

Water Right Number 1909-3

1. Considered JANUARY 19, 1972
2. Name of Applicant L. B. KRIER
3. Post Office Address TRENT
4. Amount of Water claimed 2.00
5. Source of Water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 151
7. Water to be diverted and used in MOODY County
about 1 miles W of TRENT
8. Proof of Publication
Received ~~XXXX~~ OK
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 1909-3Map No. 1352-3 Water Division No. 3 Big Sioux River District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant James Lacey
Dell Rapids, SD 57022
 Postoffice address Dak
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) EMPLOYMENT OF OTHERS
3. Name of diversion work KRIER PROJECT #1
4. Amount of water claimed (cubic feet per second) 2.0
5. Source of water supply WELL
6. Location of point of diversion CENTER OF SE 1/4 - 10-105-49
- County Moody
7. Annual period or periods during which water is to be used MAY SEPTEMBER
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 151.7

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.
<u>NW 1/4 SE 1/4 10-105-49</u>	<u>39</u>		
<u>SW 1/4 SE 1/4 10-105-49</u>	<u>39</u>		
<u>NE 1/4 SE 1/4 10-105-49</u>	<u>39</u>		
<u>SE 1/4 SE 1/4 10-105-49</u>	<u>34.7</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication DELL RAPIDS TRIBUNE
12. Principal Features of the Proposed Water Supply System.

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

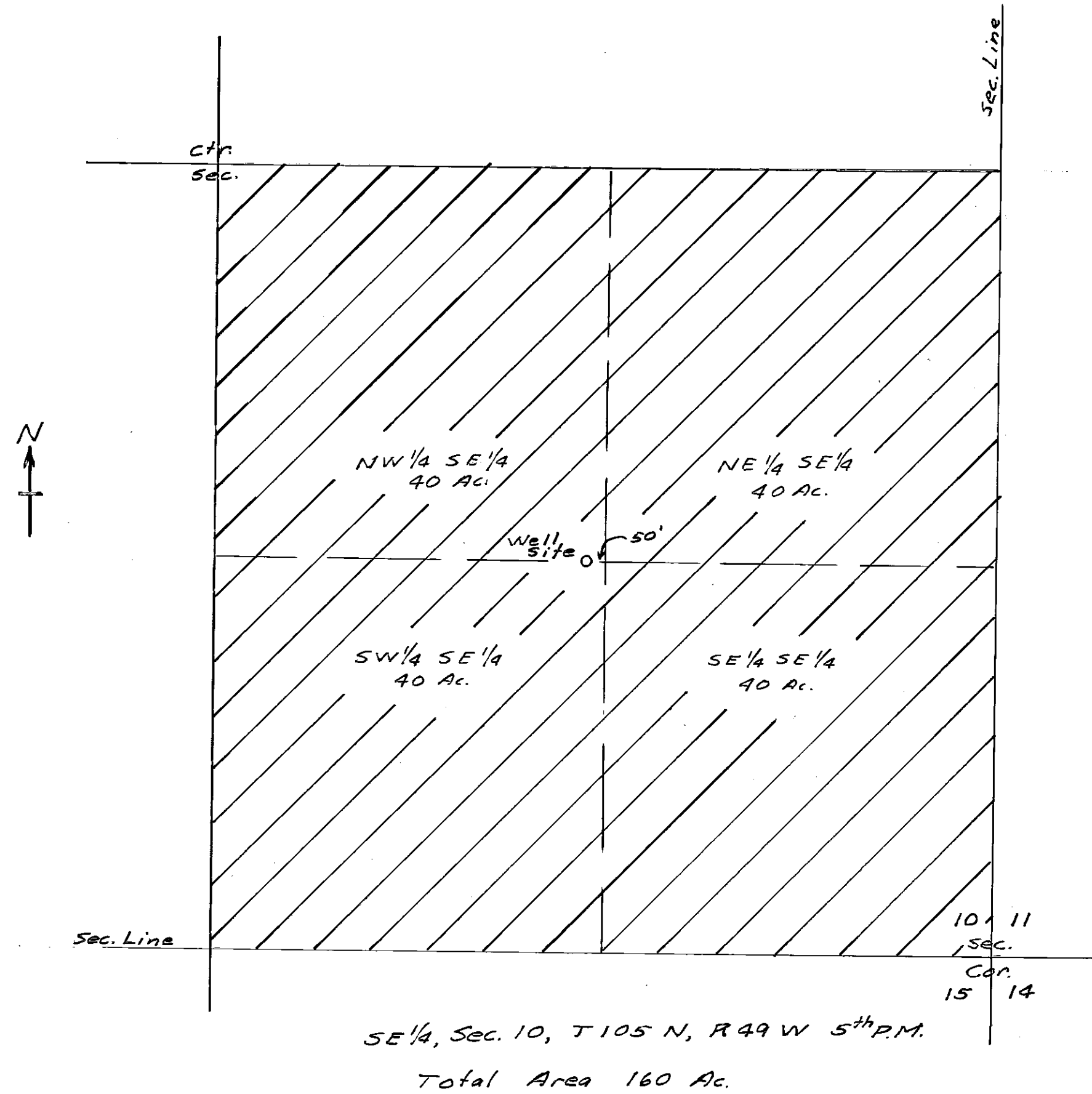
WELL-TURBINE PUMP

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

ALUMINUM PIPE-RUBBER HOSE

C. Works proposed to apply water to beneficial use.

VOLUME GUNEstimated Total Cost \$ 10,000.00Attachments: 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 Moody)I, L. B. Krier, 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. B. KrierSubscribed and sworn to before me this 30 day of November, 19 21[Signature]
Notary Public (or other qualified officer)



SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA }
COUNTY OF BROOKINGS }

I, Emory E. Johnson, a registered engineer and land surveyor, do certify that at the request of the owner, I prepared this map showing irrigable land in the property of the owner for which application for water right is being made and this map is a true representation thereof. In witness whereof, I have hereunto set my hand and seal this 1st day of December, 1971.

Emory E. Johnson
Registered Engineer and
Land Surveyor

STATE OF SOUTH DAKOTA }
COUNTY OF BROOKINGS }

On this 2nd day of December, 1971, before me, L.J. Larson, the undersigned officer, personally appeared Emory E. Johnson, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purpose therein contained. In witness whereof, I hereunto set my hand and official seal.

L.J. Larson
Notary Public

My commission expires Feb. 10, 1977.

MAP
SHOWING AREA AND PUMP SITE
FOR PERMIT TO APPROPRIATE WATER
L. B. KRIER OWNER
Scale 1"=400'

Dec. 1, 1971
Emory E. Johnson
Registered Engineer
and Land Surveyor

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1909-3

L.B. RRIER
(Applicant)

TRENT
(Post Office Address)

SOUTH DAKOTA With the following modifications:
(State)

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.

Date of first receipt of application DECEMBER 13, 19 71

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

Date of receipt of corrected application , 19

Approved JANUARY 19, 19 72, Recorded in Book 121 Page 63

WATER RIGHT PERMIT NO. 1909-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1909-3 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 DECEMBER 3, 19 71
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 19, 19 72
3. The whole of said work is to be completed on or before JANUARY 19, 19 73
4. The limit of time from present beneficial use of water appropriated in accordance herewith is JANUARY 19, 19 75
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 2.0 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 JANUARY 19, 19 75; said water to be used during the following described annual period: MAY - SEPTEMBER

Witness my hand this 24TH day of JANUARY, 19 72

WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued , 19

Water License Issued , 19

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 36", Depth 40'
- (2) Casing, Type STEEL Diameter 18" Thickness .200
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type SPRINGS, Diameter 18", Length 6'
- (4) Gravel Pack. Thickness 9", Length of gravel pack 20'

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 FAIRLY COARSE, CLEAN
GRAVEL WITH NO FINES

Depth to top of water bearing material 7'

Depth to bottom of water bearing material 40'

Thickness of water bearing material 33'

Depth to water (ground surface to water level) 5'

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

On same owner's property 60 rds. On property owned by others 160 rds.

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.

L. B. Krieser
Signature of Applicant

Form 15.

Permit No. 1909-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That L. B. Krier

_____ the holder _____ of
Permit No. 1909-3, issued upon Application No. 1909-3, bearing date of priority of December 3,
1971 authorizing the diversion of 2.0 cu. ft. per second of the waters of _____
ground water County of Hoody, State of South Dakota at _____
a point in the center of the SE $\frac{1}{4}$, Section 10, T105N, R49W
_____, for irrigation

_____ purposes, has 8 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.2 cu. ft. per second of water.

Date May 21, 1974

WATER RIGHTS COMMISSION

By:

DONALD DRISCOLL, Chief Engineer

WATER LICENSE NO. 1909-3

(1) WHEREAS, On the 3rd day of December A. D. 1971
L. B. Krier

made Water Right Application No. 1909-3 for a permit to use 2.0 cubic feet per second of the waters of ground water
County of Moody, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 24th day of January A. D. 1972
Permit No. 1909-3, with a date of priority of December 3, 1971
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 19th day of January A. D. 1973 and for the application to beneficial use of said water on or before the 19th 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 2.0 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 151.7 acres in the SE $\frac{1}{4}$, Section 10, T105N, R49W

(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 _____

L. B. Krier

_____ of _____

Trent, S.D.

the holder _____ and owner _____ of said permit No. **1909-3** water right, dating from **December 3, 1971**

_____ to use of **2.0** cubic feet per second of the waters of **ground water**

in the County of **Moody** and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at **a point in the center of the SE $\frac{1}{4}$, Section 10,**

T105N, R49W

and conduct to and upon **the SE $\frac{1}{4}$, Section 10, T105N, R49W**

for the purpose of **irrigation**

Subject to any limitations listed in Water Right Permit No. **1909-3** and subject to the laws of the State of South Dakota

WITNESS, My hand and seal of our office at Pierre, South Dakota

this **21st** day of **May** A. D.

