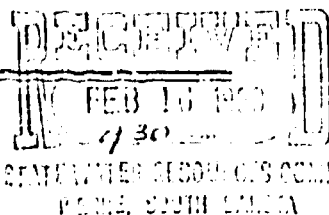


1512-3

1. Considered 3-20, 1968
2. Name of Applicant KENNETH T. NORDLUND
3. Post Office Address YORK, NEBR.
4. Amount of water claimed 2.20
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION  
Acres to be irrigated 157
7. Water to be diverted and used in BEADLE county  
about 3 1/2 E miles of HITCHCOCK.
8. Proof of Publication  
Received ✓  
Not received \_\_\_\_\_
9. Application  
Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action deferred \_\_\_\_\_
10. Remarks:

No. **1512-3**Water Division No. **3, JAMES RIVER** District  
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RECORD OFFICE  
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 Kenneth P. Hendlund G.W. Grosch  
SILVER CREEK  
 Postoffice address Box 513 York, County York, State Nebr.

I. If a corporation No(a) Name of same XX(b) Date and place of incorporation XX(c) Amount of capital stock XX(d) Amount paid in XX(e) Names and addresses of directors XX

(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)

Combination(b) Cash on hand, \$ XX(c) Treasury stock, \$ XX(d) Bonds to be issued, \$ XX(e) Other resources, \$ XX2. Name of diversion work KENNETH P. HENDLUND IRRIGATION PERMIT NO. 13. Amount of water claimed 2.2 cubic feet per second4. Source of water supply Deep Well5. Location of point of diversion 1320' S, 1370' E of NW Corner, Sect 4, T13N, R42W, 511.62On bank County.6. Annual period or periods during which water is to be used For Farming (Apr. - June Oct)

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Irrigation-sprinkle(a) Number of acres to be irrigated 157 APPROX acres.(b) Legal subdivisions to be irrigated NW 1/4 of section 6, T13N, R42W, 511.62

(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 1097-3

8. Estimated cost of work:

(a) Head Gates, \$ ..... (b) Pumping plant, \$ .....  
 (c) Fluming, \$ ..... (d) Canal-earth, \$ ..... Rock, \$ .....  
 (e) Other structures ..... \$ ..... Total, \$ .....

9. Description of diversion works:

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

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<br>OUTLET-Feet | SURFACE AREA AT EACH<br>DEPTH AT OUTLET—ACRES | FEET | ACRE-Feet<br>CAPACITY |
|-------------------------|-----------------------------------------------|------|-----------------------|
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |

(c)\* Head gate: Width ..... feet; height ..... feet;  
 Material .....  
 (d) Canal: Total length ..... miles.

| LOCATION BELOW<br>HEADGATE | DEPTH      | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>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 ..... years.  
 11. Time required for complete application of water to the proposed beneficial use ..... years.  
 12. Choice of newspaper for publication of notice of intention to appropriate .....  
The Daily Platte River News, S. D.

STATE OF SOUTH DAKOTA

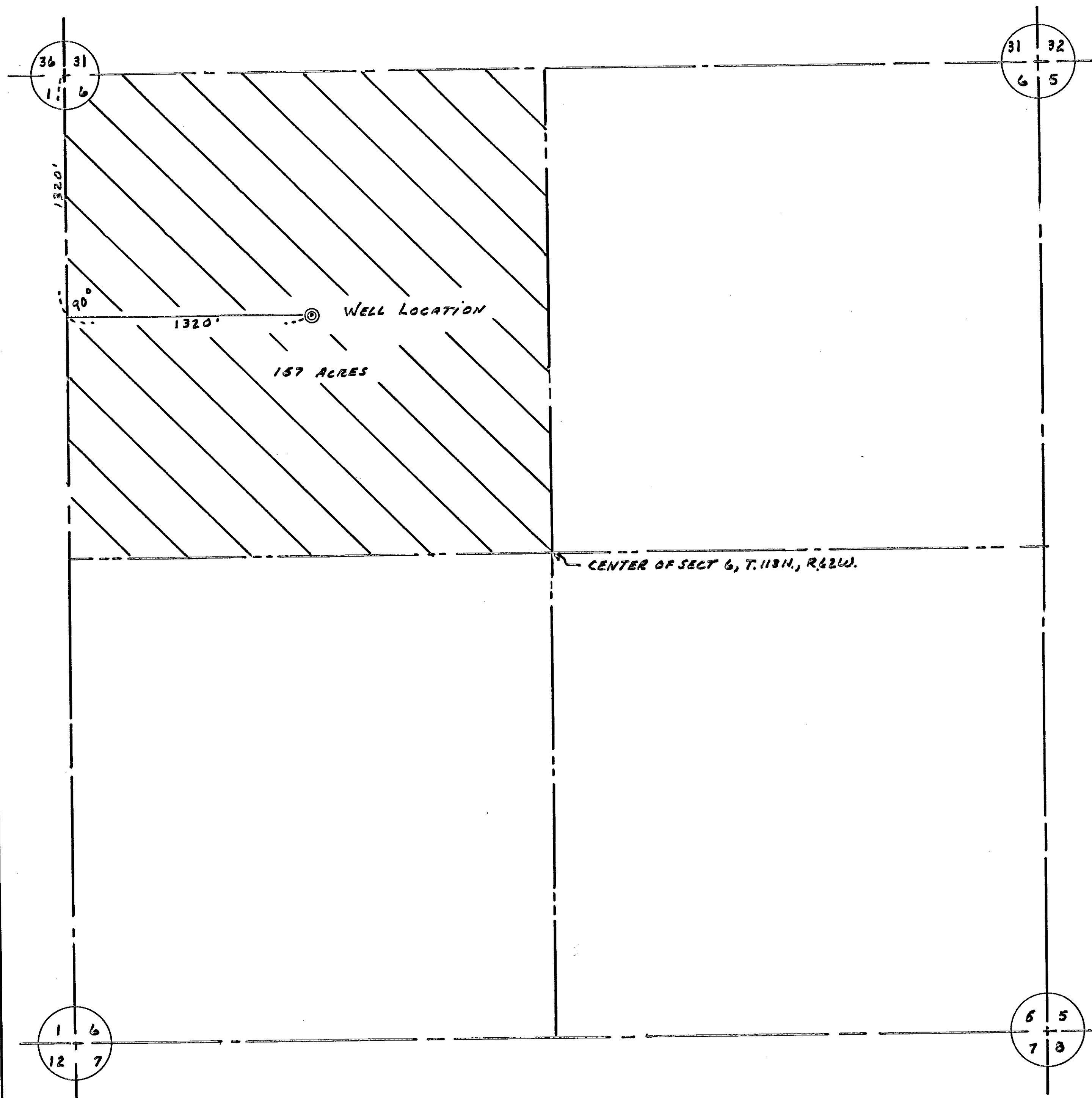
County of Y. D. C. D. } cs.

