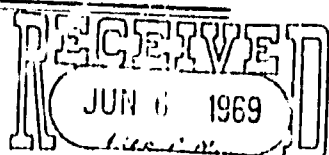


- 1689-3
1. Considered July 16, 19 69
 2. Name of Applicant "Public Trust" & Pottle Co.
 3. Post Office Address Pukwana, S.D.
 4. Amount of water claimed 4.36
 5. Source of water supply Ground water - well
 6. Water to be used for Irrigation
Acres to be irrigated 398
 7. Water to be diverted and used in Buffalo county
about 17 1/2 miles of Pukwana
 8. Proof of Publication
Received 7-16-69
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action deferred _____
 9. Application
 10. Remarks:

Valley System - 800 G.P.M.

Fr Sr 293-2176
Fr Jr 293-2241

No. 1684-3Water Division No. 3 MISSOURI 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 Gold, Land and Cattle Company Tr. State Ag
To Allen Fossen
Postoffice address Edwards, County Buffalo Joplin Mo 64537, State So. 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)

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Cable Diversion #13. Amount of water claimed 4.36 2.00 cubic feet per second4. Source of water supply Well5. Location of point of diversion Approx. 2430' S and 600' W of the NE Corner, Section 28,
T106N, R70Wor bank Buffalo County.6. Annual period or periods during which water is to be used April thru October

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? sprinkler(a) Number of acres to be irrigated 298 200 acres. 33 1/3 acres in each of the(b) Legal subdivisions to be irrigated see attachment all in Section 22, T106N, R70W
following: SE 1/4 NW 1/4, NE 1/4 SW 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4 and NE 1/4 SE 1/4

(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 1215-3

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.)

Well, Pumps two Valley Pivots, with one 1100' Valley Irrigator

II. Dimensions of works.

(a) Dam: Height.....feet; 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.....FEET DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY

(c)* Head gate: Width.....feet; heightfeet; Material

(d) Canal: Total lengthmlles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
A: 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 workfive.....years.

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

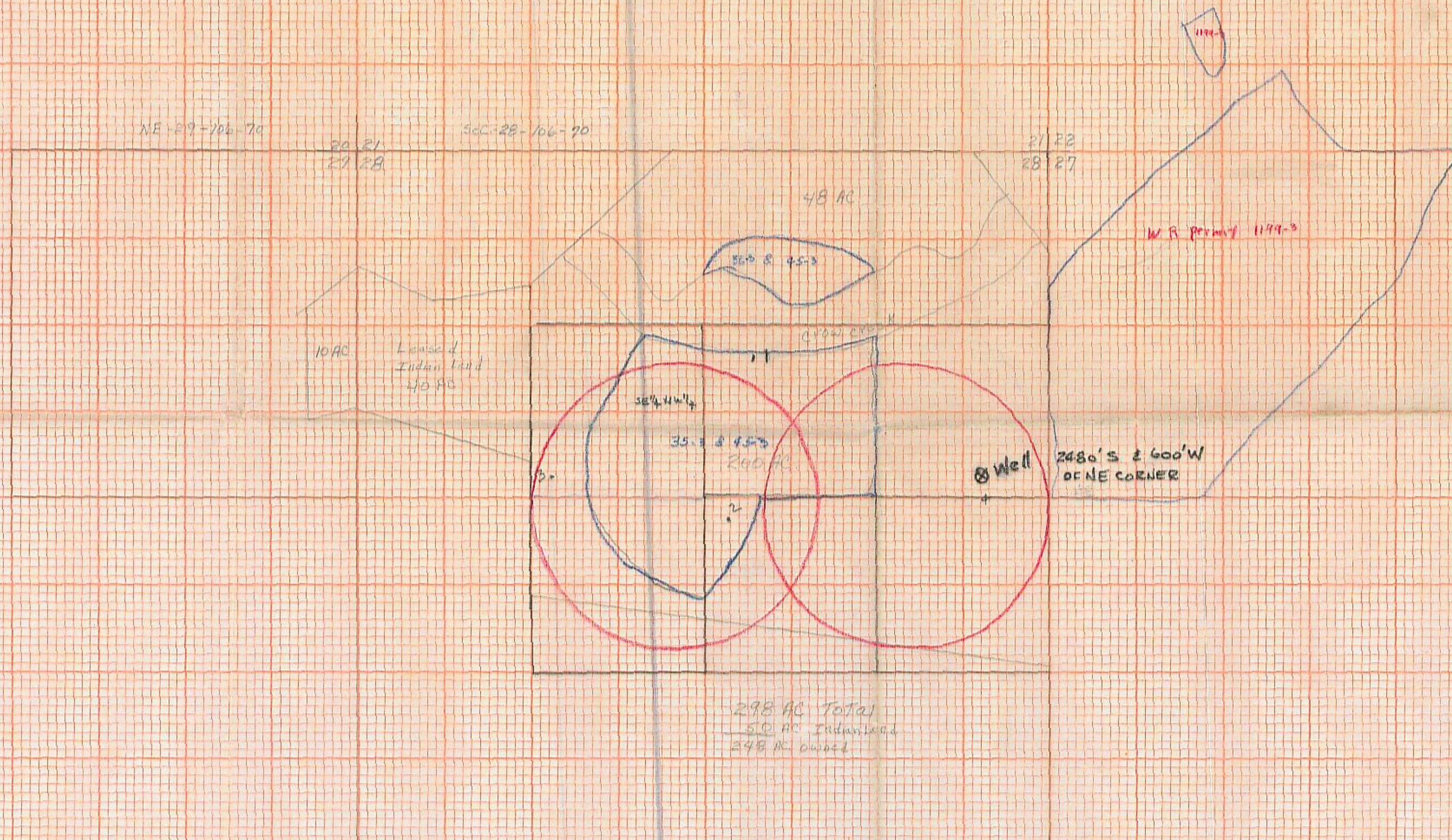
12. Choice of newspaper for publication of notice of intention to appropriate Chamberlain Register, Chamberlain, South Dakota

STATE OF SOUTH DAKOTA } ss.
County of HUGHES

I, Cable Land and Cattle Compan, by Frank Cable III, 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 Cable Land & Cattle Co.
By Frank Cable III
Subscribed and sworn to before me this 6th day of June 19 69
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



Scale - 8 in = 1 mile Vert + Horiz
Frank Cable, JR

17

U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed	Date	Approved by	
Drawn		Title	
Traced		Title	
Checked	Sheet of	Drawing No.	

PORTIONS OF THE 200 ACRES ALLOWED UNDER THIS PERMIT ARE ALSO COVERED UNDER WATER RIGHTS 35.3 AND 36.3. THE COMBINED DIVERSION RATE UNDER THESE PERMITS SHALL NOT EXCEED THE STATUTORY LIMIT OF 1 CUBIC FOOT PER SECOND FOR EACH 70 ACRES IRRIGATED.

"The irrigation well approved under this Permit is located near domestic 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."

STATE OF SOUTH DAKOTA

County of HUGHES ss.

Pierre, South Dakota, JANUARY 9, 1970

This is to certify that the foregoing application was received by the Commission at 4:00 o'clock p.m. upon the 6TH day of JUNE, 1969

State Water Resources Commission

By: Durston Jones
for Chief Engineer, Executive Officer

Number of permit 1684-3

Date of first receipt of application JUNE 6, 1969

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 JUNE 6, 1969

Approved JANUARY 7, 1970, Recorded in Book 11 Page 75

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

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 7, 1972

2nd. The whole of said work is to be completed on or before JANUARY 7, 1975

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

JANUARY 7, 1975

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 2.00 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, or the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before JANUARY 7, 1975; said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 9TH day of JANUARY, 1970

State Water Resources Commission

By: X. C. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 6, 1973

Water Use Issued NOVEMBER 6, 1973

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36', Depth 55'
 Type of casing Steel
 (wood, concrete, steel, etc.)
 Size of casing 18", Thickness of casing 1/4"
 Length of casing 40'. If collection gallery, length, size and depth of
 gallery _____

(b) Screens

Type of perforated screen _____
 Size of perforated screen 18" 15'
 (diameter) (length)
 Thickness of gravel pack 9", length of gravel pack 55'

(c) Water Bearing Materials

Distance to water 15' Character of water bearing materials _____
Coarse sand, gravel

 Thickness of water bearing material 30'

(d) Pump and Motor

Type of pump turbine
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump Layne Bowler, size 8"
 Kind of motor Propane
 (gasoline, electric, diesel, etc.)
 Horsepower 70, Name of Motor _____

(e) Complete well

Capacity 900 at drawdown of ? Estimated cost _____

(f) Owner of land upon which well is located Cable Land and Cattle Company
 Name
Pukwana, South Dakota
 Address

(g) Distance to nearest existing wells

On same owner's property 100 rods. On property owned by others 220 rods

WATER LICENSE NO. 1684-3

(1) WHEREAS, On the 6th day of June A. D. 1973
Cable Land and Cattle Company

made Water Right Application No. 1684-3 for a permit to use 2.0 cubic feet per second of the waters of ground water

County of Buffalo State of South Dakota, for irrigation
purpose and

(2) WHEREAS, On the 9th day of January A. D. 1970
Permit No. 1684-3 with a date of priority of June 6, 1969
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 7th day of January A. D. 1975 and for the application to beneficial use of said water on or before the 7th day of January A. D. 1975

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 the following land in Section 28, T106N, R70W	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	28 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	27 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	32 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	31 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	27 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	33 acres
TOTAL	178 acres

(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 Cable Land and Cattle Company

_____ of Pickens, S.D.

the holder _____ and owner _____ of said permit No. 1684-3 a water right, dating from June 6, 1969

_____ to use of 1.9 cubic feet per second of the waters of ground water

in the County of Buffalo and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 2480 ft. South and 660 ft. West of the NE Corner, Section 28, T106N, R70W

and conduct to and upon portions of Section 28, T106N, R70W, more fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1684-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of November A. D.

Nineteen Hundred and Seventy-three

WATER RIGHTS COMMISSION
~~WATER RIGHTS COMMISSION~~

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

Permit No. 1684-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Cable Land and Cattle Company

_____ the holder _____ of
Permit No. 1684-3, issued upon Application No. 1684-3, bearing date of priority of June 6,
1961 authorizing the diversion of 2.00 cu. ft. per second of the waters of _____
ground water County of Buffalo, State of South Dakota at _____
a point 2480 ft. South and 660 ft. West of the NE Corner, Section 28, T106N, R70W

_____, 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 1.90 cu. ft. per second of water.

Date November 6, 1973

[REDACTED]
By: WATER RIGHTS COMMISSION

DONALD DRISCOLL, Chief Engineer

on or before
(First Publication June 19 1969)

APPROPRIATION OF WATER

Office of State Water Resources Commission

Pierre, S. Dak. June 10 1969

Notice is hereby given that the Cable Land and Cattle Company whose postoffice address is Pukwana 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 4.26 cubic feet of water per second of time from 3 1/2 ground water through the Cable Diversion fl the point of diversion of which is to be located on the bank of said stream in the SE 1/4 of the NE 1/4 of Section 28 Twp. 106N Range 70W Said water to be used for the purpose of providing irrigation portions of following described land:

N 1/2 and N 1/2 S 1/2, Section 28; 1 1/2 NE 1/4, Section 29, all in T106N, R70W.