Nineteen Hundred and **Seventy-four**

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer **DONALD DRISCOLL**

No. 1909-3Publish first publication, on or before December 23, 19 71NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 9, 19 71Notice is hereby given that L. B. Krierwhose post office address is Trent, 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 use2.0 cubic feet of water per second of time from the ground water through the Krier Project #1, the point of diversion of which is to be located in the _____NW 1/4 SE 1/4of Section 10, Twp. 105N, Range 49W. Said water to be used for the purpose

of providing irrigation on the following described land:

SE 1/4, Section 10, T105N, R49WThis application No. 1909-3 will be considered by the Water Resources Commission at their office atPierre upon the 19th day of January, 19 72, at 2:00 P. M. All interested persons may appear and be heard

WATER RESOURCES COMMISSION

By.

BURTON F. JOWNS, Water Rights Specialist

cc: L.B. Krier, Trent, S.D.

Form 8 - Proof of Publication - Notice of
Intent to Appropriately Water

No. 1909-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Minnehaha) ss.

I, Ernest M. Anderson hereby

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

Water was taken from the Beck Springs Aquifer

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Beck Springs Tribune

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

December 23, 1971

December 30, 1971

Jan 6, 1972

Jan 13, 1972

Ernest M. Anderson

(Signature)

Anderson

(Title)

1/14/72

(Date Signed)

NOTICE OF INTENT TO APPROPRIATE WATER
I, Ernest M. Anderson, of Pierre, South Dakota 57501,
do hereby give notice that I, Ernest M. Anderson,
Krier, whose post office address is Trent, South Dakota, has made an ap-
plication in accordance with the pro-
visions of the water laws of South Dakota
for a permit to appropriate for benefi-
cial use 2.0 cubic feet of water per sec-
ond of time from ground water through
the Krier Project #1, the point of di-
version of which is to be located in the
NW-1/4, SE-1/4 of Section 10, Twp.
105N, Range 49W. Said water to be
used for the purpose of providing ir-
rigation on the following described land:
SE-1/4, Section 10, T105N, R49W, S1/4.
This application No. 1909-3 will be
considered by the Water Resources
Commission at their office at Pierre
upon the 15th day of January, 1972, at
2:00 P.M. All interested persons may
appear and be heard.
Water Resources Commission
By Burton F. Jones
Water Rights Specialist
T-Dec. 23, 23, 30, Jan. 6, 73

JAN 24 1972

Permit No. 1909-3Water Division 3 BIG SIOUX RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

WATER RIGHTS COMMISSION

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 L.B. KRIER of TRENT holder
of Permit No. 1909-3, bearing date of priority of DECEMBER 3, 1971
authorizing the diversion of 2.0 cu. ft. per second of the waters of GROUND WATER
for IRRIGATION purposes, in MOODY 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:

40' DEEP WELL W/ 18" STEEL CASING
WESTERN LAND ROLLER 8" PUMP, POWERED BY
BOH. P. DIESEL MOTOR

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

4,500' OF 6" MAINLINE

C. Works used to apply water to beneficial use.

2 - BIG GUN TYPE SPRINKLER (500 G.P.M.)
660' OF 4 1/2" RUBBER HOSE
600' OF 4 1/2" " "

The system is in the following condition: VERY GOODThe point of diversion is located CENTER OF THE SE⁴ SECTION 10,
T105N, R49WThe works are capable of diverting and conveying to the place of use 2.2cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

SE⁴ SECTION 10, T105N, R49Wcomprising a total of 151.7 acres of land.Date APRIL 13, 1974

Clinton Jones
(Signature)
WATER RIGHT SPECIALIST
WATER RIGHTS COMMISSION

Form 20.

1.00

No. 1909-3



NOTICE OF TRANSFER OF WATER PERMIT

TO: **WATER RIGHTS COMMISSION**
State Office Building No. 2
Pierre, South Dakota 57501

Date Feb 28, 1975

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

SE $\frac{1}{4}$, Section 10, T105N, R49W

L. B. Krier, Trent, S.D.
formerly owned by

James Lacey, Dell Rapids, S.D.
has been transferred to

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1909-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of ~~Water Resources Commission~~ as evidence of the change of ownership.

WATER RIGHTS COMMISSION

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

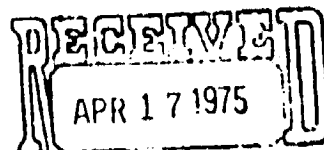
STATE OF SOUTH DAKOTA)
County of Meade) ss.

I, James J. Lacey 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.

James J. Lacey
(Signed)

Suscribed and sworn to before me this 3rd day of September, 1976

James A. Lohr
(Notary Public)
JAMES A. LOHR
NOTARY PUBLIC
SOUTH DAKOTA
My Commission Expires 12/31/76



STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA