

No. 2002-3Map No. 1417-3 Water Division No. 3 MISSOURI 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 Robert Brost
 Post office address Mundo 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) _____
3. Name of diversion work Brost Missouri River Project
4. Amount of water claimed (cubic feet per second) 8.0: 6.85
5. Source of water supply Missouri River
6. Location of point of diversion Between points 1540' East of the N $\frac{1}{2}$ Corner, Section 29, and 2100 ft. South of the center of Section 32, all in T108N, R73W
 Township N 73 W Range 73 W County Hughes
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 561.6 479.4

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.
All in T108N, R73W		SW $\frac{1}{4}$ SE $\frac{1}{4}$	145.2 82
Section 30, N $\frac{1}{2}$ NE $\frac{1}{4}$	80.0	Section 32, NW $\frac{1}{4}$	157.6
SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0		
Section 29, NW $\frac{1}{4}$	138.8		

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 Capitol Journal, Pierre, S.D.
12. Principal Features of the Proposed Water Supply System.

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

Pump and motor

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)
)
County of Hughes)I, Robert Brost 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 constructionSigned Robert BrostSubscribed and sworn to before me this 13th day of July 1973

Notary Public (or other qualified officer)

Betsy Westlund, Technical Assistant
Water Rights Commission

120 ACRES

138.8

(1-123)

30

157.6

145.2

29

62.9

OUT

(1-123)

169.7

108-73

N

157.6

(1-123)

47.2

32

200

108-73

WATER RIGHT APPLICATION APPROVAL

The Water ~~Commission~~ Commission hereby approves Water Right Application No. 2002-3

ROBERT BROST
(Applicant)

MURDO
(Post Office Address)

SOUTH DAKOTA
(State) With the following modifications:

Date of first receipt of application JULY 13 19 73

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

Date of receipt of corrected application — 19 —

Approved SEPTEMBER 12 19 73 Recorded in Book 12 Page 250

WATER RIGHT PERMIT NO. 2002-3

The Water ~~Commission~~ Commission hereby grants and issues this Water Right Permit No. 2002-3 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 JULY 13 19 73
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 12 19 76
3. The whole of said work is to be completed on or before SEPTEMBER 12 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 12 19 82
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 6.85 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 SEPTEMBER 12 19 82; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 14TH day of SEPTEMBER 19 73

~~WILLIAM H. HARRIS, Secretary~~

By: Franklin D. Dineen
Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —

J. 2002-3Publish first publication, on or before August 30, 1973NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 1, 1973Notice is hereby given that Robert Brostwhose post office address is Murdo, 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 use6.85 cubic feet of water per second of time from the Missouri River through theBrost Missouri River Project, the point of diversion of which is to be located betweenBetween points in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Twp. 108N, Range 73W. Said water to be used for the purpose of providing irrigation on portions of the following described land:NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 29; N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30; NW $\frac{1}{4}$, Section 32, all in T108N, R73WThis application No. 2002-3 will be considered by the Water ~~Resources~~ ^{Rights} Commission at ~~Pierre~~ ^{the Community} ~~Room of the Grant County Courthouse in Hillbank, S.D.~~ ^{Room of the Grant County Courthouse in Hillbank, S.D.}
upon the 12th day of September, 1973, at 2:00 P. M. All interested

persons may appear and be heard.

~~WATER RESOURCES COMMISSION~~
WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc: Robert Brost, Murdo, S.D. 57559

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

No. 2002-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Hughes)

I, John H. Hippie hereby

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

Water was taken from the Daily Capital Journal

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

city of Pierre

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

August 14, 1973;

August 21, 1973.

John H. Hippie
(Signature)

Business Manager
(Title)

August 21, 1973
(Date Signed)

No. 1161 - 21 dly - Aug. 14 - 21

App. No. 2002-3

Publish first publication, on or before August 30, 1973.

NOTICE INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 17, 1973

Notice is hereby given that

Robert Brost, whose post office

address is Murdo, South Dakota,

has made an application in ac-

cordance with the provisions of

the water laws of South Dakota

for a permit to appropriate for

beneficial use, 6.85 cubic feet of

water per second of time from the

Missouri River through the Bros

Missouri River Project, the point

of division of which is to be

located between points in the

NE 1/4 NE 1/4, Section 29, and in the

NW 1/4 SE 1/4 of Section 32, Twp.

108N, Range 73W. Said water to

be used for the purpose of provid-

ing irrigation on portions of the

following described land:

NW 1/4, W 1/2 SE 1/4, Section 29,

N 1/2 NE 1/4 and SE 1/4 NE 1/4, Sec-

tion 30, NW 1/4, Section 32, all

in T108N, R73W.

This application No. 2002-3 will

be considered by the Water Rights

Commission at the Community

Room of the Grant County Court-

house in Milbank, South Dakota,

upon the 12th day of September,

1973, at 2:00 P.M. All interested

persons may appear and be heard.

WATER RIGHTS COMMISSION

By: BURT F. JONES

Water Rights Specialist

RECEIVED
AUG 24 1973

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

4559-3
No. 2002-3



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

(605) 773-3352

December 23, 1980

Dowers Distillery, Inc.
P.O. Box 1238
Pierre, SD 57501

Dear Sirs:

Enclosed herewith is your Water Right Permit No. 4559-3 as approved by the Water Management Board authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 4559-3.

Also enclosed is FORM 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Management Board when you have completed the system and/or have put the water to beneficial use. The Board can then schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: bt

enclosure

NOTE: Permit No. 2002-3 has been cancelled. Portions of land and some adjoining acres from Permit No. 2002-3 have been included on Permit No. 4559-3.

WNR: 609-7/79

Forwarding Permit to Appropriate Water