

Considered: _____

WATER PERMIT NO. 1941-2

MAP No. Same

Name of Applicant Metropolitan Life Ins. Co.

Post Office Address P.O. Box 2531 Billings MT

Amount of Water Claimed no add'l Total Acres 24

Source of Water Supply Groundwater

Water to be used for IRR. County Bennett

About _____ miles _____ of _____.

PROOF OF PUBLICATION: Received 1st 9-20-85 Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received May 6, 1985 Fee \$150.00 Remarks new priority date for 24 acres
July 16, 1985

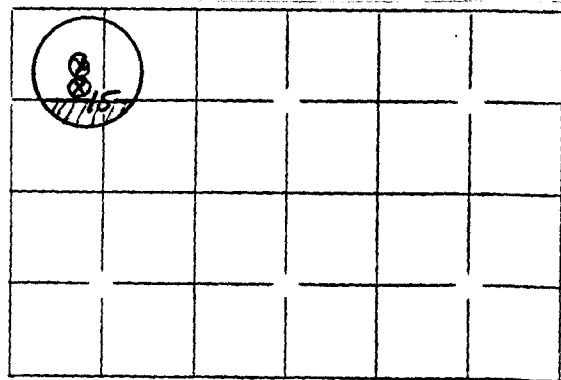
Corrected Application Received _____ Period of Annual Use April 1 to Oct. 31

WATER QUALITY APPROVAL RECEIVED July 16, 1985 (APPROVED) CONDITIONAL (Circle one)

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

Diversion Point SE⁴ NW⁴ Sec. 15 T36N-R38W

Land to be Irrigated NW⁴ SW⁴, NE⁴ SW⁴, NW⁴ SE⁴
Sec. 15 T36N-R38W



Well Log: Driller Gronch brig. Licensed YES _____ NO _____

Depth of Well ≈ 380 ft REMARKS _____

Type of Map Aerial Photo PREPARED BY Greg Powell Reviewed and the Number assigned on 7-22-85 By Kevin C. Jenson

No. 1941-2 Hydrologic Unit 10140203
 Map No. Same Basin White River
 Newspaper Bennett Co. Booster Box 34 Martin (Thurs)

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

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

New ☒ Vested Right ☐ Future Use ☐☐ Application to amend Permit No. _____ with old priority date retained☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐☒ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)☒ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. 1654-2 & 1194-2☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____1. Name of Applicant Metropolitan Life Insurance Company Phone No. 406-248-9121Post Office Address P.O. Box 2531 Billings, Montana State 59103
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s) No Add'l Total acres irrigated 243. Source of Water supply groundwater4. Location of point of diversion Well #1 - 1650 ft S and 2100 ft E; Well #2 - 2350 ft S and 1950 ft E both from the NW Corner Section 15, T36N, R38WCounty Bennett5. Counties where water will be used Bennett6. Annual period during which water is to be used March Spring thru Fall

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

Land Description	No. Acres Irr.
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15 T36N R38W	3
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15 T36N R38W	16
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15 T36N R38W	5

Land Description	No. Acres Irr.

Attach sheet if more space is needed

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

The above described lands are part of a 185 acre pivot. These 24 acres were not covered by permit.

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

STATE OF SOUTH DAKOTA Montana
 County of Yellowstone ^{SS}

Northwest Branch Office

I, Daniel A. O'Neill, Assistant Manager, Metropolitan Life Insurance Company, the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

* Signed

Daniel A. O'Neill

Subscribed and sworn to before me this 3rd day of May 1985

Dwight A. Buck
 Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1941-2
Metropolitan Life Ins. Co. P.O. Box 2531 Billings
(Applicant) (Post Office Address)
MONTANA 59103 With the following qualifications.
(State) (Zip Code)

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in 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 May 6, 1985
 Date of return to applicant for correction, amendments or changes required —, 19—
 Date of receipt of corrected application —, 19—. Approved October 16, 1985

The Water Management Board hereby approves this Water Permit No. 1941-2 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is July 16, 1985
2. One-fifth of the work is ~~to be~~ completed ~~on or before~~ —, 19—
3. The whole of said work is ~~to be~~ completed ~~on or before~~ —, 19—
4. The time limit for proof of beneficial use of water is —, 19—
5. The water appropriated shall be used for the purpose of irrigation
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 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. For irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before —, 19—; said water to be used during the following described annual period: April 1 to October 31

