

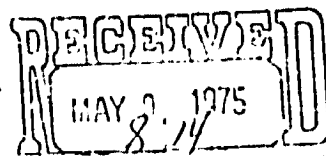
Water Right Number 2288-3

1. Considered JULY 24, 19 75
2. Name of Applicant ROBERT L. MERRILL
3. Post Office Address PARKER
4. Amount of Water claimed 1.0
5. Source of Water supply 32' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 80
7. Water to be diverted and used in TURNER County
about 3E miles 1ST of PARKER
8. Proof of Publication Received 1ST
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 2288-3
 Map No. 1677-3 Water Division No. 3 VERMILLION 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
 STATE WATER RIGHTS COMMISSION
 1035 SOUTH DAKOTA

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Robert L. Merrill
 Post-office address RT 1 PARKER SD State S.D. 57053
 If a corporation show date and place of incorporation N/A
 2. Method of accomplishing work (contract, employment of others, or by direct labor) EMPLOYMENT OF OTHERS
 3. Name of diversion work MERRILL PROJECT #2
 4. Amount of water claimed (cubic feet per second) 1
 5. Source of water supply WELL
 6. Location of point of diversion SW 4 of SE 4 of SW 4 of SEC 14 99-53

County TURNER

7. Annual period or periods during which water is to be used MAY - SEPTEMBER
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION
 9. For irrigation use, Total number of acres to be irrigated 30

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>SE 4 of SW 4 14-99-53</u>	<u>38</u>		
<u>SW 4 of SW 4 14-99-53</u>	<u>38</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 NEW ERA - PARKER S.D.
 12. Principal Features of the Proposed Water Supply System.

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

WELL

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

ALUMINUM PIPE

C. Works proposed to apply water to beneficial use.

VOLUME 900 - TRAVELLEREstimated Total Cost \$ 146,700.00

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 Turner

I, Robert L. Merrill, 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 Robert L. MerrillSubscribed and sworn to before me this 26 day of April 1975

Notary Public
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 2288-3

ROBERT L. MERRILL
(Applicant)
SOUTH DAKOTA 57053
(State)

ROUTE 1, PARKER
(Post Office Address)

With the following modifications:

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 MAY 9 19 75
Date of return to applicant for correction, amendments or changes required MAY 9 19 75
Date of receipt of corrected application MAY 23 19 75
Approved JULY 24 19 75, Recorded in Book 14 Page 37

WATER RIGHT PERMIT NO. 2288-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2288-3 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 MAY 9 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 24 19 77
3. The whole of said work is to be completed on or before JULY 24 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 24 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 1.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JULY 24 19 80; said water to be used during the following described annual period: MAY - SEPTEMBER

Witness my hand this 16TH day of SEPTEMBER 19 75

WATER RESOURCES COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

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

G. Well Information or Estimates

- (1) Drill Hole, Diameter 20", Depth 30-32'
- (2) Casing, Type STEEL, Diameter 14", Thickness 7/16"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Johansen "Inigator", Diameter 14", Length 10'
- (4) Gravel Pack, Thickness 3", Length of gravel pack 20'

E. Dugout Information or Estimates.

- (1) Surface dimensions N/A, 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 VERY COARSE GRAVEL
from 15-30' then blue clay

Depth to top of water bearing material 6'

Depth to bottom of water bearing material 30-32'

Thickness of water bearing material 24'-26'

Depth to water (ground surface to water level) 6-7'

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

On same owner's property 80 rds. 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.

N/A

Robert M. Merrill
Signature of Applicant

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: _____

Disapproved: _____

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCI 46-6-3 AS AMENDED

(This Form Required for Proposed Well Irrigation Only)

NAME: Robert L Merrill

ADDRESS: RT 1 Parker S.D. 57053

COUNTY: TURNER

LEGAL DESCRIPTION

1. WELL LOCATION: SF 4 of S1W4 Sec 14 99-53
2. AREA TO BE IRRIGATED: S² of S1W4 Sec 14 99-53

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Volume Gun
4. CROPS TO BE IRRIGATED: Corn, Alfalfa, Beans, Grass

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Mostly 1/4 with some (about 1/4) 2%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: About 3/4 h₅ Moderately deep, well drained soils with 20-30" loamy material over sand and h₁ gravel on gently undulating slopes. About 1/4 h₅ Moderately deep, well drained soils with 20-h₅ (Cap. Unit IIIs2) 2-1 loamy material over sand and gravel on nearly level (0-2%) slopes. Cap. Unit IIs3.

