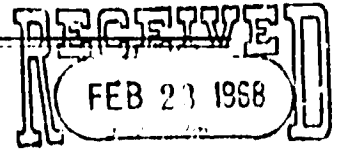


1. Considered 5-22, 1968 1530-3
2. Name of Applicant ED J. MESS CURRY
3. Post Office Address ELK POINT
4. Amount of water claimed 4.10
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
- Acres to be irrigated 290
7. Water to be diverted and used in LINION county
about 1 miles N of ELK POINT
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks.

No. **1530-3**Water Division No. **3 Big Sioux River** District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COM.
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 Edmund L. Curry ~~James B. Curry~~
 Postoffice address Box ²¹⁷ 245 Elk Point County Union State S. Dak.

- I. If a corporation _____
- (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)
Contract
- (b) Cash on hand, \$ 4000. (c) Treasury stock, \$ _____
- (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____
2. Name of diversion work CURRY #3
3. Amount of water claimed 4.1 cubic feet per second
4. Source of water supply Deep Well
5. Location of point of diversion From the NW Corner Sec. 18, 91-49 South
56° E a distance of 2330 feet on _____ bank _____ County.
6. Annual period or periods during which water is to be used Spring, Summer & Fall
7. To be used for:

I. Irrigation or domestic use: Gravity, ~~overhead sprinkling~~ or combination system? Farm crops

- (a) Number of acres to be irrigated 290 acres. S½ Lots 1&2 of NW¼ 18, 91-49
S½ NE¼ of Sec. 18, 91-49; N½ Lots 1&2 of NW¼ 18, 91-49
- (b) Legal subdivisions to be irrigated _____

(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 114-3

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: Heightfeet; length at bottom feet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face
 material used in construction
 (b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

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

(c)* Head gate: Width.....feet; heightfeet;
 Material
 (d) Canal: Total lengthmiles.

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 work5.....years.
 11. Time required for complete application of water to the proposed beneficial use5..... years.
 12. Choice of newspaper for publication of notice of intention to appropriate
 The Leader-Courier Elk Point, S.Dak.

STATE OF SOUTH DAKOTA
 Union } ss.
 County of

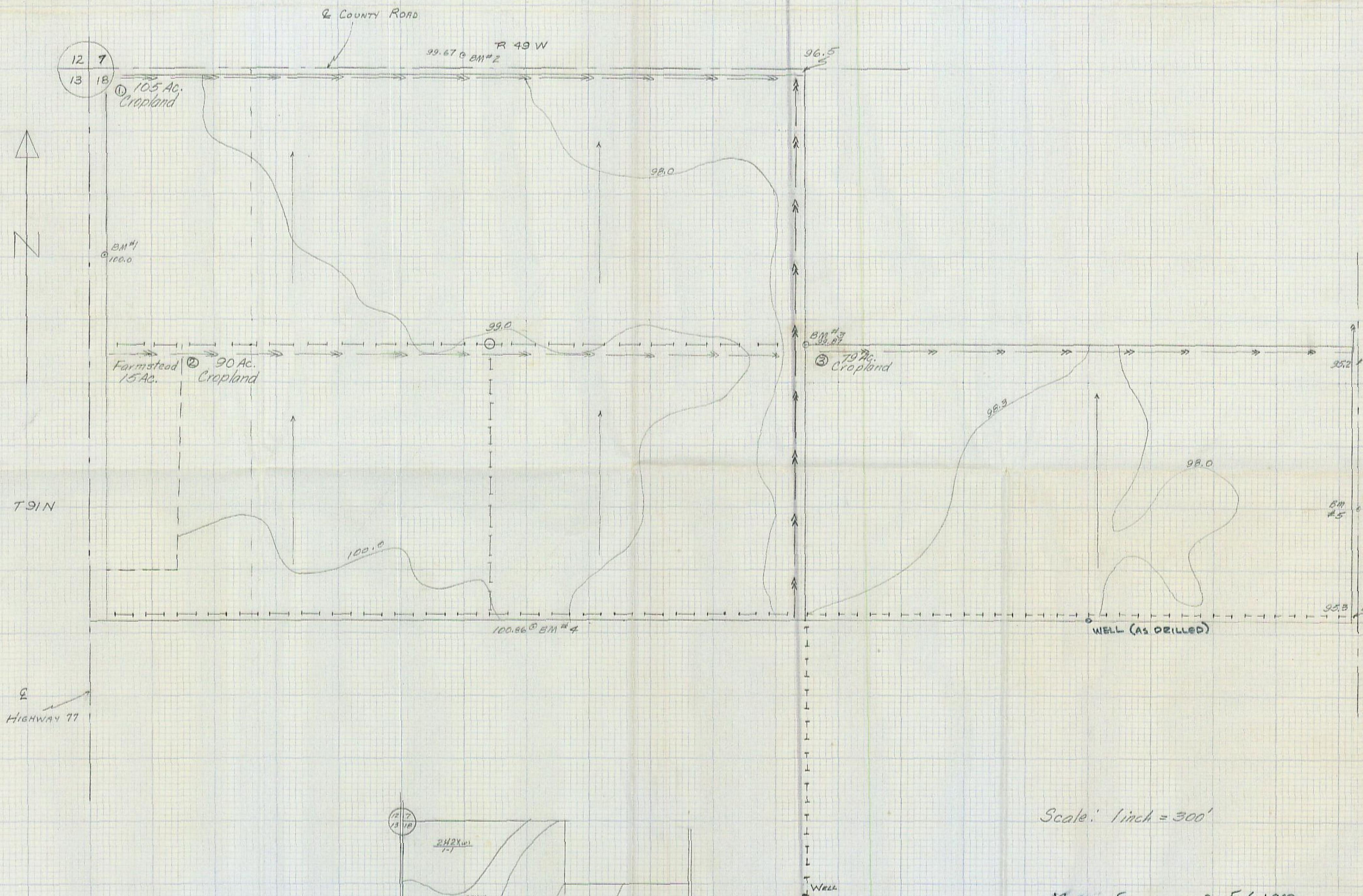
I, Edmund L. Curry & James D. Curry, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed
 Edmund L. Curry
 James D. Curry

