

Water Right Number 2367-3

1. Considered NOV. 12, 19 75
2. Name of Applicant RONALD E. JOHNSON
3. Post Office Address HITCHCOCK, SD
4. Amount of water claimed 2.00
5. Source of water supply GROUND WATER (57' DEEP WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 140
7. Water to be diverted and used in BEADLE County
about 9E Miles of HITCHCOCK
8. Proof of Publication
Received 10-22-75
Not received
Approved
Subject to
Not approved
Action deferred
9. Application
10. Remarks:

Map No. 1746-3 Water Division No. 33 JAMES RIVER District 23/27-3
(Blanks to be filled by the Engineer for the W. H. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Ronald E. Johnson
Postoffice address Hitchcock State South Dakota 57348
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct labor
3. Name of diversion work Well RPN Johnson #1
4. Amount of water claimed (cubic feet per second) 5000 gallons per minute 2.0
5. Source of water supply Well
6. Location of point of diversion CENTER NE of Section 2-113-62

County Beadle

7. Annual period or periods during which water is to be used June to 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 140

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.
NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 2-113N-62W	35		
NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 2-113N-62W	35		
SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 2-113N-62W	35		
SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 2-113N-62W	35		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Daily Plainsman
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.

Turbine Pump

C. Works proposed to apply water to beneficial use.

Center PivotEstimated Total Cost \$ 30,000.00

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 Beadle) ss.

I, Ronald E. Johnson, 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 Ronald E. Johnson

Subscribed and sworn to before me this _____ day of _____, 19____

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2367-3

RONALD E. JOHNSON (Applicant) HITCHCOCK (Post Office Address)
SOUTH DAKOTA 57348 (State) With the following modifications:

The irrigation well approved under this Permit is located near domestic 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.

Date of first receipt of application SEPTEMBER 17 19 75

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

Date of receipt of corrected application — 19 —

Approved NOVEMBER 13 19 75 Recorded in Book 14 Page 104

WATER RIGHT PERMIT NO. 2367-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2367-3 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 SEPTEMBER 17 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13 19 78
3. The whole of said work is to be completed on or before NOVEMBER 13 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13 19 82
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 2.0 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 NOVEMBER 13 19 82; said water to be used during the following described annual period: JUNE TO OCTOBER

Witness my hand this 18TH day of NOVEMBER 19 75

WATER RIGHTS COMMISSION

By:

John Hitchcock
 Chief Engineer, Executive Office

Certificate of Construction Issued MARCH 23 19 79

Water License Issued MARCH 23 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 32 inches, Depth 57 ft.
- (2) Casing, Type concrete Diameter 18 in. Thickness 2 3/4 in.
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type concrete, Diameter 18 in., Length 32 ft.
- (4) Gravel Pack, Thickness _____, Length of gravel pack 50 ft

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 fine gravel to very little coarse gravel

Depth to top of water bearing material 20 ft

Depth to bottom of water bearing material 57 ft

Thickness of water bearing material _____

Depth to water (ground surface to water level) 18 ft

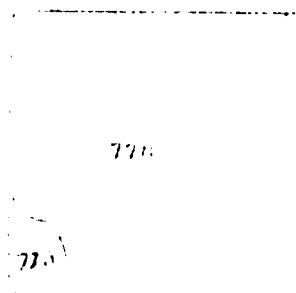
- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 40 rds. On property owned by others 50 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.

Donald E. Johnson
Signature of Applicant



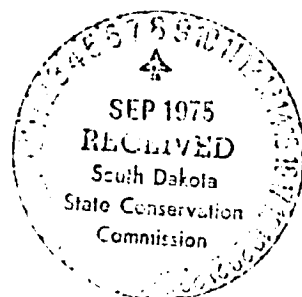
NE¹/₄-2-113-62

SOILS DESCRIPTION

77A Beadle loam, 0 to 2 percent slopes

This unit consists of well and moderately well drained soils with loamy surface layers and clayey subsoils. The clayey subsoils containing 35 to 40% clay - somewhat limit water intake and moisture release to plants. These soils have moderately slow permeability. Depth to the calcareous clay loam glacial till substrate ranges from 18 to 30 inches. Included within these units are small enclosed depressions and small areas of soils with claypan subsoils which contain salts. Drainings or fill of these inclusion may become desirable to prevent ponding and excessive wetness.

The SW corner of the quarter has approximately 12 acres of the same soils which have 2 to 5% slopes.



Conservation
Commission
Form WI #1

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: ALLS JH/EX

Disapproved: _____

NAME: Ronald E. Johnson
ADDRESS: Hitchcock, South Dakota 57348
COUNTY: Beadle

LEGAL DESCRIPTION

1. WELL LOCATION: NE of Section 2-113-62 (center of quarter)
2. AREA TO BE IRRIGATED: NE of Section 2-113-62

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center Pivot
4. CROPS TO BE IRRIGATED: Corn and alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Soil conservation map enclosed
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: _____

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-707
8. SALINITY: EC = 836 micromhos/cm (Medium - high)
9. SODIUM: SAR = 1.04 (Low)

and :

Ronald S. Johnson.

day of _____ 19__.

