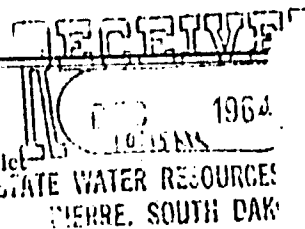


1142-2

1. Considered 1-20, 1965
2. Name of Applicant FRANK VANDY
3. Post Office Address HURON
4. Amount of Water Claimed 3
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 230
7. Water to be diverted and used in BEADLE County about
SE 25 Miles _____ of HURON
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved ✓
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:
~~XXXXXXXXXX~~



No. 1142-3
 Water Division No. 3 JAMES RIVER District
 (Blanks to be Filled by the Engineer for the W. R. C.)

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

(NOTE—Draw a line through items not applicable.)

1. Name of applicant ~~Frank Vannoy~~ ROBERT DUANE MOODY

Postoffice address Route 3, Huron, County Beadle, State S. Dak.

1. If a corporation none

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

employ others and direct labor

(b) Cash on hand, \$ F.H.A. loan

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work VANNY WELL NO 1

3. Amount of water claimed 3 cubic feet per second

4. Source of water supply well

5. Location of point of diversion N 1/2 13, 110-61
From the NE corner of Sec 13 - T28S R20E S. Distance of
1/2 mile

on bank Beadle County.

6. Annual period or periods during which water is to be used April 1 to Nov. 15

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkler

(a) Number of acres to be irrigated 230 acres.

(b) Legal subdivisions to be irrigated N 1/2 13, 110-61 and E 20 ACRES there of

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

III. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Name any of the above uses claimed

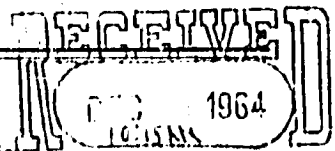
(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

No. 1142-3Water Division No. 3 JAMES RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant ~~Frank Vanner~~ ROBERT DUANE MOODYPostoffice address Route 3, Huron, County Beadle, State S. Dak.I. If a corporation none

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

employ others and direct labor(b) Cash on hand, \$ F.H.A. loan

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work VANNY WELL No. 13. Amount of water claimed 3 cubic feet per second4. Source of water supply well5. Location of point of diversion From the NE corner of T. 4 N. 13 - R. 20 E 200' S - A DISTANCE of 1591
N 13, 110-61
NE 1/4on Beadle County.6. Annual period or periods during which water is to be used April 1 to Nov. 15

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkler(a) Number of acres to be irrigated 230 acres.(b) Legal subdivisions to be irrigated N 13, 110-61 R. 20 E 20 ACRES there of

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Name any of the above uses claimed(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAP NO 770-3

8. Estimated cost of work:

(a) Head Gates, \$.....

(b) Pumping plant, \$.....

(c) Plumbing, \$.....

(d) Canalearth, \$.....

Rock, \$.....

(e) Other structures.....\$.....

Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Pumping Plant

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction.....

(b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	ACRE-Feet CAPACITY

(c) * ..feet; height.....feet;

Mr.....

(d) Can.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....five.....years.

11. Time required for complete application of water to the proposed beneficial use.....five.....years.

12. Choice of newspaper for publication of notice of intention to appropriate.....

Daily Plainsman, Huron, So. Dak.