~~and for~~ ~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of July 19 69 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:

~~XXXXXXXXXXXXXXXXXXXX~~

Burton F. Jones
Water Rights Specialist

cc: Cable Land and Cattle Co., Pukwana, S.D.

Affidavit Of Publication

STATE OF SOUTH DAKOTA, County of Brule, ss.

E. J. Buckingham, Jr., of said county and state, being first duly sworn, on his oath says: That The Chamberlain Register is a weekly newspaper of general circulation, printed and published in Chamberlain, in said county and state, by E. J. Buckingham, Jr. and has been such newspaper during the time hereinafter mentioned; and that I, E. J. Buckingham, Jr., the undersigned, am publisher of said newspaper, in charge of the advertising department thereof and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed Appropriation of Water

....., a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in supplement, once each week for four successive weeks, the first publication being made on the 14th day of June 1969 and the last publication on the 10th day of July 1969

That said newspaper is a legal newspaper, and has a bonafide circulation of more than two hundred copies weekly, and has been published within the county of Brule for more than fifty-two weeks next prior to the first publication of said notice, and is printed in an office maintained in Chamberlain, South Dakota, the place of publication of said newspaper. That the full amount of the fees for the publication of the annexed notice is \$ 11.00 and inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any other person and that no part has been agreed to be paid to any person whomsoever.

E. J. Buckingham, Jr.

Subscribed and sworn to before me this 10th day of January, 1969.

Kathryn B. Buckingham
Notary Public. Notary Public
My Commission expires
Dec. 6, 1974.

APPROPRIATION OF WATER

No. 16813

Office of State Water Resources Commission,
Pierre, S. Dak., June 10, 1969
Notice is hereby given that the Cable Land and Cattle Company whose postoffice address is Pukwana, 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 420 cubic feet of water per second of time from ground water through the Cable Diversion No. 1 the point of diversion of which is to be located in the SE 1/4 of the NE 1/4 of Section 28 T106N Range 70W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N 1/2 and N 1/2 S 1/2, Section 28; E 1/2 NE 1/4, Section 29, all in T106N, R70W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of July, 1969, 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
(June 19 - 26 - July 3 - 10)

ARTICLES OF INCORPORATION

OF

CABLE LAND & CATTLE COMPANY,

Know All Men By These Presents:

That we, the undersigned Frank B. Cable, Frank B. Cable, III, and
Warren W. May,

for ourselves, our associates and successors, have associated ourselves together for the purpose of forming a corporation under and by virtue of the statutes and laws of the State of South Dakota, and we do hereby certify and declare as follows, viz:

FIRST

The name of this corporation shall be Cable Land & Cattle Company.....

SECOND

The purpose for which this organization is formed is to own, operate and generally engage in the business of buying, grazing, raising, feeding, and the sale of livestock, grain, and any and all agricultural products. To own land, livestock, hay, feed, machinery, and any and all other equipment or personal property needed or useful to carry out the aims of the corporation. To loan money and accept evidence of indebtedness thereof, and to borrow money and issue as security therefor mortgages, pledges, notes, bonds, indentures, or any other evidence of indebtedness. To buy, sell, or exchange any item of property for any other item of property whether the same be real, personal or mixed. To execute satisfaction of indebtedness, releases, or other agreements as are necessary to carry out the above purposes. To perform any and all further acts that may be necessary to carry out the general purposes of the corporation. To operate a commercial trucking company. To hold franchises and authorities in the South Dakota Public Utilities Commission, Interstate Commerce Commission or any other regulatory agency. To haul merchandise, livestock, feed, or any other item for hire and to do any and all acts necessary or that will further the carrying out of a commercial trucking business.

THIRD

The post office address of its principal place of business is Pukwana (Street or Box No.) 1114
(City) _____ in the County of _____
State of South Dakota, but a business office may be located at _____
_____ where meetings of the directors and stock-
holders may be held for the transaction of business.

FOURTH

Perpetual

The term for which this Corporation shall exist shall be _____ years.

FIFTH

three

The number of directors of this Corporation shall be _____
and the names and residences of such who are to serve until the election of their successors are
as follows:

NAMES

RESIDENCES

Frank B. Cable,

Pukwana, South Dakota.

Frank B. Cable, III,

Pukwana, South Dakota.

Donald Wollenberg,

Mitchell, South Dakota.

SIXTH

The amount of Capital Stock of this Corporation shall be and is _____
One Million Five Hundred Thousand - - - - (\$1,500,000.00) - -
Divided into Fifteen Thousand - - - - (15,000) DOLLARS
One Hundred - - - - (\$100.00) shares
of the par value of _____ DOLLARS
each, fully paid and nonassessable.

SEVENTH

The resident agent of this Corporation upon whom service of process may be made, shall be _____
_____ of _____, South Dakota, and
service upon him shall be taken and held as due and personal service upon this Corporation.

NOTE: (The above article applies only to Corporations of this State not doing or carrying on business
within this State.)

No Stockholder shall be liable for the debts of the Corporation in any amount greater than
his unpaid subscription.

IN TESTIMONY WHEREOF, We have hereunto set our hands this _____
day of Sept, 1922

, Frank B. Cable

Frank B. Cable, III

Maxren W. ...

STATE OF South Dakota }
County of Hughes } ss.

On this the 4th day of September, 1962, before
me, the undersigned, the undersigned officer, personally appeared
Frank B. Cable, Frank B. Cable, III, and Warren H. May,

known to me or satisfactorily proven to be the person(s) whose name(s) _____
subscribed to the within instrument and acknowledged that they executed the same for the pur-
poses therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notarial Seal.

Velma M. O'Kielly
Notary Public.

STATE OF SOUTH DAKOTA }
County of _____ } ss.

On this the _____ day of _____, 19_____, before
me, _____, the undersigned officer, personally appeared

known to me or satisfactorily proven to be the person(s) whose name(s) _____
subscribed to the within instrument and acknowledged that he executed the same for the pur-
poses therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notarial Seal.

Notary Public.

STATE OF South Dakota }
County of Hughes } ss.

Frank B. Cable and Frank B. Cable, III,
BEING DULY SWORN, each for himself deposes and says: That he is one of the persons described
in and who signed the foregoing Articles of Incorporation as an incorporator therein; that he has
read said Articles and knows the contents thereof; that the incorporators intend in good faith to
form a corporation for the purpose of the promotion of a lawful business as set forth in said ar-
ticles and not for the purpose of enabling any corporation or corporations to avoid the provisions
of Chapter 13.18 South Dakota Code of 1939, relating to unlawful trusts and combinations, and laws
amendatory thereto.

Frank B. Cable

Frank B. Cable, III

Subscribed and sworn to before me this 4th day of September, 1962.

Notarial Seal.

Velma M. O'Kielly
Notary Public.

P E T I T I O N

We, the undersigned, feel compelled to express our concern toward the pending attempt on the part of Cable Land & Cattle Company to acquire a permit authorizing him to draw 4.26 cubic feet of water per second from a well adjacent to our own property. We believe the quantity he seeks is unreasonable, excessive, and would ultimately result in an uneven distribution of available water supply among adjoining landowners. Furthermore, we are opposed to the grant of a permit on a permanent basis, deeming it more equitable to grant such a permit on a year to year basis, thereby requiring an annual accounting of the effect on local farm wells.

Robert Harg

Arthur Harg

Jennie Campbell

Walter Collins

Loenda Black Bull

John Harg

Josephine Antelope

Clayton Harg

Edna Hopkins

Merle Mines

Margaret Hopkins

Everett Hopkins

10

Winifred Peace

Leonard Peace

P E T I T I O N

We, the undersigned, feel compelled to express our concern toward the pending attempt on the part of Cable Land & Cattle Company to acquire a permit authorizing him to draw 4.26 cubic feet of water per second from a well adjacent to our own property. We believe the quantity he seeks is unreasonable, excessive, and would ultimately result in an uneven distribution of available water supply among adjoining landowners. Furthermore, we are opposed to the grant of a permit on a permanent basis, deeming it more equitable to grant such a permit on a year to year basis, thereby requiring an annual accounting of the effect on local farm wells.

Ben Brigg Eagle

Deane Crow

Subscribed and sworn to before me this 11th day of July,
19 69.

Lorraine M. Hammond
Notary Public

My commission expires: 11/22/76

BEST IMAGE POSSIBLE FROM POOR ORIGINAL

12

13

	Mixer	Inset Hoppers	Bel Mangle	Power Saw	
7-19	10' 8"	9' 4"	11' 7"	12' 6"	9
7-22	Started pumping 2:20				
7-22	10' 10"	9' 3"	11' 7"	12' 6"	
7-23	10' 8 1/2"	9' 3 1/2"	11' 8"	12' 6 1/2"	
7-24	10' 9"	9' 2"	12' 4"	12' 9"	
7-25	shut down at 2:00 AM.				
7-26	shut down				
7-27	shut down				
7-28	started pumping 3 P.M.				
7-29	10' 10"	9' 2"	12' 10"	12' 9"	
7-30	10' 10"	9' 3 1/2"	11' 10"	12' 9"	
8-1	10' 10 1/2"	9' 3 1/2"	12' 10"	12' 9"	
8-2	shut down				
8-3	shut down till 10 P.M.				
8-6	No readings taken				
8-7	"				
8-8	"				
8-9	"				
8-10	"				
8-11	"				
8-12		9' 3"		12' 9"	
8-13	No readings taken				
8-14					
8-15					

BEST IMAGE POSSIBLE FROM POOR ORIGINAL

14

15

Minie

South
Point

John
James

James
George

8-17 *No Reading*
8-18 *Shutdown 11:15 A.M. till 10 P.M.*
8-19 *Shutdown 9:30 A.M. till 8:30 A.M. 8-20*
8-20 *Started 8:30 A.M.*
8-21 *No Reading*
8-22 *10' 10"*

9' 5"

13' 4"

13' 2"

EMPIRE

IRRIGATION & DRILLING COMPANY

Highway 14 East

P. O. Box 1252

Huron, South Dakota 57350

Ph. 352-4587

DRILLING REPORT

Location of Well: _____ 1/4 _____ 1/4 _____ Section _____ Township _____ Range _____

Well to be drilled for: East Cattle (Name) _____ (Address) _____

Date well drilling started: June 2 (County) _____ finished: June 3, 1969 (State) _____

Purpose of well: Domestic (domestic, irrigation, industrial, other)

Depth _____ ft. Casing Diameter _____ inches

Slot Size _____ Screen Size _____

Screen Depth: From _____ ft. to _____ ft.