Subscribed and sworn to before me this 21st day of February 1928

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

*Each diversion must have a headgate or measuring device.



Scale: 1 inch = 300'

Main Farm - 20 Feb. 1968

Irrigation System *Edmund L. Curry*
 FOR: *Edmund L. Curry*
 Prepared By: *James D. Curry*
 Subscribed and sworn before me this 23 Day of February 1968
James D. Curry
 Notary Public

N $\frac{1}{2}$ Lots 1 & 2 NW $\frac{1}{4}$ Sec 18 - 91-49
 S $\frac{1}{2}$ Lots 1 & 2 NW $\frac{1}{4}$ Sec 18 - 91-49
 S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 18 - 91-49

Remarks by State Water Resources Commission:

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

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MAY 24, 1968

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock a.m. upon the 23RD day of FEBRUARY, 1968

State Water Resources Commission

By:

Burton J. [Signature]
for Chief Engineer, Executive Officer

Number of permit 1530-3

Date of first receipt of application FEBRUARY 23, 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 23, 1968

Approved MAY 22, 1968 Recorded in Book 10 Page 172

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 NOVEMBER 22, 1970

2nd. The whole of said work is to be completed on or before MAY 22, 1973

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

MAY 22, 1973

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 41 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 ($\frac{1}{70}$) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MAY 22, 1973; said water to be used during the following described annual period:

SPRING, SUMMER, FALL

Witness my hand this 24TH day of MAY, 1968

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 14, 1973

Water License Issued MAY 14, 1973

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36" , Depth 100' Est.
Type of casing Concrete
(wood, concrete, steel, etc.)
Size of casing 18" , Thickness of casing 4 1/2"
Length of casing 4' . If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen Fine
Size of perforated screen 18" 4'
(diameter) (length)
Thickness of gravel pack 9" , length of gravel pack 100'

(c) Water Bearing Materials

Distance to water 14' . Character of water bearing materials
Sand, gravel & loose rock & gravel

Thickness of water bearing material 50'

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)
Name of pump Western Land Roller , size 8"
Kind of motor Ford Propane
(gasoline, electric, diesel, etc.)
Horsepower , Name of Motor

(e) Complete well

Capacity 1100 gal. at drawdown of 12' . Estimated cost 32500.

(f) Owner of land upon which well is located Edmund L. & James D. Curry,
Name
Elk Point D. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property 200 rods On property owned by others 600 rods

Form 15.