I, Remond M. Woodhouse, 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 Remond M. Woodhouse

Subscribed and sworn to before me this 9 day of Feb 1968

Matthew B. ...  
 Notary Public (or other qualified officer.)



AREAS BY LEGAL SUBDIVISION  
157 ACRES: NW 1/4 OF SECTION 6, T.113N, R.62W., 5TH PM

SURVEYOR'S CERTIFICATE

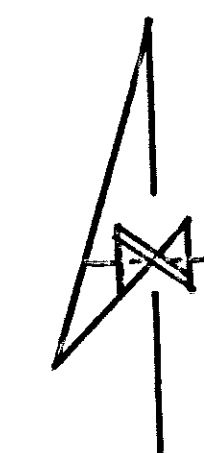
STATE OF SOUTH DAKOTA ) SS  
COUNTY OF BEADLE )  
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR  
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY  
CERTIFY THAT AT THE REQUEST OF KENNETH NORDLUND,  
SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED  
WITHIN HIS OWNERSHIP BOUNDARIES ON JAN. 20, 1968 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 20TH DAY OF JAN. 1968

Harlan W. Meyer  
REG. LAND SURVEYOR #495

STATE OF SOUTH DAKOTA ) SS  
COUNTY OF BEADLE )  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 20TH DAY  
OF JAN. 1968

Conrad Johnson  
NOTARY PUBLIC

MY COMMISSION EXPIRES MARCH 10, 1972



SCALE 1" = 400'

KENNETH NORDLUND IRRIGATION PROJECT NO 1  
SHOWING AREA 2, WELL LOCATION WHERE WATER  
WILL BE DIVERTED - FOR PERMIT TO APPROPRIATE WATER

OWNER KENNETH NORDLUND  
SURVEYOR HARLAN W. MEYER

JAN. 1968

MAP NO 1091-3 (APOL NO 1512-3)

Remarks by State Water Resources Commission:

The well granted under this Permit is located near domestic wells and other irrigation wells which may obtain water from the same aquifer. If the well covered by this Permit depletes the domestic supplies or interferes with prior water rights, restrictions, to the extent necessary, or the capacity of the well or periods of operation or other arrangements will be required to protect these water supplies.

STATE OF SOUTH DAKOTA  
County of HUGHES } ss.

Pierre, South Dakota, MARCH 25, 1968

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock  
9 a.m. upon the 16<sup>TH</sup> day of FEBRUARY, 1968

State Water Resources Commission

By:

for Chief Engineer, Executive Officer

Number of permit 1512-3

Date of first receipt of application FEBRUARY 16, 1968

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 FEBRUARY 16, 1968

Approved MARCH 20, 1968 Recorded in Book 10 Page 129

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 SEPTEMBER 20, 1970
- 2nd. The whole of said work is to be completed on or before MARCH 20, 1973
- 3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is MARCH 20, 1974
- 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 2.2 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 MARCH 20, 1974 said water to be used during the following described annual period:

APRIL THRU OCTOBER  
Witness my hand this 25<sup>TH</sup> day of MARCH, 1968

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 17, 1973

Water License Issued APRIL 17, 1973

Form 2A -- Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36 inches, Depth 85 feet

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

Size of casing 22" OD - 17" ID, Thickness of casing 2 1/2"

Length of casing 4 feet. If collection gallery, length, size and depth of gallery \_\_\_\_\_

(b) Screens

Type of perforated screen Slot

Size of perforated screen 3/16" X 3"  
(diameter) (length)

Thickness of gravel pack 7", length of gravel pack Total

(c) Water Bearing Materials

Distance to water 20 Character of water bearing materials Sand & Gravel

Thickness of water bearing material 65'

(d) Pump and Motor

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

Name of pump Western Land Roller, size 6"

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

Horsepower \_\_\_\_\_, Name of Motor \_\_\_\_\_

(e) Complete well

Capacity \_\_\_\_\_ at drawdown of \_\_\_\_\_ Estimated cost \_\_\_\_\_

(f) Owner of land upon which well is located Kenneth Nordland  
Name

Box 513 York, Nebraska 68467  
Address

(g) Distance to nearest existing wells

On same owner's property 60 rods. On property owned by others 115 rods

Form 15.

Permit No. 1512-3

Water Diversion No. 3 JAMES RIVER Water District

### CERTIFICATE OF CONSTRUCTION

This is to Certify, That G. W. Grosch

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 1512-3, issued upon Application No. 1512-3, bearing date of priority of February 16,  
1968 authorizing the diversion of 2.20 cu. ft. per second of the waters of \_\_\_\_\_  
ground water County of Beadle, State of South Dakota at \_\_\_\_\_  
a point approximately in the center of the NW $\frac{1}{4}$ , Section 6, T113N, R52W  
\_\_\_\_\_, for irrigation

\_\_\_\_\_ purposes, has \_\_\_\_\_ 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 2.0 cu. ft. per second of water.