Remarks: _____

NORTH

1 Mile

REPORT OF FINAL PUMPING TEST				
Write Additional Times and Readings on Back of Page				
Date <u>6-27-69</u>				
Elapsed Time From Start of Pumping		Water Level		Discharge
O hr.	O min.	ft.	in.	(Static) 14'
hr.	min.	25'	in.	1230 GPM
hr.	min.	26'	in.	1040 GPM
hr.	min.	23'	in.	820 GPM
10 hr.	1 min.	14'	in.	RECOVERY 19'

Formation: Clay, Silt, Sand, Gravel, Color, Hard or Soft, etc.	Depth (ft.)		#3 Formation (Continued)	Depth (ft.)	
	From	To		From	To
Brown Gravel	0	15	Brown Sand Clay	0	5
Clay & Gravel	15	19	Brown Gravel	5	15
fine to coarse gravel	19	31	Clay & Gravel	15	22
Shale	31	35	Gravel Clean	22	37
			Shale	37	40
#2 Brown Clay	0	5	#4 Top Sand	0	2
Brown Gravel	5	15	yellow clay	2	15
Clay & Gravel	15	17	Brown Gravel	15	21
Gravel road to	17	30	Clay Gravel & Gravel	21	23
Shale	30	35	Gravel	23	55
			Shale	55	

Frank Calk Well

PUMPING TEST

STATIC 19'

YIELD 100 G.P.M. + 1405

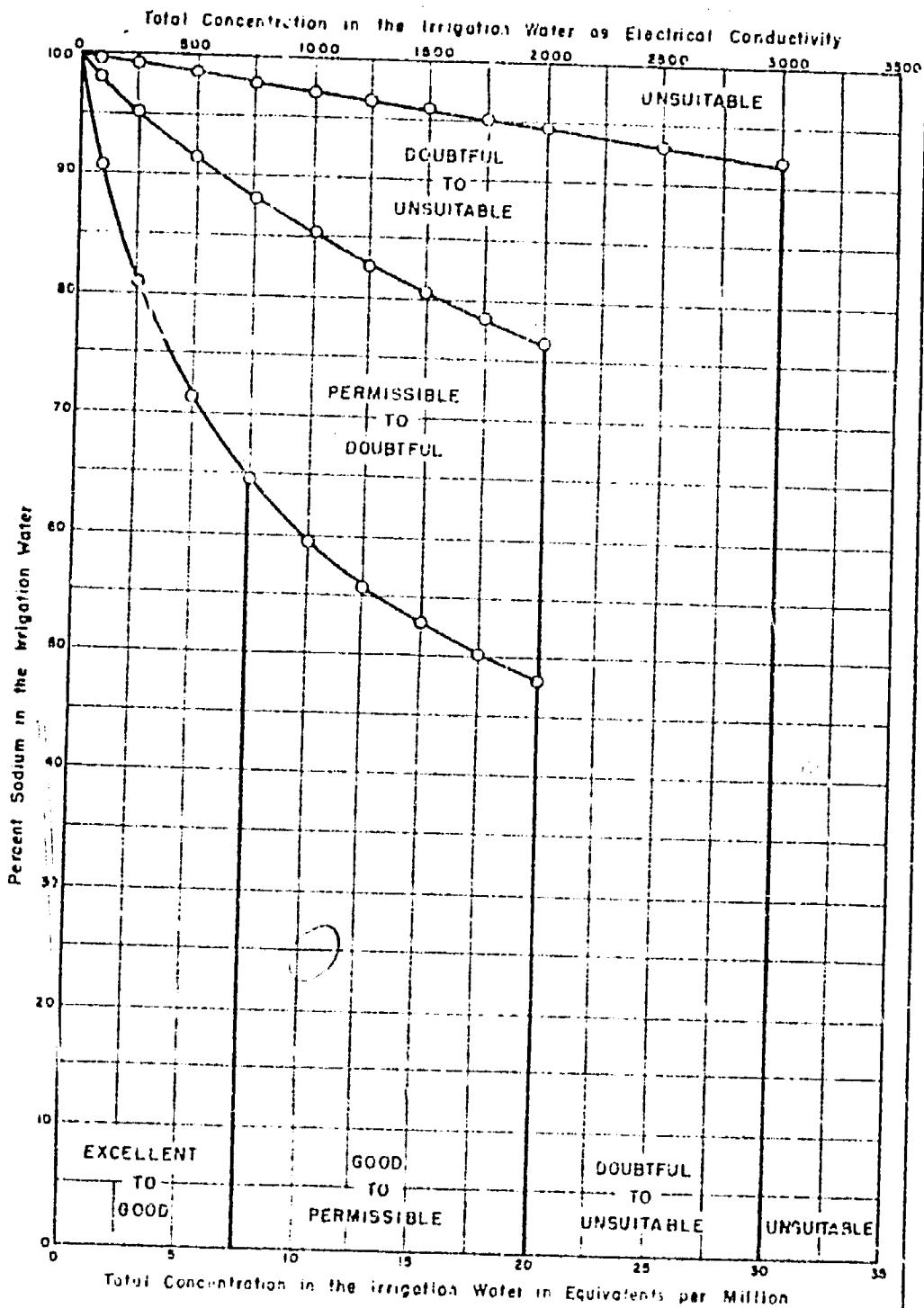
MAT. PUMPING OF YIELD 3000 G.P.M.

ELAPSED TIME OF PUMPING (10 HOURS)

EFFECT ON LOCAL FARM WELLS (NO CHANGE IN)
STATIC

Dilled

R. J. Lunde



DATE _____
 SODIUM _____
 E. P. M. _____

COLLECTOR _____
 DESCRIPTION _____
 OWNER blc

GRAPH PREPARED BY UNITED STATES DEPARTMENT OF AGRICULTURE, ROUBIDOUX LABORATORY, RIVERSIDE, CALIFORNIA

Preliminary Report

Water Right Application 1684-3 Cable Lnd & Cattle Co.

Arrived at site about 10 A.M. 7-23-69. Valley Sprinkler was operating as I approached but was shut down when I reached site. (No implication.)

Frank Cable, Jr. furnished me helpful furnish following information.

Four testholes were drilled on June 28, 3, 1969. (see Empire Drilling Report) The irrigation well is located at the site of Testhole #4. The locations of the four testholes are shown on Water Right Map No. 1215-3.

The well was drilled and was tested pumped on June 27, 1969. During the first three hours the pumping rate was about 1200 g.p.m. It was then raised to 2000 g.p.m. (rough estimate) and pumped at such rate for six hours. Then 1000 g.p.m. for ten minutes and 850 g.p.m. for ten more minutes. The depth to "live water" was 9' at start and the level returned to 19' within one minute after pumping stopped. F.C. Jr. knew nothing of the 23', 24' & 28' readings shown in Empire report.

Equipment

Well is 53' deep with 16" casing.

Layne Brawler Turbine Pump furnished by Empire

Cumming Diesel furnished by A & R Trucking

Irrigation equipment furnished by Götting of Yankton

250 g.p.m. Valley System 80 lb./in² 2100 P.P.M.

1100 feet long, covers 100 acres in a little less than

35 hours. (0.7 inches applied)

Fertilizing equipment attached and working.

Original application showed 245 acres to be irrigated.

Including 50 acres of leased timber land. Now intend

to irrigate two 100 acre circles, 22 acre overlap, 178

acres total. No leased Indian land to be irrigated.

Pipe and two pivots are installed, 10" pipe to first

pivot 8" pipe between 1st and 2nd pivots. (See written

Right Map No. 1215-3)

After the July 16, 1969 Commission meeting, F.C. Jr. had

contacted

Harvington

B.I.A. Real Estate Agent

McGee

Tribal Commissioner

Maula Mingo

Local protestor

Each had agreed he could foot pump the irrigation equipment. Harvington said he was all for irrigation if the
was enough where F.C. Jr. implied that McGee was

for irrigation if there was enough water but the Tribal Council was fighting state jurisdiction. Mower gave reluctant approval as long as life well isn't affected. Mower went with F.C. Tr. on July 22 to measure wells.

Pumping started about 3 P.M. July 22 to 10 A.M. July 23. started again at 11 A.M. July 23. Intent is to pump until morning of July 24 and then move Valley Sprinkler to 2nd pivot. Then pump on 24 hour a day basis as needed by crops. Can't come except for moving sprinkler stops. would measure local wells once a day and would stop pumping if wells were seriously affected.

We then measured the wells. F.C. Tr. reported no change (less than 1/2") from July 22 measurements. See county map for locations.

X. Irrigation well site

A. New cable (w/ Paul Mower) domestic well
7-23-69 11.20 ft. Depth to water 11' 9"

Depth to bottom 16' 10"
15' 18" cor. cul. casing

B. Bernice Crow 7-23-69 2:55 AM 18" con. col.

Depth to water 12' 8"

Depth to bottom 23' 3"

C. Everett Hopkins 7-23-69 11:35 AM

Depth to water 9' 3"

Depth to bottom 31' 8"

Well drilled five years ago B.I.A. 4" steel

Casing with screen. Reported to 38' deep.

Hopkins told me he tried to get drill to stop at 20' depth. "The spring water on top is softer than the groundwater underneath."

D. Mervin Miner 7-23-69 11:55 AM

Depth Top of casing to water level 16' 11"

Mr. Miner did not want us to measure his well but said he would do it. His well was somewhat difficult to measure. Well consisted of big concrete pit 7.6' deep from M.P. - (6' ground level) 24" concrete casing in well. Well reported to be 20 to 22 ft deep. (bottom groundwater level)

F. C. Jr. said Miner had aroused all the opposition. Otherwise there would have been no objections.

E. Vilas Hopkins (Lias water pump No 1192-3) Domestic well probably could be measured. - Vilas says not. Vilas isn't home much but he has a very mean dog that is always home. We didn't measure well.

F. Bill Peterson. Domestic well is 70 ft deep? could be measured.

G. Milton McBride. Has domestic well. Could be measured. Top not removable.

H. Mrs. Rachel Flury. Same

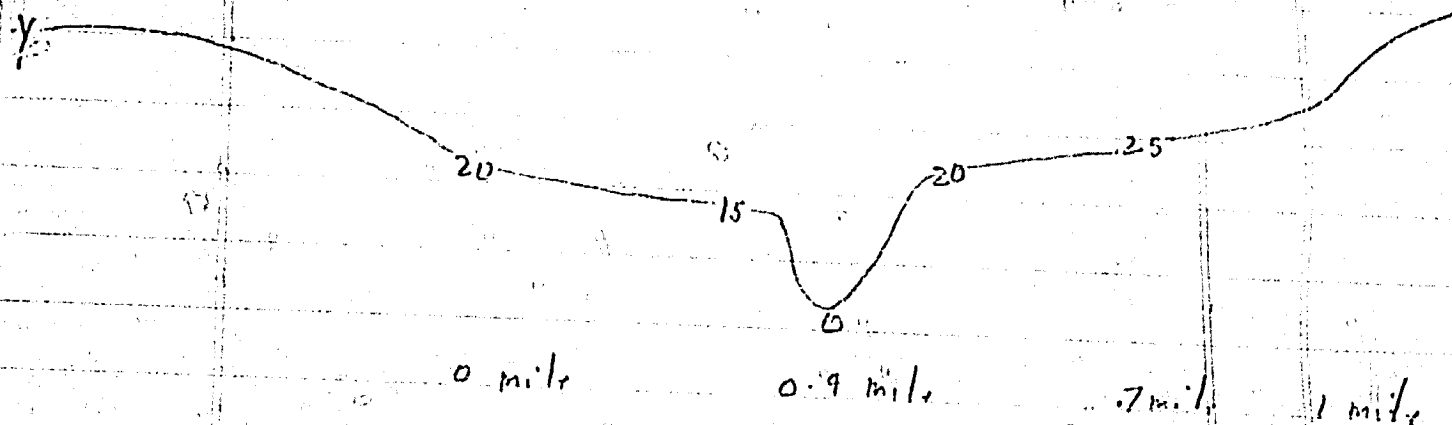
Blue Outline. Approximation of flint outwash or alluvium area. Downstream ^{over} probably outwash

Orange Outline. Area with shaly yellow clay of glacial till origin

Dotted Orange outline. Pieve shale outcrop.

