

1. Considered 3-19 1975 2214-3
2. Name of Applicant ELTOR BRENNER
3. Post Office Address ARMOUR
4. Amount of water claimed 2.40
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 10.7
7. Water to be diverted and used in DOUGLAS county
about 6N 2W miles of DALLAS DELMONT
8. Proof of Publication Received 3-14-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2214-3Map No. 1613-3 Water Division No. 3 MISSOURI RIVER District 1
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS DIVISION
SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Elton Brenner
Postoffice address Armorel, State South Dakota - 57313
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment or others, or by direct labor) Direct Labor
3. Name of diversion work Elton Brenner Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.4
5. Source of water supply 2 Well
6. Location of point of diversion 2500' N 22° W of South East corner of Section 8 - 98-62 and 1450' N 135° W of North East corner of sec 8-98-62 County Doughlas
7. Annual period or periods during which water is to be used May through 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 1069

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.
NW ⁴ of NE ⁴ Sec 8-98-62	2.1	NW ⁴ of SE ⁴ Sec 8-98-62	2.2
NE ⁴ of NE ⁴ Sec 8	3.6	NE ⁴ of SE ⁴ Sec 8-98-62	2.9
SW ⁴ of NE ⁴ Sec 8	2.2		
SE ⁴ of NE ⁴ Sec 8	3.9		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use Three years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Doughnut Record
12. Principal Features of the Proposed Water Supply System.

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

Two wells with deep well turbine

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

closed conduit - Aluminum

C. Works proposed to apply water to beneficial use.

Shovel and Piped MachineEstimated Total Cost \$ 40,000Attachments: 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 DoughlasI, Elton Brenner 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 Elton BrennerSubscribed and sworn to before me this 21st day of December, 1924

Notary Public (or other qualified officer)

William Feller
County Auditor

WATER RIGHT APPLICATION APPROVAL

WATER RIGHTS COMMISSION

hereby approves Water Right Application No. 2214-3ELTOR BRENNER

(Applicant)

ARMOUR

(Post Office Address)

SOUTH DAKOTA 57313

(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.

54 4059-3

Date of first receipt of application

FEBRUARY 18, 19 75

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

19

Date of receipt of corrected application

19

Approved

MARCH 2019 75, Recorded in Book13

Page

243

WATER RIGHT PERMIT NO.

22143

WATER RIGHTS COMMISSION

The Water Resources Commission hereby grants and issues this Water Right Permit No. 22143 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 FEBRUARY 18, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 20, 19 76
3. The whole of said work is to be completed on or before MARCH 20, 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 20, 19 80
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 2.4 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 MARCH 20, 19 83; said water to be used during the following described annual period: MAY THRU OCTOBER

Witness my hand this

9TH

day of

APRIL19 75

WATER RIGHTS COMMISSION

By:

Donald Lincoln

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 Two identical wells

(1) Drill Hole, Diameter 20", Depth 25'

(2) Casing, Type Steel Diameter 12" Thickness 3/16"
(wood, concrete, steel, etc)

(3) Perforated Screen

Type Continuous Slat, Diameter 12", Length 5'

(4) Gravel Pack, Thickness 4", Length of gravel pack 15'

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 About 2' of overburden over
dirty sand and gravel. water bearing material
is mixed sand and gravel. The gravel out of
the two pits were used for road gravel

Depth to top of water bearing material 8'

Depth to bottom of water bearing material 24'

Thickness of water bearing material 16'

Depth to water (ground surface to water level) 7'

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

On same owner's property No water on property On property owned by others 100 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.

Note: Judgement on materials gained
principally from gravel pits

Ellen Brenner
Signature of Applicant

Reid
1-20-75

January 15, 1975

Mr. Eltor Brenner
Armour, SD 57313

Dear Mr. Brenner:

We have received your WI-1 form and the water analysis for your irrigation proposal has been completed. We note that this is a dugout supply and thus, it qualifies under the state rulings as a ground water supply.

Accordingly, the interpretation of the soils which you have together with the water supply indicated that they should be very compatible and there should be no problem with either salt accumulation or sodium dispersion of clays. I am recommending by a copy of this letter to the State Conservation Commission that they proceed to recommend a water use permit for you.

