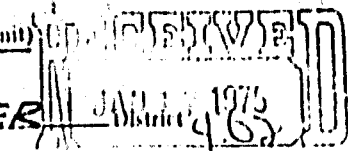


Water Right Number 2189-3

1. Considered MAY 21, 19 75
2. Name of Applicant THOMAS CURRY
3. Post Office Address ELK POINT
4. Amount of Water claimed 1.7
5. Source of Water supply GROUND WATER (105' WELL)
6. Water to be used for IRRIGATION  
Acres to be irrigated 120
7. Water to be diverted and used in UNION County  
about 2 N miles of ELK POINT
8. Proof of Publication  
Received 4-18-75  
Not Received \_\_\_\_\_
9. Application  
Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action Deferred \_\_\_\_\_
10. Remarks:

Map No. 1590-3 Water Division No. 3 Big Sioux River  
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RIGHTS COMMISSION  
DEPARTMENT OF AGRICULTURE  
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 Thomas Curry  
Postoffice address RR 1 Elk Point, 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) Contract
3. Name of diversion work Tom Curry Irrigation Project
4. Amount of water claimed (cubic feet per second) 4380 gallon/min 1.7 MAXIMUM ALLOWABLE
5. Source of water supply well Center NE 2
6. Location of point of diversion 80 rods west and 80 rods south of the NE corner of Sec. 7  
T91 R49  
County Union
7. Annual period or periods during which water is to be used May thru August
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 120

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>NE 1/4 and NE 1/4 Sec 7 91-10</u> | <u>120</u>     |                  |                |
|                                      | <u>4 7/8</u>   |                  |                |
|                                      |                |                  |                |
|                                      |                |                  |                |

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 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 Leader Courier Elk Point, S.D. 57625
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source.
- B. Works proposed to transport water to place of use.
- C. Works proposed to apply water to beneficial use.  
Center Pivot System

Estimated Total Cost \$ 9000.00Attachments: 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

County of UnionI, Thomas W. Curry 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

Subscribed and sworn to before me this

16

day of

January19 75

Notary Public (or other qualified officer)

## WATER RIGHT APPLICATION APPROVAL

William J. DAVID M. CURRY  
 The Water Rights Commission hereby approves Water Right Application No. 2189-3  
THOMAS CURRY R.R. #1, ELK POINT  
 (Applicant) (Post Office Address)  
SOUTH DAKOTA 57025 With the following modifications:  
 (State)

The irrigation well 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 JANUARY 17, 19 75  
 Date of return to applicant for correction, amendments or changes required JANUARY 20, 19 75  
 Date of receipt of corrected application MARCH 5, 19 75  
 Approved MAY 22, 19 75, Recorded in Book 13 Page 273

WATER RIGHT PERMIT NO. 2189-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2189-3 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 JANUARY 17, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22, 19 76
3. The whole of said work is to be completed on or before MAY 22, 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22, 19 81
5. The water appropriated shall be used for the use 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 1.7 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 22, 19 81; said water to be used during the following described annual period: MAY THRU AUGUST

Witness my hand this 27<sup>TH</sup> day of MAY, 19 75

WATER RIGHTS COMMISSION

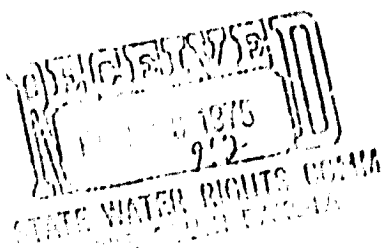
By:

Wm. W. Butler  
 Acting Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 14, 19 79

Water License Issued SEPTEMBER 14, 19 79

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)



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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 105'
- (2) Casing, Type concrete Diameter 18" Thickness 2 1/2"  
(wood, concrete, steel, etc)
- (3) Perforated Screen.  
Type slotted, Diameter 12", Length 70'
- (4) Gravel Pack. Thickness 6 to 9", Length of gravel pack 70'

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 50'

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Depth to top of water bearing material 50'

Depth to bottom of water bearing material 105'

Thickness of water bearing material 55'

Depth to water (ground surface to water level) 14'

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

On same owner's property none rds. On property owned by others 120 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.