WATER MANAGEMENT BOARD

By: John H. H. H.
Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources

NOV 19 1985, 19—

NOT TO SCALE

4m218 Buckles Ranch

36-38

153.4

Total
335

158.7

3-54 L

4m218 Buckles Ranch

Total
130 Ac

1.6

32 Ac

33 Ac

33 Ac

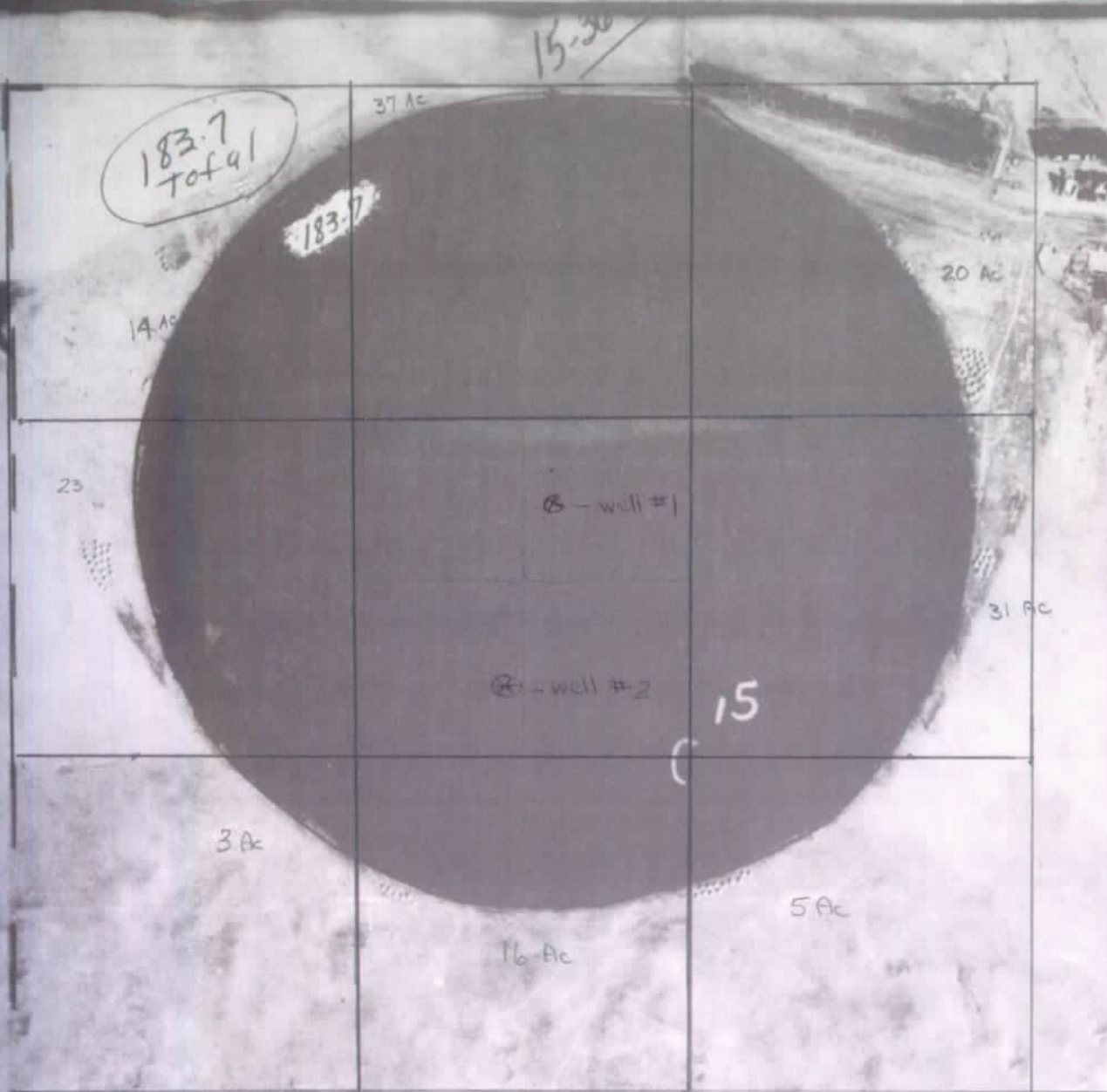
WELL #332 Ac

4-2-3 Oakridge Cr.

Pivot #2

w/r 1941-2

NOT TO SCALE



Pivot #1

4-223 Oakridge Inc.

36-38

2-205R

Gregory & Paul
Natural Resource Engineer

W/R 1941-2

WATER RIGHTS DIVISION
(605) 773-3352

April 16, 1985

Metropolitan Life Insurance Company
Agriculture Investment
c/o Dan O'Neill
Billings, Montana 59103

Dear Mr. O'Neill:

This letter addresses the irrigation permits held by Metropolitan Life Insurance Company in Bennett County, formerly held by Oakridge Cattle Company. As I mentioned to you over the telephone, some of the lands being irrigated are not covered by an irrigation permit and a soil/water compatibility permit.

Enclosed are two permit application forms and an ASCS photo. The Application for Permit to appropriate water has been filled out. Please review it for accuracy and sign it in the presence of a notary. The Soil/Water Compatibility Permit Application has also been filled out. No water samples are necessary. Please review this form for accuracy and sign it in the presence of a notary.

The fee to permit the additional acreage is \$150.00. Please enclose \$150.00 when you return the applications.

If you have any questions, contact me at (605) 773-3352.

Sincerely,

Greg Powell
Natural Resources Engineer

GP:ms
Enc.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 10031

Pierre, May 6, 1985

RECEIVED OF Metropolitan Life Insurance Company, Ag. Investment, Box 2531, Billings, MT 59103
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 _____	150	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	150 00

By John Hatch
Chief Engineer

JOHN HATCH (ms)

Straight Approval

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Metropoolitan LifeLEGAL DESCRIPTION: 111/2 SW1/4; NW1/4 SE1/4 15-36-38 = 24 AcresSOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:RECOMMENDED MANAGEMENT:

We recommend that this area be maintained in grass or alfalfa as indicated on the application to address the wind erosion hazard. Valentine soils are similar to sand dunes and without adequate protection and stabilization they will move very rapidly when exposed to wind.

Land M. Lyle
SIGNATURE7/12/85
DATE

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Office Use Only

Division of Conservation

WR#

OWNERS NAME: Metropolitan Life Ins. Co.

