total depth of drill hole 179 ft.
87-93	med sand, ss	Depth to bottom of casing 179 ft.
93-106	med sand, ss, limestone layers	Casing information: in two spaces below show size, size, weight, length per diameter, etc. for production casing and surface casing, if used
106-120	med sand, ss	Casing is 16 inch .219 wall steel.
120-144	med sand, ss, sm. limestone layers	
144-151	clay	Screen information: in two spaces below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
151-160	med-sand, ss	Perforated casing has 40 mill slots per foot. Slots are .150 x 3 inches.
160-178	coarse sand	
178-180	Red Rock	

ss - sandstone
cs - coarse sand

Sargent Irrigation Company
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump: 8" Sargent Pumps HP 50
Type of pump: turbine Capacity of installed pump: 125 G.P.M.
Depth of pump placement: 170 ft., Date of pump installation: 5-20-76

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required. See Section 08.408 of Chapter 05.4, MINNESOTA WELL CONSTRUCTION STANDARD.
Show exact vertical length of water surface measuring tube, when installed: _____ ft., tube diameter: _____
tube material: _____

Sargent Irrigation Company
Name of Pump Manufacturer



Well #3

Todd

NOTICE OF WELL CONSTRUCTION

35 - 36 - 30

(1) WELL CONSTRUCTION

Location of well: S.E. 1/4 N.W. 1/4 35 Section 36 Township 30 Range S.D.

Well owner: Clyde Brewer (Name) Kilgore, Nebraska (Address)

Date well drilling completed: 4-25-77 Purpose of well: irrigation (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	
0-4	top soil	80	ft.
4-88	sand, ss	70	ft.
08-95	sand, ss, clay & mag layers	246	ft.
95-127	med sand, ss	246	ft.
127-133	clay	Casing information: in the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used. Casing is 16 inch .219 wall steel casing 166 feet perforated casing and 80 feet plain casing	
133-140	med sand, ss		
140-146	sand, ss		
146-150	clay		
150-190	med coarse sand	Screen information: in the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations. Perforated casing has 40 mill slots per foot. Slots are .150 x 3 inches. fine gravel	
190-192	limestone		
192-200	coarse sand		
200-220	coarse sand, trace		
220-222	limestone	If a flowing well, flow of completed well _____ G.P.M.	
222-240	fine gravel, red rock		

Attach sheet if more space is needed

Sargent Irrigation Company

Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump: 6" Sargent Pipe HP 40

Type of pump: turbine Capacity of installed pump: 250 G.P.M.

Depth of pump placement: 220 ft., Date of pump installation: 5-17-77

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed: _____ ft., tube diameter: _____, tube material: _____

Sargent Irrigation Company

Name of Pump Installation Contractor



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 ● Pierre, South Dakota 57501
Phone 605/773-3258

June 6, 1984

Clyde Brewer
Kilgore, NE 69216

Dear Mr. Brewer:

In reviewing your soil and water compatibility application for the NW $\frac{1}{4}$ 5-35-36 = 135 acres, the Irrigation Staff is recommending a Conditional Approval of your application to the State Conservation Commission at their July 12, 1984 meeting. The Conditional Approval recommendation is based on the steep slopes in Anselno-Tassel mapping unit AtE. The Restrictions and Management Recommendations are as follows:

RESTRICTIONS:

The areas mapped as Anselno Tassel fine sandy loam found in the south western corner and the northwestern portions of the quarter are a major concern because of the slope range 9-21 percent. These areas are restricted to grass and/or alfalfa.

MANAGEMENT RECOMMENDATIONS:

We recommend the following be considered in developing this system:

Positioning the pivot to avoid the area mapped as AtE as much as possible; the use of an automatic sprinkler shut off in these areas; and other management techniques may enable you to address the hazards of erosion.