STATE OF SOUTH DAKOTA

County of Beadle

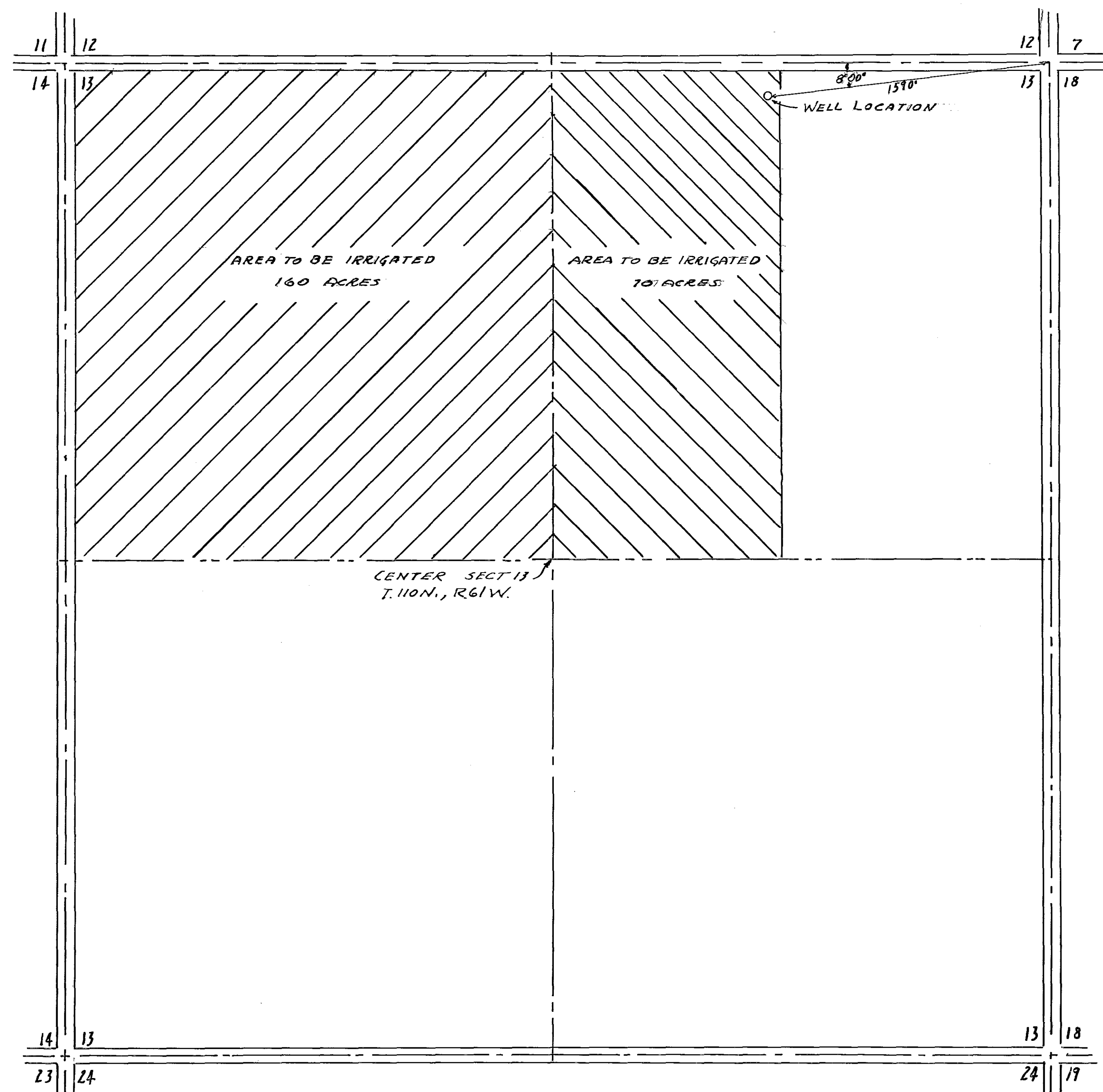
ss.

I, Frank Vannoy, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Subscribed and sworn to before me this 24th day of July, 1919.

Notary Public (or other qualified officer.)



AREAS BY LEGAL SUBDIVISION

160 ACRES: NW 1/4, SECTION 13, T.110N., R.61W. OF THE 5TH PM.
70 ACRES: NE 1/4, SECTION 13, T.110N., R.61W. OF THE 5TH PM.

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) ss
COUNTY OF BEADLE) ss

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF FRANK VANNOY SOLE OWNER I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON NOV 23, 1964 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THERE OF
WITNESS MY HAND AND SEAL THIS 23RD DAY OF NOV. 1964.