Date April 17, 1973

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1512-3

(1) WHEREAS, On the 16th day of February A. D. 19 68  
Kenneth T. Nordlund

made Water Right Application No. 1512-3 for a permit to use 2.2 cubic feet per second of the waters of ground water

County of Beadle State of South Dakota for Irrigation purposes; and

(2) WHEREAS, On the 25th day of March A. D. 19 68  
Permit No. 1512-3 with a date of priority of February 16, 1962

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 20th day of March A. D. 19 73 and for the application to beneficial use of said water on or before the 20th day of March A. D. 19 74

and, whereas, on the 30th day of January, 1970, this Permit was transferred to G. W. Grosch,

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.9 cubic feet per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating a 135 acre circle in the NW 1/4, Section 6, T113N, R62W

(5) 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 G. W. Grosch

\_\_\_\_\_ of Silver Creek, Nebraska  
the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 1512-3 a water right, dating from February 16, 1968  
\_\_\_\_\_ to use of 1.9 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 necessary for the  
purposes hereinbelow mentioned, to be diverted at a point approximately in the center of the NW¼,  
Section 6, T113N, R62W

and conduct to and upon a 135 acre circle in the NW¼, Section 6, T113N, R62W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1512-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 17th day of April A. D.  
Nineteen Hundred and Seventy-three

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRIMES

on or before

(First Publication February 22, 1968)

## APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., February 16, 1968

Notice is hereby given that Kenneth T. Nordlund whose postoffice address is York, Nebraska ~~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 2.2 cubic feet of water per second of time from the ~~the~~ ground-water through the Nordlund Irrigation Project #1 the point of diversion of which is to be located on the ~~base of the stream~~ in the Center  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 6 Twp. 113N Range 62 Said water to be used for the purpose of providing irrigation on the following described land:

NW $\frac{1}{4}$ , Section 6, T113N, R62W~~and for~~~~PYHOSKX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of March, 1968 at 2:00 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.

cc: Kenneth Nordlund, York, Nebr.

State Water Resources Commission

By:

~~Chief Engineer, Executive Officer~~BURTON F. JONES  
Water Rights Specialist

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }  
County Beadle } ss.

Joannette C. 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 Huron of \_\_\_\_\_ County of \_\_\_\_\_

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

Feb. 21, 1968

Feb. 28, 1968

March 6, 1968

March 13, 1968

in each and every issue of the full number thereof, the first publication being made on the 21 day of Feb.

19 68 and the last publication on the 13 day of

March 19 68 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.

Subscribed and sworn to before me this 21 day of February A. D. 19 68

A. J. Papenuech  
Notary Public Beadle County, S. D.

RECEIVED  
FEB 23 1968STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

FP 2-21-68 11-13-1168  
APPROPRIATION OF WATER  
Office of State Water Resources Commission, Pierre, S. Dak., February 16, 1968.  
Notice is hereby given that Kenneth T. Nordlund, whose postoffice address is York, Nebraska, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from ground water through the Nordlund Irrigation Project No. 11, the point of diversion of which is to be located in the center of the NW 1/4 of Section 6, Twp. 112N, Range 62E. Said water to be used for the purpose of providing irrigation on the following described land: NW 1/4, Section 6, T112N, R62W, N4E. This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of March, 1968, at 2:00 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  
BURTON F. JONES  
Water Rights Specialist  
No. 73 (adv.)  
24-50

## NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission  
State Office Building No. 2  
Pierre, South Dakota 57501

Date January 22, 1970

This is to notify you that title to the lands described as follows:  
NW $\frac{1}{4}$ , Section 6, T113N, R62W

formerly owned by Kenneth T. Nordlund, York, Nebraska

has been transferred to G.W. Grosch, Silver Creek, Nebraska

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1512-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

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 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF NEBRASKA )  
SOUTH DAKOTA ) ss.  
County of MERRICK )

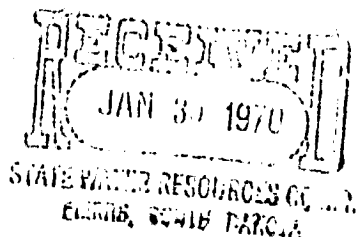
I, G.W. Grosch being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

G. H. Grosch  
(Signed)

Suscribed and sworn to before me this 28<sup>th</sup> day of January, 1970

John M. Suran  
(Notary Public)

Comm. Exp. Jan 25, 1972



Permit No. 1512-3  
 Water Division 3 JAMES RIVER Water District

REPORT OF EXAMINATION OF WORKS  
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by G.W. GROSCH  
 of SILVER CREEK, NEBRASKA holder  
 of Permit No. 1512-3, bearing date of priority of FEBRUARY 16 1968  
 authorizing the diversion of 2.2 cu. ft. per second of the waters of GROUND WATER  
 for IRRIGATION purposes, in BEADLE County.

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

The Water Use System consists of,

A. Works used to divert the water:

85' DEEP WELL WITH 17" ID CONCRETE CASING  
WESTERN LAND ROLLER 8" PUMP POWERED BY  
INTERNATIONAL HARVESTER MODEL UD282 DIESEL ENGINE

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

50' OF 8" BURIED LINE TO PIVOT

C. Works used to apply water to beneficial use.

13 TOWER KROY SELF PROPELLED SPRINKLER SYSTEM

The system is in the following condition: GOOD

The point of diversion is located APPROXIMATELY THE CENTER OF NW<sup>4</sup>, SECTION 6, T113N, R62W

The works are capable of diverting and conveying to the place of use 2.0  
 cu. 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:

135 ACRE CIRCLE IN THE NW<sup>4</sup>, SECTION 6, T113N, R62W

comprising a total of 135 acres of land.

Date APRIL 4, 1973

Austin Jones  
 (Signature)

WATER RIGHT SPECIALIST  
 WATER RESOURCES COMMISSION



# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501

Water Rights Division  
605 773-3352

January 19, 1983

1509-3

1511-3

1512-3

2367-3

Jerry Gilbert  
RR 1 Box 84  
Hitchcock SD 57348

Dear Mr. Gilbert:

This letter is in regard to the 1982 Irrigation Questionnaire you returned for Permits No. 1509-3, 1511-3, 1512-3 and 2367-3 listed in the name of G. W. Grosch of Silver Creek NE.