We also recommend that a form of conservation tillage be used, the crop residue will improve the moisture holding capacity of the soil and reduce wind erosion.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Administrator

cf



NOTICE OF WELL CONSTRUCTION

WELL CONSTRUCTION

Location of well: N.W. 1/4 S.W. 1/4 Section 35 Township 34 Range 36

Well owner Clyde Brewer R.R. Kilgore, Nebraska 69216
(Name) (Address)

Date well drilling completed 4-30-76 Purpose of well irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
0-9	sand	Depth to static water level _____ 76 ft.
9-60	sand, ss	Name of producing aquifer (if known) _____
60-83	med sand, ss	Total depth of drill hole _____ 179 ft.
83-87	clay	Depth to bottom of casing _____ 179 ft.
87-93	med sand, ss	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used. Casing is 16 inch .219 wall steel.
93-106	med sand, ss, limestone layers	
106-120	med sand, ss	
120-144	med sand, ss, sm. limestone layers	
144-151	clay	Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations. Perforated casing has 40 mill slots per foot. Slots are .150 x 3 inches.
151-160	med-cs, ss	
160-178	coarse sand	
178-180	Red Rock	
		If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed
ss - sandstone
cs - coarse sand

Sargent Irrigation Company
Name of Drilling Contractor

(2) PUMP INSTALLATION

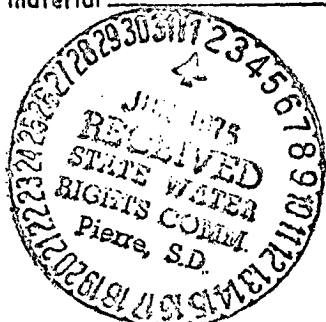
Company name and size of pump 8" Sargent Pipe HP. 50
Type of pump turbine Capacity of installed pump 325 G.P.M.
Depth of pump placement 170 ft., Date of pump installation 5-20-76

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Sargent Irrigation Company
Name of Pump Installation Contractor



SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

4101

WR#

OWNERS NAME: Clyde Brewer

OWNERS ADDRESS: Kilgore, NE 69216

COUNTY LAND LOCATED IN: Todd

PHONE: (605) 429-3376

TENANT'S NAME AND ADDRESS:

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION #1 1600 ft N 12° 22' E and #2 3140 ft N 29° 34' E of SW corner

Depth #1 - 179 ft #2 246 ft

2. SURFACE WATER SOURCE AND DIVERSION LOCATION:

Diversion Location:

Legal Description	Acres	Legal Description	Acres
<u>NW 35-36-30</u>	<u>135</u>		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED

LEGAL DESCRIPTION:

IN WHAT NAME:

4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**

5. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: XX GUN: OTHER: (Specify)

6. CROPS TO BE IRRIGATED: Corn, Alfalfa

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 84-0219

10. ADJUSTED (SAR): 0.51

8. SALINITY (EC X 10⁶): 310

11. PERCENT SODIUM 8.66%

9. SODIUM (SAR): 0.26

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on May 3, 1984, at the following location: NW 35-36-30 by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature, of Water Sampler.

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

16 DAY OF July, 1984

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

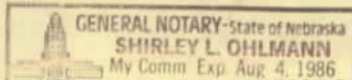
Date

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

Conversation or File Documentation

NAME OF PERSON OR FILE: Jam StukelADDRESS: Dept / Cons. COUNTY ToddDATE: 7/13 & 7/16/84 TELEPHONE 773-4003RE: Clyde Brewer / Kelgare NE

COMMENTS:

When I discovered the 3 wells were used all together I inquired if S/W would be required as the wells were used together. After much discussion, R/A decided it could be handled by sending over the Buck Sheet. Listing wells # 2 & # 3 as change of diversion on permit # 1183-2 and the well under permit 1095-3 (#1) as an additional diversion on the Buck Sheet. Since no add'l water is requested and the 135 acres was originally approved but not developed so actually no new acreage.

Still need the Fee - notified 7/16/84

Soil/Water was approved / sec. sending back for signature

Received WI-1 from Dept Ag 7/31/84

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: Larry Westlund

CONDITIONAL APPROVAL

4101

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Clyde Brewer

LEGAL DESCRIPTION: ^{BW} NW 35-35-36 = 135 acres

*called sec
Corrected typing error.
8/14/84*

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

The areas mapped as Anselmo Tassel fine sandy loam found in the south western corner and the northwestern portions of the quarter are a major concern because of the slope range 9-21 percent. These areas are restricted to grass and/or alfalfa.

RECOMMENDED MANAGEMENT: - We recommend the following be considered in developing this system:

Positioning the pivot to avoid the areas mapped as AtE as much as possible; the use of an automatic sprinkler shut off in these areas; and other management techniques may enable you to address the hazards of erosion.

We also recommend that a form of conservation tillage be used, the crop residue will improve the moisture holding capacity of the soil and reduce wind erosion.