Harlan W. Meyer
REGISTERED LAND SURVEYOR

STATE OF SOUTH DAKOTA) ss
COUNTY OF BEADLE) ss

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED HARLAN W. MEYER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.
WITNESS MY HAND AND NOTARY SEAL THIS 23RD DAY OF NOV 1964

Carrie Johnson
NOTARY PUBLIC

MY COMMISSION EXPIRES MARCH 10, 1972

SCALE 1"=400'

MAP

SHOWING AREA & WELL LOCATION WHERE WATERS
WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

FRANK VANNOY

OWNER

HARLAN W. MEYER

SURVEYOR

NOV 23, 1964

MAP NO 770-3 (APPL NO 1142-3)

Remarks by State Water Resources Commission:

This well is located near domestic wells which may obtain water from the same aquifer. If the well covered by this Permit to Appropriate Water depletes the domestic water supply, restrictions, to the extent necessary, of the capacity of this well or periods of operation or other arrangements may be required to protect the domestic water supply.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota,

JANUARY 26 1965

This is to certify that the foregoing application was received by the Commission at 10:15 o'clock
a.m. upon the 1ST day of DECEMBER 1964

State Water Resources Commission

By:

Aulton Jones
for Chief Engineer, Executive Officer

Number of permit 1142-3

Date of first receipt of application DECEMBER 1 1964

Date of return to applicant for correction, amendments or changes required as follows: --- 19---

Date of receipt of corrected application --- 19---

Date from which applicant may claim right DECEMBER 1 1964

Approved JANUARY 20 1965, Recorded in Book 8 Page 289

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 20 1967

2nd. The whole of said work is to be completed on or before JANUARY 20 1970

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is JANUARY 20 1970

4th. The water appropriated shall be used for the purpose of IRRIGATION

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 2.0 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JANUARY 20 1970; said water to be used during the following described annual period:

APRIL 1 TO NOVEMBER 15

Witness my hand this 26TH day of JANUARY 1965

State Water Resources Commission

By:

Aulton Jones

Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 2 1969

Water License Issued JUNE 2 1969

Permit No. 1142-3Water Division No. 3 JAMES RIVER Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Robert Duane Moody

of Huron, County of Beadle, and State of South Dakota, the holder of Permit No. 1142-3 issued upon Application No. 1142-3 bearing date of priority of December 1, 1964 authorizing the diversion of 3.0 cu. ft. per second of the waters of ground water County of Beadle, State of South Dakota, at a point 3⁰ S. 1590 feet from the NE Corner, Section 13, T110N, R61W

for irrigation purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.66 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 230 acres in the NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13, T110N, R61W.

Witness my hand this 2nd day of June A. D. 1969

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1142-3

WHEREAS, On the 1st day of December A. D. 1964

Frank Vannoy

of Huron County of Beadle and State of South Dakota duly made application (No. 1142-3) to us for a permit to use 3.0 cubic feet per second of the waters of ground water

County of Beadle, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 20th day of January A. D. 1965

Permit No. 1142-3 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 20th day of

January A. D. 1970 and for the application to beneficial use of said water on or before the 20th day of January A. D. 1970

and, Whereas on the 5th day of August, 1966, the Permit was Transferred to Robert Duane Moody, and

WHEREAS, On the 22nd day of May A. D. 1969

the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.66

cubic feet per second of said waters, as evidenced by our Certificate No. 1142-3

dated June 2, 1969 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.66 cubic feet per second of water, with date of

priority of December 1, 1964 and,

WHEREAS, On the 22nd day of May A. D. 1969

proof was duly made of the application to beneficial use of 2.66 cubic feet per second of said water; for irrigating 230 acres in the NW $\frac{1}{4}$, and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13, T110N, R61W.

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Robert Duane Moody
of Huron the holder and owner of said permit No. 1142-3

a water right, dating from K December 1, 1964 to the use of 2.66
cubic feet per second of the waters of ground water

In the County of Beadle and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinafter mentioned, to be diverted at a point W 3° S., 1590 feet
from the NE Corner, Section 13, T110N, R61W

and conducted to and upon the NW 1/4 and NE 1/4, Section 13, T110N, R61W

for the purpose of irrigation, subject to any limitations listed in the
Permit to Appropriate Water, and

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 2nd day of June A. D. Nineteen
Hundred and Sixty-nine

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Ac't _____ c. f. s. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Form 2.A — Wells (Supplement to Form 2)

9 (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30" , Depth 140'

Type of casing steel casing
(wood, concrete, steel, etc.)

Size of casing 16" , Thickness of casing 1/2"

Length of casing 140' . If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Johnson Steel

Size of perforated screen 12" 20'
(diameter) (length)

Thickness of gravel pack 6" - 8" , length of gravel pack 20'

(c) Water Bearing Materials

Distance to water 65' . Character of water bearing materials
sand, and gravel, coal

Thickness of water bearing material 75'

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)

Name of pump Berkeley , size 100 L H

Kind of motor diesel
(gasoline, electric, diesel, etc.)

Horsepower 90 , Name of Motor GMC

(e) Complete well

Capacity at draw down of Estimated cost \$6500.

(f) Owner of land upon which well is located Frank Vannoy
Name

R. R. # 3, Huron, So. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property 24 rods. On property owned by others 160 rods

on or before December 24
(First Publication December 24, 1964)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., December 8, 1964

Notice is hereby given that Frank Vannoy whose postoffice address is Huron S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.0 cubic feet of water per second of time from ~~the~~ ground water through the Vannoy Well #1, the point of diversion of which is to be located ~~on the~~ bank of said stream in the 17W $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 13 Twp. 110N Range 61W. Said water to be used for the purpose of providing irrigation on the following described land:
NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13, T110N, R61W
~~and for~~ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of January, 1965, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

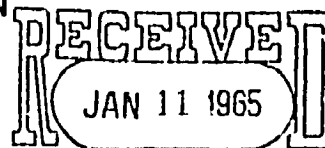
By:

BURTON F. JONES
Water Right Specialist

CC: Jeanette Lusk, Publisher
Daily Plainsman
Huron, S. Dak.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Leadle } ss.



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

I, ~~Domestic & Lusk~~ being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

~~Daily Plainsman~~ 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 Huron County of _____

Leadle and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

Dec 14, 21, 28, Jan 4

in each and every issue of the full number thereof, the first publication being made on the 14 day of December

1964 and the last publication on the 4 day of

January 1965, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was _____ the printer and publisher of the said newspaper.

APPROPRIATION OF WATER
Office of State Water Resources Commission
Pierre, S. Dak., December 8, 1964
Notice is hereby given that Frank Vannoy whose postoffice address is Huron, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.0 cubic feet of water per second of time from ground water through the Vannoy Well No. 1, the point of diversion of which is to be located in the NW1/4 of the NE1/4 of Section 13, Twp. 10N, Range 61W. Said water to be used for the purpose of providing irrigation on the following described land:
NW1/4 and W1/2 NE1/4, Section 12, T10N, R61W.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of January, 1965, at 2 P.M. All interested persons may appear and be heard.
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
State Water Resources Commission
By: Burton F. Jones
Water Right Specialist
No. 316 (adv.)

Subscribed and sworn to before me this 4 day of Jan A. D. 1965

Notary Public Beal G. County, S. D.

RECEIVED
JUL 28 1965

STATE WATER RESOURCE COMM.
PIERRE SOUTH DAKOTA

Huron, S. Dak.
July 26, 1965
Mr. Grimes:

It was recommended
by the County Agents
office here to write
you concerning the
water water in my
well being lowered
we think because of
a new irrigation well
in the same neighbor-
hood. The irrigation
pump has been running
since last Wed. July 27
and our water level has
dropped 10 feet. I am
located in the NW 1/4
12 116-61 Beadle County.

Please give this your
immediate attention as
we have over 60 head of
cattle to water, and
our present water system
will not provide any
water.

Sincerely,
James Thomas
P. O. #3
Huron, S. Dak.

Frank Vannoy

Permit No 1142-3

The irrigation well under this permit is located about $5\frac{2}{3}$ miles east of the south city limits of Huron. The well was drilled this summer and irrigation commenced on July 22. The irrigation well is 123 feet deep and is cased with $15\frac{1}{2}$ " diameter pipe.

On July 28 a letter was received from James Thomas saying the water level in his well had dropped ten feet and he believed this drop was due to pumping of a new irrigation well in the close neighborhood.

On August 2, Jerome K. Henssler called and said the Vannoy irrigation well pumping was interfering with his domestic well and that other domestic wells in the neighborhood were being affected.

On August 13 a telephone call from Robert Haddon, of Haddon and Blue, Attorneys, reported that a number of domestic wells were being affected by the Vannoy irrigation well. A letter was received from

Mr Blue on August 17 listing six wells which might be affected by the Vannoy well and requesting that a investigation be made and the Vannoy irrigation well pumping be stopped.

The Vannoy irrigation well and domestic wells in the area were checked five times between August 3 and September 2 inclusive. Mr Vannoy commenced irrigating on July 22 and pumped on a near continuous basis until August 3 when

he agreed to limit his irrigation to 16 hours or less each 24 hour day. Since August 3 he has also had a number of irrigation shutdowns of from one to five days.

The water from the Vannoy irrigation well is under artesian pressure, raising to about 30 feet below ground surface. Irrigation pumping lowers this ground water level about 18 feet in the immediate vicinity of the irrigation well. The authorized pumping rate is 3 c.f.s. Mr Vannoy reports the actual pumping rate this summer has been about 1.6 c.f.s. On September 2, Mr Vannoy said he this would be his last day of irrigating this season.

Ruben Passmore well 180' deep.
1/3 mile east of Vannoy irrigation well
15' water level normally

James Thomas 1 1/4 mile NW
45' deep 24" diameter

system reported to have gone dry day pumping started
Effect not definitely known

Jerome K. Henssler 1 1/2 miles N.W.
129' well

surface system connected is not system

44' setting - 3' pipe to be

changed to set with 1.7 set 16' below ground

at 20' setting here

the pump 275 gal/hr per hour

Buckley well 2 miles N.W.

168' depth report

Reported to be 50' 3" since water 1 1/4"

well kept from water run dry often

section system reported to be 1st system

could be changed to 1st for 50

Meyer well 2 1/4 miles N.W.

26 August 17

Depth to water was 27 1/2' below ground surface

J.T. section at 46'

Water level had been as high as 11' below

G.S.

Ruby Downer well 2 miles E

Reported chalk well 168' deep built in

1908

No effect confirmed

SB-4 2 1/4 miles S.W.

79' deep well

3' drop in Aug.

1.1' drop since 3-23

December 7, 1965

Mr. Frank Vannoy
R. R. #3, Box 109
Huron, South Dakota

Dear Mr. Vinnoy:

Reference is made to your letter of December 2, 1965 concerning the restriction of your irrigation pumping under your water right permit No. 1142-3.

It is not the intent of this office to issue regulations before the start of the 1966 irrigation season which will require that irrigation withdrawals under water right permit No. 1142-3 is to be limited to not more than 18 hours out of each 24 hour day during the 1966 irrigation season. The experience of this office has been that, when the permit holder voluntarily restricts his irrigation withdrawals to the degree necessary, a more satisfactory solution is provided than if the restrictions are ordered by this office.

However, if the holder of water right permit No. 1142-3 does not restrict his withdrawals to, at most, 18 hours of each 24 hour day, results of last year indicate such withdrawals would affect near-by existing domestic well systems to the extent that water from these domestic wells would not be available to the degree needed for domestic use, including livestock watering. If this occurs the Water Resources Commission will restrict the irrigation withdrawals so that water is available as needed at the existing domestic well systems.

Such restrictions can be avoided:

1. By alteration of nearby existing domestic well systems so that needed water supplies can be obtained when irrigation withdrawals under permit No. 1142-3 are made without restrictions,
2. By suitable agreement or arrangement between the owners of affected domestic wells and the holder of water right permit No. 1142-3,

Frank Vannoy

2.

December 7, 1965

3. By a combination of 1 and 2 above

The degree of pumping restriction can change in the future as local and other conditions change, but I would not anticipate the holder of water right permit No. 1142-3 would be restricted to the extent that no irrigation withdrawals would be authorized.

Sincerely,

J. W. Grimes

JWG;DD:ls

Huron, So. Dak.
May 23, 1966

Water Resources Commission
State Office Bldg.
Pierre, So. Dakota 57501

Dear Sirs,

I have sold my farm to Duane Moody on a contract and he will operate it under a lease agreement untill the contract is completed.

We understand that Mr. E. C. Buckley and Mr. Kleinsasser are attempting to organize to contest the irrigation well, altho they have not directly contacted either me, nor Mr. Moody.

We would like to have the Water Resources Commission test pump these wells for 5 or 6 hours, as we feel they are not producing adequately. Also would like a purity test run on them. We feel this should be done while the water table is normal and before the irrigation season starts.

The following is a list of the wells in question:

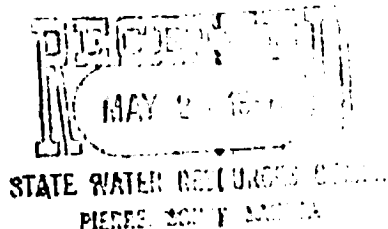
E. C. Buckley
Jerome Kleinsasser
James Thomas
Ruben Pastian
James Rudy

Your cooperation in this matter will be appreciated.

Sincerely,

Frank Lindsey
Duane Moody

R.R. # 3,
Huron, So. Dak. 57350



WR-1142-3

May 31, 1966

Mr. Frank Vannoy
Mr. Duane Moody
R.R. #3
Huron, South Dakota 57350

Gentlemen:

Reference is made to your letter of May 23, 1966 in which you request the Water Resources Commission to test pump a number of domestic wells for 5 or 6 hours because you feel they are not producing adequately. You also request that these wells be tested for purity.

This office can understand the reason for your request and does appreciate the cooperation received from you last summer. However, under the water laws of South Dakota and without available funds, test pumping of domestic wells to determine adequacy of the wells as to purity or capacity cannot be undertaken by the Water Resources Commission.

The Commission staff after investigation last summer is certain that pumping of your irrigation well did cause a lowering of the water table in the area to a degree that some of the domestic wells named in your letter (not all of them) became inadequate to produce the water needed, whereas if you had not been pumping your irrigation well the wells would have produced the domestic water needed.

Under such circumstances the Water Resources Commission has a responsibility to see that you regulate withdrawals of water from your irrigation well, as authorized in Water Right Permit No. 1142-3 so that water as was previously available shall be available as needed for domestic use purposes in affected domestic wells.

Any arrangement you may make that is satisfactory to a domestic well owner to provide water in lieu of water that

Frank Vannoy, Duane Moody 2.

May 31, 1966

would otherwise be available in his domestic well, will also be satisfactory to the Water Resources Commission.

In case of issue, the domestic well owner must be able to prove the irrigation pumping has caused his well to become inadequate.

Sincerely,

J. W. Grimes

JWG:DD:ls

NOTICE OF TRANSFER OF WATER PERMIT

August 4, 1966

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that Frank Vannoy

who previously owned the land described below has sold his interests to Robert Duane Moody

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 1142-3
and as provided for in section 61.0141 of the SDC of 1939 and elsewhere

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

County of Readle

} ss.

I, Frank Vannoy

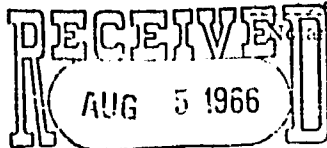
being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Signed

Frank Vannoy

Subscribed and sworn to before me this 4th day of August, 1966

My Commission Expires
JULY 12, 1971



STATE WATER RESOURCES COMM
PIERRE SOUTH DAKOTA

Notary Public Marian F. Brower

Permit No. 1142-3Water Division No. 3 JAMES RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that ~~in accordance with your letter of authorization dated~~

~~for~~ I have this day made a thorough examination of the diversion works constructed by ROBERT DUANE MOODY, of HURON BEADLE County, South Dakota, holder of Permit No. 1142-3, issued upon Application No. 1142-3, bearing date of priority of DECEMBER 1, 1954, authorizing the diversion of 3 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 123' DEEP WELL W/ LAYNE BOWLER 8" VERTILINE PUMP (SER NO N.9404) POWERED BY CHRYSLER INDUSTRIAL ENGINE MODEL H431B - TYPE 343 - PROPANE. 3630' OF 8" MAINLINE W/ 23 WHEEL TRIMATIC W/ TRAILER LINES W/ 3/16 RAINBIRD SPRINKLER HEAD (ALSO HAS SET OF 1/4" HEADS) WELL TEST PUMPED @ 1200 GPM

and the system is in the following condition: GOOD

The point of diversion is located WB⁰S, 1590' FROM THE NE CORNER, SECTION 13, T110N, R61W

The works are capable of diverting and conveying to the place of use 2.66 cu. ft. per second of water, which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: N1/4 & W2NE⁴, SECTION 13, T110N, R61W

comprising a total of 230 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 22ND day of

MAY

D. 1969

—SEAL—

Durton Jones
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMM.