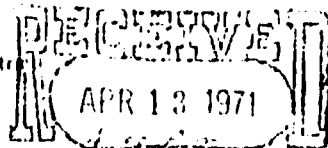


Water Right Number 1871-3

1. Considered _____ May 19 _____, 19 _____
2. Name of Applicant L.D. Warne
3. Post Office Address Onida, S.D.
4. Amount of water claimed 19.40
5. Source of water supply ground water well
6. Water to be used for irrigation
Acres to be irrigated 1,360.00
7. Water to be diverted and used in Sully County
about 6W 7S Onida Miles _____ of _____
8. Proof of Publication
Received 1st
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 1871-3
 Map No. 1326-3 Water Division No. 3 MISSOURI RIVER District
 (Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

SOUTH DAKOTA WATER RESOURCES COMMISSION

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant L.D. Warne
 Postoffice address Onida, State South Dakota
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
 3. Name of diversion work Warne Irrigation Project
 4. Amount of water claimed (cubic feet per second) 19.40
 5. Source of water supply RR ground water
 6. Location of point of diversion see attachment

County Sully

7. Annual period or periods during which water is to be used April thru October
 8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
 9. For irrigation use, Total number of acres to be irrigated 1,360

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Onida Watchmen, Onida, S.D.
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Wells

B. Works proposed to transport water to place of use.

mainline

C. Works proposed to apply water to beneficial use.

sprinkler system

Estimated Total Cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
) ss.
 County of Hughes)

I, L.D. Warne the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed L.D. WarneSubscribed and sworn to before me this 13th day of April 19 71

Betty Westlund
 Notary Public (or other qualified officer)
 Betty Westlund, Technical Assistant
 Water Resources Commission

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1871-3

L. D. WARNE
(Applicant)

ONIDA
(Post Office Address)

SOUTH DAKOTA
(State) With the following modifications:

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

Date of first receipt of application APRIL 13, 1971

Date of return to applicant for correction, amendments or changes required —, 19—

Date of receipt of corrected application —, 19—

Approved MAY 19, 1971, Recorded in Book 11 Page 346

WATER RIGHT PERMIT NO. 1871-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1871-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 13, 1971
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 19, 1973
3. The whole of said work is to be completed on or before MAY 19, 1976
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 19, 1980
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 19.40 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is

actually and beneficially applied for irrigation on or before MAY 19, 1980; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 25TH day of MAY, 1971

WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19—

Water License Issued —, 19—

L.D. Warne, Onida, S.D.

Lands to be Irrigated - All in T113N, R78W

		<u>Acres</u>
NW $\frac{1}{4}$	Section 17	160
W $\frac{1}{2}$ NE $\frac{1}{4}$	Section 17	80
E $\frac{1}{2}$	Section 16	320
NE $\frac{1}{4}$	Section 21	160
W $\frac{1}{2}$	Section 15	320
W $\frac{1}{2}$	Section 10	320
		1,360

DIVERSION POINTS: All in T113N, R78W

- #1 1320' North and 1320' West of the Center Section 10
- #2 950' West and 900' North of the SE Corner, Section 9
- #3 100' East and 260' North of the Center Section 16
- #4 120' South and 100' East of the N $\frac{1}{4}$ Corner, Section 21
- #5 1320' North and 750' West of the Center Section 15

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30, Depth 70'
- (2) Casing, Type steel (wood, concrete, steel, etc), Diameter 18" Thickness Std.
- (3) Perforated Screen.
Type slotted, Diameter _____, Length _____
- (4) Gravel Pack, Thickness 4", Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials sands and gravel

Depth to top of water bearing material 13' to 18'

Depth to bottom of water bearing material 30' - 40'

Thickness of water bearing material 20'

Depth to water (ground surface to water level) _____

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property _____ rds. On property owned by others 3/4 mile ~~xxxx~~

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

[Signature]
Signature of Applicant

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well 1/4 1/4 NE Section 17 Township 113 Range 78
 Well owner Joe L. G. G. G. (Address)
 Date well drilling completed June 26 Purpose of well (domestic, irrigation, municipal, industrial, other)

WELL LOG

Depth, top to top in feet	Description of layers	Depth to top of water producing aquifer
0-10	Top Soil	ft.
10-15	Clay	Depth to static water level <u>1.8</u> ft.
15-15	Heavy Sand	Name of producing aquifer (if known)
15-30	Gravel & Sand	Total depth of drill hole <u>51</u> ft.
30-38	Blue & Gray Silt	Depth to bottom of casing <u>51</u> ft.
38-49	Gravel with Clay	Casing information in the space below show kind, size, weight, length per diameter, etc. for production casing and surface casing, if used
	ungraded	
49-51	Rock	
49-51	B. Clay	Screen information in the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations
		<u>14" Johnson Turbine</u>
		<u>100 Slot Screen</u>

Attach sheet if more space is needed

If a flowing well, flow of completed well _____ G.P.M.

Robert Boring Co.
 Name of Drilling Contractor
Donald Baker

(2) PUMP INSTALLATION

Company name and size of pump _____ HP
 Type of pump _____ Capacity of installed pump _____ G.P.M.
 Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required. See Section 46.40B of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____

 Name of Pump Installation Contractor

1671-3

Publish first publication, on or before April 22, 19 71NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 15, 19 71Notice is hereby given that L.D. Warnewhose post office address is Onida, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 19.40 cubic feet of water per second of time from the ground water through the_____, the point of diversion of which ~~is~~^{are} to be located in the _____
Center of the NW $\frac{1}{4}$, Section 10; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16;
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21; and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, all in, Twp. 113N, Range 78W. Said water to be used for the purpose of providing irrigation on the following described land:W $\frac{1}{2}$, Section 10; W $\frac{1}{2}$, Section 15; E $\frac{1}{2}$, Section 16; NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 17;
and ME $\frac{1}{4}$, Section 21, all in T113N, R78WThis application No. 1671-3 will be considered by the Water Resources Commission at their office at Pierre upon the 19th day of May, 19 71, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: L.D. Warne, Onida, S.D. 57466

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Sully) ss.

Eleanor J. Thompson hereby

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

Water was taken from The Onida Watchman

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

City of Onida

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

April 22, 1971

April 29, 1971

May 6, 1971

May 13, 1971

Eleanor J. Thompson
(Signature)

Managing Editor
(Title)

May 20, 1971
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501
April 15, 1971

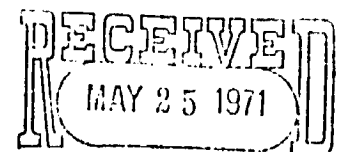
Notice is hereby given that
L.D. Warne whose post office
address is Onida, South Dakota,
has made an application in
accordance with the provisions of
the water laws of South Dakota
for a permit to appropriate for
beneficial use 19.40 cubic feet of
water per second of time from
ground water through the points
of diversion of which are to be
located in the Center of the NW¼,
Section 10; SE¼ SE¼, Section 9,
SW¼ NE¼, Section 16; NW¼
NE¼, Section 21; and SE¼ NW¼
of Section 17, all in Twp. 113N,
Range 78W. Said water to be used
for the purpose of providing
irrigation on the following
described land: W½, Section 10;
W½, Section 15; E½, Section 16;
NW¼ and W½ NE¼, Section 17;
and NE¼, Section 21, all in
T113N, R78W.

This application No. 1871-3
will be considered by the Water
Resources Commission at their
office at Pierre upon the 19th day
of May, 1971, at 2:00 P.M. All
interested persons may appear and
be heard.

Water Resources Commission

By: Burton F. Jones
Water Rights Specialist

11-14



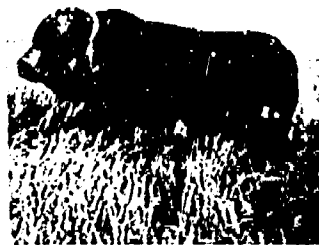
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA



Sully's Lancer 101,555

WARNE'S

APPALOOSA & HEREFORD RANCH
ONIDA, SOUTH DAKOTA 57564
PHONE 264-5533



13 Sept. 76

Dear Sirs:

Don't know if the enclosed form is still appropriate or not.

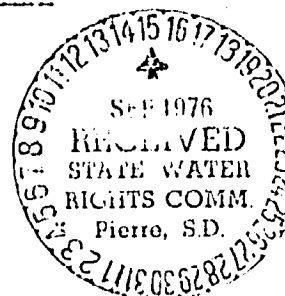
We completed well drilling & testing this spring, but actual irrigation was held up because of backlog of work by R.E.A. One pivot system on 160 acres now in operation being run by tractor power. Application number is 1871-13

Sincerely

Lee Warner

Form 10.

No. 1871-3



NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office ONIDA

Date 13 Sept. '76

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1871-3

Water Right Permit No. _____ states that the diversion system is to be constructed by _____, 19____ and that the water is to be put to beneficial use by _____, 19____.

The diversion system was completed on July, 1976. Applying the water to beneficial use was completed on July, 1976.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

L. R. Kame
(Signature)

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: 1 1/4 NE Section 17 Township 113 Range 78
 Well owner: Joe L. Lane (Name) Omaha (Address)
 Date well drilling completed: June 76 Purpose of well: (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer
0-2	Top Soil
2-6	Clay
6-15	dry Sand
15-20	Gravelly Clay
20-30	Blue silt
30-47	Clay + Gravel
47-49	Clay

Attach sheet if more space is needed

Depth to top of water producing aquifer _____ ft.
 Depth to static water level _____ ft.
 Name of producing aquifer (if known) _____
 Total depth of drill hole _____ ft.
 Depth to bottom of casing _____ ft.

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

8" 10' Steel Casing

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

16" Johnson Turbine
 100' Steel

If a flowing well, flow of complete well _____ G.P.M.

Drake Boring Co.
 Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump _____ HP
 Type of pump _____ Capacity of installed pump _____ G.P.M.
 Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.40D of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____

Name of Pump Installation Contractor

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well 1/4 1/4 NE Section 17 Township 113 Range 78

Well owner Lee Warr (Name) Quincy (Address)

Date well drilling completed June 27, 26 Purpose of well Domestic, irrigation, municipal, industrial, other

WELL LOG

Layers, top to bottom in feet	Description of layer	Depth to top of water producing aquifer	ft.
0-2	Top Soil	Depth to static water level	16
2-4	Clay & Sand	Name of producing aquifer (if known)	
4-15	Top Sand	Total depth of drill hole	51
15-34	Ground Sand	Depth to bottom of casing	51
34-40	Blue Sand - High	Casing information in the space below show kind, size, weight, lengths per diameter, etc. for production casing and surface casing, if used.	
40-49	Ground to water		
49-51	B. Clay	16" Steel Casing	
		16" 100 slot	
		Screen information in the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.	
		Johnston Traylor	
		16" 100 slot	
		If a flowing well, location of completed well	
		G.P.M.	

Attach sheet if more space is needed

If a flowing well, location of completed well

G.P.M.

Dakota Drilling Co.
(Name of Drilling Contractor)

Sam M. Allen

(2) PUMP INSTALLATION

Company name and size of pump

Type of pump Capacity of installed pump G.P.M.

Depth of pump placement ft. Date of pump installation

(3) WATER SURFACE MEASURING TUBE

On some wells, a water surface measuring tube is required. See Section 43.108 of Chapter 46-4, MINNAPOLIS WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed ft., tube diameter

tube material

Name of Pump Installation Contractor

L.O. WARD
1871-3



July 1871

3-6-81. Return
to Betty W's
file

5/29/80

Lee Warne came in & filed
out partially will be
sending in map, logs etc
as soon as test holes are dug.

Betty Westlund

Lee Warne has not started
digging test holes yet
but will start soon
in



No. _____

Map No. _____ Water Division No. _____ District _____

Above for Office Use

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

4:00 P.M.

no fee
no map

Check one of the following:

New ☒ Vested Right _____ Future Use _____Change in Diversion _____ Additional Diversion ☒ _____Change in Acreage _____ Additional Acreage ☒ _____1. Name of Applicant Lee Warne Phone No. 264-5533Post Office Address Box 735 Onida State South Dakota 57564
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract3. Name of diversion work Warne Irrigation Project4. Amount of water claimed (cubic feet per second) 2.25. Source of water supply Groundwater

6. Location of point of diversion _____

County Sully7. Annual period or periods during which water is to be used May thru September

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) _____

9. For irrigation use. Total number of acres to be irrigated 154 (310 total)

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SW $\frac{1}{4}$, Sec. 9-T113N-R78W	154		
NE $\frac{1}{4}$, Sec. 16-T113N-R78W	156		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water _____

12. Principal Features of the Proposed Water Supply System

A. Works proposed to divert water from its natural source.

pumps, and well

B. Works proposed to transport water to place of use.

PVC pipe

C. Works proposed to apply water to beneficial use.

Flood irrigation and sprinkler system

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)