(Title)



September 3, 1975

Mr. Ronald E. Johnson
Hitchcock, SD 57348

Dear Mr. Johnson:

You were earlier sent the original copy of the report of analysis on the sample submitted here August 11. This water sample is plotted as to suitability for irrigation and quality on the outside back cover of extension circular 654. The intersection of the two red lines indicate the approximate sodium hazard and total salinity of this water. You will note that it's low in sodium but medium to high in total salinity. For this soil which you have, this will probably cause no difficulty for most areas. However, there may be small areas of claypan soil included within the Beetle loam and these claypan areas will pond water or result in salt encrusted areas in dry periods. Thus, crop performance will probably be very poor on these areas, especially if water stands. You may wish to smooth this area out or level these ponded areas so that water does not stand on them.

The salt content of the water, however, is low enough so it by itself should not cause a salt problem. The salinity which does show up will be a salt rise of that which is already in the soil. The sodium content of the water is relatively low and should cause no dispersion of the clay.

The check to the State Conservation Commission, the WI-1 form, and a copy of this letter and a copy of the water analysis plus the soils information and your application form, too, are being sent to the State Conservation Commission.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

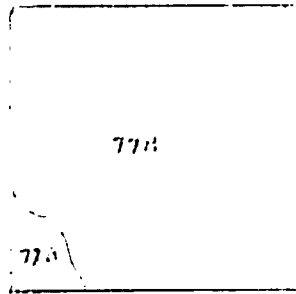
Enclosures

cc: State Conservation Commission

D. Pahl

Dick Fadgen, County Extension Agent





NE¹/₄-2-113-62

SOILS DESCRIPTION

77A Beadle loam, 0 to 2 percent slopes

This unit consists of well and moderately well drained soils with loamy surface layers and clayey subsoils. The clayey subsoils - containing 35 to 40% clay - somewhat limit water intake and moisture release to plants. These soils have moderately slow permeability. Depth to the calcareous clay loam glacial till substrata ranges from 18 to 30 inches. Included within these units are small enclosed depressions and small areas of soils with claypan subsoils which contain salts. Drainings or fill of these inclusion may become desirable to prevent ponding and excessive wetness.

The SW corner of the quarter has approximately 12 acres of the same soils which have 2 to 5% slopes.

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

Submitted by: **Ronald E. Johnson**

Address: **Hitchcock, SD 57348**

Date Rec'd: **August 11, 1975**

Sample No.: **75-707**

Identification:

WATER ANALYSIS

Calcium (Ca)	100	ppm*	5.00	me/l**
Magnesium (Mg)	25	ppm	2.05	me/l
Sodium (Na)	45	ppm	1.96	me/l
Potassium (K)	6	ppm	0.17	me/l
Sulfate (SO ₄)	141	ppm	2.93	me/l
Nitrate (as N)	17	ppm	0.48	me/l
Chloride (Cl)	349	ppm	5.72	me/l
Bicarbonate (HCO ₃)		ppm		me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		me/l
Alkalinity (Methyl Orange)	286	ppm (as CaCO ₃)		g.p.g.***
Alkalinity (Fenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	836	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.04			
Sodium	21.35	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.17			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 9.18 me/l
 Total anions 9.13 me/l

By: **Shirley Kitten**

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. **75-707**

Amount Enclosed \$

Signed

2367-3

Publish first publication, on or before October 30, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 2, 1975

Notice is hereby given that Ronald E. Johnson

whose post office address is Hitchcock, 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

2.0 cubic feet of water per second of time from the ground water through the Ron Johnson #1, the point of diversion of which is to be located in the

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

of Section 2, Twp. 113N, Range 62W. Said water to be used for the purpose

a portion of
of providing irrigation on the following described land:

NE $\frac{1}{4}$, Section 2, T113N, R62W

This application No. 2367-3 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of November, 1975, at 2:30 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc: Ronald E. Johnson, Hitchcock, S.D. 57348

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, Dorothy Murphy hereby

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

Water was taken from the Lure Plainsman

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 Huron

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

October 13, 1975

October 20, 1975

Dorothy Murphy
(Signature)

Frank E. Keener
(Title)

10-20-75
(Date Signed)

F.P. 13-13-75 13-13-75 L.P. 10-2-75
NOTICE INTENT TO
APPROPRIATE WATER
Notice is hereby given that Donald
E. Johnson, whose post office ad-
dress is: Hirschcock, 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 2.0 cubic feet of water per second
of time from ground water through
the Ron Johnson No. 117 the point of
diversion of which is to be located in
the Center of the NE 1/4 of Section 2,
Twp. 113N, Range 62W, said water
to be used for the purpose of
providing irrigation on a portion of
the following described land: NE 1/4
Section 2, T113N, R62W, S44E, 113N
This application No. 2367-3 will be
considered by the Water Resources
Commission at their office at Pierre
upon the 12th day of November, 1975,
at 2:30 p.m. All interested persons
may appear and be heard.
Water Resources Commission
BURTON F. JONES,
Water Rights Specialist
No. 539 (adv.)

Form 20.

NOTICE



No. 2367-3

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

Date: 11-20-1978

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

NE $\frac{1}{4}$ of Section 2, T113N, R62W

formerly owned by Ronald E. Johnson

has been transferred to G.W. Grosch, Silver Creek, NE

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 2367-3 as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

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 Section 61.0159 of the 1960 Supplement to the South
Dakota Code of 1939..

STATE OF NEBRASKA)

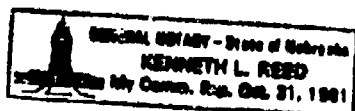
County of MERRICK) SS.

I, G.W. GROSCH 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.

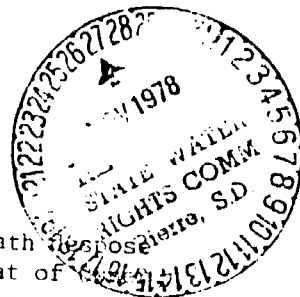
(Signed)

Subscribed and sworn to before me this 20 day of November

19 78.



Kenneth L. Reed
(Notary Public)





Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

November 16, 1978

G.W. Grousch
Silver Creek, NE 68663

Dear Mr. Grousch:

Enclosed is a Form 20 "Notice of Transfer of Water Permit" that we would like for you to check over and make the necessary corrections and return to this office with a check for \$2.50 to cover the cost of the filing fee. The Gilbert brothers who farm this property informed us that you own this land.

I made a final inspection on this permit in order that you may be issued a Water License. I checked the center pivot, the pump and motor and the area covered by the center pivot. In order to complete the inspection, I need to know the depth of the well, the depth to water, the rate you are pumping in gallons per minute, and the capacity of the well if known. Unfortunately the Gilberts did not have the information. If you could send me this information, we can proceed to process the License. The License then remains with the property.

There is a \$50.00 final inspection fee, as required by the South Dakota Water Laws, however, do not send a check for it now. Our office will bill you later when we have the License ready.

If you have any questions about the above matters, please feel free to contact this office.

Sincerely,

Leroy J. Mernaugh
LEROY J. MERNAUGH
Water Resources Engineer

LJM/gy

encl

Well Depth 72 ft

Depth to Water 14 ft

Flow Rate 800 GPM

Capacity 1000 GPM

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

N^o 4 6574

PIERRE, November 27, 1973

RECEIVED OF GW Grosch, Silver Creek, NE 68663

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 transfer of water right No. 2367-3	2	50
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	50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer

JOHN HATCH, 5Y

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

N^o 4 6809

G. W. Grosch

PIERRE, February 22, 1976

RECEIVED OF Grosch So. Dakota Farm Account; Silver Creek, NE 68663

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. 2367-3	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 2367-3		
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, 6t

Permit No. 2367-3Water Division 3 James 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 G.W. Grosch
 of Box 337, Silver Creek, Nebraska 68663 holder
 of Permit No. 2367-3, bearing date of priority of September 17, 1975
 authorizing the diversion of 2.0 cu. ft. per second of the waters of One Well
 for Irrigation purposes, in Beadle 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:

Motor U.S. Electrical, #R-1784-01-169 R1012368
50 HP., 1765 RPM.
 Pump Western hand Roller. ser # C66531.
 Head # 68 5-100-H. pumping 800 gpm

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

1550 ft 8" dia. PVC Pipe - underground.

C. Works used to apply water to beneficial use.

T + L Center Pivot

The system is in the following condition: Good

The point of diversion is located 120 ft South and 730 ft East of the
N-1/4 Corner of Section 2, T113N R62W

The works are capable of diverting and conveying to the place of use 1.78

cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: All in Section 2, T113N R62W

NW 1/4 NE 1/4 - 29 Ac., NE 1/4 NE 1/4 - 29 Ac., SW 1/4 NE 1/4 - 33 Ac.,
SE 1/4 NE 1/4 - 33 Ac.

comprising a total of 128 (129) acres of land.

Well - depth - 72 ft.

To water - 14 ft.

Pumping - 800 gpm

Capacity 1000 gpm

128 Ac. x 70 = 1,777 cfs

License fee 177 cfs

Date January 8, 1979
LeRoy J. Merrough
 (Signature)

Permit No 2367-3

Water Diversion No 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That G. W. Grosch

the holder _____ of
Permit No. 2367-3, issued upon Application No. 2367-3, bearing date of priority of _____
September 17, 1975 authorizing the diversion of 2.0 cu. ft. per second of the waters of _____
groundwater (one well) County of Deadle, State of South Dakota at _____
120 ft. South and 230 ft. East of the N $\frac{1}{4}$ Corner, Section 2-T113N-R62W

for irrigation

purposes, has S 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 1.78 cu. ft. per second of water.