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: HR 75-322
8. SALINITY: EC = 1734 u.mhos/cm (high)
9. SODIUM: SAR = 0.40 (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

J. W. Rezek, DC Soil Cons. Service, Parker, S. Dak. 57053

and: J. W. Rezek

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

Robert L. Merrill

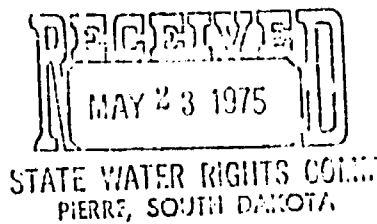
Subscribed and sworn before me this

26 day of April 19 75.

J. Merrill

Notary Public

(Title)



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

Submitted by: Robert Merrill
 Address: Parker, SD 57053

Date Rec'd: May 6, 1975
 Sample No.: 75-332
 Identification: #2 Well-
SW 1/4, Sec. 14, T 99N, R 53W

WATER ANALYSIS

Calcium (Ca)	110	ppm*	5.50	me/l**
Magnesium (Mg)	94	ppm	7.71	me/l
Sodium (Na)	24	ppm	1.03	me/l
Potassium (K)	34	ppm	0.87	me/l
Sulfate (SO ₄)	335	ppm	6.97	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	76	ppm	2.14	me/l
Bicarbonate (HCO ₃)	317	ppm	5.20	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	260	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1734	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.40			
Sodium	6.81	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	8.03			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 15.11 me/l
 Total anions 14.31 me/l

By: Shirley Kitten

Service Performed

Amount Due

Irrigation analysis

\$6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-332

Amount Enclosed \$

Signed

Form 6. - Notice of Intent to Appropriate Water

No. 2288-3

Publish first publication, on or before

July 10, 1975

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 6, 1975

Notice is hereby given that Robert L. Merrill

whose post office address is Parker, 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 1.0 cubic feet of water per

second of time from ~~the~~ ground water through the

Merrill Project #2, the point of diversion of which is to

be located in the _____

SE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 14, Twp. 99N, Range 53W. Said water to be used for the purpose of providing irrigation on the following described land:

S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 14, T99N, R53W

This application No. 2288-3 will be considered by the Water Rights

Commission at the North Lounge, Surbeck Center at the S.D. School of Mines, Rapid City, S.D.

upon the 24th day of July, 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:

Robert L. Merrill, Route 1, Parker, S.D. 57053

Affidavit of Publication

STATE OF SOUTH DAKOTA)
) ss.
COUNTY OF TURNER)

EARL J. BORMANN

of said County and State, being duly sworn, on his oath says:

THE NEW ERA is a weekly newspaper of general circulation, printed and published in Parker, in Turner County and State of South Dakota by Earl J. Bormann, and has been such a newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said county of Turner in the English language for more than fifty-two successive weeks next prior to the publication of the notice hereinafter mentioned, and has been printed during said period and at the present time, in whole or in part in an office maintained at the said place of publication; and that I, the undersigned, am

Owner--Publisher

of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all facts stated in this affidavit; that the advertisement headed Notice of Intent To Appropriate Water

2288-3

a printed copy of which is hereto attached, was printed and published in the said newspaper for two weeks; that said notice was published in the issues of said newspaper on the dates as follows, to-wit:

The first publication being made on Thursday, June 12th, 1975;
the second publication on Thursday, June 19th, 1975;
the third publication on 19;
the fourth publication on 19;
the fifth publication on 19;
the sixth publication on 19;
and the last publication on 19;

that \$ 9.68, the full amount of the fee charged for publication of the annexed notice, insures solely to the benefit of the publishers of the said newspaper; that no arrangements or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Earl J. Bormann
Subscribed and sworn to before me this 12th
day of September, 1975

Notary Public, Turner County, South Dakota.