OWNERS ADDRESS: P.O. Box 2531

Billings, MT. 59103

COUNTY LAND LOCATED IN: Bennett

PHONE: 406-248-9121

TENANT'S NAME AND ADDRESS: Frank Buckles

Martin, SD 57551

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

1. WELL LOCATION Well #1-1650 ft S & 2100 ft E; Well #2-2350 ft S & 1950 ft E both from

NW Corner Section 15 T36N R38W
Depth Approximately 300 ft for both wells

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location _____

Legal Description	Acres	Legal Description	Acres
<u>NW 1/4 15</u>	<u>3</u>		
<u>NE 1/4 15</u>	<u>16</u>		
<u>NW 1/4 15</u>	<u>5</u>		
<u>All of T36N R38W</u>	<u>24</u>		

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

LEGAL DESCRIPTION: N 1/2 Section 15 T36N R38W

IN WHAT NAME: Metropolitan Life Insurance Company

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

OTHER: _____

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ (Specify) _____

6. CROPS TO BE IRRIGATED: Alfalfa, Grass

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

7. WATER SAMPLE NUMBER: 79, 45

10. ADJUSTED (SAR): _____

8. SALINITY (EC X 10⁶): 193

11. PERCENT SODIUM 7.42

9. SODIUM (SAR): 0.19

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 _____, 19____, at the following location: _____

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

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

3rd DAY OF May, 19 85.

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

☒ APPROVED

☐ DISAPPROVED

☐ CONDITIONALLY APPROVED

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.

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

Water Rights Division - DWR
Conversation or File Documentation

File No. _____

NAME OF PERSON OR FILE: Metropolitan Life Ins

ADDRESS: Billings MT COUNTY Bernett

DATE: 7-22-85 TELEPHONE _____

RE: Well logs for two pivots

COMMENTS:

On July 22, 1985 I contacted Grosh irrigation about well logs for the 3 wells used for irrigation. Grosh did not have a record of the logs.

The renter of the land held by Metropolitan is Buckles Ranch. He went with me on the inspection and indicated that Grosh had done the well drilling.

Recommendation: Approve the license without the well logs. None are available.

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.

REPORT ON METROPOLITAN LIFE INSURANCE COMPANY

APPLICATION NO. 1941-2

August 6, 1985

This application proposes to irrigate 24 acres located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T36N, R38W from two existing wells authorized by Water Permit No. 1194-2 and 1654-2. This application does not authorize any increase in diversion rate.

Aquifer - Arikaree Group

Geology and Aquifer Characteristics

The Arikaree is a fine to medium brown sandstone and siltstone. The aquifer is under water table conditions, however, some of the permeability of the aquifer must be due to fractures because some observation wells respond like an artesian system when high capacity wells are producing. Most of the wells however behave like water table conditions exist. The SDGS estimated the Arikaree Group contains 2.3 million acre-feet of recoverable water in Bennett County (Allen, Etal, 1984). Recharge to the Arikaree is accomplished by infiltration of precipitation, from the Little White River and most significantly the overlying Ogallala to the south of this area. The Water Rights Division presently monitors 3 observation wells in this area (BT-80C, BT-77E, BT-76E) (Water Rights Division, 1985). Water levels (Hydrographs) indicate climatic extremes have a greater effect than irrigation withdrawals.

Review of Existing Water Permits

There are existing irrigation permits in this area. There are permits for 3 irrigation wells within 1 mile of this existing system. There have been no well interference complaints.

Conclusions

1. Water is available from the Arikaree Formation.
2. Hydrographs from observation wells in this area do not indicate interference will be a problem.
3. This application is for 24 additional acres found to be presently irrigated but not covered under permit when staff engineer, Greg Powell, made a final inspection of Permit No. 1194-2.
4. The diversion rate for lands irrigated under Permits No. 1194-2 and 1654-2 does not exceed the statutory limit of 1 cfs per 70 acres. This permit does not authorize any change in the diversion rate.

James A. Goodman KCL
James A. Goodman
Hydrologist

Bibliography

Allen, J.C., D. L. Illes, A.K. Petres, 1984, Draft Final, Analysis of Ground Water and Streamflow Data Western Dakotas Region of South Dakota, for U.S. Army Corps of Engineers, DWNr, Office of Geological Survey, Vermillion, SD 57069
Water Rights Division, 1985, Observation Well Files, BT-80C, BT-77E, BT-76E, DWNr Water Rights Division, Joe Foss Building, Pierre, SD 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION No. 1941-2

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. 1941-2, Metropolitan Life Insurance Company, P.O. Box 2531, Billings, Montana.

The Chief Engineer is recommending APPROVAL of Application No. 1941-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

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

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

A handwritten signature in cursive script, reading "John Hatch", is written over a horizontal line.

John Hatch, Chief Engineer

August 9, 1985

No. 1941-2

Instruction to Newspaper - Publish first publication of the following Notice on or before September 5, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1941-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Metropolitan Life Insurance Co. whose mailing address is P.O. Box 2531, Billings, Montana, South Dakota has made an application for a permit

to irrigate 24 additional acres located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15 T36N-R38W from two existing wells authorized by water permits No. 1194-2 and 1654-2. This application does not authorize any increase in the diversion rate.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1941-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson,
Nebraska Room, 3300 W. Russell, Sioux Falls, SD, October 16 1985 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 October 4, 1985. 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; (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 October 4, 1985.

No. 1941-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Bennett)

I, Wendell E. Long hereby

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

Water was taken from the Bennett County Booster II

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

city of Martin

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

September 5, 1985

September 12, 1985

x Wendell E Long
(Signature)

Publisher

(Title)

September 18, 1985

(Date Signed)

Cost of Printing: 39.63

NOTICE OF HEARING
on Application No. 1941-2
to Appropriate Water

Notice is hereby given that Metropolitan Life Insurance Co. whose mailing address is P. O. Box 2531, Billings, Montana, has made an application for a permit to irrigate 24 additional acres located in the SW 1/4 SE 1/4 Section 15 T36N-R38W from two existing wells authorized by water permits No. 1194-2 and 1654-2. This application does not authorize any increase in the diversion rate.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1941-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson, Nebraska Room, 3300 W. Russell, Sioux Falls, SD, October 16, 1985 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by October 4, 1985. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 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 may contact the Water Rights Division, DWRN, 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 October 4, 1985.