This office needs to know whether or not you now own the land covered under these permits or if you returned them as the "operator". If you now own the land the permits should be transferred to your name. If you operate the systems, your name can be added to the files as that of operator or leasor.

Please advise this office as to the status of these permits.

Sincerely,

GENNY YOUNG  
Water Rights Specialist

GY:ks

# BEST IMAGE POSSIBLE FROM POOR ORIGINAL

Dept. of water & Nat. Resources, Jan 23, 1983  
Attn: Henry Young

This is to advise you  
that I am the operator only, of  
the land covered by the permit  
you listed. The land in question  
is also owned by L.W. French  
Estate of Solon, Conn., Me.

Thank you,  
Jerry L. Silbert  
Rt 1 Box 84  
Witcham, S.D.

57318

Permit 1509-3  
1511-3  
1512-3  
9367-3



1509-3  
1511-3  
1512-3  
2367-3

Nov. 6, 1986

John Hatch, Chief Engineer  
Water Rights Division  
Pierre, SD



Dear Sir:

We are returning the irrigation  
questionnaire you sent us. We did  
not operate this property this year.  
Please change your records accordingly.

Following is the name and address of the  
person in charge of this property:

Wayne Hirsch  
Hirsch Irrigation

Box 337

Silver Creek, Neb. 68663

Sincerely,  
Kathy Helbert  
for Gary Helbert

Water Rights Division - DWNR  
Conversation or File Documentation

File No. 1509-3  
1511-3  
1512-3  
2367-3

NAME OF PERSON OR FILE: Wayne Grosch

ADDRESS: Silver Creek, NE

COUNTY

DATE: March 11, 1987

TELEPHONE

308-773-2261 or 773-2144

RE: ownership of 1509-3, 1511-3, 1512-3 & 2367-3

COMMENTS:

Mr. Grosch indicated the permits should be transferred to Elsie Grosch. They are now listed under the name of G W Grosch (Estate). Elsie was G W's wife.

Send transfer forms to Frank Zelda, he handles paperwork for Elsie Grosch.

Frank Zelda

PO Box 591

PHONE: 402-564-9666

Columbus, NE 68601

The land is being rented by Allen Wipf at Frankfort, SD

Send irrigation questionnaires to Mr. Wipf.

4-10-87 Mrs Wipf indicated land is actually  
rented to Greg Hefner & Q & Hitchcock -  
Greg & Allen Wipf work together

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:

Gary M. Mink



# Department of Water & Natural Resources

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

WATER RIGHTS DIVISION  
(605) 773-3352

1509-3  
1511-3  
1512-3  
2367-3

March 13, 1987

Frank Zelda  
PO Box 591  
Columbus, Nebraska 68601

Dear Mr. Zelda:

Please find enclosed four copies of a Notice of Transfer of Water Permit forms. These forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 for each, total of \$10.00.

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

Please advise if you have any questions.

Sincerely,

Maxine Stirling  
Secretary

ms/  
Enc.



# Department of Water & Natural Resources

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

January 29, 1988

GREG HOFER, RENTER  
RR  
HITCHCOCK, SD 57348

## NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation  
Questionnaire

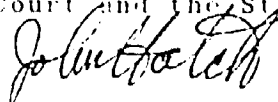
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 2367-3, 1509-3, 1511-3, 1512-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre 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(s), the Water Management Board can:

1. Amend Permit No(s). 2367-3, 1509-3, 1511-3, 1512-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

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

cc: Elsie Grosch, ZFrank Zelds, PO Box 591, Columbus, NE 68601

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

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

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

February 9, 1988

1511-3  
1512-3  
2367-3  
1509-3

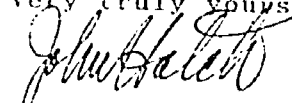
Greg Hofer, renter  
Box 57, RR 1  
Hitchcock SD 57348

Dear Mr. Hofer:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 1511-3, 1509-3, 1512-3 & 2367-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

cc: Frank Zelda  
PO Box 591  
Columbus NE 68601



# Department of Water & Natural Resources

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

1509-3

1511-3

1512-3

2367-3

September 29, 1988

Frank Zelda  
PO Box 591  
Columbus, NE 68601

Dear Mr. Zelda:

I am writing in regard to Water Right Nos. 1509-3, 1511-3, 1512-3 and 2367-3 currently listed in the name of G W Grosch (Estate). Transfer forms were sent to you in March, 1987 for use in filing an ownership change on the water rights. To date, we have not heard from you on this matter.

In a September 28, 1988 telephone conversation between Jim Wendte, of this office, and Dick Grosch, Mr. Grosch stated the water rights should still be transferred to Elsie Grosch. Enclosed are partially completed "Notice of Transfer" forms. Please have them completed and returned to our office. A \$2.50 filing fee is required for each (total of \$10.00).

Water License No. 1511-3 was issued for irrigation of land in the NE 1/4 of Section 5, T113N, R62W. The original application was for the entire N 1/2 of the Section. Mr. Grosch stated during the telephone conversation with Mr. Wendte, that the N 1/2 was developed at the same time from the two wells. The Water License will be reissued to include the NW 1/4 of Section 5. There will be no charge for reissuance of the license.

Upon receipt of the transfer forms and filing fees, Water Right Nos. 1509-3, 1511-3, 1512-3 and 2367-3 will be transferred to the proper owner. At that time, Water License No. 1511-3 will be reissued and sent to you. If you have any questions, please contact us. Your prompt attention in this matter will be appreciated.

Sincerely,

GENNY MCMATH,  
Natural Resources Analyst  
605 773-3352

enclosures





# Department of Water & Natural Resources

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

February 8, 1989

FRANK ZELDA  
PO BOX 591  
COLUMBUS, NE 68601

## NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1509-3, 2367-3, 1511-3, 1512-3. 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 hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings 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. Amend Permit No(s). 1509-3, 2367-3, 1511-3, 1512-3 to require the Irrigation Water Use Questionnaire to be submitted each 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, your name will be deleted from the agenda for the hearings.

Very truly yours,

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



— 2-25-89

The Last Two years  
These Reports Haven't gotten  
filled out on time so  
maybe you better mail  
them in the future to me  
seems I always end up  
getting them filled out any  
way

Allen W. Wilf

1509-3, 1511-3, Box 77

1512-3, 2367-3 Frankfort SD



**EASTERN WAREHOUSE**  
Winter Haven, Florida  
813-299-4122

**WESTERN WAREHOUSE**  
Madera, California  
209-674-3334

**WESTERN LAND ROLLER COMPANY**  
Phone (402) 463-1306 - Hastings, Nebraska 68901  
Manufacturers of Irrigation Pumps Since 1935.

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

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

March 7, 1989

1509-3

1511-3

1512-3

2367-3

Frank Zelda  
PO Box 591  
Columbus, NE 68601

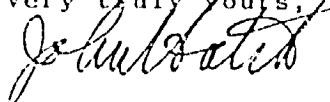
Dear Mr. Zelda:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Right Nos. 1509-3, 1511-3, 1512-3 and 2367-3. The forms were completed and returned by Allen Wipf, Frankfort, SD. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. The questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

Water Right Nos. 1509-3, 1511-3, 1512-3 and 2367-3 are still listed in the name of G W Grosch Estate. "Notice of Transfer" forms were sent to you March 13, 1987 and September 29, 1988 for use in filing an ownership change. Please notify us as to whether the water rights should still be transferred or left as they are.

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

Very truly yours,



JOHN HATCH, Chief Engineer  
Water Rights Division

cc: Allen Wipf, Box 77, Frankfort, SD 57440

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

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

July 13, 1989

1509-3  
1511-3  
1512-3  
2367-3

Frank Zelda  
PO Box 591  
Columbus, NE 68601

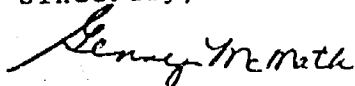
Dear Mr. Zelda:

In response to our July 13th telephone conversation, enclosed is an additional set of transfer forms. The transfer forms are for use in filing an ownership change on Water Right Nos. 1509-3, 1511-3, 1512-3 and 2367-3. They are currently listed as G W Grosch Estate.

The transfer forms will need to be completed and signed in the presence of a notary public. Upon completion, please return them to our office with a \$2.50 filing fee for each (total of \$10.00).

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH  
Natural Resources Analyst  
(605) 773-3352

enclosures



## NOTICE OF TRANSFER OF WATER



TO: Water Rights  
Foss Building  
Pierre, SD 57501

Date: July 19, 1989

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

135 acres - NW 1/4 Section 6, T113N, R62W

formerly owned by G W Grosch Estate

has been transferred to Elsie M. Grosch, Silver Creek, Ne. 68663  
(please include complete mailing address)  
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1512-3 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.

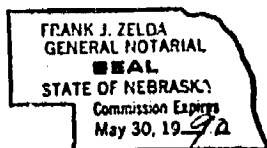
NEBRASKA  
STATE OF ~~SOUTH DAKOTA~~ )  
County of Nance ) ss.

I, Elsie M. Grosch 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

Elsie M. Grosch  
(Signed)

Subscribed and sworn to before me this 20 Day of July, 1989.

[Signature]  
(Notary Public)



# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 24, 1939

RECEIVED OF Elsie H Grosch, Silver Creek NE 68663

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. 1512-3</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 H. H. H.  
JOHN HATFIELD ks

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

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

August 30, 1989

No. 1509-3

1511-3

1512-3

2367-3

Elsie Grosch  
c/o Frank Zelda  
PO Box 591  
Columbus NE 68601

Dear Mr. Zelda:

Enclosed are receipts in the amount of \$2.50 each for the transfer of Water Rights No. 1509-3, 1511-3, 1512-3 and 2367-3.

Our records now show Elsie Grosch as the owner of these Water Rights.

Sincerely,

*Karen Schlaak*

KAREN SCHLAAK  
Senior Secretary  
605 773-3352

enclosures





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

[www.state.sd.us/denr](http://www.state.sd.us/denr)

February 9, 1999

1509-3

1512-3

John Waterbury  
Box 762  
O'Neill NE 68763

Dear Mr. Waterbury:

I am writing in regard your request on behalf of Elsie Grosch for additional wells under Water Right Nos. 1509-3 and 1512-3. Water Right No. 1509-3 appropriates 1.9 cubic feet of water per second (cfs) from a well constructed in the Tulare- Hitchcock Aquifer for irrigation of 135 acres in Spink County. Water Right No. 1512-3 also appropriates 1.9 cfs from a Tulare - Hitchcock well to irrigate 135 acres in Beadle County.

The request is for an additional well under each water right to serve as helper well. The new wells are to be located in the SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  Section 32, T114N, R62W and the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 6, T113N, R62W and are to be constructed into the same aquifer as the existing well (approximately 85 feet deep). No additional water will be appropriated.

Upon review of the request and pursuant to SDCL 46-5-13.1, Elsie Grosch is authorized to develop an additional well under Water Right Nos. 1509-3 and 1512-3 without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. No additional appropriation of water is authorized.

The additional helper wells must be constructed in accordance with SD Well Construction Standards. Standard 74:02:04:28 is the applicable construction standard. The additional wells must be grouted from the top of the formation to the land surface in order to comply with the standards. If you have any questions on well construction, please contact Ken Buhler at (605) 773-3352.

Very truly yours,

John Haich, Chief Engineer  
Water Rights Program  
(605) 773-3352

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
WATER RIGHT PROGRAM

February 4, 1999

RE: Request for an additional point of diversion from Water Right Nos. 1509-3 and 1512-3,  
Elsie Grosch

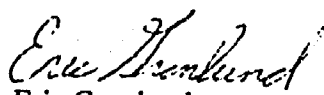
Elsie Grosch, through John Waterbury, submitted two applications requesting authorization for an additional point of diversion for Water Right Nos. 1509-3 and 1512-3. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Water Right No. 1509-3 appropriates 1.9 cubic feet of water per second (cfs) from one well (Tulare - Hitchcock Aquifer) located in the SE1/4 NE1/4 Section 32, T114N, R62W for irrigation of 135 acres in the NE1/4 Section 32, T114N, R62W. The additional point of diversion is to be located in the SE1/4 NE1/4 Section 32, T114N, R62W approximate 1,250 feet north east of the existing well. Mr. Waterbury states in his request that this will be a helper well with no additional appropriation of water or additional acreage being requested. The proposed well is to be constructed to an approximate depth of 85 feet into the Tulare - Hitchcock Aquifer with the pump set at approximately 40 feet.

Water Right No. 1512-3 appropriates 1.9 cubic feet of water per second (cfs) from one well (Tulare - Hitchcock Aquifer) located in the approximate center of the NW1/4 Section 6, T113N, R62W for irrigation of 135 acres in the NW1/4 Section 6, T113N, R62W. The additional point of diversion is to be located in the NW1/4 NW1/4 Section 6, T113N, R62W. Mr. Waterbury states in his request that this will be a helper well with no additional appropriation of water or additional acreage being requested. The proposed well is to be constructed to an approximate depth of 85 feet into the Tulare - Hitchcock Aquifer.

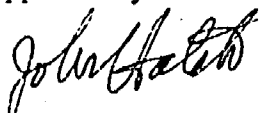
Observation well records for the Tulare-Hitchcock indicate that water levels are for the most part at the highest levels recorded. This is due to the wet climatic condition of the last few years. Observation well SP-79N is located within 2 miles of both proposed additional points of diversion (see map). A hydrograph for this observation well is attached.

A review of existing diversion within the general area of these two water rights was conducted based on Water Rights Program records. The attached map shows the location of domestic and irrigation wells in relation to proposed additional points of diversion. There are a number of domestic and irrigation wells in the general vicinity. Interference has not been a concern in the past and these additional diversion points should not affect the existing conditions. This request is for the no additional appropriation of water to either Water Right No. 1509-3 and 1512-3. These proposed wells are characterized by the applicant as helper wells in order to divert the quantity of water authorized under each water right. This area has been irrigated for many years with no apparent problem.

  
Eric Gronlund  
Water Rights Program

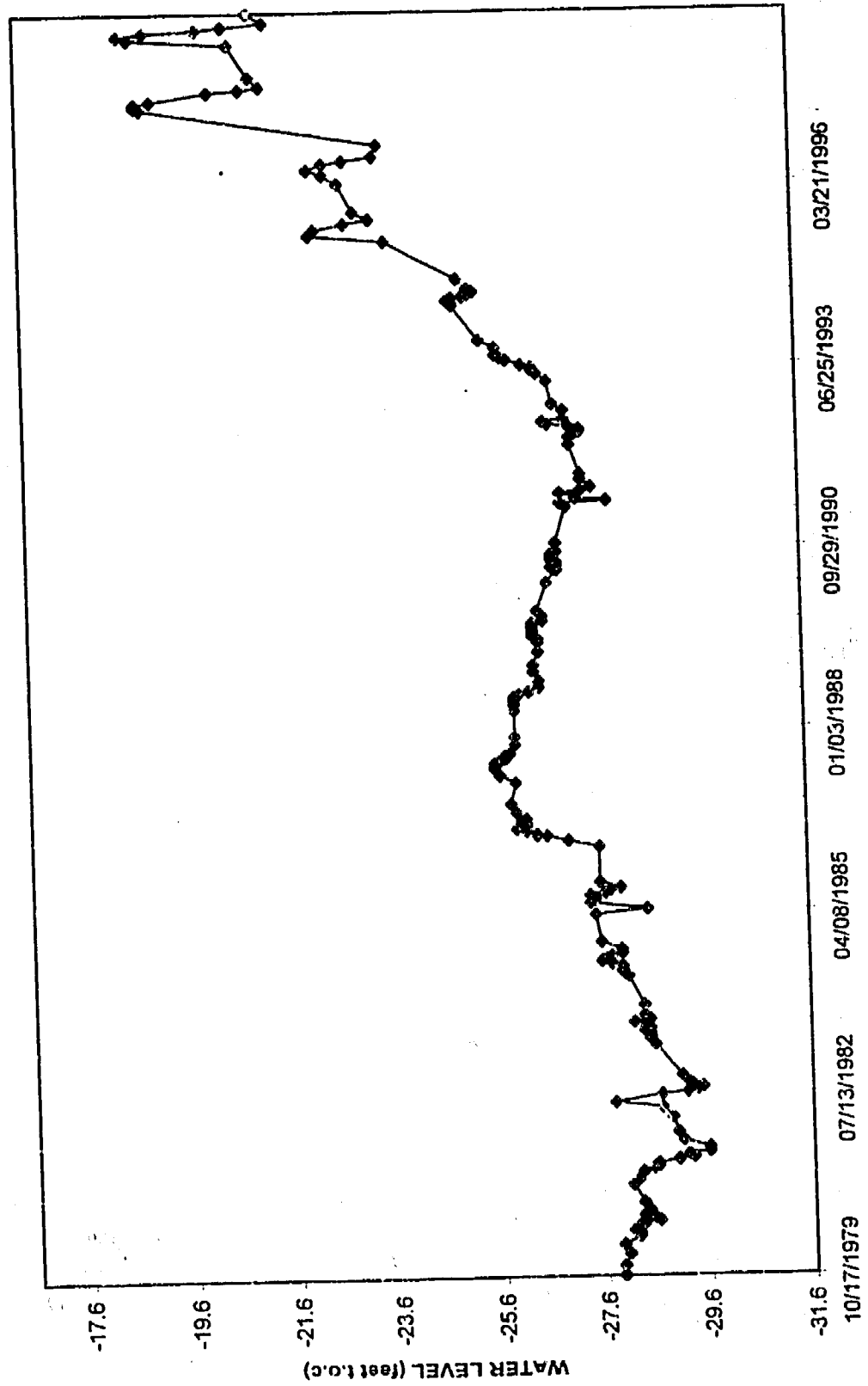
The Chief Engineer makes a finding that this change in location does not increase the potential for interference with existing diversions. In making the finding "does not increase the potential for interference" is interpreted to mean potential for adverse interference. Water Right Nos. 1509-3 and 1512-3 may construct an additional point of diversion without requiring an application or publication of a notice of hearing pursuant to SDCL 46-2A-4 for an additional diversion point. This approval does not authorize an increase in the diversion rates or irrigated acres authorized by the respective water right.