Permit No. 1530-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Edmund L. Curry

Permit No. 1530-3, issued upon Application No. 1530-3, bearing date of priority of February 23, 1963, authorizing the diversion of 4.1 cu. ft. per second of the waters of ground water Union County of State of South Dakota at a point 40 rods West of the E $\frac{1}{2}$ Corner, Section 18, T91N, R49W

for irrigation

8 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 3.33 cu. ft. per second of water.

Date May 14, 1973

WATER RESOURCES COMMISSION

By

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1530-3

(1) WHEREAS, On the 23rd day of February A. D. 19 68
Edmund L. Curry

made Water Right Application No. 1530-3 for a permit to use 4.1 cubic feet per second of the water of Ground Water

County of Union State of South Dakota for Irrigation

purposes; and

(2) WHEREAS, On the 24th day of May A. D. 19 68

Permit No. 1530-3 with a date of priority of February 23, 1968

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 22nd day of May A. D. 19 73 and for the application to beneficial use of said water on or before the 22nd day of May A. D. 19 73

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 3.33 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 the following land in Section 18, T91N, R49W

1/4, Lots 1 and 2 105 acres

8 1/4, Lots 1 and 2 91 acres

8 1/4 NE 1/4 79 acres

Total Acres 275

(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 Edmund L. Curry of Elk Point, S.D. the holder _____ and owner _____ of said permit No. 1530-3 a water right, dating from February 23, 1968 to use of 3.33 cubic feet per second of the waters of ground water in the County of Union and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 40 rods West of the Elk Corner, Section 18, T91N, R49W and conduct to and upon portions of Section 18, T91N, R49W, more fully described on the face of this License for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1530-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 14th day of May A. D.
Nineteen Hundred and Seven Seventy-Three

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J. N. GRIMES

on or before
(First Publication April 25, 1966)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 1, 1966

Notice is hereby given that Edmund and James Curry whose postoffice address is Elk Point 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 4.1 cubic feet of water per second of time from the ground water through the Curry #3 the point of diversion of which is to be located on the bank of said stream in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18 Twp. 91N Range 49W Said water to be used for the purpose of providing irrigation on the following described land:

SW $\frac{1}{4}$ NE $\frac{1}{4}$, Lots 1 and 2, Section 18, T91N, R49W

and for
~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 1966 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: Ed Curry, Elk Point, S.D.

State Water Resources Commission

By:

~~XXXXXXXXXXXXXXXXXXXX~~
BURTON F. JONES
Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Union } ss.

Byron Helgerson

being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

The Leader Courier 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 Elk Point County of

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

April 4, 1968

April 11, 1968

April 18, 1968

April 25, 1968

in each and every issue of the full number thereof, the first publication being made on the 4th day of April 1968 and the last publication on the 25th day of

April 1968, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was editor the printer and publisher of the said newspaper.

Byron Helgerson

Subscribed and sworn to before me this 25th day of April A. D. 19 68

Edith Helgerson
By Public Unica County, S. D.

RECEIVED
APR 20 1968

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., April 1, 1968.

Notice is hereby given that Edmund and James Curry whose postoffice address is Elk Point, 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 4.1 cubic feet of water per second of time from ground water through the Curry No. 3, the point of diversion of which is to be located in the SW1/4 of the SE1/4 of Section 18 Twp. 91N Range 49W. Said water to be used for the purpose of providing irrigation on the following described land:

SE1/4 NE1/4, Lots 1 and 2, Section 18, 131N, R49W

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 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

By: BURTON F. JONES

Water Rights Specialist

(Pub. Apr. 4, 11, 18, 25)

Permit No. 1530-3
 Water Division 3 BIG SIOUX 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 EDMUND L. CURRY of ELK POINT holder of Permit No. 1530-3, bearing date of priority of FEBRUARY 23, 1968 authorizing the diversion of 4.1 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in UNION 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:

110' DEEP WELL WITH 18" CONCRETE CASING
FAIRBANKS-MORSE 10" PUMP P.T.O., POWERED BY
JOHN DEERE 20-10 TRACTOR

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

40 RODS OF 10" BURIED TRANSITE PIPE

C. Works used to apply water to beneficial use.

3/4 MILE OF 10" GATED PIPE WITH 40" GATES
ALL 275 ACRES HAS BEEN LEVELLED.