C. M. L. L. L.
SIGNATURE

7-12-84
DATE



RECEIPT

Division of Water Rights

No 4 9720

South Dakota Department of Water and Natural Resources

Pierre, July 30, 1984

RECEIVED OF Clyde Brewer, HC 93, Box 10, Kilgore, NE 69216

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

Fee for Application for Permit No. 1884-2 to Appropriate Water, to construct works and to put water to beneficial use	250	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 Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for		
(Any Other Work Provided by Law)	Total	250 00

By

John Hatch
Chief Engineer JOHN HATCH ms

REPORT ON APPLICATION NO. 1884-2

CLYDE E. BREWER

August 29, 1984

Application No. 1884-2 is the result of an inspection for water license conducted by Frank Smith. Application No. 1884-2 requests an additional 135 acres of land (originally under 1183-2) but not developed within 5 years, and change of location of two diversion points under permits No. 1095-2 and No. 1183-2.

Permit No. 1095-2, originally issued to George Leach and transferred to Clyde Brewer, is for one well in the center of SW $\frac{1}{4}$ Section 35, T36N, R30W to irrigate 125.6 acres in the SW $\frac{1}{4}$ Section 35.

Permit 1183-2, Clyde Brewer, is for two wells in the center of SE $\frac{1}{4}$ Section 34 and NW $\frac{1}{4}$ section 35, T36N, R30W. This is to irrigate 260 acres in the SE $\frac{1}{4}$ 34 and NW $\frac{1}{4}$ 35.

Mr. Brewer developed the SE $\frac{1}{4}$ 34, T35N, R30W; the SW $\frac{1}{4}$ 35, T36N, R30W and drilled all three wells authorized under 1095-2 and 1183-2 in the SW $\frac{1}{4}$ 35, T36N, R30W. All three wells are connected by pipeline.

Permits No. 1095-2 and 1183-2 withdraw water from the Ogallala aquifer. The Ogallala aquifer is under water table conditions in the area of this application. The Water Rights Division has 16 observation wells which monitor water levels in the Ogallala formations in Todd County. These wells show the seasonal fluctuations due to evapotranspiration, precipitation, and irrigation withdrawals. Water use is not permanently reducing the volume of water in the aquifer.

Conclusions

1. Two wells authorized under Permit No. 1183-2 were not located as described in the permit.
2. Irrigation of the NW $\frac{1}{4}$ section 35, T35N, R30W was not developed within the five year construction period.
3. No new waters will be appropriated.
4. Applicant is applying for change in location of two diversion points under permit No. 1183-2.
5. The 135 acres in the NW $\frac{1}{4}$ 35 are the same acres not developed under 1183-2.



GALE N. SELKEN, P.E.
Hydrologist III

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 1884-2, Clyde E Brewer

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application NO. 1884-2, Clyde E Brewer, HC 93 #10, Kilgore, Nebraska.

The Chief Engineer is recommending APPROVAL of Application No. 1884-2 because 1) the proposed diversions can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

The irrigation wells approved under this Permit will be located near domestic wells and other 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 or in adequate wells having prior water rights.

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

See the attached report for additional information.



JOHN HATCH, Chief Engineer
September 12, 1984

Instruction to Newspaper - Publish first publication of the following Notice on or before October 17, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1884-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Rights No. _____~~

Notice is hereby given that Clyde E Brewer whose mailing address is
HC 93 #10, Kilgore NE, ~~South Dakota~~ has made an application for a permit

to change the location of two wells 179 feet and 246 feet deep authorized by Water Permit No. 1183-2. The new locations are in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T36N, R30W. The water will be used to irrigate 135 new acres in the NW $\frac{1}{4}$ Section 35, T36N, R30W in addition to acres authorized by Permit No. 1183-2.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1884-2 because 1) ~~unappropriated water is available,~~
 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and
 3) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe
Foss Building, 523 E Capitol, Pierre SD on December 5, 19 84 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by November 23, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15.02 thru 74:02:01:15.05.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 23, 1984.

No. 1884-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Todd) ss.