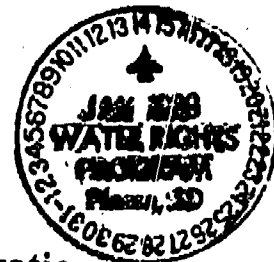
Approved by:

 2-9-99  
John Hatch, Chief Engineer  
Water Rights Program



WATER RIGHTS' OBSERVATION WELL  
SP-79N





|                                                                                                                    |                                   |
|--------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. _____ (office use only)       |
|                                                                                                                    | Basin _____ Hydrologic Unit _____ |
|                                                                                                                    | Newspaper _____                   |
|                                                                                                                    |                                   |

## Application For Permit To Appropriate Water For Irrigation

Type of Application:        New        Vested Right   X   Amendment/Correction to Permit No. 1512-3  
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)  
add'l diversion point pursuant to SDCL 46-5-13.1

- Name of Applicant Elsie Grasel Phone \_\_\_\_\_  
(check one)        Owner        Tenant/lessee  
Mailing Address Box 762 O'Neill NE State NE State 68763  
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.9 <sup>no add'l</sup> \*CFS or        \*\*GPM        \*\*\*AF Total Acreage 135 <sup>no add'l</sup>  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Tulare Hitchcock
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)  
existing: approx center NW 1/4 Sec 6 T113N R62W  
new helper well NW 1/4 NE 1/4 Sec 6 T113N R62W County Beadle
- County or counties where water will be used Beadle
- Annual period during which water is to be used April 1 - October 31
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.  
(Attach sheet if more space is needed)

| Land Description        | Acres | Land Description | Acres |
|-------------------------|-------|------------------|-------|
| NW 1/4 Sec 6 T113N R62W | 135   |                  |       |
|                         |       |                  |       |
|                         |       |                  |       |
|                         |       |                  |       |

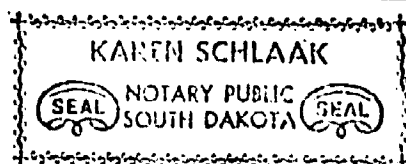
- Give a description of the project. (Attach sheet if more space is needed)  
Construct a helper well approx. 85' well. No add'l appropriation of water or add'l acreage being requested

STATE OF SOUTH DAKOTA) SS  
County of Hughes

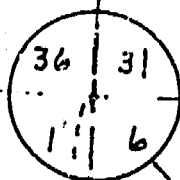
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

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

Applicant's signature John Waterbury  
Subscribed and sworn to before me this 14<sup>th</sup> day of January 19 99



Karen Schlaak  
Notary Public signature  
KAREN SCHLAAK, Notary Public  
My Commission Expires April 1, 2002



1320'

90°

1320'



WELL LOCATION

157 ACRES



1512-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: GROSCH BROTHERS, PO BOX 762, O'NEILL, NE 68763 0762  
FROM: Ron Duvall, Natural Resources Engineer  
for Garland Erbele, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 5671-3, 1509-3, 1512-3 & 2367-3. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit Nos. 1509-3, 1512-3 & 2367-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No. 5671-3 qualification:

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

The hearing will be held at 10:00 am, March 7, 2001 in 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 Chapter 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. 5671-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit Nos. 1509-3, 1512-3 & 2367-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before March 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

**Note:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 23, 2001

John Waterbury  
PO Box 762  
O'Neill, NE 68763

RE: Water Right No. 1650-2 (Waterbury Brothers)  
Water Right Nos. 1509-3, 1512-3, 2367-3 & 5671-3 (Grosch Brothers)

Dear Mr. Waterbury:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 1650-2, 1509-3, 1512-3, 2367-3 and 5671-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

You inquired about adding the legal descriptions to the forms. We used to put the county designation on the label but since we started using window envelopes for mailing, the post office did not appreciate the added notations on the label. We are trying to work out a solution and hopefully in the coming years we can get the task accomplished. In the meantime, I have written up a list of legal descriptions for the above water rights and included them with this letter.

Thanks again John for stopping by the office. If you have any questions, please contact me.

Sincerely,

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

enclosure



January 16, 2002

**NOTICE**

1512-3  
**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

**TO:** GROSCH BROTHERS, PO BOX 762, O'NEILL, NE 68763 0762  
**FROM:** Ron Duvall, Natural Resources Engineer  
for Garland Erbele, Chief Engineer  
Water Rights Program

**SUBJECT:** Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 5671-3, 1509-3, 1512-3 & 2367-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1509-3, 1512-3 & 2367-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5671-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol Avenue, 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 Chapter 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) 5671-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1509-3, 1512-3 & 2367-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

**Note:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1512-3

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GROSCH BROTHERS  
PO BOX 762  
O'NEILL NE 68763 0762

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

Watersburg 1-22-02

C. Signature

X Watersburg

☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☒ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Registered Mail☐ Insured Mail

4. Restricted Delivery

☐ Yes

2. Article

7001 2510 0004 4797 5736

PS Form 3811, July 1999

Domestic Return Receipt

102595-00 M-0952



1512-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 29, 2002

John Waterbury  
Waterbury Brothers  
PO Box 762  
O'Neill, NE 68763 0762

RE: Water Right/Permit No. 1650-2 (Waterbury Brothers) and  
Nos. 1509-3, 1512-3, 2367-3 & 5671-3 (Grosch Brothers)

Dear Mr. Waterbury:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1650-2, 1509-3, 1512-3, 2367-3 & 5671-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

March 18, 2003

No. 1509-3  
1512-3  
2367-3  
5671-3

Peterson Farms  
c/o Lenny Peterson  
19111 Maple Ave  
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1509-3, 1512-3, 2367-3, 5671-3. The water rights are currently listed in the name of Elsie M Grosch. For your information, a copy of each water right is enclosed also.