Earl J. Bormann

No. 2288-3
NOTICE OF INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

June 6, 1975

Notice is hereby given that Robert L. Merrill, whose post office address is Parker, 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 1.0 cubic feet of water per second of time from ground water through the Merrill Project No. 2, the point of diversion of which is to be located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Twp. 99N, Range 53W. Said water to be used for the purpose of providing irrigation on the following described land:

S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 14, T99N, R53W.

This application No. 2288-3 will be considered by the Water Rights Commission at the North Lounge, Surbeck Center at the S. D. School of Mines, Rapid City, S. D., upon the 24th day of July, 1975, at 2:30 P.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By: RURTON F. JONES,
Water Rights Specialist

RFJ/bw

cc:

Robert L. Merrill, Route 1, Parker, S. D. 57055.

(2nd June 12 & 19, 1975)

Publication Fees \$ 9.68

Received Payment,

7-15-75

WATER RIGHTS COMMISSION
State of South Dakota

PIERRE, March 2, 1933

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.....		
Fee for Inspecting Beneficial Use, and Issuing Water License No.....		
Fee for Issuing Location Certificate-Dry Draw, No.....		
Fee for filing extension of time for MP # 2288-2	2	0
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	2	0

WATER RIGHTS COMMISSION

By J. R. H. H. H. H.
Chief Engineer, Executive Officer
JOHN HATHCO 99

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights Commission
Foss Building
Pierre, South Dakota 57501

Date 7-27-78

Dear Sirs:

In Water Right Permit No. 2288-3 it is specified that the water diversion system is to be completed by July 24, 1978 and that the water is to be put to the limit of beneficial use by July 24, 1980.

I hereby request that the date for completing the diversion system be extended to July 24, 1980 and that the date for putting the water to the limit of beneficial use be extended to July 24, 1982.

The extension of time for the completion of these works is requested for the following reasons: Financial conditions

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

Robert Merrill
(Signed)

2288-3

Permit Number

APPROVED:

WATER RIGHTS COMMISSION

BY:





Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

March 31, 1978

Robert S. Merrill
Rt #1
Parker, SD 57053

Dear Mr. Merrill:

This is to inform you that your request for extension of time
dated February 27, 1978 for Water Right Permit No. 2286-3

has been approved by the Water Rights Commission as follows:

The date for completing construction of the water system
has been extended to July 24, 1980, and the date for putting
the water to the limit of beneficial use has been extended to
July 24, 1982.

Enclosed herewith is Receipt No. 4 6376 for \$2.50 fee for
filing of this Approval of Extension of Time.

Very truly yours,

WATER RIGHTS COMMISSION

BY: BETTY WESTLUND

DW/gy

**SOUTH Dakota Department of
Water & Natural Resources**

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

November 12, 1981

Robert L Merrill
Parker, SD 57053

Mr. Merrill:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 2288-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

You will also receive the Certificate of Construction as required by statute.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

Permit No. 2288-3Water Division 3 VERMILLION RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD/FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by ROBERT L. MERRILL of PARKER holder of Permit No. 2288-3, bearing date of priority of MAY 15, 1975 authorizing the diversion of 1.0 cu. ft. per second of the waters of CIRCUMVALLE for IRRIGATION purposes, in TURNER 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.

30' DEEP WELL WITH 14" STEEL CASING - 10' JUMPED PER. 74 DEEN WESTERN LAND ROLLER 6" PUMP - NO TAG - POWERED BY INTERNATIONAL INDUSTRIAL GASOLINE MOTOR RATED AT 10HP U.S. HOLLAND-RAFT GEAR HEAD @ 1760 RPM

