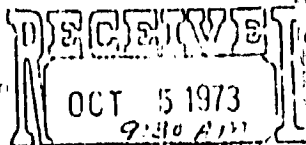


Water Right Number 2023-3

1. Considered November 14, 19 73
2. Name of Applicant E.C. Martin
3. Post Office Address Ft. Thompson, S.D.
4. Amount of Water claimed 2.28
5. Source of Water supply Missouri River
6. Water to be used for Irrigation
Acres to be irrigated 160
7. Water to be diverted and used in Buffalo County
about 30 4W miles of Ft Thompson
8. Proof of Publication
Received 11-2-73
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 20223-3Map No. 765-3 Water Division No. 3 MISSOURI RIVER District _____
(Blanks to be filled by the Engineer for the W. H. C.)STATE WATER RIGHTS CO
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 E. C. Martin
Postoffice address Ft. Thompson 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 Martin No. 3
4. Amount of water claimed (cubic feet per second) 2.28
5. Source of water supply Missouri River
6. Location of point of diversion Between points 725 feet due west and South 15° East,
2780 feet from the NW corner of Section 1, T107N, R73W
County Buffalo
7. Annual period or periods during which water is to be used April through November
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 160

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.
NW¼ Sec. 6, T107N, R72W	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 3 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Chamberlain Register, Chamberlain, S.D.
12. Principal Features of the Proposed Water Supply System.

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

Centrifugal pump
Industrial engine

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

One half mile of additional 10 inch diameter aluminum pipe

C. Works proposed to apply water to beneficial use.

Center pivot circular sprinkler systemEstimated Total Cost \$ 25,000Attachments: 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 Buffalo)

I, _____ 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 E. C. MartinSubscribed and sworn to before me this 3rd day of October 1973L. E. W. [Signature]
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water ^{Rights} Commission hereby approves Water Right Application No. 2023-3

E.C. MARTIN
(Applicant)

F.T. THOMPSON
(Post Office Address)

SOUTH DAKOTA
(State)

With the following modifications

Date of first receipt of application OCTOBER 5 19 73

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

Date of receipt of corrected application --- 19 ---

Approved NOVEMBER 14 19 73 Recorded in Book 12 Page 281

WATER RIGHT PERMIT NO. 2023-3

The Water ^{Rights} Commission hereby grants and issues this Water Right Permit No. 2023-3 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 OCTOBER 5 19 73

2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 14 19 74

3. The whole of said work is to be completed on or before NOVEMBER 14 19 75

4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 14 19 78

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 2.28 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 NOVEMBER 14 19 78 said water to be used during the following described annual period APRIL THRU NOVEMBER

Witness my hand this 16TH day of NOVEMBER 19 73

[Signature]
WATER RIGHTS COMMISSION

By Donald Driscoll
Chief Engineer, Executive Officer

Certificate of Construction Issued --- 19 ---

Water License Issued --- 19 ---

No. 2023-3Publish first publication, on or before October 25, 1973NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 10, 1973

Notice is hereby given that E. C. Martin
whose post office address is Ft. Thompson, 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
2.28 cubic feet of water per second of time from the Missouri River through the
Martin #3, the point of diversion of which is to be located in the
between points in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, and in the SW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 1, Twp. 107N, Range 73W. Said water to be used for the purpose
of providing irrigation on the following described land:

NW $\frac{1}{4}$, Section 6, T107N, R72W

This application No. 2023-3 will be considered by the Water ^{Rights} ~~Resources~~ Commission at their office at
Pierre upon the 14th day of November, 1973, at 2:30 P. M. All interested
persons may appear and be heard.

~~WATER RESOURCES COMMISSION~~
WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJbw

cc: E.C. Martin, Ft. Thompson, S.D. 57339

No. 2023-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bruce) ss.

I, E. J. Buckingham, Jr. hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Chamberlain Register

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 Chamberlain

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

Thursday, Oct. 25, 1973
Thursday, Nov. 1, 1973

E. J. Buckingham, Jr.
(Signature)

Publisher
(Title)

Nov. 1, 1973
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

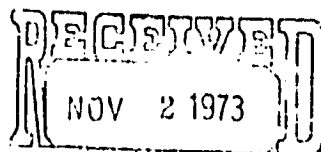
Pierre, South Dakota 57501
October 10, 1973

Notice is hereby given that
E. C. Martin whose post office
address is Ft. Thompson, 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 2.28 cubic feet of
water per second of time from
the Missouri River through the
Martin #3, the point of diversion
of which is to be located between
points in the NE1/4, NE1/4, Sec-
tion 2, and in the SW1/4 NW 1/4
of Section 1, Twp. 107N, Range
73W. Said water to be used for
the purpose of providing irriga-
tion on the following described
land:

NW 1/4, Section 6, T107N.
R72W.

This application No. 2023-3
will be considered by the Water
Rights Commission at their of-
fice at Pierre upon the 15th day
of November, 1973, at 2:30 P.M.
All interested persons may ap-
pear and be heard.

WATER RIGHTS COMMISSION
By: Burton F. Jones
BURTON F. JONES,
Water Rights Specialist
(Oct. 25 - Nov. 1)



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA



Department of Water & Natural Resources

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

January 25, 1989

2023-3

Bill Martin
HCR 69 Box 10
Ft. Thompson, SD 57339

Dear Mr. Martin:

In response to the 1988 irrigation questionnaire you submitted, enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Permit No. 2023-3. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water permit will then be transferred to your name.

South Dakota Water Law 45-5-30.3 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



 **Department of
Water & Natural Resources**

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

February 17, 1989

Edward C. Martin
SR Box 10
Ft. Thompson, SD 57339

Dear Mr. Martin:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

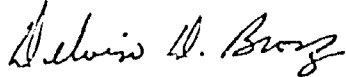


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

for 
JOHN HATCH, Chief Engineer
Water Rights Division

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: March 7, 1989

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

160 acres - NW $\frac{1}{4}$ Section 6, T107N, R72W

formerly owned by E C Martin

has been transferred to William E. Martin 444 1st St. N. Thompson SD 57330
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2023-3 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, William E. Martin being first duly sworn on my oath despose 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.

William E. Martin
(Signed)

Subscribed and sworn to before me this 7th Day of March, 1989.

Eleanor Sankerson
(Notary Public)

Register of Deeds
Brule County Courthouse
Chamberlain, SD 57325

RECEIPT

Division of Water Rights

411671

South Dakota Department of Water and Natural Resources

Pierre, March 10, 1989

RECEIVED OF William E. Martin, ICR 69, Box 10, Ft 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. 2023-3</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

John Hatch
Chief Engineer

South Dakota
Department of
Water & Natural Resources

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

March 16, 1989

William E. Martin
HCR 69, Box 10
Ft. Thompson, SD 57339

Dear Mr Martin:

Enclosed is Receipt No. 411671 in the amount of \$2.50 which you paid for transfer of Water Right No.2023-3.

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

Sincerely,

Marie R. Arthur

Marie R. Arthur
Secretary
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 8 1997

4833A-3

William Sr., & Michele Martin,
HCR 69 Box 10
Ft Thompson, SD 57339

Dear Mr. & Mrs. Martin:

Enclosed is your Water License No. 4833A-3 and Receipt No. 414934 in the amount of \$2.50 which you paid for filing a transfer on portions of land described in No. 4833-3. Water Right No. 4833-3, issued to the Northwest Irrigation District, has been divided and reissued as follows:

- No. 4833A-3, William E. Martin Sr., and Michele Martin, authorizing diversion of 9.22 cfs from the Missouri River to irrigate 661 acres;
- No. 4833B-3, Gretel Chatterton, authorizing diversion of 17.6 cfs from the Missouri River to irrigate 1,232 acres;
- No. 4833C-3, Rocky Creek Limited Partnership, a South Dakota limited partnership, authorizing diversion of 10.3 cfs from the Missouri River to irrigate 722 acres

The applicable portions of Water Right No. 1135-3 and Water Permit Nos. 1873-3 and 2023-3 were incorporated into Water License No. 4833A-3.

As long as you use the water beneficially as stated in the water license, South Dakota Water Laws provide that you have a continuing right to the use of the water. If you have any questions concerning your water license, please contact us.

Very truly yours,

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

enclosures