Date March 23, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Commission

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2367-3

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

Ronald E. Johnson

made Water Right Application No. 2367-3 for a permit to use 2.0 cubic feet per second of the waters of groundwater (one well)

County of Beadle, State of South Dakota, for irrigation

purposes, and

(2) WHEREAS, On the 13th day of November A. D. 19 75

Permit No. 2367-3, with a date of priority of September 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 13th day of November A. D. 19 80 and for the application to beneficial use of said water on or before the 13th day of November A. D. 19 82

WHEREAS, on the 27th day of November, 1978 the permit was transferred to
• G. W. Grosch of Silver Creek, Nebraska

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 1.77 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 portions of land in Section 2-T113N-R62W

acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 29

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 29

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 33

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 33

Total 124 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 G. W. Grosch

of Silver Creek, Nebraska

the holder, and owner of said permit No. 2367-3, a water right dating from

September 17, 1975 to use of 1.78 cubic feet per second of the waters

of groundwater (one well)

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

purposes hereinafter mentioned, to be diverted at 120 ft. South and 230 ft. East of the NE

Corner, Section 2-T113N-R62W

and conduct to and upon portions of land to be located in Section 2-T113N-R62W,
more fully described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2367-3 and subject to the laws of the State of South Dakota.

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

this 23rd day of March A. D.

Nineteen Hundred and Seventy-nine

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

January 19, 1983

1509-3
1511-3
1512-3
2367-3

Jerry Gilbert,
RR 1 Box 84
Hitchcock SD 57348

Dear Mr. Gilbert:

This letter is in regard to the 1982 Irrigation Questionnaire you returned for Permits No. 1509-3, 1511-3, 1512-3 and 2367-3 listed in the name of G. W. Grosch of Silver Creek NE.

This office needs to know whether or not you now own the land covered under these permits or if you returned them as the "operator". If you now own the land the permits should be transferred to your name. If you operate the systems, your name can be added to the files as that of operator or leasor.

Please advise this office as to the status of these permits.

Sincerely,

GENNY YOUNG
Water Rights Specialist

GY:ks

1509-3

1511-3

~~1513-3~~

2367-3

Nov. 6, 1986

John Hatch, Chief Engineer
Water Rights Division
Pierre, SD



Dear Sir:

We are returning the irrigation
questionnaire you sent us. We did
not operate this property this year.
Please change your records accordingly.

Following is the name and address of the
person in charge of this property:

Wayne Groesch

Grosch Irrigation

Box 337

Silver Creek, Neb. 68663

Sincerely,
Kathy Gilbert
for Jerry Gilbert

Water Rights Division - OWNER
Conversation or File Documentation

File No. 1509-3
1511-3
1512-3
2367-3

NAME OF PERSON OR FILE: Wayne Grosch

ADDRESS: Silver Creek, NE COUNTY

DATE: March 11, 1987 TELEPHONE 308-773-2261 or 773-2144

RE: ownership of 1509-3, 1511-3, 1512-3 & 2367-3

COMMENTS:

Mr. Grosch indicated the permits should be transferred to Elsie Grosch. They are now listed under the name of G W Grosch (Estate). Elsie was G W's wife.

Send transfer forms to Frank Zelda, he handles paperwork for Elsie Grosch.

Frank Zelda

PO Box 591

PHONE: 402-564-9666

Columbus, NE 68601

The land is being rented by Allen Wipf at Frankfort, SD

Send irrigation questionnaires to Mr. Wipf.

4-10-87 Mrs. Wipf indicated that Greg Hoyer,
R. R. Hitchcock, SD actually rents the land.
Allen Wipf & Greg Hoyer work together

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Greg Hoyer



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

1509-3
1511-3
1512-3
2367-3

March 13, 1987

Frank Zelda
PO Box 591
Columbus, Nebraska 68601

Dear Mr. Zelda:

Please find enclosed four copies of a Notice of Transfer of Water Permit forms. These forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 for each, total of \$10.00.

Upon receipt of the enclosed forms and the \$2.50 filing fee for each, the permits will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

Department of **Water & Natural Resources**

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

January 29, 1988

GREG HOFER, RENTER
 RR
 HITCHCOCK, SD 57348

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
 Questionnaire

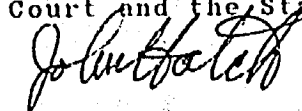
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 2367-3, 1509-3, 1511-3, 1512-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation 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). 2367-3, 1509-3, 1511-3, 1512-3 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

cc: Elsie Grosch, %Frank Zelda, PO Box 591, Columbus, NE 68601

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 9, 1988

1511-3
1512-3
~~2367-3~~
1509-3

Greg Hofer, owner
Box 57, Rm 1
Hitchcock SD 57348

Dear Mr. Hofer:

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. 1511-3, 1509-3, 1512-3 & 2367-3 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 dark ink, appearing to read "John Hatch". The signature is written in a cursive style with a large, stylized "J" and "H".