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

1941-2

NOV 19 1985

Metropolitan Life Insurance Co.
P.O. Box 2531
Billings, Montana 59103

Dear Sir:

Enclosed herewith is your Water Permit No. 1941-2 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 1941-2.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

Metropolitan Life Insurance Company

Agricultural Investments
Northwest Branch Office
Granite Towers, 9th Floor, 222 N. 32d Street
P.O. Box 2531, Billings, MT 59103-2531
(406) 248-9121



Robert N. Morris
Manager

Daniel A. O'Neill
Assistant Manager

Mr. John Hatch, Chief Engineer
Water Rights Division
South Dakota Department of Water & Natural Resources
Joe Foss Building
Pierre, South Dakota 57501

Re 10476X - OAKRIDGE
Water Permit No. 1941-2

Dear Mr. Hatch

As requested in your letter of November 19, 1985, we enclose our check in the amount of \$50 for the inspection and issuance of the final papers on the above captioned water permit.

Please forward final papers to this office.

Sincerely

A handwritten signature in cursive script, appearing to read "Daniel A. O'Neill".

Daniel A. O'Neill
Assistant Manager

December 2, 1985

bab

Enclosure



NAME OF PERSON OR FILE: Metropolitan Life Ins. Co.

ADDRESS: _____

COUNTY Bennett

DATE: February 19, 1986 TELEPHONE _____

RE: Priority dates for water license

COMMENTS:

When application No. 1654-2 was received by the Division of Water Rights, it should have been cross checked with water permit No. 1194-2. We believe the second well had been constructed at the same time as the first well. Application No. 1654-2 was for an additional diversion and should have been advertised as such. Final field inspection of the permits found that the 2nd well was located in the NW $\frac{1}{4}$ rather than the NE $\frac{1}{4}$. Application No. 1654-2 indicated that the well would be located in the center of the NE $\frac{1}{4}$ and a center pivot would have irrigated a 136 acre circle in the NE $\frac{1}{4}$. If the map for application No. 1654-2 would have been properly reviewed, a determination would have been made that this was impossible. A farmstead, trees, and a dry draw are located in the NE $\frac{1}{4}$. There was an error in the legal description. Corrections should have been made at that time.

Water permit No. 1941-2 does make the necessary correction for the location of the well and adds acres that were not previously approved. For the above mentioned reasons 295 acres and a diversion rate of 3.4 cfs will have a priority date of February 12, 1975 and 24 acres with no additional diversion rate will have a priority date of July 16, 1985.

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: John K. Kats

RECEIPT

Division of Water Rights

No 410250

South Dakota Department of Water and Natural Resources

Pierre, December 5, 1985

RECEIVED OF Metropolitan Life Insurance Co., PO Box 2531, Billings MT 59103-2531

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. 1941-2	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	50	00

By John Hatch
Chief Engineer JOHN HATCH (ms)

LICENSE FOR PERMIT NUMBER 1194-2 E 1654-2

1. Legal location of wells: well #1 - 1650 ft S E 2100 ft E ; well #2 -
2350 ft S E 1950 ft E both from NW corner sec 15 T36N R38W
 dams & structures: _____

2. Well Information: Well Drilling Firm Grash

No. of wells 2 Depth _____

Casing a) diameter 16" Screen a) type _____

b) length _____ b) length _____

c) type steel Static Water Level _____

#1

#2 Pump a) make Western Land Roller Motor a) make GE

Western Land Roller b) model E 7457 b) model no. 5K6258XHS3

8m c) size 8m c) horsepower rating 60 75

d) capacity _____ GPM d) motor efficiency rating _____

e) turbine pump no. of stages 6

3. Distribution lines:

a) size of lines 8"

b) type steel

c) length _____

8"

plastic SW of center
 150'

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make Olson CP
- 2) number of towers 12
- 3) distance between towers _____
- 4) overall length 1605 ft
- 5) End gun (Y/N) Y
- 6) high or low pressure m
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 60
- 9) GPM 700-800

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

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

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES	NO	Check Items
-----	----	-------------

- | | | |
|----------|-------|---|
| <u>/</u> | _____ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| <u>/</u> | _____ | 2. Special Qualifications to permit being abided by. |
| <u>/</u> | _____ | 3. All Structures, wells and lands on map. |

REMARKS:

25 acres not under permit and need S/W before licensing.

Called Grosh for well logs

Oakridge Cattle
SW 1 - II

Oakridge Cattle Co
% Metropolitan Life Ins
Dan O'Neill - Bridgeport, CT

LICENSE FOR PERMIT NUMBER 1194-2 & 1654-2

1. Legal location of wells: well #3 - 930 ft N & 1300 ft E of SW
corner sec 11 T36N R35W

dams & structures: _____

2. Well Information: Well Drilling Firm Riezenstein

No. of wells 1 Depth _____

Casing a) diameter 16" Screen a) type _____
b) length _____ b) length _____
c) type steel Static Water Level _____

Pump a) make Western Lead Pipe Motor a) make Holloshaft
b) model E 75210 b) model no. R29425-CC-270-0
c) size 120 c) horsepower rating 100
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump
no. of stages 8

3. Distribution lines:

a) size of lines 8"
b) type plastic
c) length 450' North to point

Little Point

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

h) Distribution lines or canals:

1) size _____
2) type _____
3) length _____

5. System Type: a) sideroll:

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

b) towline:

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

5. System Type: c) center pivot

- 1) make Olson
- 2) number of towers 7
- 3) distance between towers _____
- 4) overall length 1288
- 5) End gun (Y/N) N
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 60
- 9) GPM 600-700

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

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

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES NO Check Items

- | | | |
|----------|-------------|---|
| <u>✓</u> | <u> </u> | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| <u>✓</u> | <u> </u> | 2. Special Qualifications to permit being abided by. |
| <u>✓</u> | <u> </u> | 3. All Structures, wells and lands on map. |

REMARKS:

Permit No. 1194-2 ¹/₂ 1654-21941-2

Water District

Incorporate 1194-2 and 1654-2 into 1941-2
 The well authorized under Permit
 No 1654-2 was not constructed
 and data pertaining to that
 Permit will not be included on
 this License

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

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

I have this day made a thorough examination of the water use system constructed by MetropolitanLife Ins. Co. of Billings, MT holder ofPermit No. 1194-2 ¹/₂ 1654-2, bearing the priority of 2-12-75 ¹¹⁹⁴⁻²/₂ 2-22-79 ¹⁶⁵⁴⁻²/₂ 19____ authorizingthe diversion of 3.11 ¹¹⁹⁴⁻²/₂ 1.94 ¹⁶⁵⁴⁻²/₂ cu. ft. per second of the waters of groundwaterfor irrigation purposes, in Bennett Co. County.

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

- A. Works used to divert the water: Pivot #1 has 2 wells. Both wells were drilled by Grosh Irrigation and have 16 inch steel casing. Both wells have Western Land Roller pumps size 8M with 6 stages. Both motors are General Electric with HP ratings of 60 and 75.
 Pivot #2 has one well drilled by Reizentern Well Drilling with 16 inch steel casing. The pump is a Western Land Roller, size 12C, with 8 stages. The motor is a 100 HP Holloshaft.
- B. Works used to transport water to place of use:

Pivot #1, located in section 15, has 15 ft of 8 inch steel pipe and 750 ft of 8 inch PVC pipe connecting the two wells to the center of the pivot.

Pivot #2, located in the SW⁴ of sec 11, has 450 ft of 8 inch PVC pipe connecting the well to the center of the pivot.

- C. Works used to apply water to beneficial use:

Pivot #1, located in section 15, has a 12 tower Olson CP having an overall length of 1605', an endgun, and operates at 60 PSI with 700-800 GPM

Pivot #2, located in the SW⁴ sec 11, has a 7 tower Olson CP having an overall length of 1288 ft, no end gun, and operates at 60-70 PSI with 600-700 GPM.

The system is in the following condition GoodThe point of diversion is located well #1 - 1650 ft S ¹/₂ 2100 ft E ; well #2 - 2350 ft S ¹/₂ 1950 ft E
both from NW corner sec 15 T36N R38W ; well #3 - 930 ft N ¹/₂ 1300 ft E of SW corner sec 11 T36N R38W .
The works are capable of diverting and conveying to the place of use 3.4cu. ft. per second of water which is to be used for irrigation

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

NW⁴SW⁴ 11 - 33 Ac NW⁴NW⁴ 15 - 14 Ac NW⁴NE⁴ 15 - 20 Ac NW⁴SW⁴ 15 - 3 Ac
NE⁴SW⁴ 11 - 32 Ac NE⁴NW⁴ 15 - 37 Ac SW⁴NE⁴ 15 - 31 Ac
SW⁴SW⁴ 11 - 33 Ac SW⁴NW⁴ 15 - 23 Ac NW⁴SE⁴ 15 - 5 Ac All of T36N R38W
SE⁴SW⁴ 11 - 32 Ac SE⁴NW⁴ 15 - 40 Ac NE⁴SW⁴ 15 - 16 Ac
comprising a total of 319 acres of land and the license should be issued for 3.4 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date 4-4-85

Therese S. Powell
 (signature)

State of South Dakota
Water License No. 1941-2

(1) Metropolitan Life Insurance Company
of P.O. Box 2531, Billings, Montana 59103
made Application No. 1941-2, May 6, 1985 for a water permit to appropriate
no add'l cubic feet per second of water from groundwater (three existing wells),
Bennett County, South Dakota for irrigation purposes.
Permit No. 1941-2, with a priority date of July 16, 1985
was approved October 16, 1985 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ and ~~for~~ the application to beneficial use of said
water ~~on or before~~ completed.

The applicable portions of Water Permit No. 1194-2 and 1654-2 have been incorporated into this License. The priority dates of February 12, 1975 (Permit No. 1194-2) and July 16, 1985 (Permit No. 1941-2) are described with the lands they pertain to in #3 of this License.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.4 cubic feet per second of water for beneficial use. The location of the diversion point(s) ~~is~~ are Well #1 - 1650'S and 2100'E;
Well #2 - 2350'S and 1950'E, both from the NW Corner of Section 15, T36N, R38W;
Well #3 - 930'N and 1300'E of the SW Corner of Section 11, T36N, R38W

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following lands all in T36N, R38W

Section 11	NW $\frac{1}{4}$ SW $\frac{1}{4}$	33 Acres	(CB)	Section 15	NW $\frac{1}{4}$ NE $\frac{1}{4}$	20 Acres	(AB)
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	32 Acres	(CA)		SW $\frac{1}{4}$ NE $\frac{1}{4}$	31 Acres	(AC)
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	33 Acres	(CC)		*NW $\frac{1}{4}$ SE $\frac{1}{4}$	5 Acres	(DB)
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	32 Acres	(CD)		*NE $\frac{1}{4}$ SW $\frac{1}{4}$	16 Acres	(CA)
Section 15	NW $\frac{1}{4}$ NW $\frac{1}{4}$	14 Acres	(BB)		*NW $\frac{1}{4}$ SW $\frac{1}{4}$	3 Acres	(CB)
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	37 Acres	(BA)		TOTAL	319 ACRES	
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	23 Acres	(BC)				
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40 Acres	(BD)				

* Acreages in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15 carry a priority date of July 16, 1985. The remaining lands carry a priority date of February 12, 1975.