The transfer forms should be checked over for accuracy and signed by the new owner. Upon completion, return the forms to our office with a required filing fee of \$2.50 (\$10.00 total).

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,

Karen Schlaak  
Water Rights Program  
605 773-3352

enclosures

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 11, 20 03

RECEIVED OF Peterson Farms, 19111 Maple Avenue, Hitchcock SD 57348

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

|                                                                                                                |       |      |
|----------------------------------------------------------------------------------------------------------------|-------|------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use |       |      |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   |       |      |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                         |       |      |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____            |       |      |
| Fee for Filing Transfer Form <u>1512-3</u>                                                                     |       | 2 50 |
| Fee for _____                                                                                                  |       |      |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                            |       |      |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                             |       |      |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                         |       |      |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |      |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 2.50 |

No. 000725

By Darlene Ebel  
Chief Engineer gm

# NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

To: Chief Engineer  
Water Rights Program, DENR  
523 E. Capitol  
Pierre, SD 57501-3181

APR 11 2003  
WATER RIGHTS  
PROGRAM

No. 1512-3

Date: 4-9-03

I/We request that Water Right/Permit No. 1512-3

formerly owned by: Elsie M Grosch

be transferred to: (name & address) Peterson Farms, c/o Lenny Peterson, 19111 Maple Ave,  
Hitchcock SD 57348

Telephone No. 605-268-2193

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

135 acres – NW ¼ Section 6-T113N-R62W ✓

I/We understand that the validity of Water Right/Permit No. 1512-3 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 with the Water Rights Program, as evidence of the change of ownership.

**A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.**

I/We Peterson Farm, the new owner, certify that the above information is true and correct.

Lenny Peterson  
(Signed by new owner)

**NOTE:** Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a 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.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

April 14, 2003

1509-3  
1512-3  
2367-3  
5671-3

Lenny Peterson  
Peterson Farms  
19111 Maple Ave  
Hitchcock SD 57348

Dear Mr. Peterson:

I am writing to acknowledge receipt of the transfer forms and filing fees for Water Right Nos. 1509-3, 1512-3, 2367-3 and 5671-3. The ownership changes have been completed. The water rights formerly listed in the name of Elsie M Grosch are now listed in the name of Peterson Farms.

Enclosed are Receipt Nos. 000722, 000723, 000724 and 000725 in the amounts of \$2.50 each. You may keep these for your records. I am also returning the duplicate copies of the transfer forms you submitted. These are yours to keep. If I can answer any questions for you, please contact me.

Sincerely,

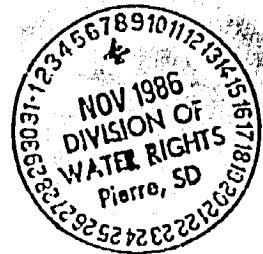
Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-3352  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)

enclosure

1509-3  
1511-3  
1512-3  
2367-3

Nov. 6, 1986

John Hatch, Chief Engineer  
Water Rights Division  
Pierre, SD



Dear Sir:

We are returning the irrigation questionnaires you sent us. We did not operate this property this year. Please change your records accordingly. Following is the name and address of the person in charge of this property:

Wayne Grosch  
Grosch Irrigation

Box 337

Silver Creek, Neb. 68663

Sincerely,  
Kathy Hilbert  
for Jerry Hilbert

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

JAN 26 2016

WATER RIGHTS  
PROGRAM

To: Chief Engineer  
Water Rights Program, DENR  
523 E. Capitol  
Pierre, SD 57501-3181

No. 1512-3

Date: Jan 25, 2016

I/We request that Water Right/Permit No. 1512-3

formerly owned by: Peterson Farms

be transferred to: (name & address) Danny Peterson, 38984 189<sup>th</sup> Street, Hitchcock SD 57348

605-350-4717

Telephone No. 605-266-2876

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

NW ¼ Section 6, T113N, R62W

I/We understand that the validity of Water Right/Permit No. 1512-3 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 with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Danny Peterson, the new owner, certify that the above information is true and correct.

Danny Peterson  
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a 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

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/26, 20 16

RECEIVED OF Danny Peterson 38984 189th St Hitchcock SD 57348

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

|                                                                                                                |       |       |
|----------------------------------------------------------------------------------------------------------------|-------|-------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use | 50    | 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 <u>1512-3</u>                                                                     |       |       |
| Fee for _____                                                                                                  |       |       |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                            |       |       |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                             | 50    | 00    |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                         |       |       |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |       |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 50 00 |

No. 07696

By

Jeanne Haslam  
Chief Engineer



1512-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 27, 2016

Danny Peterson  
38984 189<sup>th</sup> St  
Hitchcock SD 57348

RE: Water Permit/Right Nos. 1033A-3, 1512-3, 3065B-3, 6330A-3, 6333A-3 and 7411-3

Dear Mr. Peterson:

I am writing to acknowledge the transfer forms and filing fees you submitted for changing ownership on the above listed water permits and rights.

The ownership changes have been completed. Water Permit/Right Nos. 1033A-3, 1512-3, 3065B-3, 6330A-3, 6333A-3 and 7411-3 formerly held by Peterson Farms are now listed in your name.

Enclosed for your records are Receipt Nos. 07695, 07696, 07697, 07698, 07699 and 07700 in the amount of \$50 each which you paid for filing the ownership records. If you have any questions, please contact me.

Sincerely,

Genny McMath  
Water Rights Program  
(605) 773-3352  
email: genny.mcmath@state.sd.us

enclosures