I, Kathy R Klein hereby

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

Water was taken from the Todd County Tribune

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

Engel Printing, Inc. of Mission, SD

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

October 17, 1984

October 24, 1984

Kathy R Klein
(Signature)

Braxton
(Title)

October 24, 1984
(Date Signed)

Cost of Printing: 60 lines at .365 =
21.90 plus 20% on 2nd & 3rd publica-
tion - 17.92 = 39.82
39.82

Notice of Hearing

on Application No. 1884-2 to Appropriate Water

Notice is hereby given that Clyde E. Brewer whose
mailing address is HC 93 No. 10, Kilgore, NE has made
an application for a permit to change the location of two
wells 179 feet and 246 feet deep authorized by Water
Permit No. 1183-2. The new locations are in the NW $\frac{1}{4}$
SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T36N, R30W. The
water will be used to irrigate 135 new acres in the NW $\frac{1}{4}$
Section 35, T36N, R30W in addition to acres authorized
by Permit No. 1183-2.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the
Water Rights Division recommends Approval of
Application No. 1884-2 because 1) will be no unlawful
impairment of existing rights, 2) is beneficial use of
water and 3) is in the public interest.

This application will be considered by the Water
Management Board at Room 216, Joe Foss Building, 523
E Capitol, Pierre, SD on December 5, 1984 at 10:00 a.m.

The recommendation of the Chief Engineer is not final
or binding upon the Board and the Board is authorized to
make a determination on this application after it
reaches a conclusion based upon facts presented at the
public hearing. Any interested person who may be
affected by a Board decision and who intends to
participate in the hearing before the Board and present
evidence or cross-examine witnesses according to SDCL
1-26, must file a written petition with BOTH the
Applicant and the Chief Engineer by November 23, 1984.
The petition may be informal, but it must include a
statement describing the petitioner's interest in the
application, the reason for the petitioner's opposition to
or support of the application, and the signature and
mailing address of the petitioner or his legal counsel if
legal counsel is obtained. The applicant need not file a
petition.

This application is made pursuant to the provisions of
SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-
9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-
25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; 46-6-
3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board
Rules ARSD 74:02:01:01 thru 74:02:01:15.

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

Any person wishing a copy of the Chief Engineer's
recommendation, further information on this
application or to assure access to the hearing by the
handicapped can contact the Water Rights Division,
DWNR, Joe Foss Bldg, Pierre, SD (605-773-3352) for
assistance prior to the hearing date. The time of the
hearing will be automatically extended for at least
twenty days if a request of the applicant or any
person who has filed a petition to oppose or support the
application. The request for extension must be filed with
the Chief Engineer by November 23, 1984.

Publ.: Oct. 17, 24, 1984

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

1884-2

January 4, 1985

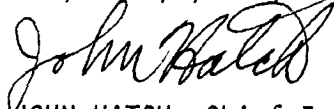
Clyde Brewer
HC 93 #10
Kilgore, Nebraska 69216

Dear Mr. Brewer:

Enclosed herewith is your Water Permit No. ~~1884-2~~ as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. ~~1884-2~~.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Clyde Brewer

ADDRESS: HC 93, Box 10, Kilgore, NE 69216 COUNTY: Todd

DATE: March 21, 2002 TELEPHONE: XXXXXXX

RE: Incorporating permits in Sec. 34 & 35-T36N-R30W

I inspected the above Water Permits on November 14, 2001. The pivot in the SW 1/4 of Section 35 and the well (Well No.1) in the center of the SW 1/4 were developed under Water Permit No. 1095-2. Water Permit No. 1183-2 authorized a pivot in the NW 1/4 of Section 35 and the SE 1/4 of Section 34 with a well located in the center of both quarters. Mr. Brewer only developed the pivot in the SE 1/4 of Section 35 under this permit and none of the wells. Water Permit No. 1184-2 authorized the pivot in the NW 1/4 of Section 34 and two additional wells, (Well No.2) located in the NW 1/4 SW 1/4 and (Well No.3) located in the SE 1/4 NW 1/4 of Section 35-T36N-R30W. The applicable portions of Water Permits No. 1095-2 & No. 1183-2 should be incorporated into Water Permit No. 1884-2.



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

Permit No. 1884-2
Niobrara Trib. - Water District

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

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have on this day, **November 14, 2001**, made a thorough examination of the water use system constructed by **Clyde E. Brewer** of **HC 93, Box 10, Kilgore, NE 69216** holder of Permit No. **1095-2**, bearing the priority of **November 30, 1971** authorizing the diversion of **1.33** cu. ft. per second; Permit No. **1183-2**, bearing the priority of **June 7, 1974** authorizing the diversion of **2.70** cu. ft. per second; and Permit No. **1884-2**, bearing the priority of **July 31, 1984** authorizing the diversion of **No Add'l** cu. ft. per second of the waters of **groundwater** for **irrigation** purposes, in **Todd** County.

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

A. Works used to divert the water:

- Well No. 1--Western Land Roller, 9 stage turbine pump with 100 Hp Case diesel motor, Model No. 336BDT, with Amarillo right angle drive, 500 gpm capacity.**
- Well No. 2--Sargent, 7 stage turbine pump, Serial No. 20576, size 10EMC with 50 Hp High Thrust Electric motor, model No. NRR3902408, 400 gpm capacity.**
- Well No. 3--Sargent, 7 stage turbine pump, Serial No. 26877, size 10EMC with 40 Hp High Thrust Electric motor, model No. N5319, 320 gpm capacity**

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

Approximately 1650 feet of buried 6 inch PVC and 2680 feet of buried 8 inch PVC

C. Works used to apply water to beneficial use:

3 center pivots--8 tower Lockwood, 9 tower Zimmatic and a 7 tower Valley

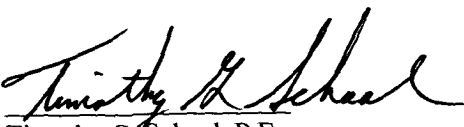
The system is in the following condition **good**. The point of diversion is located **Well No. 1--1320 ft. north & 1320 ft. east (center SW 1/4), Well No. 2--1580 ft. north & 370 ft. east (NW 1/4 SW 1/4), and Well No.3-- 2700 ft. north & 1420 ft east (SE 1/4 NW 1/4) from the SW corner of Section 35-T36N-R30W**. The works are capable of diverting and conveying to the place of use **2.72 (1220 gpm)** cu. ft. per second of which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

<u>Sec. 34-T36N-R30W</u>		<u>Sec. 35-T36N-R30W</u>	
NE 1/4 SE 1/4--22.5 acres		NE 1/4 NW 1/4--22 acres	NE 1/4 SW 1/4--22.5 acres
NW 1/4 SE 1/4--22.5		NW 1/4 NW 1/4--26	NW 1/4 SW 1/4--22.5
SW 1/4 SE 1/4-- 30		SW 1/4 NW 1/4-- 18	SW 1/4 SW 1/4-- 30
SE 1/4 SE 1/4-- 30		SE 1/4 NW 1/4 -- 14	SE 1/4 SW 1/4-- 30

comprising a total of **290** acres of land and the license should be issued for **2.71 (1220 gpm)** cfs.

Applicable permit qualifications have been complied with Yes **X**

Exceptions to compliance are: **none** Date Report Completed: **March 21, 2002**


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

REPORT ON INSPECTION OF PERMIT NO. 1884-2Other permit(s) associated with the project: 1095-2 & 1183-2DATE OF INSPECTION: November 14, 2001NAME & ADDRESS OF INSPECTION CONTACT/ Clyde E. BrewerRELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: ownerNAME & ADDRESS OF PERMIT HOLDER: Clyde E. Brewer, HC 93, Box 10, Kilgore, NE 69216

DIVERSION POINT LEGAL LOCATION: Well No. 1--1320 ft. north & 1320 ft. east (center SW 1/4),
Well No. 2--1580 ft. north & 370 ft. east (NW 1/4 SW 1/4), and Well No.3-- 2700 ft. north & 1420 ft east (SE
1/4 NW 1/4) from the SW corner of Section 35-T36N-R30W.

WELL INFORMATION: Well No. 1

- 1) Well Drilling Firm: Unknown
- 2) Depth(s) unknown feet
- 3) Well log is available No (test hole log)

Well No. 2

- Sargent Irrigation Co.**
- 179 feet**
- yes**

Well No. 3

- Sargent Irrigation Co.**
- 246 feet**
- yes**

Casing:

- 1) Diameter 16 inches
- 2) Length XX feet
- 3) Type XXXX

- 16 inch**
- 80 feet**
- steel**

- 16 inch**
- 80 feet**
- steel**

Screen:

- 1) Type XXXX
- 2) Length XXXX feet
- 3) Static water level XXXX feet

- perforated steel**
- 99 feet**
- 76**

- perforated steel**
- 166 feet**
- 70**

Pump:

- 1) Make Western Land Roller
- 2) Model XXXX
- 3) Size XXX
- 4) Capacity 500 GPM

- Sargent 7 stage turbine**
- Serial No. 20576**
- 10EMC**
- 400 gpm**

- Sargent 7 stage turbine**
- Serial No. 26877**
- 10EMC**
- 320 gpm**

Motor:

- 1) Make Case diesel
- 2) Model No. 336BDT
- 3) Horsepower rating 100 hp

- High Thrust Electric**
- NRR3902408**
- 50 Hp**

- High Thrust Electric**
- N5319**
- 40 Hp**

DISTRIBUTION LINES OR CANALS:

Approximately 1650 feet of buried 6 inch PVC and 2680 feet of buried 8 inch PVC

SYSTEM TYPE:

Center pivot:	<u>SE 1/4 Sec. 34</u>	<u>NW 1/4 Sec. 35</u>	<u>SW 1/4 Sec.35</u>
1) Make	<u>Lockwood</u>	<u>Zimmatic</u>	<u>Valley</u>
2) Overall length	<u>1210</u> feet	<u>1150</u>	<u>1000</u>
3) Number of towers	<u>8</u>	<u>9</u>	<u>7</u>
4) End gun	<u>No</u>	<u>yes</u>	<u>yes</u>
5) High or low pressure	<u>low</u>	<u>low</u>	<u>low</u>
6) Capacity	<u>500</u> GPM	<u>720 gpm (Wells #2 &#3)</u>	<u>720 gpm (Wells #2 &#3)</u>

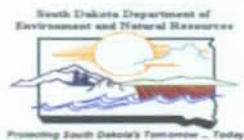
CHEMIGATION EQUIPMENT:

- 1) Does chemigate No

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by yes
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

Water Permit Application No. 1884-2



Timothy G. Schaal

Timothy G. Schaal, P.E. 3/21/02
Natural Resources Engineer Specialist
Water Rights Program

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1884-2

(1) Clyde E Brewer, HC 93 Box 10, Kilgore, NE 69216 made Application No. 1884-2, August 29, 1983 for a water permit to divert no additional cubic feet of water per second from ground water (two wells), Todd County, South Dakota for irrigation purposes. Permit No. 1884-2, with a priority date of July 31, 1984 was approved December 5, 1984 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 5, 1989 and for the application to beneficial use of said water on or before December 5, 1993.

Water Permit No. 1095-2, with a priority date of November 30, 1971, authorized one well to irrigate the SW ¼ Section 35. Water Permit No. 1183-2, with a priority date of June 7, 1974, authorized two wells in the centers of the SE ¼ Section 34 and NW Section 35 to irrigate the same quarters of land. The NW ¼ of Section 35 was not developed and Water Permit No. 1884-2 was obtained to change the location of the wells described in No 1183-2 and allow development of the NW ¼ Section 35.

The applicable portions of Water Permit Nos. 1095-2 and 1183-2 are incorporated into this Water License No. 1884-2. Specific priority dates for the irrigated acres are described in (3) of this license.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.71 cubic feet of water per second for beneficial use. The location of the diversion points are:

- Well #1 – 1,320'N & 1,320'E from the SW corner of Section 35, T36N, R30W (center of the SW ¼);
- Well #2 – 1,580'N & 370'E from the SW corner of Section 35, T36N, R30W (NW ¼ SW ¼),
- Well #3 – 2,700'N & 1,420'E from the SW corner of Section 35, T36N, R30W (SE ¼ NW ¼)

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

Section 34, T36N, R30W		Section 35, T36N, R30W			
Priority date June 7, 1974		Priority date – July 31, 1984		Priority date – November 30, 1971	
NE ¼ SE ¼	22.5 acres	NE ¼ NW ¼	22.0 acres	NE ¼ SW ¼	22.5 acres
NW ¼ SE ¼	22.5 acres	NW ¼ NW ¼	26.0 acres	NW ¼ SW ¼	22.5 acres
SW ¼ SE ¼	30.0 acres	SW ¼ NW ¼	18.0 acres	SW ¼ SW ¼	30.0 acres
SE ¼ SE ¼	30.0 acres	SE ¼ NW ¼	14.0 acres	SE ¼ SW ¼	30.0 acres
Total irrigated – 290 acres					

(4) Pursuant to South Dakota Water Law 46-5-30.1 Clyde E Brewer, HC 93 Box 10, Kilgore, NE 69216 the holder and/or owner of Incorporated Water Right No. 1884-2 is issued a license to appropriate water, the right to use 2.71 cubic feet of water per second from ground water (three wells) with priority dates of November 30, 1971, June 7, 1974 and July 31, 1984 from the locations specified in (2) of this license. The water is 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 Right No. 1884-2 and subject to South Dakota State Law.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 31 2002

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 25, 2002

1884-2

Clyde E Brewer
HC 93 Box 10
Kilgore, NE 69216

Dear Mr. Brewer:

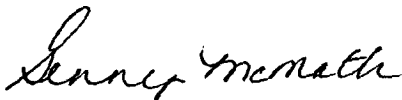
On November 14, 2001, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 1095-2, 1183-2 and 1884-2, was completed by Tim Schaal, a staff engineer with our program. Your final water right document, the water license, can now be issued. Once issued, Water License No. 1884-2 will incorporate the applicable portions of Water Permit Nos. 1095-2 and 1183-2.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,


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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 3, 2002

REMINDER NOTICE

1884-2

Clyde E Brewer
HC 93 Box 10
Kilgore, NE 69216

Dear Mr. Brewer:

On March 25, 2002, we advised you that a \$50.00 fee was due for the completed investigation of your Water Permit No. 1884-2. The fee also covers issuance of your water license which is the final document in obtaining and perfecting a water permit.

To date, we have not received the fee and therefore can not issue the water license. Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by any permit requirements. Once the license is issued, it will incorporate the applicable portions of Water Permit Nos. 1095-2 and 1183-2.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352. The check or money order for the fee should be made payable to the "Water Rights Program".

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

CERTIFICATION

I hereby certify that on June 3, 2002, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated June 3, 2002 regarding Reminder Notice Water Permit Nos. 2238-2, 1884-2, 1822-2 addressed as stated below:

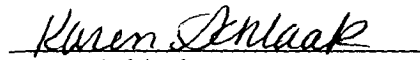
1822-2	1884-2
Tom & Bill Cox	Clyde E. Brewer
HC 14 Box 104	HC 93 Box 10
Valentine, NE 69201	Kilgore, NE 69216

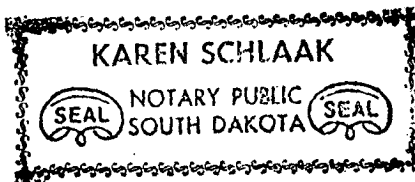
2238-2
Larry & Karen Moore
dba Dairy Twist Drive In
12650 S Hwy 16
Hill City, SD 57745


Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 5th day of June, 2002.


Karen Schlaak
Notary Public
My Commission expires April 1, 2007



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

No 417190

Pierre, June 21, 20 02

RECEIVED OF Clyde Brewer, HC 93 Box 10, Kilgore, NE 69216
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. 1884-2 _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Darland Eibele

Chief Engineer

gmr



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 31 2002

1884-2

Clyde E Brewer
HC 93 Box 10
Kilgore, NE 69216

Dear Mr. Brewer:

Enclosed is Water License No. 1884-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 417190 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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. 1884-2, 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.

Sincerely,

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

enclosures

Note: The applicable portions of Water Permit Nos. 1095-2 and 1183-2 have been incorporated into Water License No. 1884-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 6, 2024

1884-2

Tom Brewer
(for Clyde Brewer)
PO Box 272
Burlington WY 82411

Dear Mr. Brewer:

Enclosed is a "Notice" dated October 23, 2024, concerning the 2024 Irrigation Questionnaire.

The notice was originally mailed to 30056 265th St, Kilgore NE 69216. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaire or submit your report online at <https://danr.sd.gov/iq/> using this password *IOGMLM*.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

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

enclosures

681 NEE 1141224C2211/03/24
RETURN TO SENDER
BREWSTER, CLYDE
PO BOX 272
BURLINGTON WY 82411-0272
RETURN TO SENDER



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 26, 2025

Portion of 1884-2

Rob Logterman
29977 264th Ave
Spring Creek Township, SD 69216

Dear Mr. Logterman:

We received word from Clyde Brewer, c/o of Tom Brewer that a portion of 1884-2, 185 acres located in Section 34, T36N, R30W in the SE ¼ had been sold to you. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 26, 2025

Portion of 1884-2

Matthew Walkling
26601 299th Ave
Purewater Township, SD 69212

Dear Mr. Walkling:

We received word from Clyde Brewer, c/o of Tom Brewer that a portion of 1884-2, 185 acres located in Section 35, T36N, R30W in the W1/2 had been sold to you. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

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