*Dear Sir! There was no instruction sheet enclosed with your letter concerning a map. Please advise,*

*Ron Curry*

*Ron W. Curry*  
Signature of Applicant

December 19, 1974

Mr. Thomas W. Curry  
Rural Route 1  
Elk Point, SD 57025

Dear Mr. Curry:

We have received your VI-1 form. A copy of the water analysis and a copy of this letter along with the VI-1 form are being forwarded to the State Conservation Commission.

The original copy of the water analysis is enclosed for your use and keeping. The water is fairly good in quality although it is moderately high in total salinity. The soil absorption ratio is 1.75 which makes it low with very little chance that the water will cause any dispersion of the soil and reduction in infiltration. Thus, the only hazard is the accumulation of salts due to the high salt content of the water.

The soils in the area are fairly well suited to irrigation were designated on the original Soil Conservation Service map as "Sandy loam" and "Sandy clay". They are now called "M" and "N" soils. This soil is well suited to slow infiltration which means it has a high infiltration rate. It is a very slow rate of very slow to slow in permeability. That is, less than .2" of water per hour. This being the circumstance, you should use irrigation equipment which has an application rate less than .2" of water per hour or use a gravity system. The land being as level as it is and with energy costs as they are, I strongly suggest you consider a gravity system instead of a pressurized system. In addition to the above factors, the slow infiltration rate is another reason for using a gravity system. However, this is up to you to decide.

The hazards of irrigating this land then are two fold: 1) poor drainage and poor aeration in the root zone due to rainy spells occurring immediately after irrigating a crop and 2) the possibility of salt accumulation in the root zone because of the moderately high salt content of this water. With these factors known to you, I recommend that you proceed with caution if you develop irrigation on this land.

Sincerely yours,

*L. O. Fine*

L. O. Fine  
Water Quality Lab

LOP:L  
Enclosures  
CC: State Conservation Commission  
Lonie DeSmet, Union County Agent  
Darrel Pahl

STATE CONSERVATION COMMISSION  
SUPPORTING INFORMATION  
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE  
WITH SDCL 46-6-3 AS AMENDED  
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: \_\_\_\_\_

Water Quality: \_\_\_\_\_

Soils Capability: \_\_\_\_\_

Approved: Alfred H. Hest  
12/21/94

Disapproved: \_\_\_\_\_

NAME: Thomas W. Curry

ADDRESS: RR 1 Elk Point, S.D. 57025

COUNTY: Lincoln

LEGAL DESCRIPTION

1. WELL LOCATION: NW 1/4 of NE 1/4 + E 1/2 of NE 1/4, Sec. 7, Twp 21 N, Rng 4 E  
2. AREA TO BE IRRIGATED: above plus SW 1/4 of 1/4

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Electrologator  
4. CROPS TO BE IRRIGATED: Corn + beans

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: ~~0%~~ 0%  
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: ~~Albaton (Previously, Wathead Clay)~~  
Albaton (Previously, Wathead Clay)

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 74-1006  
8. SALINITY: EC = 1740 micromhos/cm (high)  
9. SODIUM: Sodium Adsorption Ratio = 1.83 (low)

I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

NW 1/4 of NE 1/4 + E 1/2 of NE 1/4, Sec. 7, Twp 91, R49.

and:

that the legal description for the location of the well and land to be irrigated is true and correct.

Michael W. Curry

Subscribed and sworn before me this

5<sup>th</sup> day of November 1974.