The system is in the following condition: VERY GOOD

The point of diversion is located 40 RODS W OF THE E 1/4 CORNER,
SECTION 18, T 91N, R 49W

The works are capable of diverting and conveying to the place of use 3.33

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: ALL IN SEC 18, T 91N, R 49W

<u>N² LOTS 1 & 2</u>	<u>105 ACRES</u>
<u>S² LOTS 1 & 2</u>	<u>91</u>
<u>S² NE⁴</u>	<u>79</u>

comprising a total of 275 acres of land.

Date MAY 8, 1973

Austin L. Jones
 (Signature)

WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION



GREAT FACES. GREAT PLACES
February 1, 1991

CURRY SEED CO, OPERATOR
BOX 517
ELK POINT SD 57025

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2370-3, 1530-3, 2371-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire 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 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

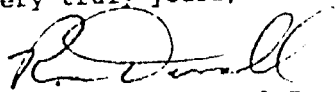
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 2370-3, 1530-3, 2371-3 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.

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,


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

cc: Ed and Jacqueline Curry, 501 N Walnut, Elk Point SD 57025



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 11, 1991

Curry Seed Company
Box 517
Elk Point, SD 57025

RE: Irrigation Questionnaires and/or Chemical Application Use
Data for Water Permit Nos. 237-3, 306-3, 324-3, 501-3, 1086-3,
1133-3, 1136-3, 1297-3, 1530-3, 2141-3, 2189-3, 2370-3, 2371-3,
2450-3, 2940-3, 3910-3, 4438-3, 4582-3, 4598-3, 5030-3, 5201-3,
and 5254-3

Dear Sir:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and/or chemical application use data for the above listed Water Permits. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

1530-3
J J CURRY & SONS
BOX 517
ELK POINT
SD 57025

Allen Farm

UN/SR

G

This is the Water Management Board data sheet for recording 1980 GROUNDWATER source irrigation estimates.

Please fill out and return at once.

No. Acres irrigated with Groundwater 140

If you did not irrigate during 1980-check this box ☐ No system ☐

For Dept. use only

November 1980

Type of Power	No. acres irrigated	Total Energy used-1980
1. Electric	<u>140</u>	<u>21,200</u> kwh
2. Gravity		
3. Gasoline		gal
4. Nat. Gas pipeline		cf
5. Diesel		gal
6. Propane		gal
7. Other		

Type of System:
1. Hand Moved Sprinklers
2. Portable booms
3. Center pivots (# of) <u>1</u> X
4. Gated pipes
5. Sidewheel
6. Towlines
7. Gun type
8. Hydromatic
9. Siphons
10. Flood
11. Other

Owner or address change, if any: ✓

Please complete front and back.

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated and Estimated Water Use			
				Crop	Acres	Water Used	Water Used
April							
May							
June	4	12	1100	corn	90		
July	10	20	1100	beans	100		
August	5	12	1100	corn	90		
Sept.							
Oct.							
Other Month							

Season Static Water Level: beginning _____ and _____

Comments:

Complete and return to: WATER MANAGEMENT BOARD

Water Rights Division
Joe Foss Building
Pierre, SD 57501

Curry Seed Co.
Box 517 (Mankato)
Elk Point, SD 57025

This form contains the back form I had out for the best of the well + farm

The South Dakota Office of Energy has requested your cooperation in completing the following:

1979

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	<u>1400</u>	<u>15,000</u> kwh
2. Gravity	_____	_____
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	<u>320</u>	<u>8,000</u> gal
6. Propane	_____	_____ gal
7. Other	_____	_____

1978

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	_____	_____ kwh
2. Gravity	_____	_____
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____ gal

- What is your on-farm storage capacity for gasoline 10,000 gallons
diesel 10,000 gallons
- What are your present plans for acres under irrigation for 1981?
☒ an increase in acres
☐ irrigate same acres
☐ a decrease in acres
- A. Has your regular fuel supplier been able to meet your fuel needs for irrigation this past year?
☒ yes
☐ no
 B. If no, were you able to buy from other sources?
☐ yes
☐ no
- Would you continue irrigating the same number of acres in 1981 if the price of fuel increased-

10% yes _____	20% yes _____
no _____	no _____
15% yes ☒	over 20% yes _____
no _____	no _____
- At what price for fuel would you cut back on irrigation activities? 1.50/gal
- What is your best estimate of your fuel needs for irrigation in 1981, if we experience a
 Dry summer: 4000 gallons. → only irrigate 1600A now with fuel
 Wet summer: 0 gallons.

1530-3