No flow in south creek. Flows at several c.f.s. up the "J" line at F. B. Cable. "J" is home at F. C. T. I.

Approximate profile y 702



1, 2, 3, 4 & 5 are reported springs in creek. Checked 1, 3, 4 & 5. Too much water pooled at 1 to see springs. 4 very small spring. 5 very small spring along a 300' distance. Spring at creek level at 4 & 5. Springs 5 to 10 foot above creek level at 3. Good spring at 3, 100 gpm. Crow Creek now has many long deep pools but water is only a couple of inches deep at 11/1/85. Creek gorge is about 10' deeper at "3" compared to '85.

Water licenses 36-3 146 36-3 (including 95-3) have a 1992 priority. No irrigation for some years. However old antiquated equipment still laying around. Water Permit 1199-3 Crow Creek and well on Indian land has a 1965 priority. Reported irrigation for a short period one year at creek with old equipment at 35-3 146 36-3. (See water rights map, blue)

Conclusion and recommendations

This is Indian Country. Many have homes in area of proposed investigation.

This LeRoy Getting is quite a salesman. Gets customers all enthused. Some organizations

suggest we take no official action for next summer, if possible, but check when possible, with check in mid August for certain.

August 15, 1969

checked with Frank Cable. They have pumped over 300 hours since starting on July 22, 1969. Domestic wells have not been affected, except they show own domestic draw and drops in the 1 1/2 feet when they water their cattle.

U.S.G.S of Denver was contacted. They are in agreement we have verified that U.S.G.S will put in test wells and the Cable's will test pumps in September probably October 1969.

WATER RIGHT APPLICATION 1684-3 - CABLE LAND AND CATTLE COMPANY

At its July 1969 meeting, the Water Resources Commission considered Water Right Application 1684-3 of Cable Land and Cattle Company to irrigate up to 298 acres of land by diversion of up to 4.26 cubic feet per second of water from a 53 foot deep well.

A seventeen signature petition expressing concern about the proposed well irrigation had been received. At the hearing several people from the area, Mr. McGhee of the Crow Creek Tribal Council and several representatives of the Bureau of Indian Affairs appeared to express their concern.

Mr. Frank Cable Jr. reported that the irrigation well had already been dug and test pumped. He also reported that a Valley Sprinkler system had been set up and he would like to do some test pumping at an approximate rate of 800 gallons per minute to see what effect such pumping would have on nearby domestic wells.

The Commission deferred action on Application 1684-3 and authorized test pumping with the consent of the parties concerned.

Mr. Frank Cable Jr. reports that he obtained the consent of the parties concerned and made arrangements to measure the depths to water in four domestic wells during irrigation well pumping periods. The domestic wells were:

- A. W. Menzie well located about 1/8 mile north of the irrigation well.
- B. E. Hopkins well located about 1/4 mile N.E. of the irrigation well.
- C. M. Mines well located about 3/4 mile N.E. of the irrigation well.
- D. B. Crow well located about 1/2 mile north of the irrigation well.

The Cable irrigation well was pumped about 360 hours between July 22 and August 22, 1969. Following are some indications of the domestic well water levels reported during the well pumping periods.

Well	First Reading Prior to Pumping	Lowest Reading	Drop in Inches	Last Reading on 8-22-69
A	11' 7"	12' 7"	12	12" 4"
B	9' 4"	9' 5"	1	9' 5"
C	10' 8"	10' 10½"	2½	10' 10"
D	12' 6"	13' 2"	8	13' 2"

The United States Geological Survey had already made some preliminary investigation of the indicated aquifer. The U.S.G.S. arranged for the irrigation well to be test pumped after the irrigation season pumping and placed four observation wells near the irrigation well. The irrigation well was pumped for 57 hours. Following are some measurements of this test pumping:

Well	Location from Irrigation Well	Depth at Start	Depth at End of 57 hr. Pumping	Max. Drop	Drop after 32 hr. Recovery Period
E	80' S.	20.0'	24.1'	4.1'	0.9'
F	160' SW.	19.9'	23.0'	3.1'	1.0'
G	160' N.	16.8'	20.1'	3.3'	0.9'
H	320' E.	18.9'	20.2'	2.3'	0.8'

Measurements during the irrigation pumping periods and during the 57 hour test pumping period do not indicate that existing domestic wells would be significantly affected.

The applicant is well informed as to its obligation to domestic well owners.

The original application was for a diversion rate of up to 4.26 c.f.s. and proposed to irrigate up to 298 acres of land including 50 acres of leased Indian Land. The applicant now requests that the diversion rate be reduced to 2 c.f.s. and the acreage be reduced to a specific 200 acres, which includes no leased Indian Land. The specified 200 acres, all in Section 28, T106N, R70W., is as follows: 33 1/3 acres each in SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The recommendation of the Commission Staff is that Water Right Application No. 1684-3 be approved for a diversion rate of 2.0 c.f.s. and for irrigation of a specific 200 acres of land, with the following qualification,

"The irrigation well approved under this Permit is located near domestic 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."

Parts of the specified 200 acres of land are already authorized to be irrigated from Crow Creek. If Application No. 1684-3 is approved, the Commission Staff will need to clarify this overlap.

Permit No. 1684-3Water Division 3 Missouri 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 Cable Land and Cattle Company of Pukwana, S.D. holder
of Permit No. 1684-3, bearing date of priority of June 6, 19 69
authorizing the diversion of 2.00 cu. ft. per second of the waters of ground water
for irrigation purposes, in Buffalo 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:

Well 53 feet deep, cased with 16 inch steel casing
Layne Bowler pump, 8 inch, serial No. 12561
Cummins Diesel Industrial Engine, Mod. SP, 118 H.P.

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

2550 feet of buried vinyl coated 8 inch aluminum pipe
2700 feet of 8 and 10 inch aluminum main line. (sand by)

C. Works used to apply water to beneficial use.

"Valley" Center pivot sprinkler system, 11 tower, 1100 feet long.
Water is applied from two pivots.

The system is in the following condition: very good

The point of diversion is located 2480 feet South and 600 feet West of the NE Corner,
Section 28, T106N, R70W

The works are capable of diverting and conveying to the place of use 1.90cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: All in Section 28, T106N, R70W

SE $\frac{1}{4}$ NE $\frac{1}{4}$	28 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	27 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	27 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	32 acres	Irrigation is two 100 acre circles with 22 acre overlap. See W.R. Map No. 1215-3	
NW $\frac{1}{4}$ SE $\frac{1}{4}$	31 acres		

comprising a total of 178 acres of land.

Send notice to Frank Cable, Jr., Pukwana, S.D. 57370

Date August 23, 1973

Donald Driscoll
(Signature)

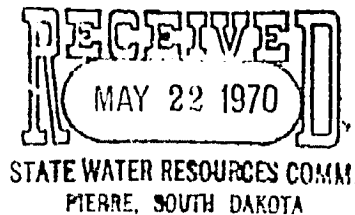
DONALD DRISCOLL, Chief Engineer, W.R.C.



UNITED STATES
DEPARTMENT OF THE INTERIOR

GEOLOGICAL SURVEY
Water Resources Division
P. O. Box 1412
Huron, South Dakota
May 21, 1970

Mr. J. W. Grimes
S. Dak. Water Resources Commission
State Office Building
Pierre, South Dakota 57501



Dear Mr. Grimes:

Enclosed is an outline of the aquifer test and test results for the Frank Cable irrigation well in Buffalo County.

Sincerely,

Lewis W. Howells
Lewis W. Howells
Hydrologist

Enclosure

Cable Aquifer Test

This test was made using an irrigation well owned by Frank Cable, Jr., Pukwana, S. Dak. The well (see log, appendix #1) was drilled by Empire Drilling Co., Huron, S. Dak., in July 1969. During the summer the well was pumped about 500 hours at a rate of about 850 to 900 gallons per minute and applied through a Valley Self-propelled Irrigation System. Mr. Cable reported that no measurable decline of water level was detected in nearby (1/3 mile or more) domestic or stock wells.

The irrigation well is reported to be fully screened and gravel packed; A 16-inch diameter casing in a 33-inch diameter hole. The pump is a diesel-powered turbine that delivers the water to a 10-inch diameter aluminum main line. About 120 feet south of the well the line makes a 90 degree turn to the west. Our in-line Sparling flow meter was inserted into the main line at the down-stream end of the bend. Reducer couplings supplied by the pipe manufacturer fitted the 8-inch diameter meter tube into the 10-inch line. About 500 feet west-southwest of the well the main line was connected to the pivot-point of the Valley System by about 10 feet of 8-inch coupling pipe.

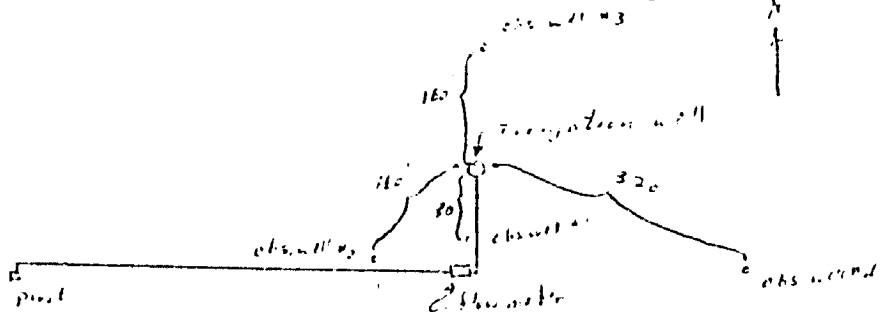
During the test the Valley System was operated. As a result, the pumping rate was only about 500 gpm for the first five minutes or so, to permit Mr. Cable to purge air from the system and to make adjustments; back-pressure was about 30 psi. Then the pumping rate was increased until the back-pressure of the pump was 84 psi, the level Mr. Cable considered optimum for his operation.

Due to slippage in the friction couplings of our meter tube, the main line parted at our meter when the pressure in the pipe increased above 39 psi. This embarrassment occurred three times.

During the test the "speedometer" of the meter consistently registered about 930 gpm during the day and about 970 gpm at night. However, the measured flow averaged only 872 gpm. The disparity is believed due to errors in the "speedometer" readings caused by turbulence (meter follows 90 degree bend, and is between a reduction from 10 to 8 inches and an expansion from 8 to 10 inches)

Although the water was applied on the field (the Valley System passed over the wells), it should not have affected the aquifer test. The soil is relatively impermeable (SCS reported intake rates of about 0.2 to 0.4 inches per hour). The soil was dry before water application, the moisture holding capacity of the top 60 inches of soil is in excess of 10 inches, and only $1\frac{1}{2}$ inches of water was applied.

The test was scheduled for 4 to 6 days of pumping but after only 2.4 days the owner shut off the pump because thick ice build-up and high winds threatened severe damage to the self-propelled sprinkler system



4 observation wells installed by USGS; 2-inch diameter casings and 24-inch long silt points. (See logs, appendix #1) Observation well response: returned to original water level within one minute of pouring two gallons of water into well.