I'm enclosing a copy of Extension Circular 654 which gives you some information about the soils and water relationships and possible irrigation management steps. The approximate quality of your water is indicated by an encircled red cross on the back cover.

Would please return the questionnaire sheet so that we can complete our files on the source of this water.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:lil

Enclosures

CC: \State Conservation Commission
Norman Telkamp
Darrel Pahl

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

FOR COMMISSION USE ONLY
Irrigation System: _____
Water Quality: _____
Soils Capability: _____
Approved: [Signature]
Disapproved: _____

NAME: ELTOR BREMER

ADDRESS: ARMOR, SOUTH DAKOTA 57312

COUNTY: DOUGLASS

LEGAL DESCRIPTION NE 1/4 of SE 1/4 Section 8 18-62

1. WELL LOCATION: NE 1/4 of NE 1/4 SECTION 8 18-62

2. AREA TO BE IRRIGATED: E 1/4 of NE 1/4, NE 1/4 of SE 1/4, E 1/4 of NW 1/4 of SE 1/4 of Section 8 18-62, Belvoir Twp, Douglas County

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): CENTER PIVOT

4. CROPS TO BE IRRIGATED: CORN - PLANTER - Grain Sorghum

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-2 %

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Slow loam, Slow fine sandy loam, Pierce fine sandy loam

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 74-1021

8. SALINITY: EC = 883 micromhos/cm (medium)

9. SODIUM: Sodium Adsorption Ratio = 0.33 (low)

(No residual carbonate)

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

WATER QUALITY LAB. SDSU

and:

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

Elton Brenner

Subscribed and sworn before me this

27th day of Dec. 1974.

Wilma Haller

County Auditor

(Title)

Newspaper - DELMONT RECORD

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

Submitted by: Elton Brenner
 Address: Brookings, SD 57313

Date Rec'd: December 20, 1974
 Sample No.: 74-1021
 Identification: INGOUT

WATER ANALYSIS

Calcium (Ca)	130	ppm*	6.50	me/l**
Magnesium (Mg)	40	ppm	2.28	me/l
Sodium (Na)	20	ppm	0.85	me/l
Potassium (K)	10	ppm	0.26	me/l
Sulfate (SO ₄)	191	ppm	3.97	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	10	ppm	0.29	me/l
Bicarbonate (HCO ₃)	310	ppm	5.24	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	262	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	833	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.38			
Sodium	7.80	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.39			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 10.39 me/l
 Total anions 9.36 me/l

By: Barley Litten

Service Performed	Amount Due
Irrigation analysis	66.00 PAID
Make checks payable to: Water Quality Laboratory	
Cut along dotted line and return the lower portion with payment	

Sample No. 74-1021

Amount Enclosed \$

Signed

Form 6 - Notice of Intent to Appropriate Water

No. 2214-3

Publish first publication, on or before March 6, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 28, 1975

Notice is hereby given that Eltor Brenner

whose post office address is Armour, 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

2.4 cubic feet of water per second of time from the ground water (2 - 25 ft. deep wells) through the

Brenner Irrigation Project #1, the point of diversion of which is to be located in the

NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 8, Twp. 98N, Range 62W. Said water to be used for the purpose of providing irrigation on the following described land:

NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, T98N, R62W

This application No. 2214-3 will be considered by the Water Rights Commission at its office at Pierre upon the 19th day of March, 1975, 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: Eltor Brenner, Armour, S.D. 57313

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Douglas) ss.

I, Maynard H. Goehring hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Delmont Record

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

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

March 6, 1975

March 13, 1975

Maynard H. Goehring
(Signature)

Owner - Publisher
(Title)

March 13, 1975
(Date Signed)

Notice

**Intent To Appropriate Water
Water**

Pierre, South Dakota 57501

February 28, 1975

Notice is hereby given that
Elton Brenner whose post office
address is Armour, 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 2.4 cubic feet of
water per second of time from
ground water (2 - 25 ft. deep
wells) through the Brenner Ir-
rigation Project #1, the point
of diversion of which is to be
located in the NE1/4 NE1/4 and
NE1/4 SE1/4 of Section 8, Twp.
98N, Range 62W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:
NE1/4 and N1/2 SE1/4, Section
8, T98N, R62W.