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

1800' OF 6" ALUMINUM PIPE

C. Works used to apply water to beneficial use.

KASKAD #110 HERTZ TRAVELLING GUN WITH 880' OF 5" FLEXIBLE RUBBER HOSE. NELSON #200 BIG GUN WITH 1.5" NOZZLE

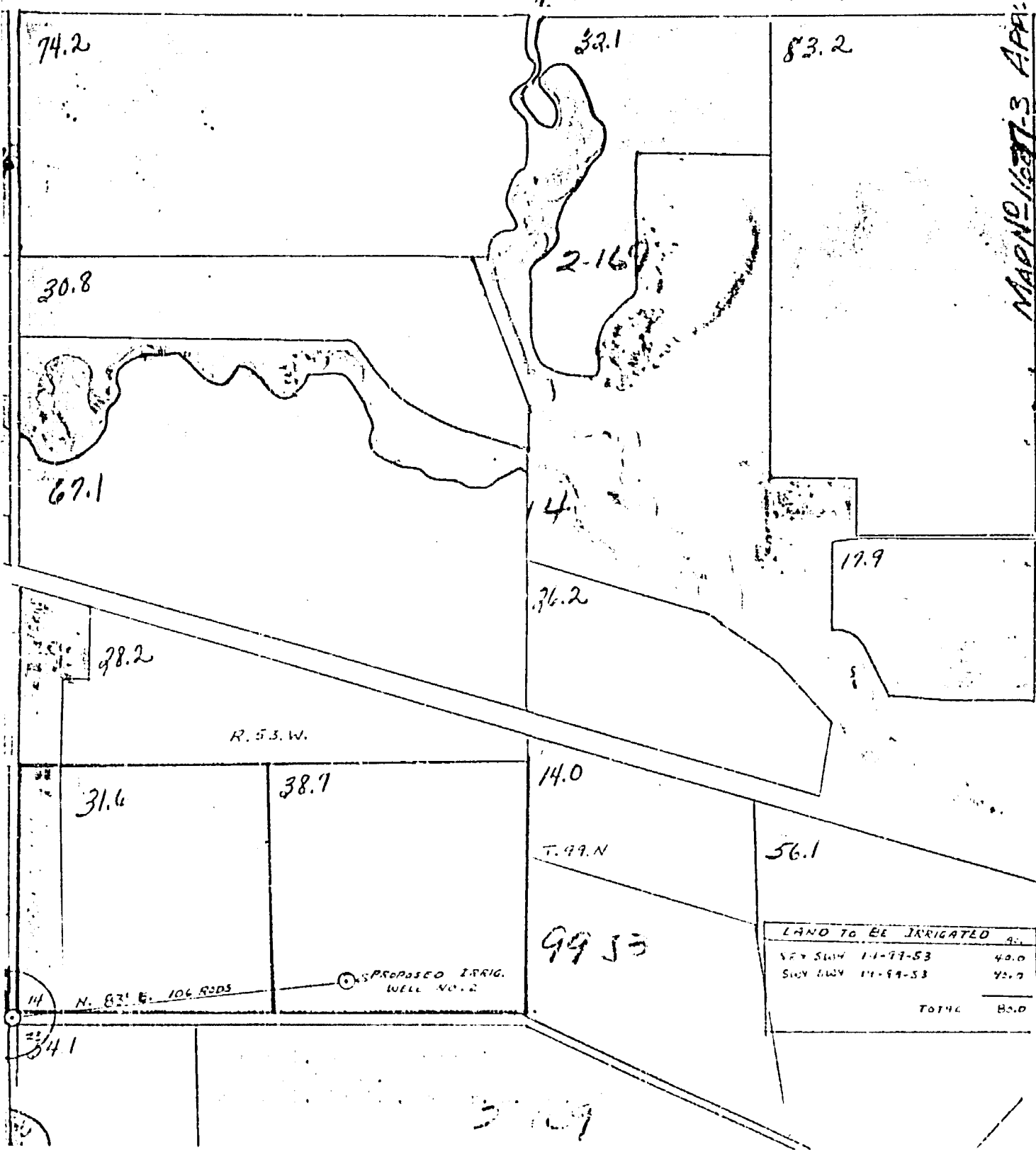
The system is in the following condition. GOOD

The point of diversion is located N 85 E, 106 RODS FROM THE SW CORNER, SECTION 14, T99N, R53W

The works are capable of diverting and conveying to the place of use 1.1 (500 GPM)cu. 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 14, T99N, R53WS 1/4 S 1/4 38 ACRESSE 1/4 S 1/4 38 ACREScomprising a total of 76 acres of land.Date NOVEMBER 6, 1981

Robert L. Merrill
(Signature)