When the pump was unexpectedly shut off about 2:30 AM only one man was available to measure the observation wells. Observation well #1 (the closest to the pumped well) was measured until the time between measurements became long enough to permit measurements of the other three observation wells.

Background data:

Obs. well no.	Depth to base of screen (feet)	Saturated thickness in feet (m)	Center of screen to base of aquifer(B)	$\frac{Z}{B}$ ($\frac{B}{m}$)	Distance to pumped well in (r) feet
1	42	40	16	.4	79.6
2	42	41	17	.4	159.4
3	42	29	3	.1	158.9
4	47	41	16	.4	319.4

Q (includes water pumped during false starts) 3,022,440 gallons total or 872 gpm pumped.

Well screened full thickness.

Observation well screens were two feet long.

Topographic and areal setting are shown on attached sketches, figures 1 and 2.

Analysis of test data

During the pumping and recovery portions of the test, the semi-log method of analysis was plotted (see appendix #2) and T and S calculated. This indicated a T greater than 140,000 gpd/ft and an S between 0.02 and 0.08 (water table conditions).

Obs Well No.	T		S	
	DD	Rec.	DD	Rec.
1	147,000	190,000	.08	.03
2	153,000	198,000	.06	.05
3	144,000	198,000	.06	.04
4	169,000	244,000	.03	.03

The decrease of S with increasing distance from the pumped well implied that delayed yield from storage was appreciable. The more detailed analysis made in the office was based upon these assumptions:

- (1) The aquifer enters the area from the east-northeast, is $\frac{1}{2}$ to 1 mile wide, and ends within 1 mile to the west.
- (2) Water-table conditions at the test site.
- (3) Delayed yield from storage.
- (4) All observation wells had excellent and rapid response.
- (5) Drawdown was great enough to require use of Jacob's correction for dewatering ($\frac{s^2}{2m}$).
- (6) The affects of partial penetration of the observation wells are significant.

Interpretation from Curves

Best match seemed to come from a combination of Stallman's family of curves for discharging image wells and his delayed yield curves for a fully penetrating pumped well and $\alpha = 0.5$ for observation wells. (See appendix #3 for analysis, appendix #4 for data compilation, appendix #5 for residual drawdown, and appendix #6 for original field data)

all also done for test in the well #3. The results were not significantly different.

Curve matching data:

Parameter	Drawdown obs. well				Recovery obs. well			
	#1	#2	#3	#4	#1	#2	#3	#4
K	25	10	10	7	25	~12.5	15	15
$(\frac{r}{m})(\frac{P_z}{Pr})^{\frac{1}{2}}$	~33	.692	.692	.692	~.55	~.85	~.90	~1.25
$\frac{T(t}{S(r^2)}$	30	10	10	6	15	10	10	10
$\frac{sT}{Q}$	.34	.25	.25	.215	.28	.25	.25	.25
$\frac{t}{r^2}$	1.2×10^{-4}	4×10^{-5}	2.1×10^{-5}	2.4×10^{-6}	10^{-4}	4.5×10^{-5}	3.0×10^{-5}	1.7×10^{-5}
s	2.87	2.20	1.97	1.0	3.0	2.42	2.20	1.90
r	79.6	159.4	158.9	319.4	79.6	159.4	158.9	319.4

Obs. Well	T		S		$(\frac{P_z}{Pr})$		Av. Pr		P_z	
	DD	Rec	DD	Rec	DD	Rec	DD	Rec	DD	Rec
#1	149,000	113,000	.08	.10	.0275	.0765	3,700	2,800	99	214
#2	143,000	130,000	.08	.08	.0315	.0479	3,500	3,200	110	153
#3	160,000	143,000	.05	.06	.016	.027	5,500	4,900	88	132
#4	265,000	165,000	.01	.04	.0078	.0256	6,500	4,000	51	104

Figure 3 shows the test site setting and the discharging loci.

Summary and Conclusions

The test site is near the center of an aquifer that enters the area from the east-northeast and ends less than a mile west of the Frank Cable irrigation well. The southern boundary of the aquifer is about one-quarter mile to the south and southwest. About a quarter mile to the north and northwest of the test well the transmissivity decreases by a factor of at least 3 (probably by more than 5) from the value of 130,000gpd/ft near the test well. The

decrease in T is due not only to changes in particle size and sorting, but also to thinning of the aquifer to ten feet or less. The aquifer feathers-out less than three-quarters of a mile north and northwest of the test site.

Vertical permeability is only 1 to 3% of radial permeability. The average radial permeability may vary by a factor of as much as 2 between observation wells.

The natural direction of water movement through the test site area is approximately northwest from obs. well #4 through obs. well #3. The transmissivity at obs. well #4 may be significantly higher than at the 3 other observation wells.

Rough estimates of the size of this water supply; about 10,000 acre-feet of water in storage in this aquifer in Buffalo County; about 400,000 gallons per day could move through the aquifer into the test area (gradient about 8 feet per mile).

The aquifer probably can support the existing irrigation well if pumping is not continuous for more than 20 to 25 days. In view of the recharge rate, 40 days of pumping spread over a 130 day growing season should result in no net depletion of the ground-water reservoir.

The affect of the irrigation well on nearby stock and domestic wells should be slight. Theoretically, the irrigation well would lower water levels in wells 1/2-mile away only 5 feet by the time the water level in the irrigation well declined to the base of the aquifer. As a practical matter, the irrigation well would have to stop pumping sooner, *due to excessive pumping lift.*

The aquifer probably ^{can} not support additional high capacity wells.

The analysis of this test was more complex and less definitive than desirable. The effects of partial penetration and multiple discharging images strongly overshadowed the effects of delayed yield. Had the test lasted the

planned duration (6 days of pumping), perhaps the results would have been less ambiguous. Thus, the transmissivity may be greater than 130,000 gpd/ft (perhaps more than 200,000 gpd/ft).

Form 1
(December 1965)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
WATER RESOURCES DIVISION

No. 106-70-28 addc
OTHER Nos. 11 4

WELL LOG

State S. Dak. County Buffalo Subarea _____

Owner Frank C. Able

Location #26 - about 0.12 miles west and 0.56 miles north of southeast section corner

Drilled by Empire Drilling Co. Address Huron

Date 6-25-69 Casing diam. None Land-surf. alt. 1444

Source of data Ray Lundy, rig operator

(Enter type of well, perforations, yield, and drawdown at end of log)

CORRELATION	MATERIAL	THICKNESS (feet)	DEPTH (feet)
	Top soil	2	2
	Clay, yellow	13	15
	Sand, brown	6	21
	Coarse gravel, clayey	2	23
	Gravel, fine to medium	32	55
	Shale fine to medium	-	55
The irrigation well was installed at this location on 6-27-69. casing 16 inches in diam., hole 33 inches diam., gravel packed. pump - Lorne-Bowler turbine diesel fueled. static w. l. mpt. 19 ft. Using Valley System rated 850 gpm minimum; requires 35 hrs/circuit, applies 0.7 inches water. Two pivot points planned. Reportedly pumped as much as 3000 gpm in test. pumped 12 hrs -- obs. 19'-0" static 28' 1230 gpm 26' 1040 gpm 10 hr. 23'-5" 820 gpm static pump stop 10 hr - min 19'-0" 14 pump stop			

Record by _____ DATE _____ SHEET _____ OF _____

CORRELATION	MATERIAL	THICKNESS (feet)	DEPTH (feet)
	Clay, medium to dark-brown to 8 feet then yellow-brown, slightly silty, scattered grains of coarser material (Alluvium).	15	15
	Clay, medium-brown, very gravelly and sandy, silty, many rocks; tough drilling.	10	25
	Sand, very coarse to medium, medium-brown, saturated; rock at 36 feet.	11	36
	Gravel, medium, to very coarse sand, medium-brown, contains some finer material; easy drilling.	21	57
	Clay, dark-gray to black, slightly silty (alluvium).	2	59
	Remarks: Sandpoint blocked, cleaned with air 9/30. Water level 10/2 at 0930 hrs was 20.25 feet below the top of the casing. Stickup 2.7 feet.		

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
WATER RESOURCES DIVISION

No. 106-70-28adde3

OTHER NOS. AH #223

Obs. well #2

WELL LOG

State South Dakota County Buffalo Subarea

Owner USGS

Location About 160 feet southwest of Frank Cable Irrigation well,

Drilled by USGS (Williams) Address

Date 9-26-69 Casing diam. 30" sandpoint 42' of 1 1/2" Land-surf. alt. 1447.76 top well

Source of data USGS (Howells)

(Enter type of well, perforations, yield, and drawdown at end of log)

CORRELATION	MATERIAL	THICKNESS (feet)	DEPTH (feet)
	Clay, yellowish-brown to medium-brown, slightly silty, scattered grains of coarser material (alluvium).	14	14
	Gravel, coarse, to coarse sand, in matrix of clay, medium-brown, contains some finer sand, somewhat silty; stiff drilling.	10	24
	Gravel, medium, to coarse sand, medium-brown, contains some finer sand; bedded, some beds are gravel-free coarse to medium sand. Saturated.	34	58
	Clay, dark-gray to black, slightly silty, highly calcareous (alluvium).	1	59
	Remarks: Sandpoint blocked; cleaned with air 9/30. Water level 10/2 at 0930 hrs was 20.18 feet below the top of the casing. Stickup 2.6 feet.		

SHEET OF

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
WATER RESOURCES DIVISION

No. 106-70-28addd

OTHER NOS. AH #225
Obs. well #4

WELL LOG

State South Dakota County Buffalo Subarea _____

Owner USGS

Location About 320 feet southeast of the Frank Cable Irrigation well.

Drilled by USGS (Williams) Address _____

Date 9-26-69 Casing diam. 30" sandpoint
47' of 13" Land-surf. alt. 1447.205' TP 44-7

Source of data USGS (Howells)

(Enter type of well, perforations, yield, and drawdown at end of log)

CORRELATION	MATERIAL	THICKNESS (feet)	DEPTH (feet)
	Clay, medium-brown to yellow-brown, somewhat silty,		
	scattered grains of coarser material (alluvium).	20	20
	Gravel, coarse (rocks), to very coarse sand, medium-		
	brown, contains abundant finer sand, somewhat silty,		
	saturated.	2	22
	Gravel, fine, to medium sand, medium-brown, contains		
	some finer sand, somewhat silty.	14	36
	Gravel, medium, to coarse sand, yellowish medium-		
	brown, contains some finer material.	20	56
	Clay, medium-brown, gravelly, sandy, and silty; tough		
	drilling.	2	58
	Clay, dark-gray to black, slightly silty, highly cal-		
	careous; stiff drilling (alluvium).	1	59
	Remarks: Sandpoint blocked; cleaned with air 9/30.		
	Water level 10/2 at 0945 hrs was 19.13 feet below		
	the top of the casing. Stickup 2.7 feet.		