This application No. 2214-3
will be considered by the Water
Rights Commission at its office
at Pierre upon the 19th day of
March, 1975, at 2:30 P.M. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION
By: BURTON F. JONES
Water Rights Specialist

1 29-76

I called E. L. Bunnell's
farm and talked to his
wife. She reported
they had drilled 3
shallow wells which
were to be connected
together. Drigation
equipment has been
ordered.

I advised if they did not have enough water they could contact me concerning applying for a W. R. T. to drill into the Choteau Aquifer.

g H

2219-3 Ellen B. Benson

7-26-19 N.W. 26 ft. Elev. 7 ft

74/100 Gunfing 150 gms in Cap. 300

M. S. H. ... 30/4 ... Plate 7/8

for father's Campylobacter mag. 400

5 Well - 29 ft. Station 7 ft.

Receipt 250 Exp. 3010

Along pipe 120 Rds. 8

6th album from 9th to 11th

To 450 ft. 11 West of S.E. 3 1/2 mi.

10" F 7910-20-50

Theater Grand Roll - List A7677

1950년 11월 28일

8/20/45 Mary Nell Yerkes - 1755 Penn

Model 576 228 x 14 220 lb. "F.W.G." 8218

W. K. L. - L. K. H. - L. K. H. - L. K. H.

7 Dec 64 - 3-10.0 H.C.

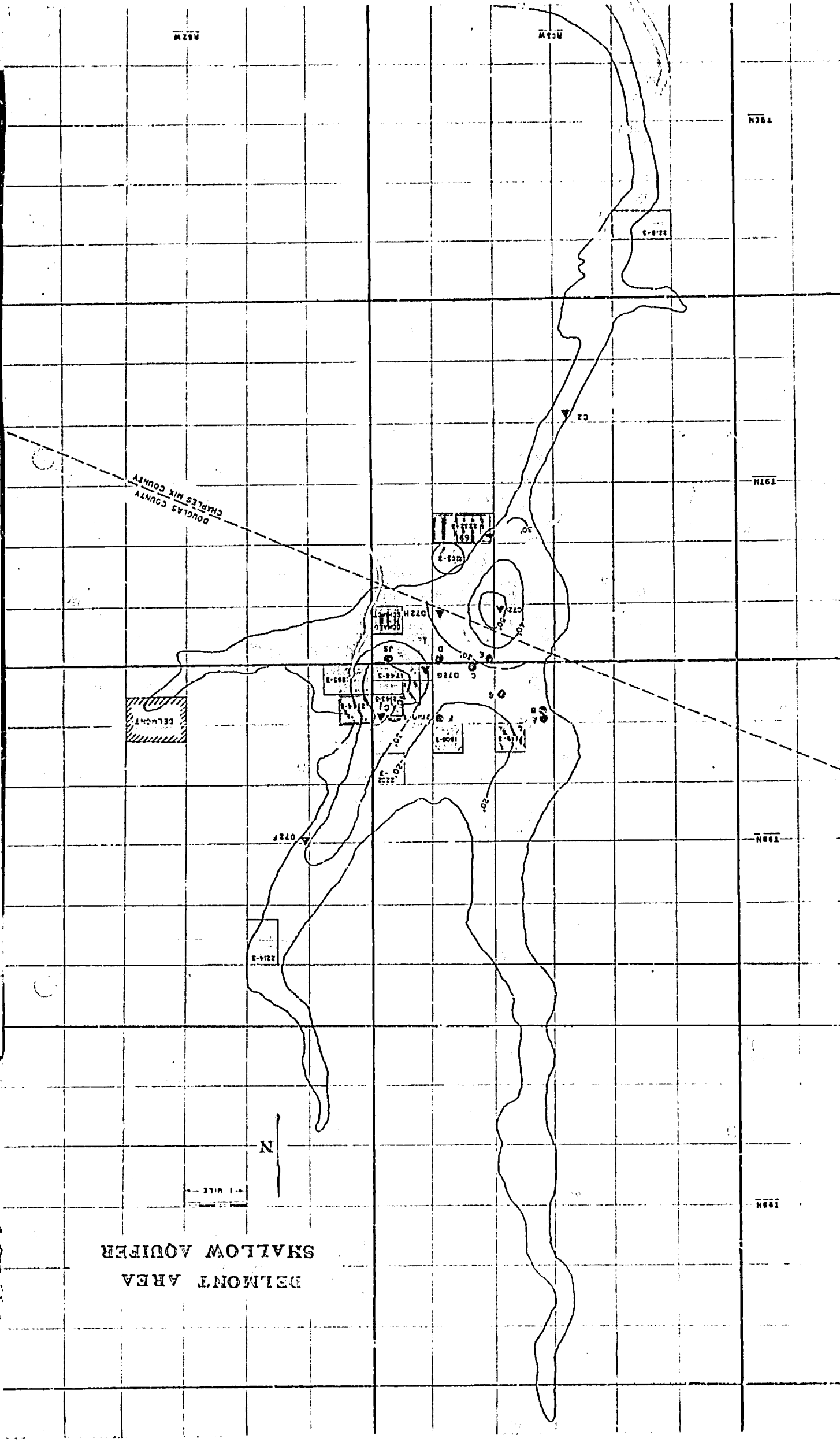
DELMONT AREA
SHALLOW AQUIFER

1 MILE

N

DOUGLAS COUNTY
CHARLES MIX COUNTY

DELMONT





Department of Water & Natural Resources

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

2214-3

January 29, 1988

ELTOR BRENNER
RT 1 BOX 141
ARMOUR, SD 57313

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). 2214-3, 4505-3. 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). 2214-3, 4505-3 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

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.



Department of Water & Natural Resources

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

March 9, 1988

2214-3

2143-3

4505-3

4528-3

Eltor Brenner
Rt 1, Box 141
Armour SD 57313

Dear Mr. Brenner:

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. 2143-3, 2214-3, 4505-3, 4528-3 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 was 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



Department of Water & Natural Resources

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

2143-3
2214-3
4528-3

February 17, 1989

Elton Brenner - Tenant
RR 1, Box 141
Armour, SD 57313

Dear Mr. Brenner:

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;

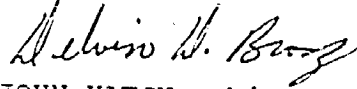


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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



2214-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOV 23 1992

4505-3

Eltor Brenner
P.O. Box 337
Armour, SD 57313

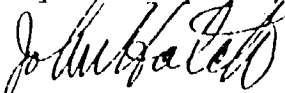
Dear Mr. Brenner:

Enclosed is Water License No. 4505-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413452 in the amount of \$50.00 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. 4505-3, 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.

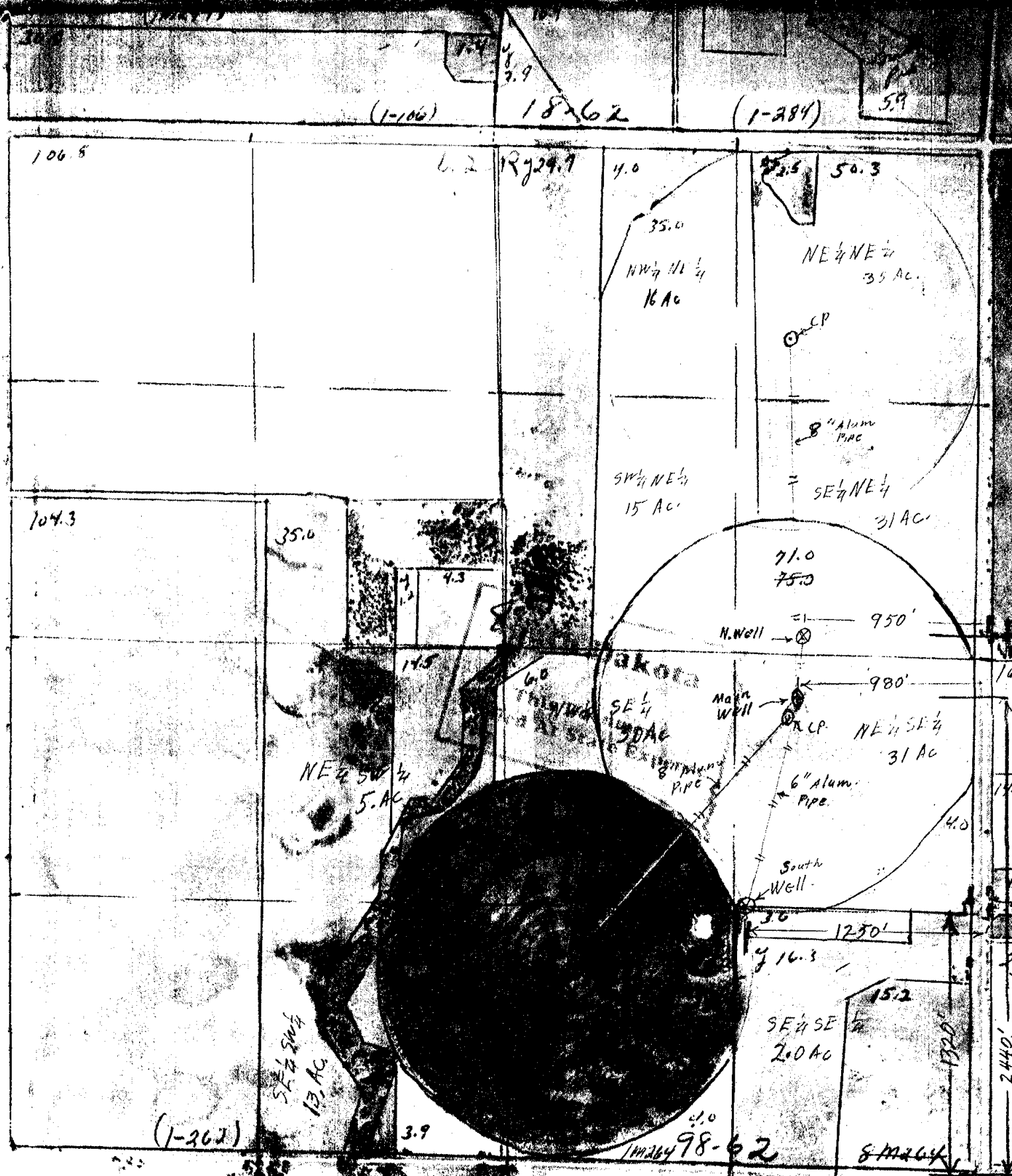
Very truly yours,


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

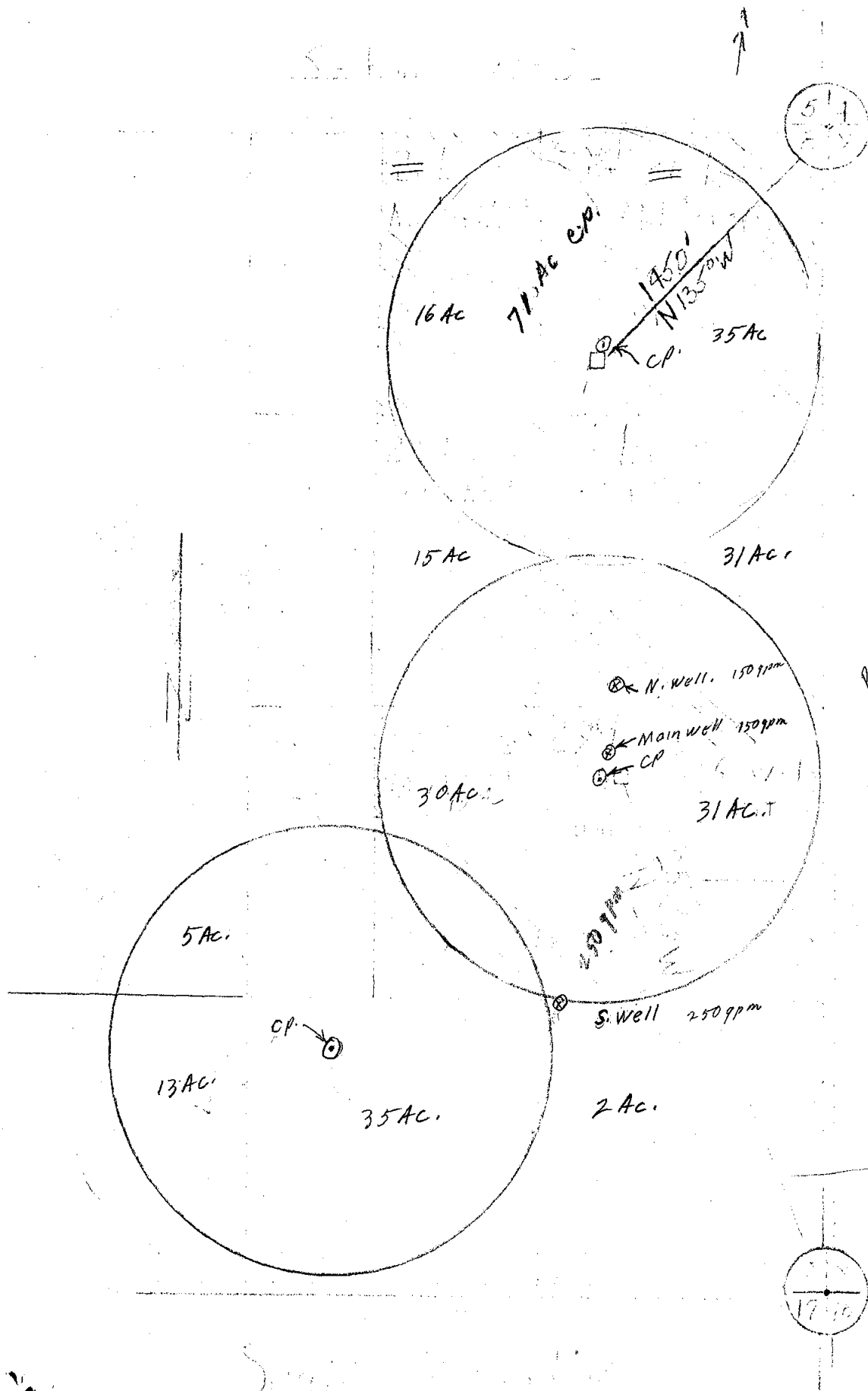
enclosures

NOTE: The applicable portions of Water Permit No. (2214-3) have been incorporated into this Water License No. 4505-3.

NOT



Elton Brenner - Arma
Douglas County



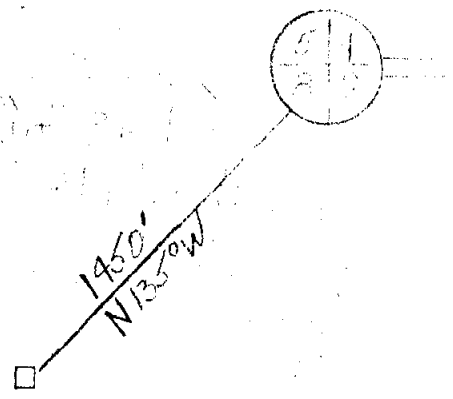
ELTOR BRENNER

Pumping 450 ppm

N. Well 2740' N + 950' W of SE Cor. Sec. 8.
Main Well 2440' N + 980' W of SE Cor. Sec. 8
S. Well. 1320' N + 1250' W of SE Cor. Sec. 8
All T 98N R 62W.

ELTOR BRENNER

Section 19

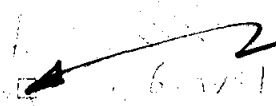


ELTOR BRENNER

Section 19, T4N, R10E, S1E

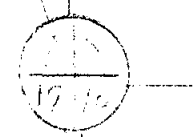
South Dakota
DeWitt County

4059-3



When Section 2, T4N, R10E, S1E

and 1450' N135°W of 30-0-0
of sec 5-13-1



Section 19

ELTOR BRENNER

APPL NO 4059-3
MAD 11/10/33 APPL NO 2214-3