(4) Pursuant to §46-5-30.1 Metropolitan Life Insurance Company
of P.O. Box 2531, Billings, Montana 59103
the holder(s) and/or owner(s) of Water Permit No. 1941-2 is issued a license to appropriate water, the right to use 3.4 cubic feet per second of water from groundwater (three wells) with a priority date of February 12, 1975 & July 16, 1985 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1941-2 and subject to South Dakota State Law.

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

JUN 22 1986

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

July 23, 1986

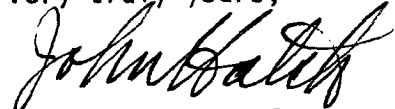
Metropolitan Life Insurance Company
PO Box 2531
Billings MT 59103-2531

Dear Sir:

Enclosed herewith is, Water License No. 1941-2. This is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:

Enclosures

Applicable portions of Water Permit Nos. 1194-2 and 1654-2 have been incorporated into this License No. 1941-2.



Department of Water & Natural Resources

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

March 29, 1988

Linda Sack
Farm Credit Services
Box 10
Pierre SD 57501

Dear Ms. Sack:

As you requested, enclosed is a copy of Water Right No. 1941-2, listed in the name of Metropolitan Life Insurance Company.

If you have any questions or need additional copies, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMATH". The signature is written in black ink.

GENNY MCMATH
Natural Resources Analyst

enclosure



Department of Water & Natural Resources

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

1941-2

September 7, 1988

Leonard Kjerstad
RR #1 Box 28
Quinn, SD 57775

Dear Mr. Kjerstad:

In response to our telephone conversation of August 29, 1988, enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 1941-2. The water right is currently listed in the name of Metropolitan Life Insurance Company.

Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water right will then be transferred to your name.

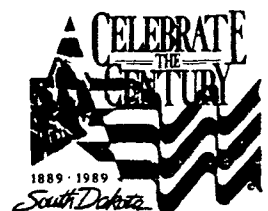
South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Also enclosed is a copy of Water Right No. 1941-2 and the original notice mailed June 20, 1988, concerning vested right validations. Water Right No. 1941-2 does not appear on the list because it is not a vested water right claim. If you have any questions, please contact us.

Sincerely,

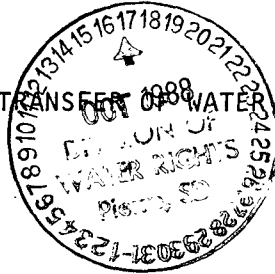
GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure





NOTICE OF TRANSFER OF WATER PERMIT

Date: Sept. 28 - 88

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

319 acres - SW $\frac{1}{4}$ Section 11, NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 15, T36N, R38W

formerly owned by Metropolitan Life Ins Co.

has been transferred to Leonard Kjerstad Quinn S. Dak.
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1941-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Pennington) ss.

I, Leonard Kjerstad being first duly sworn on my oath despose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Leonard Kjerstad
(Signed)

Subscribed and sworn to before me this 28 Day of September, 1988

My Commission
expires Jan. 10-1993.

Earl O. Eliason
(Notary Public)

 **Department of
Water & Natural Resources**

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

WATER RIGHTS DIVISION
(605) 773-3352

October 4, 1988

Leonard Kjerstad
Quinn, South Dakota 57775

Dear Mr. Kjerstadt:

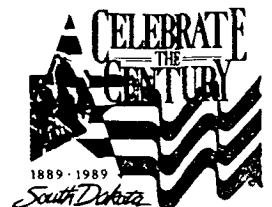
This will acknowledge receipt of the "Notice of Transfer" you submitted for filing an ownership change on Water Right No. 1941-2. The form was completed properly, however cannot be filed for record without a \$2.50 filing fee.

Upon receipt of the \$2.50 fee from you, Water Right No. 1941-2 will be transferred from Metropolitan Life Insurance Company to you. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411453

Pierre, October 17, 1988

RECEIVED OF Leonard Kjerstad, RR 1, Box 28, Quinn, SD 57775

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>permit No. 1941-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	2	50

By

Chief Engineer

JOHN HATCH  ms



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

November 8, 1988

Leonard Kjerstad
RR 1, Box 28
Quinn, South Dakota 57775

Dear Mr. Kjerstad:

Enclosed is receipt No. 411453 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1941-2.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.



Department of Water & Natural Resources

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

February 8, 1989

LEONARD KJERSTAD
RR 1 BOX 28
QUINN, SD 57775

NOTICE

RE: Violation of Water Permit No(s). 1941-2

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1941-2. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1941-2 qualification:

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

The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

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, the Water Management Board can:

1. Suspend Permit No(s). 1941-2 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing 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.

If the questionnaire is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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





Department of Water & Natural Resources

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

#1941-2

February 28, 1989

Leonard Kjerstad
RR 1, Box 28
Quinn, SD 57775

Dear Mr. Kjerstad:

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

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

The new standards include:

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

February 28, 1989
Kjerstad
page 2

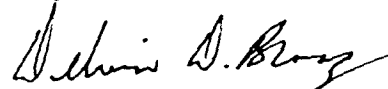
Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified.

If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


for JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

March 7, 1989

1941-2

Leonard Kjerstad
RR #1 Box 28
Quinn, SD 57775

Dear Mr. Kjerstad:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 1941-2. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

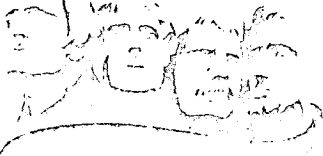
If you have any questions, please contact Genny McMath, at (605) 773-3352.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 19, 1991

1941-2

Tom Metzger
2383 Jackson Blvd.
Rapid City SD 57702

Dear Mr. Metzger:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1941-2. The water right is currently listed in the name of Leonard Kjerstad. Enclosed is a copy of the water license showing exactly what lands are included on Water Right No. 1941-2.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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.

If you have any questions, please contact me.

Sincerely,

Genny McMath /KS

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

No. 1941-2

TO: Chief Engineer
Water Rights Division, DWNR
523 East Capitol
Pierre, SD 57501-3181

Date: November 5, 1991I/We request that Water ~~Permit~~ Right No. 1941-2formerly owned by: Leonard Kjerstad, Quinn SDbe transferred to: (name & address) James C. Buckles and Leo E. Buckles *Box 7*d/b/a Buckles Ranch, HWC 5, Box 8, Martin, SD (telephone No.) 685-6748 - (James)
57551 685-6747 - (Leo)

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

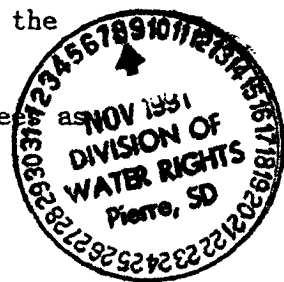
319 acres - SW 1/4 Section 11, NW 1/4, W 1/2 NE 1/4, NW 1/4 SE 1/4, N 1/2 SW 1/4
Section 15-T36N-R38W

I/We understand that the validity of Water ~~Permit~~ Right No. 1941-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of BENNETT)



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

BUCKLES RANCH

Leo E. Buckles
James C. Buckles
(Signed)

Subscribed and sworn to before me this 5 day of NOVEMBER, 19 91.

exp. 10-17-96 Thomas A. Mitgen
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412903

Pierre, November 12, 19 91

RECEIVED OF Thomas A. Metzger, P.O. Box 9028, Rapid City, SD 57709

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

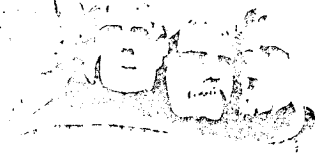
Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 1941-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

John Hataway

Chief Engineer

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 21, 1991

No. 1941-2

James C. and Leo E. Buckles
DBA Buckles Ranch
HWC 5, Box 8
Martin, SD 57551

Dear Mr. Buckles:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1941-2.

Our records now show you as the owner of Water Right No. 1941-2.

Sincerely,

Cheryl F. Frost

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

LEONARD KJERSTAD
RR 1 BOX 28
QUINN SD 57775

NOTICE

RE: Violation of Water Permit No(s) 1941-2

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1941-2. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1941-2 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1941-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing 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.

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

cc: Jim Buckles, HC 5 Box 8, Martin, SD 57551

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

3. Article Addressed to:

LEONARD KJERSTAD
RR 1 BOX 28
QUINN, SD 57775

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 906 557 788

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

1-30-92

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

5. Signature (Addressee)

Leonard Kjerstad

6. Signature (Agent)

PS Form 3811, November 1990 *U.S. GPO: 1991-287-066

DOMESTIC RETURN RECEIPT



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 5, 1992

1941-2

Leonard Kjerstad
RR #1 Box 28
Quinn, SD 57775

Dear Mr. Kjerstad:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Right No. 1941-2. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

The 1992 irrigation questionnaire (which will be mailed out in October, 1992) will be mailed to Buckles Ranch. If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

cc: Jim Buckles, HC 5 Box 8, Martin, SD 57551

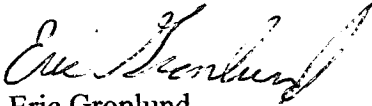
Report on Water Right No. 1941-2
James C Buckles and Leo E Buckles
November 13, 1998

Water Right No. 1941-2 authorizes 3.4 cubic feet of water per second from three wells located in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15; all in T36N-R38W to irrigate 319 acres. Water Right No. 1941-2 incorporated the applicable portions of Water Permit Nos. 1194-2 and 1654-2. The application that has since become Water Right No. 1941-2, was originally filed to authorize 24 additional acres to the existing irrigation system with no increase in the amount of developed diversion rate. The additional irrigated acres are located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, T36N, R38W. However, the notice of hearing drafted by the Division of Water Rights and published on September 5 and 12, 1985, in the Bennett County Booster II was in error and did not list the correct legal description of the additional irrigated acres. Readvertisement of this water right is necessary to correct the location of a portion of the irrigated acres. The total lands irrigated are located in the SW $\frac{1}{4}$ Section 11; NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15; all in T36N-R38W. This readvertisement does not authorize any increase in the developed water appropriation or irrigated acreage.

Conclusions

1. This is a readvertisement of the Notice of Hearing for Water Right No. 1941-2.
2. This readvertisement is necessary to correct the legal description of the lands being irrigated prior to reissuance of the water license. The correct location of the irrigated acreage was identified on the permit application and map.
3. The correct legal description of the lands being irrigated is the SW $\frac{1}{4}$ Section 11; NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15; all in T36N-R38W.


Karen Schlaak
Environmental Scientist


Eric Gronlund
Natural Resources Engineer

**RECOMMENDATION OF CHIEF ENGINEER FOR READVERTISED
WATER PERMIT APPLICATION NO. 1941-2, James and Leo Buckles**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning readvertised Water Permit Application No. 1941-2, James and Leo Buckles, dba Buckles Ranch, HC 5, Box 8, Martin SD 57551.

The Chief Engineer is recommending APPROVAL of readvertised Application No. 1941-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
November 18, 1998



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

November 23, 1998

James C and Leo Buckles
Buckles Ranch
HC 5 Box 7
Martin SD 57551

Dear Mr. Buckles:

As I explained in my phone conversation with Leo Buckles, the original notice of hearing for Water Right No. 1941-2 was published with an error in the legal description of a portion of the irrigated acres. Therefore, the notice of hearing needs to be readvertised to correct the error. A notice of hearing has been sent to the Publisher of the Bennett County Booster II printed at Martin SD (Ph # 605 685-6866). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the readvertisement are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The publication cost of this notice will be paid by the Water Rights Program. Please contact us if you have any questions.

Sincerely,

Eric Gronlund /ks

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



November 23, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

Bennett Co. Booster II
Box 610
Martin, SD 57551-0610

Attn: Legal Department

Enclosed is a Readvertisement of Notice of Hearing on Permit No. 1941-2 to be published twice. Please publish the first notice on December 2, 1998, with the second publication 7 days later.

Please bill the Water Rights Program for the cost of the advertisement.

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

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund /KS

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Readvertisement of Notice of Hearing on Water Right No. 1941-2 to Appropriate water

Notice is given of readvertisement of Water Right No. 1941-2 held by James C. and Leo E. Buckles, dba Buckles Ranch, HC 5, Box 7, Martin, SD 57551. Water Right No. 1941-2 authorizes 3.4 cubic feet of water per second from three wells located in SW ¼ SW ¼ Section 11 and SE ¼ NW ¼ Section 15; all in T36N-R38W to irrigate 319 acres. Readvertisement of this water right is necessary to correct the location of a portion of the irrigated acres. The Notice of Hearing published on September 5 & 12, 1985, did not include the N ½ SW ¼, NW ¼ SE ¼ Section 15-T36N-R38W as a part of this irrigation system. The lands irrigated are located in the SW ¼ Section 11; NW ¼, W ½ NE ¼, N ½ SW ¼, NW ¼ SE ¼ Section 15; all in T36N-R38W. This readvertisement does not authorize any increase in the developed water appropriation or irrigated acreage.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Readvertised Water Right No. 1941-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by December 21, 1998.

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

Form 8



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Bennett)

I, Dale R. Lewis

certify that the attached printed Notice was
taken

from the Bennett County Booster II

printed and published in Martin

County of Bennett and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

December 2, 1998

December 9, 1998

Cost of Printing \$46.06


(Signature)

Editor/Publisher
(Title)

December 10, 1998
(Date Signed)

Readvertisement of Notice of Hearing on Water Right No. 1941-2 to Appropri- ate water

Notice is given of readvertisement of Water Right No. 1941-2 held by James C. and Leo E. Buckles, dba Buckles Ranch, HC 5, Box 7, Martin, SD 57551. Water Right No. 1941-2 authorizes 3.4 cubic feet of water per second from three wells located in SW1/4SW1/4 Section 11 and SE1/4NW1/4 Section 15; all in T36N-R38W to irrigate 319 acres. Readvertisement of this water right is necessary to correct the location of a portion of the irrigated acres. The Notice of Hearing published on September 5 and 12, 1985, did not include the N1/2SW1/4, NW1/4SE1/4 Section 15-T36N-R38W as a part of this irrigation system. The lands irrigated are located in the SW1/4 Section 11; NW1/4, W1/2NE1/4, N1/2SW1/4, NW1/4SE1/4 Section 15, all in T36N-R38W. This readvertisement does not authorize any increase in the developed water appropriation or irrigated acreage.

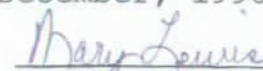
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Readvertised Water Right No. 1941-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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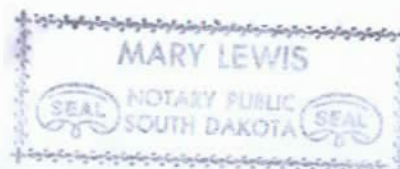
The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.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

21c-27

Subscribed and sworn to before me this
10th day of December, 1998.


Notary Public
County of Bennett, South Dakota

My commission expires June 27, 2002.



PAYMENT REQUEST FORM

PAYEE: Bennett County Booster II
P.O. Box 610
Martin, SD 57551

FROM: Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Publication of Readvertisement of Notice of Hearing
On Water Right No. 1941-2 to Appropriate Water published
On December 2 & 9, 1998.

AMOUNT: \$46.06

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

John Hubbard

12-17-98

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

APR 26 1999

Leo Buckles
Buckles Ranch
HC 5, Box 8
Martin SD 57551

Dear Mr. Buckles:

At your request, Water License No. 1941-2 has been reissued to separate the irrigation systems as follows:

Water Right No. 1941A-2 – authorizing diversion of 1.6 cfs from one well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11 to irrigate 130 acres in the SW $\frac{1}{4}$ Section 11; all in T36N-R38W (**small pivot**).

Water Right No. 1941B-2 – authorizing diversion of 1.8 cfs from two wells located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15 to irrigate 189 acres in the NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15; all in T36N-R38W (**large pivot**).

As long as you use the water beneficially, as stated in the Water Licenses, South Dakota Water Laws provide that you have a continuing right to the use of the water.

If you have questions concerning your reissued licenses, please contact us.

Very truly yours,

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

ks

enclosures