RECORD BY _____ DATE _____

SHEET _____ OF _____

1000
1000

16

21

33

14

23

26

35

24

25

36

19

30

20

29

32

28

33

• not file
X. not within shallow water
A/C
C = 1/2 of assumed
depth of base of probable material, omitted where is different surface
C = 1/2 of assumed
bedrock surface

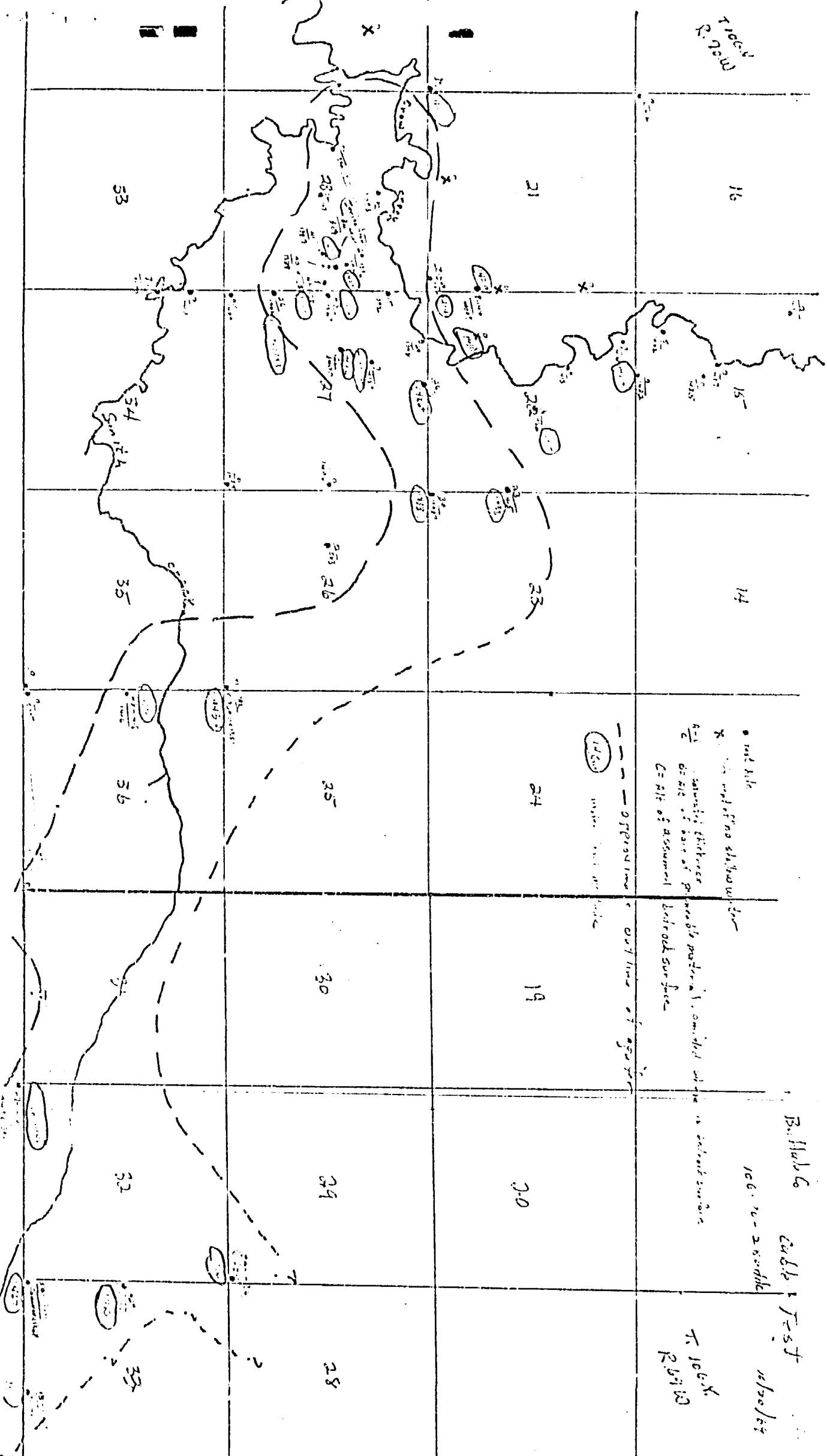
— 0 provisions
— outline of aquifer

B. H. H. 6

100. 70-2000ft

10/30/64

R. 1000
R. 1000



OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8603

December 21, 1931

PIERRE,

Tri State Ag, 1/2 Allen Possen, Joplin, MO 64501

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No.....		
Fee for inspecting Beneficial Use, and Issuing Water License No.....		
Fee for Issuing Location Certificate-Dry Draw, No.....		
Fee for filing <u>transfer of QR# 1684-3</u>	2.	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2.	50

WATER RIGHTS COMMISSION

By Wm. H. Nathan
Chief Engineer, Executive Officer

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 12-8-81

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

178 acres - S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T106N, R70W

formerly owned by Cable Land & Cattle Co.

has been transferred to Tri State Ag, -Chester, MT--59522--Allen Fossen, Joplin, MT 59531

(include RR or Box No. if applicable)

together with any rights to the beneficial use of water thereon as evidenced by

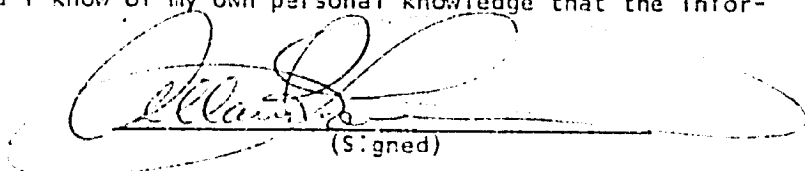
Water Right Permit No. 1684-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

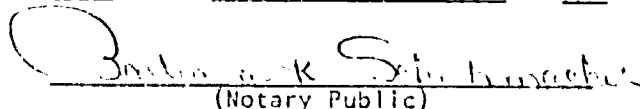
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of B. B. Hale) ss.

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


(Signed)

Subscribed and sworn to before me this 8 Day of December, 1981.


(Notary Public)

Water Rights Division
605 773-3352

1684-3
2619-3

January 18, 1983

To whom it may concern:

This is to certify that Tri Statu Ag is the current holder of certain water rights as follows:

Water License No. 1684-3 calling for the diversion of 1.9 cfs to irrigate 178 acres in the $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ and $\frac{1}{2}$ SE $\frac{1}{4}$, Section 28, T106N, R70W, bearing the priority date of June 6, 1969.

Water License No. 2619-3 calling for the diversion of 3.53 cfs to irrigate 247 acres in the $\frac{1}{2}$ NW $\frac{1}{4}$, $\frac{1}{2}$ NE $\frac{1}{4}$ and $\frac{1}{2}$ SE $\frac{1}{4}$, Section 3 and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, T106N, R71W.

Both of these are considered valid water rights by the Water Management Board.

Inquiry was also made as to availability of water from the Missouri River for irrigation in South Dakota. We anticipate no problem in obtaining permits from this source.

If more data is required, feel free to contact this office.

Sincerely,

BURTON F JONES
Water Rights Specialist

BFJ:ks

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

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

April 15, 1985

Tri State Ag
%Allen Fossen
Joplin MT 59531

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

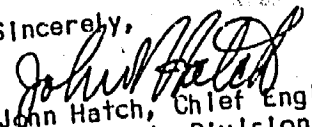
Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 1684-3 & 2619-3. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires 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 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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). 1684-3 & 2619-3 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.

Sincerely,


John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

June 12, 1985

Notice or Amendment to Water Permit(s)

To: Tri State Ag
Allen Fossen
Joplin, MT 59531

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352



SUBJECT: Amendment to Water Permit No(s). 1684-3 & 2619-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1684-3 & 2619-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 1684-3 & 2619-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1684-3 & 2619-3 to add the following qualification:

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



Department of Water & Natural Resources

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

March 26, 1986

NOTICE

Tri State Ag
c/o Allen Fossen
Joplin, MT 59531

Re: Violation of Water Permit No(s). 1684-3

Our records indicate that the 1985 Irrigation Questionnaire has not been received for Water Permit No(s). 1684-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1684-3 qualification:

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

The hearing(s) will be at 2:00 p.m., May 14, 1986, Joe Foss Building, Room 216, Pierre, South Dakota. The hearing(s) 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. Suspend Permit No(s). 1684-3 until either the 1985 Questionnaire is submitted or for a period of up to one 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.

Sincerely,

John Hatch, Chief Engineer
Water Rights Division
(605) 773-3552

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of Water & Natural Resources

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

May 16, 1986

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Tri State Ag
% Allen Fossen
Joplin MT 59531

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

*John Hatch
by Del Berg*

SUBJECT: One Year Suspension of Water Permit No(s). 1684-3
If the 1985 Irrigation Questionnaire Is Not Received By
June 1, 1986

Pursuant to the provisions of the notice dated March 26, 1986 and following the Hearing May 14, 1986, the Water Management Board ordered:

That Water Permit No(s). 1684-3 be suspended until December 31, 1986, unless the required 1985 Irrigation Water Use Questionnaire is received by June 1, 1986.

Suspension of a permit means water may not be pumped during the 1986 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

Equal Opportunity Employer

Conversation or File Documentation

NAME OF PERSON OR FILE: T. Stak AG

ADDRESS: _____ COUNTY Buffalo

DATE: 7/8/86 TELEPHONE _____

RE: Suspended Permit

COMMENTS:

No irrigator could be seen at the time (inspiration)

Two points could be seen on the land and crop

2619

(see also report on 9357-3).

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.

1684-3 TRI STATE AG

GLEN FOSSEN

Deerlin MT 59531

BUFFALO

GROUND WATER - CROW CREEK AQUIFER

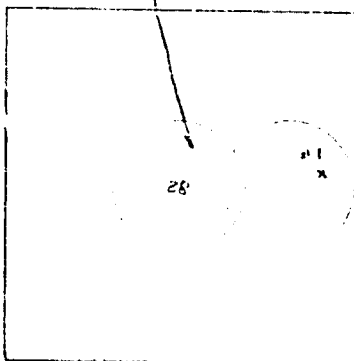
T106N R70W SEC 28

1684-3

100 AC

178 ACRES

22 AC OVERLAP - 2 - 100 ACRE PLOTS



PERMIT IS LISCENSED.

FAILED TO REPORT 1985 WATER USE.

NEED TO CHECK OUT -

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS





Department of Water & Natural Resources

Joe Foss Building

523 East Capitol

Pierre, South Dakota 57501-3181

(605) 773-3352

1684-3

January 7, 1988

:

LeRoy Volmer
Box 939
Pierre, SD 57501

Dear Mr. Volmer:

Enclosed are copies of Water Right Nos. 1684-3 and 2619-3. You indicated during our telephone conversation that the land was in the process of being sold. Please inform the "new" owner(s) that they will need to file a "Notice of Transfer" with our office to have the water rights changed over to their name.

If you have any questions, please contact me.

Sincerely,

GENNY MCMATH
Natural Resources Analyst

enclosure



Department of Water & Natural Resources

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

February 6, 1989

1684-3

Paul Daly
HCR 69 Box 20
Ft. Thompson, SD 57339

Dear Mr. Daly:

I am contacting you in regard to Water Right No. 1684-3 currently listed in the name of Tri State Ag. I have contacted the Buffalo County Assessor's Office to determine ownership of the land covered under this water right. They indicated that you now own the land. Enclosed is a copy of the water right for your review.

Also, enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1684-3. Please complete the form, sign in the presence of a notary and return the form to our office. A \$2.50 filing fee is required for filing the transfer form. Upon receipt of the completed "Notice of Transfer" form and the \$2.50 filing fee in our office, Water Right No. 1684-3 will be transferred to your name.

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

If you have any questions, please contact us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure





NO. 1684-3

NOTICE OF TRANSFER OF WATER PERMIT

Water Rights
Foss Building
Pierre, SD 57501

Date: February 13, 1989

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

178 acres - S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, T106N, R70W

formerly owned by Tri State Ag

has been transferred to Paul Daly Star Route Box 20, Fort Thompson, South Dakota 57339
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1684-3 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.

STATE OF SOUTH DAKOTA)
County of Buffalo) ss.

I, Paul Daly 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.

Paul Daly
(Signed)

Subscribed and sworn to before me this 13th Day of February, 1989.

Steven A. McLaughlin
(Notary Public)

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181



February 15, 1989

1684-3

Paul Daly
SR Box 20
Ft Thompson, SD 57339

Dear Mr. Daly:

This will acknowledge receipt of the "Notice of Transfer" form you submitted for use in filing an ownership change on Water Right No. 1684-3. The form was completed properly, however, can not be filed for record without a \$2.50 filing fee.

Please remit the \$2.50 as soon as possible. Processing of the transfer will done upon receipt of the fee. If you have any questions, please contact me.

Sincerely,

Genny McMath
GENNY MCMATH
Natural Resources Analyst
(605) 773-3352



RECEIPT

Division of Water Rights

411646

South Dakota Department of Water and Natural Resources

Pierre, February 23, 1989

RECEIVED OF Paul & Mary Daly, RR 2, Box 20, Fort Thompson, SD 57339

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 Permit No. 1684-3</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 W. S. Hatch / DWA
Chief Engineer



Department of Water & Natural Resources

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

March 16, 1989

Paul & Mary Daly
RR 2, Box 20
Fort Thompson, SD 57339

Dear Mr. & Mrs. Daly:

Enclosed is Receipt No. 411646 in the amount of \$2.50 which you paid for transfer of Water Right No. 1684-3.

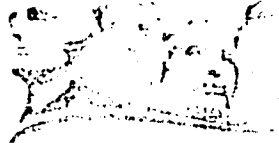
Our records now reflect you as the owner of this Water Right.

Sincerely,

A handwritten signature in cursive script that reads "Marie R. Arthur". The signature is written in dark ink and is positioned below the word "Sincerely,".

Marie R. Arthur
Secretary
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

PAUL DALY
ST RT BOX 20
FT THOMPSON SD 57339

DEPARTMENT OF WATER & NATURAL RESOURCES

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

1684-3

NOTICE

RE: Violation of Water Permit No(s) 1684-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 1684-3. 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 permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 1684-3 qualification:

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

The hearing will be held at 9:15 am, 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, the Water Management Board can:

1. Suspend Permit No(s) 1684-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to two years;
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 February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)							
3. Article Addressed to: PAUL DALY ST RT BOX 20 FT THOMPSON SD 57339	4. Article Number P 694 057 401 Type of Service: <table border="0"> <tr> <td>☐ Registered</td> <td>☐ Insured</td> </tr> <tr> <td>☒ Certified</td> <td>☐ COD</td> </tr> <tr> <td>☐ Express Mail</td> <td>☐ Return Receipt for Merchandise</td> </tr> </table> Always obtain signature of addressee or agent and DATE DELIVERED.	☐ Registered	☐ Insured	☒ Certified	☐ COD	☐ Express Mail	☐ Return Receipt for Merchandise
☐ Registered	☐ Insured						
☒ Certified	☐ COD						
☐ Express Mail	☐ Return Receipt for Merchandise						
5. Signature — Addressee X	8. Addressee's Address (ONLY if requested and fee paid)						
6. Signature — Agent X <i>Kathleen Ellsworth</i>							
7. Date of Delivery 2-08-71							

South Dakota



GREAT FACES. GREAT PLACES.

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

1684-3

February 19, 1991

(1684-3)
2742-3

Paul & Mary Daly
HCR 69 Box 20
Ft Thompson, SD 57339

Dear Mr. & Mrs. Daly:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Permit Nos. 1684-3 and 2742-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. 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



Department of Water & Natural Resources

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

November 28, 1990

1684-3
2742-3

Paul & Mary Daly
HCR 69 Box 20
Ft Thompson, SD 57339

Dear Mr. & Mrs. Daly:

Enclosed are your 1990 irrigation questionnaires pertaining to Water Right No. 1684-3 and Water Permit No. 2742-3. The questionnaire pertaining to No. 2742-3 indicates irrigation did take place in 1990. In order for us to calculate the amount of water used during 1990, you will need to complete the questionnaires.

The following is a summary of No. 1684-3 and 2742-3:

Water Right No. 1684-3 authorizes irrigation of 178 acres in portions of Section 28, T106N, R70W from a 53' deep well.

Water Permit No. 2742-3 authorizes irrigation of 150 acres in the SE 1/4 Section 7, T107N, R12W from the Missouri River.

Please complete the questionnaires and return them to us before December 21, 1990. If you have any questions or need assistance in completing the forms, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures



1684-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCESJOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

January 29, 1993

NOTICE

TO: PAUL DALY
HCR 69 BOX 20
FT THOMPSON SD 57339FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 1684-3

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1684-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1684-3 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1684-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and or 2 for additional services.
- Complete items 3, and 4 & 5 b.
- Print your name and address on the reverse of this form so that we can return this card to you
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

1684-3

PAUL DALY
HCR 69 BOX 20
FT THOMPSON SD 57339

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

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

Consult postmaster for fee.

4a. Article Number

906 520 141

4b. Service Type

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

7. Date of Delivery

2-16-93

5. Signature (Addressee)

Paul Daly

6. Signature (Agent)

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

Thank you for using Return Receipt Service.



1684-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 4, 1993

1684-3
2742-3

Paul Daly
HCR 69 Box 20
FT Thompson, SD 57339

Dear Mr. Daly:

I am writing to acknowledge receipt your 1992 irrigation questionnaires for Water Right Nos. 1684-3 and 2742-3. You may disregard the January 29, 1993, Notice of Violation of Water Permit and Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

The questionnaires were received prior to the Water Management Board meeting, and your name was deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



1684-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

PAUL DALY
PO BOX 379
FT THOMPSON SD 57339-0379

NOTICE

RE: Violation of Water Permit No(s) 2742-3, 1684-3 and 1993 Irrigation Questionnaire Requirements

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 2742-3, 1684-3. The request for the Questionnaires was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2742-3 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) 1684-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1684-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2742-3 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 April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

1. ☒ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

PAUL DALY
PO BOX 379
FT THOMPSON SD 57339-0379

1684-3

4a. Article Number

P8371692581

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-18-94

5. Signature (Addressee)

Paul Daly

6. Signature (Agent)

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

Thank you for using Return Receipt Service.

PS Form 3811, December 1991 * U.S.G.P.O.: 1992-307-530

DOMESTIC RETURN RECEIPT



1684-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 1994

NOTICE

TO: PAUL DALY
PO BOX 379
FT THOMPSON, SD 57339-0379

FROM: Ron Duvall, Natural Resources Engineer IV
For John Hatch, Chief Engineer,
Water Rights Division
(605) 773-3352 

SUBJECT: April 6, 1994 Water Management Board Meeting --
Irrigation Questionnaire Violation(s)
RE: 1684-3, 2742-3

On February 16, 1994, a notice was sent to you concerning submission of the 1993 irrigation questionnaire(s). The time and location of the April 6th hearing have been changed.

The hearing is now scheduled as follows:

9:30 a.m., April 6, 1994, in the Conference Room of
the Floyd Matthew Training Center, Joe Foss Building,
523 E Capitol, Pierre, SD.

All other provisions of the February 16th notice still apply. If the questionnaire(s) are received in this office prior to April 1, 1994, your name will be deleted from the agenda.

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

CERTIFICATION

I hereby certify that on March 9, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 9, 1994, regarding April 6, 1994, Water Management Board Meeting -- Irrigation Questionnaire Violation(s) on the following Water Rights/Permits and addresses as stated below:

- 2709-3: Alex A./Ann L. Falk, 1301 N. 4th St., Aberdeen, SD 57401.
2763-3 & 4281-3: Alfred LaCroix, Jr., RR 1, Box 350, Jefferson, SD 57038.
5238-3 & 2520-3: B. Deloris Jensen, RR 2, Box 107, Beresford, SD 57004-9578.
2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
1677A-3: Burnett Quam, RR 1, Box 222, Elk Point, SD 57025.
1814-3: Caroline & Garry S. Kerkvliet, RFD 2, Box 145, Castlewood, SD 57223.
4773-3 & 1880-3: City of Brookings, Theodore Kryger, F.O., P.O. Box 270, Brookings, SD 57006-0270.
180-3 & 291-3: Craig Flyger, RR 1, Box 22, Parker, SD 57053.
1076-2, 1236-2 & 2167-2: Dale Heese, HCR 88, Box 36, Millboro, SD 57580-7417.
1488-2: Dan Donelan, HCR 33, Box 23, Mission Ridge, SD 57532.
417-1A & 417-1B: Darrell C. Anderson, 1700 Kings Rd., Rapid City, SD 57702.
540-2: Darrell E. Heldman, Box 402, Edgemont, SD 57735.
1503-2: Dave Hemmingson, HCR 3, Box 11, Philip, SD 57567.
792-1: David L. & Mary Lou Mollman, HC 63, Box 62, Ludlow, SD 57755.
4093-3: Dell Rapids Golf & Rec Assoc, Mike Solem, Box 165, Dell Rapids, SD 57022.
2394-3 & 2395-3: Dennis Jones, RR 1, Box 55, Bath, SD 57427.
1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
1556-3: Ed & Dale Fawcett, Inc., Box 3D, Ree Heights, SD 57371.
1555-3: Ed & Dale Fawcett, Inc., HCR 64, Box 155, Miller, SD 57362.
2622-3: Evelyn Bernard, RR 1, Box 35, Jefferson, SD 57038.
526-2: Fred & Dan McFarland, P.O. Box 2110, Rapid City, SD 57709.
1390A-1: Fred W. Carlson, 716 10th Ave., Belle Fourche, SD 57717.
3026-3: G. Waldner, Hillcrest Colony, Box 17, Garden City, SD 57236.
1291-3 & 2474-3: Gary Hanson, Operator, RR 2, Box 224, Elk Point, SD 57025.
407-2, 408-2 & 409-2: Gerrit DeJong, HCR 81, Box 50, Kennebec, SD 57544-9503.
4209-3: Harold Nelson & Son, RR 2, Box 156, Yankton, SD 57078.
5315-3: Hillcrest Golf/Country Club, T. Cihak, President, 2206 Mulberry, Yankton, SD 57078.
2595-3 & 4379-3: James B. Zell, Rt 1, Box 350, Cavour, SD 57324.
4687-3A & 4687-3B: James L. Sutton, Box 33, Onida, SD 57564.
5203-3: Jeffery O. & Sally J. Nelson, RR 2, Box 2080, Brandon, SD 57005-9606.
475-2 & 1114-2: John Pitkin, Rex Ranch, Box 92, Nenzel, SD 69219.
961-3, 1050-3, 1120-3 & 1223-3: Kevin Dettler, HC 71, Box 29, Doland, SD 57436.

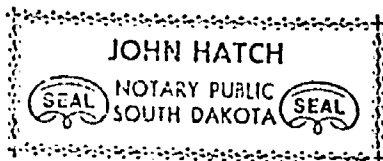
4524-3 & 4524-3A: Leon Lengkeek, 1605 Buffalo TR, Brookings, SD 57006.
 4443-3: Lonnie H. Nelson, RR 2, Box 156, Yankton, SD 57078.
 5010-3: Loren & Joyce Forrest, RR 1, Box 213, Laverne, MN 56156.
 156-3, 157-3, 164-3 & 1878-3: Marene Flyger, Box 362, Hurley, SD 57036.
 2242-3: Mark Quam, RR 2, Box 456, Elk Point, SD 57025.
 1523-2 & 1525-2: May & Sons, Inc., HC 53, Box 21, Interior, SD 57750.
 3550-3: Melvin A. Schmidt, Rt 2, Box 127, Parker, SD 57053.
 1714-2 & 2063-2, 400-2 & 401-2: Melvin E. Brassfield, Box 24, Caputa, SD 57725.
 5353-3: Michael A. Koslowski, RR 1, Box 44, Waubay, SD 57273.
 4910A-3: Michael L. Kreber, RR 1, Box 89, Tabor, SD 57063.
 2120-2: Mick Zink, HC 88, Box 51, Wewela, SD 57578.
 5205-3: Oahe Shores Golf Association, Dennis Moser, P.O. Box 174, Pollock, SD 57648.
 1684-3 & 2742-3: Paul Daly, P.O. Box 379, Ft. Thompson, SD 57339-0379.
 5736-3: Robert Streeter, 2645 Country VW, Monroe, WI 53566.
 235-3: Russell Doolittle, RR 1, Box 53, Wolsey, SD 57384.
 1264-3A: Steffen Brothers, Inc., HCR 37, Box 132, Pierre, SD 57501-9514.
 424-1: Steve Smeenk, Rt 1, Box 134, Newell, SD 57760.
 399-2: Thomas & Robin Jagow, HC 56, Box 39, Buffalo Gap, SD 57722.
 5225-3: Town of Pollock, Lila Renner, F.O., P.O. Box 57, Pollock, SD 57648-0057.
 925-1: Warren N. Gollither, RR 1, Box 237D, Spearfish, SD 57783.
 897-2: Wilbert & Judith Ohlmann, HCR 69, Box 663, Midland, SD 57552.
 1402A-2: William & James O'Kief, HC 68, Box 32, Wood Lake, NE 69221.
 4646A-3: William A. Stoddard, 821 S. Walts Ave., Sioux Falls, SD 57104.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1994.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



1684-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 21, 1994

1684-3
2742-3

Paul Daly
PO Box 379
Ft Thompson, SD 57339-0379

Dear Mr. Daly:

I am writing to acknowledge receipt of your 1993 irrigation questionnaires. You may disregard the February 10, 1994, Notice of Violation of Water Permit Nos. 1684-3 and 2742-3 and the Irrigation Questionnaire Requirements.

The questionnaires were completed and in the office prior to the Water Management Board meeting and your name has been deleted from the agenda. As requested, future irrigation questionnaires will be directed to John Daly, Pukwana, SD.

If you have any questions, please contact me.

Sincerely,

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

cc: John Daly, RR, Pukwana, SD 57370



1684-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 1995

JOHN DALY, OPERATOR
RR
PUKWANA SD 57370

NOTICE

RE: Violation of Water Permit No(s) 2742-3, 1684-3 and 1994 Irrigation Questionnaire Requirements

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 2742-3, 1684-3. The request for the Questionnaires was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2742-3 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) 1684-3 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1684-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2742-3 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 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

CC: PAUL & JULIE DALY, PO BOX 379, FT THOMPSON, SD 57339

ed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

W/684-3

JOHN DALY, OPERATOR
RR
PUKWANA, SD 57370

4a. Article Number

P757566285

4b. Service Type

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

7. Date of Delivery

02/08/95

5. Signature (Addressee)

6. Signature (Agent)

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

Is your RETURN /

PS Form 3811, December 1991 U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

ed on the reverse side?

SENDER:

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

3. Article Addressed to:

1684-3

PAUL DALY
PO BOX 379
FT THOMPSON, SD 57339 0379

Is your RETURN?

5. Signature (Addressee)

Paul Daly

6. Signature (Agent)

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

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 757 566 287

4b. Service Type

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

7. Date of Delivery

2-09-95

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

PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

1684-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 1995

1684-3

2742-3

John Daly
RR
Pukwana, SD 57370

Dear Mr. Daly:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires. You may disregard the February 7, 1995, Notice of Violation of Water Permit Nos 1684-3 & 2742-3 and the 1994 Irrigation Questionnaire Requirements.

The questionnaires were 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,

A handwritten signature in cursive script that reads "Genny McMath".

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

c: Paul & Julie Daly, PO Box 379, Ft Thompson, SD 57339-0379



January 16, 2002

NOTICE

1684-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

TO: JOHN DALY, OPERATOR, RR, PUKWANA, SD 57370
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. 1684-3, 2742-3. 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) 2742-3 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) 1684-3 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) 1684-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2742-3 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.

c: PAUL OR JULIE DALY, BOX 379, FT THOMPSON, SD 57339

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

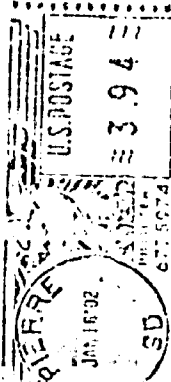
PIERRE SOUTH DAKOTA 57501-3182

TEMP RETURN SERVICE REQUESTED

CERTIFIED MAIL



7001 2510 0004 4797 5820



FOE

☒ RETURN CHECKED
☐ Moved, let's No Action
☐ Attempted - Not Known
☐ Undelivered
☐ No Such Site
☐ Refused
☐ Insufficient Address

Paul or Julie Daly
Box 379
Ft Thompson SD 57339

☐ Moved, let's No Action
☐ Unable To Forward
☐ Address Confirmed
☐ No Such Street
☐ Refused
☐ Insufficient Address



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:

JOHN DALY, OPERATOR
KR 1 Box 45
PUKWANA SD 57370

RECIPIENT: COMPLETE THIS SECTION

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

C. Signature *John Daly* ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes ☐ No

If YES, enter delivery address below:



3. Service Type
☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt for Merchandise
☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

2. A. 7001 2510 0004 4797 5820

PS Form 3811, July 1998

Domestic Return Receipt

102595-00-M-0952

1684-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2002

1684-3
2742-3

John Daly
RR 1 Box 45
Pukwana SD 57370

Dear Mr. Daly:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 1684-3 and 2742-3.

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

1684-3
2742-3

Julie Daly
1908 S Queen Ave
Sioux Falls, SD 57101

Dear Ms. Daly:

Enclosed, as we discussed, are copies of Water Right Nos. 1684-3 and 2742-3. I have included partially completed Notice of Transfer of Ownership forms in the event you need them.

If the ownership should be changed, the forms will need to be completed and then signed in the presence of a notary public. Upon completion, please return them to our office with a required filing fee of \$2.50 (each). The check or money order for the fees should be made payable to the Water Rights Program.

If you have any questions, please get in touch with me.

Sincerely,

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

enclosures

1684-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

John Daly
34662 236th St
Pukwana SD 57370

June 1, 2015

Dear Mr. Daly:

This letter is in regards to our recent telephone conversation concerning the results of my May 18, 2015 water permit inspection.

As I explained during the call, your irrigation system covered by Water Right No. 1684-3 and Water Permit Nos. 7039-3 and 7039A-3, combined, authorize the irrigation of 698 acres with an authorized diversion rate of 6.0 cfs (2693 gpm). Based upon what you have developed, there are 615 acres irrigated; 125 acres under No. 1684-3 and 490 acres under Nos. 7039-3 and 7039A-3. You have a total developed combined pump capacity from the two wells of 7.58 cfs (3400 gpm). As we discussed over the telephone you will need to file a new permit application to pick up the additional diversion authority of 1.58 cfs (707 gpm) to bring your water permits into compliance.

We discussed the possibility of applying for additional irrigated acres with the same application you are applying for the increased diversion authority. If the new irrigation is going to be part of the existing system and supplied from current two wells, then the increased acres can be included in the same application as the request for additional diversion authority. However, if the new irrigation will have a different source of water from the current system, then this will be a new project and will take a separate application. I'm enclosing a map showing what is currently developed, water permit application forms and an instruction sheet. Please complete application and submit it along with the appropriate fee. The application filing fee for just additional diversion rate authority is \$500. If additional acres are requested, the fee will be based on the number of acres (see instruction sheet)

Also, Water Right No. 1684-3 is still listed under Paul Daly. I am including a partially completed transfer form. Please complete and submit it with a \$50 transfer fee.

If you have any questions, please contact Eric Gronlund or myself at phone (605) 773-3352.

Sincerely,

Mark D. Rath
Natural Resources Engineer

enclosures

Water Rights Program - DENR

Conversation or File Documentation

Name of Person: John Daly **File No.** 1684-3 7039-3 and 7039A-3
Address: 34662 236th St, Pukwana SD 57370 **County:** Buffalo
Date: Oct 16, 2015 **Telephone:** 650-680-1354; cell
RE: Status of 1684-3, 7039-3 and 7039A-3

Comments: On May 18, 2015 I made an inspection of water permit Nos 7039-3 and 7039A-3 for John Daly. At that time he was considering adding an additional well and another center pivot. I sent him the application forms and a transfer form for No. 1684-3.

On October 16, 2015, Mr. Daly called me and said he decided he was not going to expand his irrigation system. He said will send in the transfer form for 1684-3. I told him, when that occurs, I will finish up my inspection report and will incorporate Nos. 1684-3, 7039-3 and 7039A-3 into a single license since all three utilize the same water source.



Mark D Rath
Natural Resources Engineer III

RECEIVED

OCT 19 2015

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1684-3

Date: 10/12/15

I/We request that Water Right No. 1684-3

formerly owned by: Paul Daly

be transferred to: (name & address)

John Daly 34662 236th ST

Puikwana SD 57370

Telephone No. 605-894-4192

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

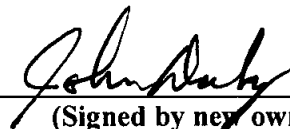
125 acres – SE 1/4 NW 1/4, NE 1/4 SW 1/4, S 1/2 NE 1/4, N 1/2 SE 1/4 Sec 28-T106N-R70W

I/We understand that the validity of Water Right No. 1684-3 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 John Daly, the new owner, certify that the above information is true and correct.



(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

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

October 20, 2015

1684-3

John Daly
34662 236th St
Pukwana SD 57370

Dear Mr. Daly:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 1684-3.

The ownership change has been completed. Water Right No. 1684-3 formerly held by Paul Daly is now listed in your name.

Enclosed for your records is Receipt No. 07511 in the amount of \$50. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/19, 20 15

RECEIVED OF Daly Farm Partnership 34662 236th St Pukwana SD 57370

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>1684-3</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. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 07511

By Jane Goodman
Chief Engineer



1684-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

APR 12 2016

8191-3

John Daly
34662 236th St
Pukwana SD 57370

Dear Mr. Daly:

Enclosed are Water Permit and Water License No. 8191-3. The water license is the final document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 8191-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

Note: The applicable portions of Nos. 1684-3, 7039-3 and 7039A-3 are incorporated into Water License No. 8191-3.