MAP NO. 1637-3 APP. 172288-3



LAND TO BE IRRIGATED		AC.
SE 1/4 SW 1/4	1-1-99-53	40.0
SW 1/4 SW 1/4	1-1-99-53	40.0
TOTAL		80.0

R. 53. W.

T. 99. N

PROPOSED IRRIG. WELL NO. 2

N. 82° E. 106 RODS

99.53

14

34.1

3.109

WATER RIGHTS DIVISION

(605) 773-3352

May 6, 1982

Robert L. Merrill
Parker, South Dakota 57052

SECOND NOTICE
2288-3

Dear Mr. Merrill:

On November 12, 1981 you were notified concerning the final inspection fee of \$50.00 which is due before Water License No. 2288-3 and Certificate of Completion of Works can be issued. As of this date, the fee has not been received.

State Statutes requires a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee, your Water License will be sent to you. You will also receive the Certificate of Construction as required by Statute. These are the final papers for the perfection of your water right.

Please advise if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:gy:ms

WATER LICENSE NO. . 2288-3

(1) WHEREAS, On the 9th day of May A. D. 19 75

Robert Merrill

made Water Right Application No. 2288-3 for a permit to use 1.0 cubic feet per second of the waters of groundwater (one well)

County of Turner State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 24th day of July A. D. 19 75

Permit No. 2288-3 with a date of priority of May 9, 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 24th day of July A. D. 19 78 and for the application to beneficial use of said water on or before the 24th day of July A. D. 19 80

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 1.0 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

for irrigating the following land all in Section 14, T99N, R53W

SW1/4SW1/4 38 acres (CD)
SE1/4SW1/4 38 acres (CD)

TOTAL 76 acres

(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 Robert Merrill

_____ of Parker, South Dakota

the holder _____ and owner _____ of said permit No. 2288-3 a water right, dating from May 9, 1975

_____ to use of 1.0 cubic feet per second of the waters

of groundwater (one well)

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point N85°E, 106 rods from the SW Corner,

Section 14, T99N, R53W

and conducted to and upon portions of Section 14, T99N, R53W more fully described
on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2288-3 and subject to the laws of the State of South Dakota.

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

this 18th day of May A. D.

Nineteen Hundred and Eighty-Two

WATER MANAGEMENT BOARD

By:

John Hatch

Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 2288-3

Water Diversion No. 3 Vermillion River Water District
10170102

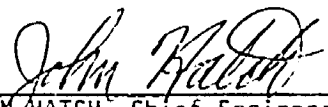
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Robert L. Merrill

_____ the holder _____ of
Permit No. 2288-3, issued upon Application No. 2283-3, bearing date of priority of _____
May 9, 1975 authorizing the diversion of 1.0 cu. ft. per second of the waters of _____
groundwater (one well) County of Turner, State of South Dakota at _____
a point N85°E. 106 Rods from the SW Corner, Section 14, T99N, R53W (CD)
_____, for irrigation

_____ purposes, has _____ 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 1.11 cu. ft. per second of water.

Date May 16, 1982



JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8837

PIERRE, May 17, 1982

RECEIVED OF Robert Herrill, Parker SD 57053

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. 2288-3)	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 2282-3)		
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)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH

 **Department of
Water & Natural Resources**

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

January 29, 1988

ROBERT L MERRILL
RR 1 BOX 2
PARKER, SD 57053

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). 2287-3, 2288-3. 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). 2287-3, 2288-3 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

February 4, 1988

2288-3
2287-3

Robert L Merrill
RR #1 Box 2
Parker, SD 57053

Dear Mr. Merrill:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 2288-3 and 2287-3 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 has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 28, 1995

2287-3

2288-3

5446-3

Robert Merrill
Merrill Farms Inc.
27567 Walnut Avenue
Parker, SD 57053

Dear Mr. Merrill:

Thank you for the prompt return of your 1995 irrigation questionnaires. It is my understanding from your comment on the questionnaires that you wish to have the water rights transferred to Merrill Farms Inc.

Enclosed are partially completed transfer forms for use in filing the ownership changes. Please complete the forms and sign them in the presence of a notary public. Upon completion, please return the forms to our office with a required filing fee of \$2.50 each (total of \$7.50).