Ken R. Ehl

Notary Public - Comm expires 2/16/81

(Title)

**REPORT OF ANALYSIS**  
**Water Quality Laboratory**  
**Water Resources Research Institute**  
**South Dakota State University**  
**Brookings, South Dakota 57006**

Submitted by: Tom Curry  
 Address: Rt. 1  
Elk Point, SD 57025

Date Rec'd: November 17, 1974  
 Sample No. 74-1006  
 Identification 1011  
HA, Sec. 7, T 91N, R 49E

**WATER ANALYSIS**

|                                       |       |                             |       |           |
|---------------------------------------|-------|-----------------------------|-------|-----------|
| Calcium (Ca)                          | 180   | ppm*                        | 9.00  | me/l**    |
| Magnesium (Mg)                        | 89    | ppm                         | 7.30  | me/l      |
| Sodium (Na)                           | 120   | ppm                         | 5.22  | me/l      |
| Potassium (K)                         | 10    | ppm                         | 0.25  | me/l      |
| Sulfate (SO <sub>4</sub> )            | 724   | ppm                         | 15.06 | me/l      |
| Nitrate (as N)                        |       | ppm                         |       | me/l      |
| Chloride (Cl)                         | 22    | ppm                         | 0.61  | me/l      |
| Bicarbonate (HCO <sub>3</sub> )       | 373   | ppm                         | 6.12  | me/l      |
| Carbonate (CO <sub>3</sub> )          |       | ppm                         |       | me/l      |
| Iron (Fe)                             |       | ppm                         |       | me/l      |
| Fluoride (F)                          |       | ppm                         |       | me/l      |
| Hardness (EDTA as CaCO <sub>3</sub> ) |       | ppm                         |       | g.p.g.*** |
| Alkalinity (Methyl Orange)            | 306   | ppm (as CaCO <sub>3</sub> ) |       |           |
| Alkalinity (Penolphthalein)           | 0     | ppm (as CaCO <sub>3</sub> ) |       |           |
| Electrical Conductivity               | 1740  | micromhos per cm at 25° C.  |       |           |
| Sodium Adsorption Ratio               | 1.83  |                             |       |           |
| Sodium                                | 23.70 | % of cations                |       |           |
| Residual sodium carbonate             | 0.00  | me/l                        |       |           |
| pH                                    | 7.31  |                             |       |           |
| Others:                               |       |                             |       |           |

\*ppm=parts per million

\*\*me/l=milliequivalents per liter

\*\*\*g.p.g.=grains per gallon

COMMENTS: Total cations 22.02 me/l  
 Total anions 21.79 me/l

By: Shirley Hutton

Service Performed

Amount Due

Irrigation analysis

\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-1006

Amount Enclo. \$

Signed

## STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 2189-3

(1) WHEREAS, On the 17th day of January A. D. 19 75

Thomas Curry

made Water Right Application No. 2189-3 for a permit to use 1.7 cubic feet per second of the waters of ground water (one well)

County of Union, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 22nd day of May A. D. 19 75

Permit No. 2189-3, with a date of priority of January 17, 1975

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 22nd day of May A. D. 19 78 and for the application to beneficial use of said water on or before the 22nd day of May A. D. 19 81

WHEREAS, on April 10, 1979 this Permit was transferred to William J. and David M. Curry, RR #1, Elk Point, SD,

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 1.54 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,

to irrigate the following land all in Section 7, T91N, R49W

NW $\frac{1}{4}$  NE $\frac{1}{4}$  34 acres

NE $\frac{1}{4}$  NE $\frac{1}{4}$  34 acres

SE $\frac{1}{4}$  NE $\frac{1}{4}$  40 acres

TOTAL 108 acres

The pivot also covers the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 7, T91N, R49W which is covered under Water License No. 179-3. Corners on the South Side of pivot are irrigated by gated pipe from the well under Water License No. 179-3.

(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 William J & David H Curry

\_\_\_\_\_ of Elk Point, SD  
the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 2189-3 a water right, dating from January 17, 1975  
\_\_\_\_\_ to use of 1.54 cubic feet per second of the water  
of groundwater (one well)  
in the County of Union and State of South Dakota, or so much thereof as may be necessary for the  
purposes hereinbelow mentioned, to be diverted ~~at~~ in the approximate center of the NE 1/4, Section 7,  
T91N, R49W

and conduct to and upon portions of land in Section 7, T91N, R49W more fully described on the  
face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2189-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 14th day of September A. D.  
Nineteen Hundred and seventy-nine

Board of Water Management

By:

John Hatch  
Chief Engineer

JOHN HATCH

Permit No. 2189-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That William J. and David M. Curry

\_\_\_\_\_ the holder s of  
Permit No. 2189-3, issued upon Application No. 2189-3, bearing date of priority of \_\_\_\_\_  
January 17, 1975 authorizing the diversion of 1.7 cu. ft. per second of the waters of \_\_\_\_\_  
ground water (one well) County of Union, State of South Dakota at \_\_\_\_\_  
approximately center of the NE 1/4, Section 7, T91N, R49W

\_\_\_\_\_ for Irrigation

\_\_\_\_\_ purposes, have 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 2.0 cu. ft. per second of water.

Date September 14, 1979

John Hatch  
JOHN HATCH, Chief Engineer  
Water Rights, WHD

Form G - Notice of Intent to Appropriate Water

No. 2189-3

Publish first publication, on or before May 8, 19 75

**NOTICE  
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 1, 19 75

Notice is hereby given that Thomas Curry

whose post office address is Elk Point, 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

1.7 cubic feet of water per second of time from the ground water through the

Tom Curry Irrigation Project, the point of diversion of which is to be located in the

Center of the NE $\frac{1}{4}$

of Section 7, Twp. 91N, Range 49W. Said water to be used for the purpose of providing irrigation on the following described land:

E $\frac{1}{2}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 7, 191N, R49W

This application No. 2189-3 will be considered by the Water Rights Commission at its office at Pierre upon the 21st day of May, 19 75, at 2:30 P. M. All interested persons may appear and be heard.

**WATER RIGHTS COMMISSION**

By:

**BURTON F. JONES**

**Water Rights Specialist**

BFJ/bw

cc: Thomas Curry, R.R. #1, Elk Point, S.D. 57025

Tom Curry

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

No. 2189-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Union ) ss.

I, Byron Helgerson hereby  
certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the Leader Courier

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 Elk Point

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

April 10, 1975

April 17, 1975

Byron Helgerson  
(Signature)  
Publisher  
(Title)

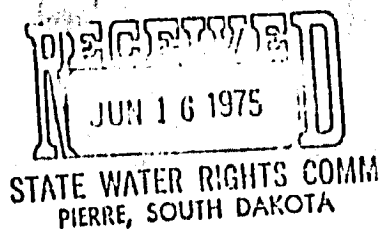
4 17 75

(Date Signed)

NOTICE OF INTENT TO  
APPROPRIATE WATER  
Pierre, South Dakota 57501  
April 1, 1975  
Notice is hereby given that  
Thomas Curry, whose post off-  
ice address is Elk Point, South  
Dakota, has made an application  
in accordance with the provi-  
sions of the water laws of South  
Dakota for a permit to appropri-  
ate for beneficial use 1.7 cubic  
feet of water per second of time  
from ground water through the  
Tom Curry Irrigation Project,  
the point of diversion of which  
is to be located in the center of  
the NE 1/4 of Section 7, Township  
91N, Range 49W. Said water to  
be used for the purpose of pro-  
viding irrigation on the following  
described land: E 1/2 NE 1/4, NW 1/4  
NE 1/4, Section 7, T91N, R49W.  
This application No. 2189-3  
will be considered by the Water  
Rights Commission at its office  
at Pierre upon the 21st day of  
May, 1975, at 2:30 p.m. All  
interested persons may appear  
and be heard.  
WATER RIGHTS COMMISSION  
Burton F. Jones  
Water Rights Specialist  
Publish: April 10 & 17

RECEIVED  
APR 18 1975

STATE WATER RIGHTS COM.  
PIERRE, SOUTH DAKOTA



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

Post Office Elk Point  
Date June 12, '75

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. 2187-3.

Water Right Permit No. 2187-3 states that the diversion system is to be constructed by May 22, 1978 and that the water is to be put to beneficial use by May 22, 1981.

The diversion system was completed on May 1, 1975. Applying the water to beneficial use was completed on June 1, 1975.

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.

Thomas W. Curry  
(Signature)

Dear Sir: To save re-application I want to make sure that we are talking about 160 acres or all of the NE  $\frac{1}{4}$  of Sec. 7.-91-49. That is the piece of ground I am irrigating and the pivot point & pump are centered on that ground.

Sincerely  
Tom Curry

# RECEIPT

## WATER RIGHTS COMMISSION

State of South Dakota

No 4 6891

PIERRE, April 11, 1979

RECEIVED OF Minick, Nelson & McCulloch, Attorneys at Law, Box 728, Elk Point, SD 57025  
the following amount for fees for services rendered as provided for by law:

|                                                                                                          |     |
|----------------------------------------------------------------------------------------------------------|-----|
| Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filling) |     |
| 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 filling transfer of water right No. 189-3                                                        | 250 |
| Fee for certified copy of                                                                                |     |
| Fee for Print copy of map                                                                                |     |
| Fee for Certifying                                                                                       |     |
| Fee for (any other work as provided by law)                                                              |     |
| TOTAL                                                                                                    | 250 |

WATER RIGHTS COMMISSION

By John Hatch  
Chief Engineer, Executive Officer  
JOHN HATCH gy

## NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission  
Foss Building  
Pierre, SD 57501

Date: 4-9-79

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

E½ NE¼ and N½ W½ NE¼, Section 7, T91N, R49W

(120 acres)

formerly owned by Thomas Curry, RR #1, Elk Point, SD 57025

has been transferred to William J. Curry and David M. Curry, RR #1, Elk Point, SD

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

Water Right Permit No. 2189-3 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 Commission 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 UNION ) ss.

I, William J. Curry 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.

William J. Curry  
(Signed)

Subscribed and sworn to before me this 9th Day of April 19 79.

James R. P. P. P.  
(Notary Public)



Permit No. 2189-3Water Division 3 BIG SIOUX RIVER Water DistrictREPORT 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 WILLIAM & DAVID CURRY of ELK POINT holder of Permit No. 2189-3, bearing date of priority of JANUARY 17, 1975 authorizing the diversion of 1.7 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in UNION 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:

110' DEEP WELL WITH 18" DIA CONCRETE CASING  
FAIRBANKS MORSE 8" PUMP  
POWERED BY 75 HP - U.S. ELECTRIC MOTOR

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

50' OF 8" MAINLINE TO CENTER OF PLOT

## C. Works used to apply water to beneficial use.

ELECTROGATOR CENTER PLOT SYSTEM - ELECTRIC DRIVE  
WITH END GUN

The system is in the following condition: GOODThe point of diversion is located APPROXIMATE CENTER OF THE NE<sup>4</sup> SECTION 7, T9N, R49WThe works are capable of diverting and conveying to the place of use 2.0cu. 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 7, T9N, R49W

|                                 |    |
|---------------------------------|----|
| NW <sup>4</sup> NE <sup>4</sup> | 34 |
| NE <sup>4</sup> NE <sup>4</sup> | 34 |
| SE <sup>4</sup> NE <sup>4</sup> | 40 |

comprising a total of 108 acres of land.

THE PLOT ALSO COVERS THE SW<sup>4</sup> SE<sup>4</sup> OF SECTION 7, T9N, R49W WHICH IS COVERED UNDER WATER LICENSE NO 179-3. CORNERS ON THE SOUTH SIDE OF PLOT ARE IRRIGATED BY GATED PIPE FROM THE WELL UNDER WATER LICENSE NO 179-3.

108 ÷ 70 = 1.54

Date JULY 24, 1979  
Burton Jones  
(Signature)

# RECEIPT

## WATER RIGHTS COMMISSION

State of South Dakota

No 4 7005

PIERRE, August 22, 1979

RECEIVED OF Curry Seed Co., Box 517, Elk Point, SD 57025

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. 2189-3                                       | 12        | 00        |
| Fee for Inspecting Beneficial Use, and Issuing Water License No. 2139-3                                             |           |           |
| Fee for Issuing Location Certificate-Dry Draw, No. _____                                                            |           |           |
| Fee for filing _____                                                                                                |           |           |
| Fee for certified copy of _____                                                                                     |           |           |
| Fee for Print copy of map _____                                                                                     |           |           |
| Fee for Certifying _____                                                                                            |           |           |
| Fee for _____                                                                                                       |           |           |
| (any other work as provided by law)                                                                                 |           |           |
| <b>TOTAL</b>                                                                                                        | <b>12</b> | <b>00</b> |

WATER RIGHTS COMMISSION

By John Hatch  
 Chief Engineer, Executive Officer  
 JOHN HATCH gy

2119-3



GREAT FACES. GREAT PLACES.  
February 1, 1991

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

CURRY SEED CO, OPERATOR  
PO BOX 517  
ELK POINT SD 570250517

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2189-3, 2940-3. 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 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 9:15 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(s), the Water Management Board can:

1. Amend Permit No(s) 2189-3, 2940-3 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.

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

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

cc: William and David Curry, RR 1, Box 254, Elk Point SD 57025

*South Dakota*

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

GREAT FACES. GREAT PLACES.

February 11, 1991

Curry Seed Company  
Box 517  
Elk Point, SD 57025

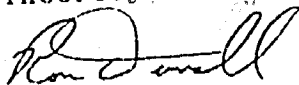
RE: Irrigation Questionnaires and/or Chemical Application Use  
Data for Water Permit Nos. 237-3, 306-3, 324-3, 501-3, 1086-3,  
1133-3, 1136-3, 1297-3, 1530-3, 2141-3, 2189-3, 2370-3, 2371-3,  
2450-3, 2940-3, 3910-3, 4438-3, 4582-3, 4598-3, 5030-3, 5201-3,  
and 5254-3

Dear Sir:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and/or chemical application use data for the above listed Water Permits. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. 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

2189-3

UN/SR

November 1980

WILLIAM J & DAVID M CURRY  
RR 1  
ELK POINT  
SD 57025

G

This is the Water Management Board data  
sheet for recording 1980 GROUNDWATER  
source irrigation estimates.

For Dept. use only

Please fill out and return at once.

No. Acres irrigated with Groundwater

160

If you did not irrigate during 1980-check this box ☐ No system ☐

Tonia North

| Type of Power        | No. acres irrigated | Total Energy used-1980 |
|----------------------|---------------------|------------------------|
| 1. Electric          | 152                 | 27,916kwh              |
| 2. Gravity           |                     |                        |
| 3. Gasoline          |                     | gal                    |
| 4. Nat. Gas pipeline |                     | cf                     |
| 5. Diesel            |                     | gal                    |
| 6. Propane           |                     | gal                    |
| 7. Other             |                     |                        |

| Type of system:          |
|--------------------------|
| 1. Hand Moved Sprinklers |
| 2. Portable booms        |
| 3. Center pivots (# of)  |
| 4. Gated pipes           |
| 5. Sidewheel             |
| 6. Towlines              |
| 7. Gun type              |
| 8. Hydromatic            |
| 9. Siphons               |
| 10. Flood                |
| 11. Other                |

| Month       | # days pumped | Average # hours per day | Average pump rate (gpm) | Acres of Crop Irrigated and Estimated Water Use |       |            |            |
|-------------|---------------|-------------------------|-------------------------|-------------------------------------------------|-------|------------|------------|
|             |               |                         |                         | Crop                                            | Acres | Water Used | Water Used |
| April       |               |                         |                         |                                                 |       |            |            |
| May         | 2             | 20                      | 1100                    | Soybean                                         | 23    |            |            |
|             |               |                         |                         | Corn                                            | 80    |            |            |
| June        | 8             | 20                      | 1100                    | Soybean                                         | 13    |            |            |
|             |               |                         |                         | Corn                                            | 80    |            |            |
| July        | 20            | 20                      | 1100                    | Soybean                                         | 23    |            |            |
|             |               |                         |                         | Corn                                            | 80    |            |            |
| August      | 10            | 20                      | 1100                    | Soybean                                         | 23    |            |            |
| Sept.       |               |                         |                         |                                                 |       |            |            |
| Oct.        |               |                         |                         |                                                 |       |            |            |
| Other Month |               |                         |                         |                                                 |       |            |            |

Season Static Water Level: beginning \_\_\_\_\_ end \_\_\_\_\_

Comments:

Complete and return to: WATER MANAGEMENT BOARD

Water Rights Division  
Joe Foss Building  
Pierre, SD 57501

Owner or address change, if any:

Please complete front and back.

Curry Seed Co.  
Curry Farms Ltd. (641 1st St.)  
P.O. Box 517  
Elk Point, S.D. 57025

*Farm was purchased in 1980, so we do not know past history.*  
 The South Dakota Office of Energy has requested your cooperation in completing the following:

1979

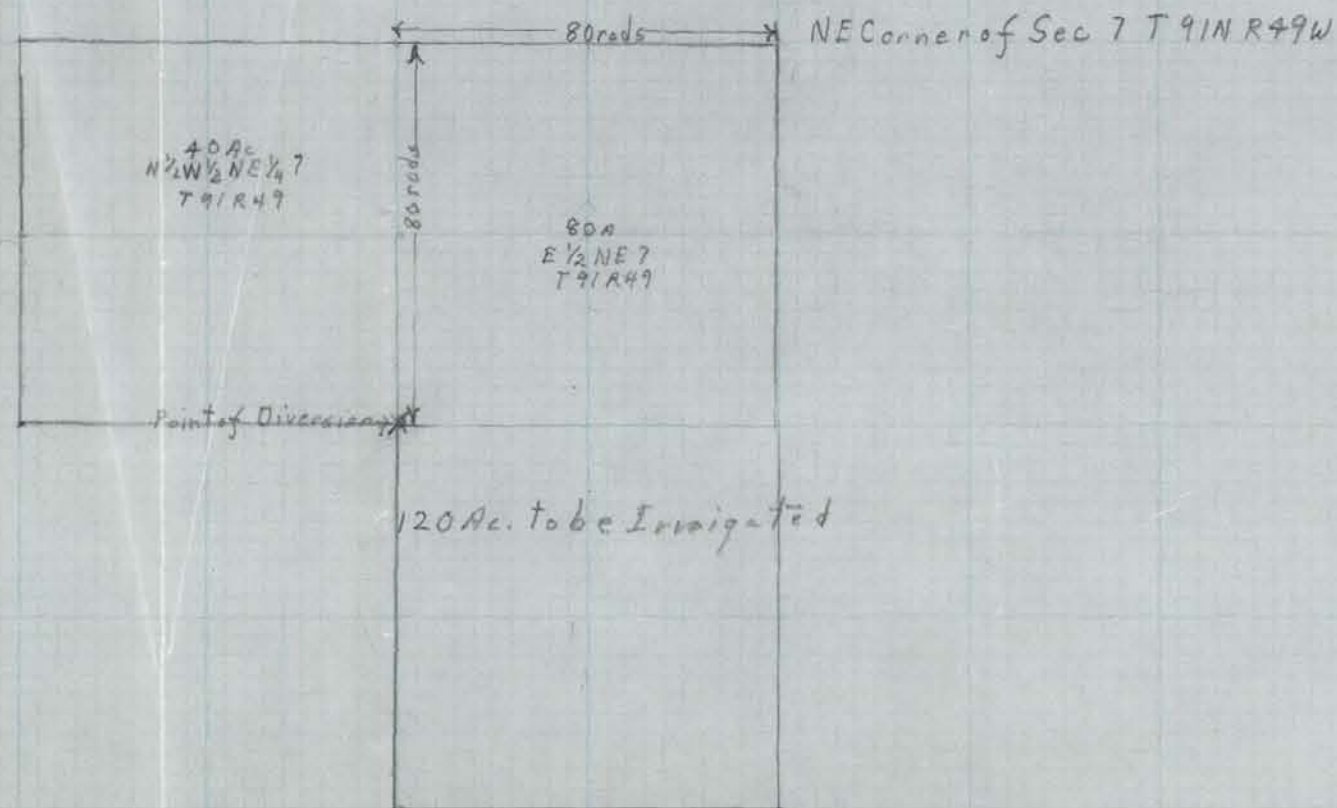
| Type of Power        | No. Acres Irrigated | Total Energy Used |
|----------------------|---------------------|-------------------|
| 1. Electric          | _____               | _____ kwh         |
| 2. Gravity           | _____               |                   |
| 3. Gasoline          | _____               | _____ gal         |
| 4. Nat. Gas pipeline | _____               | _____ cf          |
| 5. Diesel            | _____               | _____ gal         |
| 6. Propane           | _____               | _____ gal         |
| 7. Other             | _____               | _____             |

1978

| Type of Power        | No. Acres Irrigated | Total Energy Used |
|----------------------|---------------------|-------------------|
| 1. Electric          | _____               | _____ kwh         |
| 2. Gravity           | _____               |                   |
| 3. Gasoline          | _____               | _____ gal         |
| 4. Nat. Gas pipeline | _____               | _____ cf          |
| 5. Diesel            | _____               | _____ gal         |
| 6. Propane           | _____               | _____ gal         |
| 7. Other             | _____               | _____ gal         |

- What is your on-farm storage capacity for gasoline \_\_\_\_\_ gallons  
 diesel \_\_\_\_\_ gallons
- What are your present plans for acres under irrigation for 1981?  
 \_\_\_ an increase in acres  
 \_\_\_ irrigate same acres  
 \_\_\_ a decrease in acres
- A. Has your regular fuel supplier been able to meet your fuel needs for irrigation this past year?  
 \_\_\_ yes  
 \_\_\_ no  
 B. If no, were you able to buy from other sources?  
 \_\_\_ yes  
 \_\_\_ no
- Would you continue irrigating the same number of acres in 1981 if the price of fuel increased-  

|               |                    |
|---------------|--------------------|
| 10% yes _____ | 20% yes _____      |
| no _____      | no _____           |
| 15% yes _____ | over 20% yes _____ |
| no _____      | no _____           |
- At what price for fuel would you cut back on irrigation activities? \_\_\_\_\_
- What is your best estimate of your fuel needs for irrigation in 1981, if we experience a  
 Dry summer: \_\_\_\_\_ gallons.  
 Wet summer: \_\_\_\_\_ gallons.



Scale 8" = 1 mile

Thomas Curry  
R.R. #1 Elk Point, So. Dak 57024  
Curry Irrigation Project  
120 acres to be irrigated

U. S. DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE

|                              |                    |                                 |
|------------------------------|--------------------|---------------------------------|
| Designed <i>C.K. Dahlman</i> | Date <i>4/1/75</i> | Approved by <i>C.K. Dahlman</i> |
| Drawn <i>C.K. Dahlman</i>    | Date <i>4-5-75</i> | Title <i>4-5-75</i>             |
| Traced                       |                    | Title                           |
| Checked                      |                    | Sheet No. <i>1</i>              |
|                              |                    | Drawing No.                     |

*MAP NO 1590-3*  
*APPL NO 2189-3*