County of Hughes) ss.I, Lee Warne the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Lee WarneSubscribed and sworn to before me this 29th day of May, 19 80
Betty Westlund
 Notary Public (or other qualified officer)
 BETTY WESTLUND, Water Rights Specialist

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No _____

(Applicant)

(Post Office Address)

(State)

With the following qualifications

Date of first receipt of application _____, 19____
Date of return to applicant for correction, amendments or changes required _____, 19____
Date of receipt of corrected application _____, 19____
Approved _____, 19____, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. _____

The Water Management Board hereby grants and issues this Water Right Permit No. _____ authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is _____, 19____
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____, 19____
3. The whole of said work is to be completed on or before _____, 19____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____, 19____
5. The water appropriated shall be used for the purpose of _____

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed _____ cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before _____, 19____; said water to be used during the following described annual period: _____

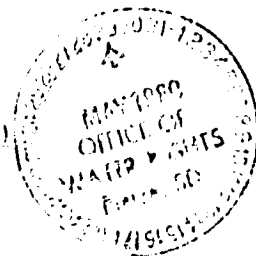
Witness my hand this _____ day of _____, 19____

THE WATER MANAGEMENT BOARD

By _____
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____



No. _____

Map No. _____ Water Division No. _____ District _____

Above for Office Use

4:00 P.M.

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

Check one of the following:

New ☒ Vested Right _____ Future Use _____Change in Diversion _____ Additional Diversion ☒ _____Change in Acreage _____ Additional Acreage ☒ _____1. Name of Applicant Lee Varne Phone No. 264-5533Post Office Address Box 735 Onida State South Dakota 57341 (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract3. Name of diversion work Varne Irrigation Project4. Amount of water claimed (cubic feet per second) 2.25. Source of water supply Groundwater

6. Location of point of diversion _____

_____ County Sully7. Annual period or periods during which water is to be used May thru September

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) _____

9. For irrigation use, Total number of acres to be irrigated 154 (500 total)

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

Land Description	No. Acres Irr.
<u>SW 1/4, Sec. 9-T113N-R78W</u>	<u>154</u>
<u>NE 1/4, Sec. 16-T113N-R78W</u>	<u>156</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water _____

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source
pumps, and wellB. Works proposed to transport water to place of use.
PVC pipeC. Works proposed to apply water to beneficial use.
Flood irrigation and sprinkler system

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)
County of Hughes) ss.I, Lee Varne the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Betty WestlundSubscribed and sworn to before me this 20th day of May, 19 80Betty Westlund
Notary Public (or other qualified officer)
BETTY WESTLUND, Water Rights Specialist

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. _____

(Applicant)

(Post Office Address)

With the following qualifications

(State)

Date of first receipt of application _____, 19____

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application _____, 19____

Approved _____, 19____, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. _____

The Water Management Board hereby grants and issues this Water Right Permit No. _____ authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is _____, 19____
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____, 19____
3. The whole of said work is to be completed on or before _____, 19____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____, 19____
5. The water appropriated shall be used for the purpose of _____

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed _____ cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before _____, 19____; said water to be used during the following described annual period: _____

Witness my hand this _____ day of _____, 19____

THE WATER MANAGEMENT BOARD

By _____
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

6-2-81

PERMIT 1871-3 AUTHORIZES
USE OF 19.4 CFS FROM 5 WELLS
TO IRRIGATE 1360 ACRES.

ACTUAL DEVELOPMENT IS ONLY
FOR LAND IN N², SECTION 17.

PERMIT WAS ISSUED FOR ONE
WELL ON THIS LOCATION, WITH
OTHE WELLS ALL OUTSIDE OF
THIS DESCRIBED LAND

QUESTION: CAN WE CONSIDER
THIS AS A CHANGE IN POINTS
OF DIVERSION TO ENCOMPASS
THE 4 WELLS CONSTRUCTED ON
THE ABOVE LAND AND ISSUE
THE PERMIT FOR THE 240
ACRES AT 1.88 CFS RATE, AND
IN EFFECT CANCEL OUT THE
REST OF THE PERMIT?

1871-3 L. De Worne.

3-18-81 To the L. D. De Worne.

They may irrigate in the NW 1/4 W 1/2
N.E. 1/4 Sec 17, T143N R18W.

It calls for one well in the area
and they have applied to me
the Com. Sec. They also want
to apply for more wells and
acres not on 1871-3. I told
him he needed to apply for the
extra wells in the 11 and maybe
as well put all of the new land
and wells he planned on putting
in under the new patent and
combine it with 1871-3 which I
did not do because of the date.
I have listed.

He said he and Maxson would
(over)

would come in a couple of
weeks to set up the new application.
I let him to bring in some
more.

WATER RIGHTS DIVISION
(605) 773-3352

December 21, 1982

Randy Warne
Box 735
Onida, South Dakota 57564

Dear Mr. Warne:

This letter is in response to the 1982 Irrigation Questionnaire you submitted for Water Permit No. 1871-3 listed in the name of L. D. Warne.

You indicated on the data sheet that any future questionnaires were to be sent to you. Did you want the permit transferred to you or did your statement imply that only the yearly Irrigation questionnaire be sent to you?

Please advise this office as to your intent. A postage paid envelope is enclosed for your reply.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.



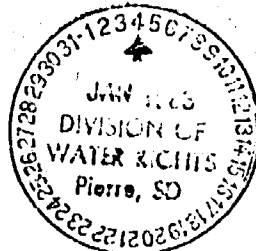
Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

1871-3

December 21, 1982



Randy Warne
Box 735
Onida, South Dakota 57564

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This letter is in response to the 1982 Irrigation Questionnaire you submitted for Water Permit No. 1871-3 listed in the name of L. D. Warne.

You indicated on the data sheet that any future questionnaires were to be sent to you. Did you want the permit transferred to you or did your statement imply that only the yearly irrigation questionnaire be sent to you?

Please advise this office as to your intent. A postage paid envelope is enclosed for your reply.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

*Please submit only the yearly
questionnaire at this time.*



Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Department of Water & Natural Resources

Division of Water Rights
605 773-3352

No. 1871-3

March 7, 1986

Randy Warne
RR, Box 735
Onida, South Dakota 57564

Dear Mr. Warne:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

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

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.



Department of Water & Natural Resources

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

September 2, 1986

Second Notice
Permit No. 1871-3

Randy Warne
RR, Box 735
Onida, South Dakota 57564

Dear Mr. Warne:

On March 7, 1986 notice was sent to you concerning the transfer of Water Permit No. 1871-3 in the name of L.D. Warne which covers irrigation of 1360 acres in the NW 1/4, W 1/2 NE 1/4 Section 17; E 1/2 Section 16; NE 1/4 Section 21; W 1/2 Section 15; W 1/2 Section 10; T113N-R78W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 required 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.

Very truly yours,

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

S509.WR

Conversation or File Documentation

NAME OF PERSON ~~OR FILE~~: Randy Warne
ADDRESS: RR Box 735, Oneda SD COUNTY _____
DATE: 9-15-86 TELEPHONE _____

RE: ownership of 1871-3

COMMENTS:

Mr. Warne called to state that he did not own the land - still should be listed under L.D. Warne. He indicated that, at present, he operated the land.

I told him I would make notation in the file to the effect that he operated & did not own land. I told him to toss the letter he received.

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.

1871-3

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

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

January 29, 1988

RANDY WARNE-OPERATOR
RR BOX 735
ONIDA, SD 57564

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

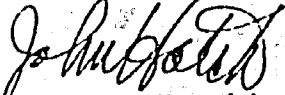
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1871-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 1871-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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


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

cc: L D Warne, Onida, SD 57564

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

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501-3101

February 9, 1988

1871-3

Randy Warne, Operator
RR Box 735
Onida SD 57564

Dear Mr. Warne:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 1871-3 and the hearing date before the Water Management Board.

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

Very truly yours,



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

cc: L. D. Warne
Onida SD 57564



Department of Water & Natural Resources

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

DEC 29 1989

5227-3

Randy Warne
RR 2, Box 735
Onida SD 57564

Dear Mr. Warne:

Enclosed is Reissued Water Permit No. 5227-3 and Water License No. 5227-3. The water permit was reissued to correct the priority date specified in the original permit issued March 10, 1989. The water license is the final right document completing your process of obtaining a Water Right. Enclosed is the Receipt which you paid for the inspection and issuance of the Water License.

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. 5227-3, 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.

Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Permit No. 1871-3 have been incorporated into this Water License No. 5227-3.