If you have any questions concerning the water rights or completion of the transfer forms, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

2287-3

2288-3

5446-3

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Alan Merrill

ADDRESS: 27577 Walnut Avenue, Parker, SD 57053

DATE: January 5, 1996

RE: ownership status of Nos. 2287-3, 2288-3 and 5446-3

COMMENTS:

Mr. Merrill called the office in response to a letter I had written requesting them to complete transfer forms changing the permits from Robert Merrill to Merrill Farms Inc. (their 1995 irrigation questionnaires seemed to request the change)

Mr. Merrill stated they started operating under a corporation, however they did not change ownership of the land to the corporation name. He said the permits should be left as they are since they have not changed ownership.

I told him I could send correspondence to Merrill Farms Inc. and still leave the water permits under the name of Robert Merrill. He said he would prefer this type of arrangement.

Send correspondence to: Merrill Farms Inc., 27577 Walnut Avenue, Parker, SD 57053

Genny McMath

Genny McMath
Environmental Scientist

*1-9-96 - They decided to have 2288-3 transferred
to Allen & Kristi Merrill*

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 2288-3

Date: 1-5-96



I/We request that Water Right No. 2288-3

formerly owned by: Robert L Merrill

be transferred to: (name & address) ~~Robert L Merrill~~ Allen R. or Kristi Merrill
21507 Walnut Ave. Pierre SD 57053 Telephone No. 605-297-3213

Title to the following described land(s) property has been transferred as described above:

76 acres in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 14, T99N, R53W

I/We understand that the validity of Water Right No. 2288-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Turner)

I/We Allen R Merrill
Kristi Merrill 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 that I know of my own personal knowledge that the information herein stated is true.

Allen R Merrill Kristi Merrill
(Signed)

Subscribed and sworn to before me this 8th day of January, 19 96.

[Signature]
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

414753

South Dakota Department of Environment and Natural Resources

Pierre, _____ January 11, 19 96

RECEIVED OF Kristi Merrill, 27567 Walnut Avenue, Parker, SD 57053

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct 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 No. 2238-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	2	50

By John H. H. H.
Chief Engineer



2288-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 25, 1996

No. 2288-3

Allen R. or Kristi Merrill
27567 Walnut Ave.
Parker, SD 57053

Dear Mr. and Ms. Merrill:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 2288-3.

Our records now show you as the owner of Water Right No. 2288-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure



2288-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 6, 2017

2288-3

Allen R or Kristi Merrill
27567 Walnut Ave
Parker SD 57053

Dear Mr. & Mrs. Merrill:

Thank you for the prompt return of your 2017 irrigation questionnaires.

It is my understanding from the notation made on the questionnaire for Water Right No. 2288-3 the land has been enrolled in CRP through 2027. Under SDCL 46-5-37.2, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if:

- the water source is not fully appropriated
- if the withdrawal from use does not prevent approval of new permits from the same source, and
- if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.

The annual irrigation questionnaire for Water Right No. 2288-3 will not be mailed to you until the land comes out of CRP. If the land is sold or other changes occur prior to the land coming out of the program, please notify us so that appropriate changes can be made to the water right.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

March 31, 2025

Allen & Kristi Merrill
27567 Walnut Ave
Parker, SD 57053

No. 2288-3

Dear Mr. and Mrs. Merrill:

I am contacting you in regard to your Water Right No. 2288-3, authorizing the diversion of 1.0 cubic feet of water per second, from groundwater, one well (Parker Centerville Aquifer), for the irrigation of 76 acres located in the S ½ SW ¼, Section 14, T99N, R53W.

Irrigators in South Dakota are required to submit an annual irrigation questionnaire reporting how much water was pumped during the irrigation season. Our records show the land authorized for irrigation under Water Right No. 2288-3 has been in the Conservation Reserve Program (CRP) through 2024.

The purpose of this letter is to find out the status of irrigation on your property. Please take a few minutes and answer the questions on the attached sheet and return it in the envelope provided. If you have made a decision not to resume irrigation, let me know that as well.

Thank you in advance for your help in updating the water right.

Sincerely,

Miranda Smith
Water Rights Program
605 773-3352
Miranda.Smith@state.sd.us

enclosure