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

cc: Frank Zelda
PO Box 591
Columbus NE 68601



Department of Water & Natural Resources

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

1509-3
1511-3
1512-3
2367-3

September 29, 1988

Frank Zelda
PO Box 591
Columbus, NE 68601

Dear Mr. Zelda:

I am writing in regard to Water Right Nos. 1509-3, 1511-3, 1512-3 and 2367-3 currently listed in the name of G W Grosch (Estate). Transfer forms were sent to you in March, 1987 for use in filing an ownership change on the water rights. To date, we have not heard from you on this matter.

In a September 28, 1988 telephone conversation between Jim Wendte, of this office, and Dick Grosch, Mr. Grosch stated the water rights should still be transferred to Elsie Grosch. Enclosed are partially completed "Notice of Transfer" forms. Please have them completed and returned to our office. A \$2.50 filing fee is required for each (total of \$10.00).

Water License No. 1511-3 was issued for irrigation of land in the NE 1/4 of Section 5, T113N, R62W. The original application was for the entire N 1/2 of the Section. Mr. Grosch stated during the telephone conversation with Mr. Wendte, that the N 1/2 was developed at the same time from the two wells. The Water License will be reissued to include the NW 1/4 of Section 5. There will be no charge for reissuance of the license.

Upon receipt of the transfer forms and filing fees, Water Right Nos. 1509-3, 1511-3, 1512-3 and 2367-3 will be transferred to the proper owner. At that time, Water License No. 1511-3 will be reissued and sent to you. If you have any questions, please contact us. Your prompt attention in this matter will be appreciated.

Sincerely,

GENNY MCMATH,
Natural Resources Analyst
605 773-3352

enclosures





Department of Water & Natural Resources

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

February 8, 1989

FRANK ZELDA
PO BOX 591
COLUMBUS, NE 68601

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1509-3, ~~2367-3~~, 1511-3, 1512-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City 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, the Water Management Board can:

1. Amend Permit No(s). 1509-3, 2367-3, 1511-3, 1512-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing 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 is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,

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



— 2-25-89

The Last Two years
These Reports Haven't gotten
filled out on time so
maybe you better mail
them in the future to me
seems I always end up
getting them filled out any
way

Allen W. Wilf

1509-3, 1511-3, Box 77

1512-3, 2367-3 Frankfort SD



EASTERN WAREHOUSE
Winter Haven, Florida
813-299-4122

WESTERN WAREHOUSE
Madera, California
209-674-3334

WESTERN LAND ROLLER COMPANY
Phone (402) 463-1306 - Hastings, Nebraska 68901
Manufacturers of Irrigation Pumps Since 1935.



Department of Water & Natural Resources

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

March 7, 1989

1509-3
1511-3
1512-3
2367-3

Frank Zelda
PO Box 591
Columbus, NE 68601

Dear Mr. Zelda:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Right Nos. 1509-3, 1511-3, 1512-3 and 2367-3. The forms were completed and returned by Allen Wipf, Frankfort, SD. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. The questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

Water Right Nos. 1509-3, 1511-3, 1512-3 and 2367-3 are still listed in the name of G W Grosch Estate. "Notice of Transfer" forms were sent to you March 13, 1987 and September 29, 1988 for use in filing an ownership change. Please notify us as to whether the water rights should still be transferred or left as they are.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Division

cc: Allen Wipf, Box 77, Frankfort, SD 57440

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

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

July 13, 1989

1509-3
1511-3
1512-3
(2367-3)

Frank Zelda
PO Box 591
Columbus, NE 68601

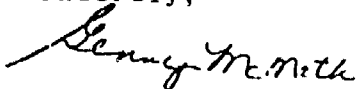
Dear Mr. Zelda:

In response to our July 13th telephone conversation, enclosed is an additional set of transfer forms. The transfer forms are for use in filing an ownership change on Water Right Nos. 1509-3, 1511-3, 1512-3 and 2367-3. They are currently listed as G W Grosch Estate.

The transfer forms will need to be completed and signed in the presence of a notary public. Upon completion, please return them to our office with a \$2.50 filing fee for each (total of \$10.00).

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



NOTICE OF TRANSFER OF WATER



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: July 19, 1989

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

124 acres - NE 1/4 Section 2, T113N, R62W

formerly owned by G W Grosch Estate

has been transferred to Elsie M. Grosch, Silver Creek, Ne. 68663

(please include complete mailing address)

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

Water Right ~~Permit~~ No. 2367-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

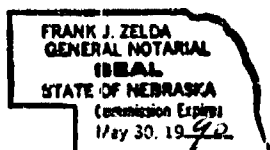
NEBRASKA
STATE OF ~~SOUTH DAKOTA~~)
County of Nance) ss.

I, Elsie M. Grosch 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.

Elsie M. Grosch
(Signed)

Subscribed and sworn to before me this 20 Day of July, 1989.

[Signature]
(Notary Public)



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

611042

Pierre, July 24, 1989

RECEIVED OF Elsie M Grosch, Silver Creek NE 68563

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____

Fee for Filing Transfer Form Water Right No. 2367-3

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

John Hatch
Chief Engineer JOHN HATCH (ks)

 **Department of
Water & Natural Resources**

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

August 30, 1989

No. 1509-3
1511-3
1512-3
2367-3

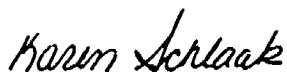
Elsie Grosch
c/o Frank Zelda
PO Box 591
Columbus NE 68601

Dear Mr. Zelda:

Enclosed are receipts in the amount of \$2.50 each for the transfer of Water Rights No. 1509-3, 1511-3, 1512-3 and 2367-3.

Our records now show Elsie Grosch as the owner of these Water Rights.

Sincerely,



KAREN SCHLAACK
Senior Secretary
605 773-3352

enclosures



L



DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 12, 1990

Oaktree Real Estate Co
PO Box 762
O'Neill, NE 68763

Attention: Joanne

Dear Joanne:

Enclosed, as you requested, are 1990 irrigation questionnaires and chemical application forms relating to Water Right Nos. 1509-3, 1511-3, 1512-3 and 2367-3. These water rights are currently listed in the name of Elsie Grosch.

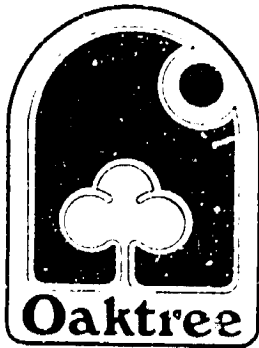
The forms were originally mailed to Allen Wipf, Frankfort, SD on October 12, 1990. If next year's forms should be directed to someone other than Mr. Wipf, please let me know.

Please complete the forms and return them to us as soon as possible. If you need assistance in completing the forms, please contact me at (605) 773-3322.

Sincerely,

Genny McMath
Natural Resource Analyst

enclosures



Oaktree Real Estate Company • 103 South Third • P.O. Box 762 • O'Neill, Nebraska 68763 • (402) 336-1407

December 30, 1992

Department of Environment & Natural Resources
Joe Foss Building
523 East Capital
Pierre, S. D. 57501-3181

ATTN: Ms. Genny McMath

Dear Ms. McMath:

Please change the names on these reports to Grosch Brothers
to the following name and address:

% Oaktree Trust Company
PO Box 762
O'Neill, NE 68763

Thank you for your assistance.

Sincerely,

John G. Waterbury

Encl.

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

December 14, 1995

RE: Request for an additional point of diversion for Water Right No. 2367-3,
Grosch Brothers

Grosch Brothers, through John Waterbury, submitted an application requesting authorization for an additional point of diversion for Water Right No. 2367-3. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing in the additional point of diversion is from the same source of water, no additional water is appropriated and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Water Right No. 2367-3 appropriates 1.78 cubic feet of water per second from one well (Tulare) located in the NW¼ NE¼ Section 2 for irrigation of 124 acres located in the NE¼ Section 2; all in T113N, R62W. The additional point of diversion is to be located in NW¼ NE¼ Section 2, T113N, R62W (approximately 1,250 feet south east of the existing well). The applicant has indicated the existing well's production has declined and the new well will act as a helper well. This request is for no additional appropriation of water.

A review of existing diversion within a two mile radius of Section 2, T113N, R62W was conducted based on Water Rights Program records. There are two domestic/stock wells located approximately ¾ of a mile north west of the NE¼ of Section 2, T113N, R62W. The nearest water permit/rights from groundwater are located 2½ miles west of this site on the west side of the James River. The two following tables provides information on existing wells (see map).

Domestic/Stock Wells in General Area*

Quarter	Sect-Twn-Rng	Drilled for	Depth
SW¼ NW¼	4-T113N-R62W	James Sch???	58 ft
NE¼ SW¼	13-T113N-R62W	Stan Lovett	70 ft
SW¼ SW¼	8-T113N-R61W	Isaac Tschetter	975 ft
SW¼ SW¼	25-T114N-R62W	Eldon Hofer	785 ft
NW¼SW¼	26-T114N-R62W	Arthur Olson	72 ft
NE¼	33-T114N-R62W	Eric Anderson	40 ft
SW¼ NW¼	33-T114N-R62W	John Kingdon	70 ft
NW¼ NW¼	35-T114N-R62W	Eric Anderson	40 ft
SE¼ NW¼	35-T114N-R62W	Edward Ray Waldner	61 ft

* information gathered from Water Right Program microfiche file

Water Permit/Right in General Area*

Permit	Holder	Source	Legal,	Side of River	Amount
1511-3	Grosch	68 & 70 ft wells	NE¼ Sec 5-T113N-R62W	West	1.90 cfs
1512-3	Grosch	85 ft well	NW¼ Sec 6-T113N-R62W	West	1.90 cfs
4794-3	Tobin	2-80 ft wells	SE¼ Sec 5-T113N-R62W	West	2.22 cfs
1423-3	Veskma	60 ft well	NW¼ Sec 9-T113N-R62W	West	1.88 cfs
1253-3	Chaplin	James River	NW¼ Sec 10-T113N-R62W	East	0.66 cfs
4723-3	Tobin	75 & 90 ft wells	SE¼ Sec 8-T113N-R62W	West	1.94 cfs
282-3	Veskma	54 ft well	SW¼ Sec 9-T113N-R62W	West	1.85 cfs
325-3	Chaplin	James River	SW¼ Sec 11-T113N-R62W	East	0.63 cfs
3191-3	Mueller	78 ft well	NW¼ Sec 15-T113N-R62W	West	1.69 cfs
3192-3	Mueller	72 ft well	SE¼ Sec 15-T113N-R62W	West	1.88 cfs
2976-3	Lovett	63 ft well	SW¼ Sec 14-T113N-R62W	West	1.44 cfs
3466-3	Schwan	well	NW¼ Sec 13-T113N-R62W	East	1.00 cfs
3268-3	Huron Htrn Brth	58 ft well	NE¼ Sec 24-T113N-R62W	East	1.56 cfs
5421-3	Peterson	63 ft well	SW¼ Sec 32-T114N-R62W	West	2.11 cfs
5182-3	Bixler Farms	73 ft well	NW¼ Sec 31-T114N-R62W	West	1.88 cfs
5509-3	Bixler Farms	85 ft well	NE¼ Sec 32-T114-R62W	West	1.90 cfs
3307-3	Buchholz	61 ft well	SW¼ Sec 29, T114N-R62W	West	1.11 cfs

* information gathered from FoxPro database and Beadle/Spink County maps

** Whether water permit/right is located west or east of the James River

There is also an observation well (SP 790) located a little over one half mile west of the site of the additional well. Records from this 40 foot observation well shows minor fluctuations in the water level. This review indicated that the additional well will not change the impact potential to existing diversions from the aquifer.

Eric Gronlund

Eric Gronlund

Water Rights Program

The Chief Engineer makes a finding that this change in location does not increase the potential for interference with existing diversions. In making the finding "does not increase the potential for interference" is interpreted to mean potential for adverse interference. Water Right No. 2367-3 may be reissued without requiring an application or publication of a notice of hearing pursuant to SDCL 46-2A-4 for an additional diversion point.

Approved by:

John Hatch

John Hatch, Chief Engineer

Water Rights Program

FORM 2: Application for Irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. _____ Hydrologic Unit _____
	Basin _____
	Newspaper _____

Application For Permit To Appropriate Water For Irrigation

Type of Application: _____ New _____ Vested Right X Amendment/Correction to Permit No. 2367-3
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)

Additional point of diversion

1. Name of Applicant Grosch Brothers, Inc. ☒ Owner ☐ Tenant/Lessee Phone _____
Mailing Address P.O. Box 762, O'Neill, State NE 68763
(Street, RR, or Box) (Zip Code)
2. Amount of water claimed no add'l *CFS or _____ **GPM _____ ***AF _____ Total Acreage _____
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply groundwater
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____
NW1/4 NE1/4 Section 2 T113N R62W County Beadle
5. County or counties where water will be used _____
6. Annual period during which water is to be used March 1 - October 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>Same as WR No. 2367-3</u>			
<u>NE 1/4 Section 2 T113N, R62W</u>			

8. Give a description of the project. (Attach sheet if more space is needed)

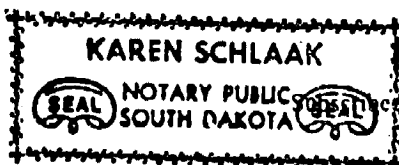
Add additional diversion point pursuant to SD EL 46-5-13.1

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA

County of Hughes

I, John Waterbury, the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.



Signed

John Waterbury

and sworn to before me this

12th

day of

December

19 95

Karen Schlaak

Notary Public

KAREN SCHLAACK, Notary Public
My Commission Expires
April 1, 2000

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

Same construction / depth as current well on
WR No. 2367-3

- a) Drill Hole Diameter _____ Depth 57'
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: _____

On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

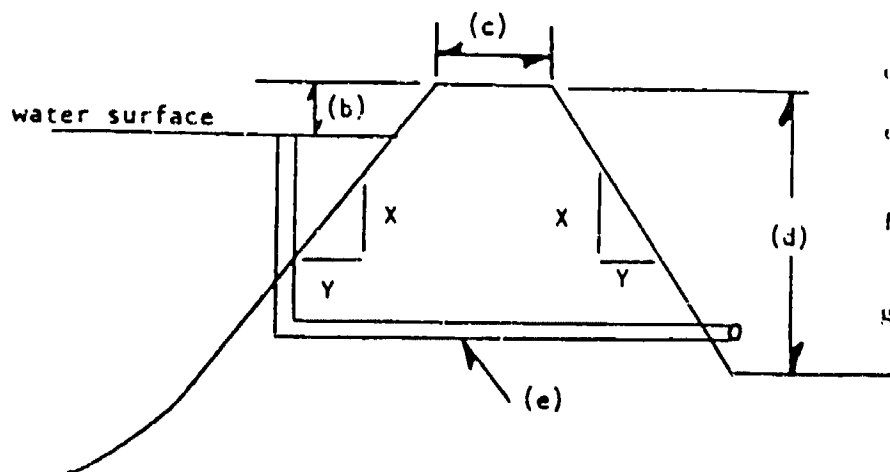
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____

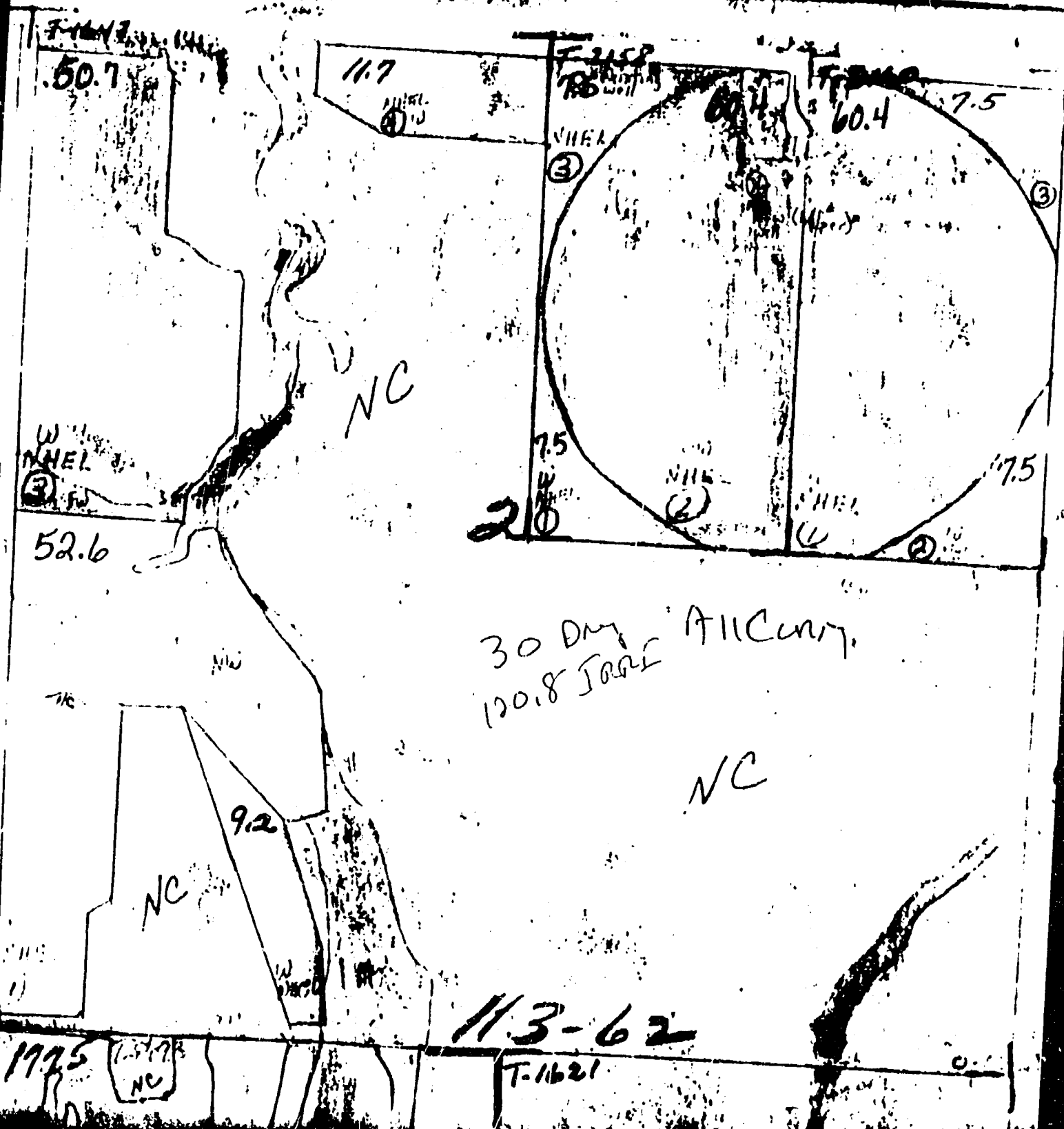


Signature of Applicant _____

CERTIFICATION MAPS 1994
OF GROSCH BROTHERS
Farm # 1116 1st Crop Land 60.4
Farm # 2160 1st Crop Land 25.4
012 W 7 OF NE 2 113 62

CERTIFICATION MAPS 1994
OF GROSCH BROTHERS
Farm # 1116 1st Crop Land 60.4
Farm # 2160 1st Crop Land 25.4
012 W 7 OF NE 2 113 62

NOT TO SCALE



Beadle

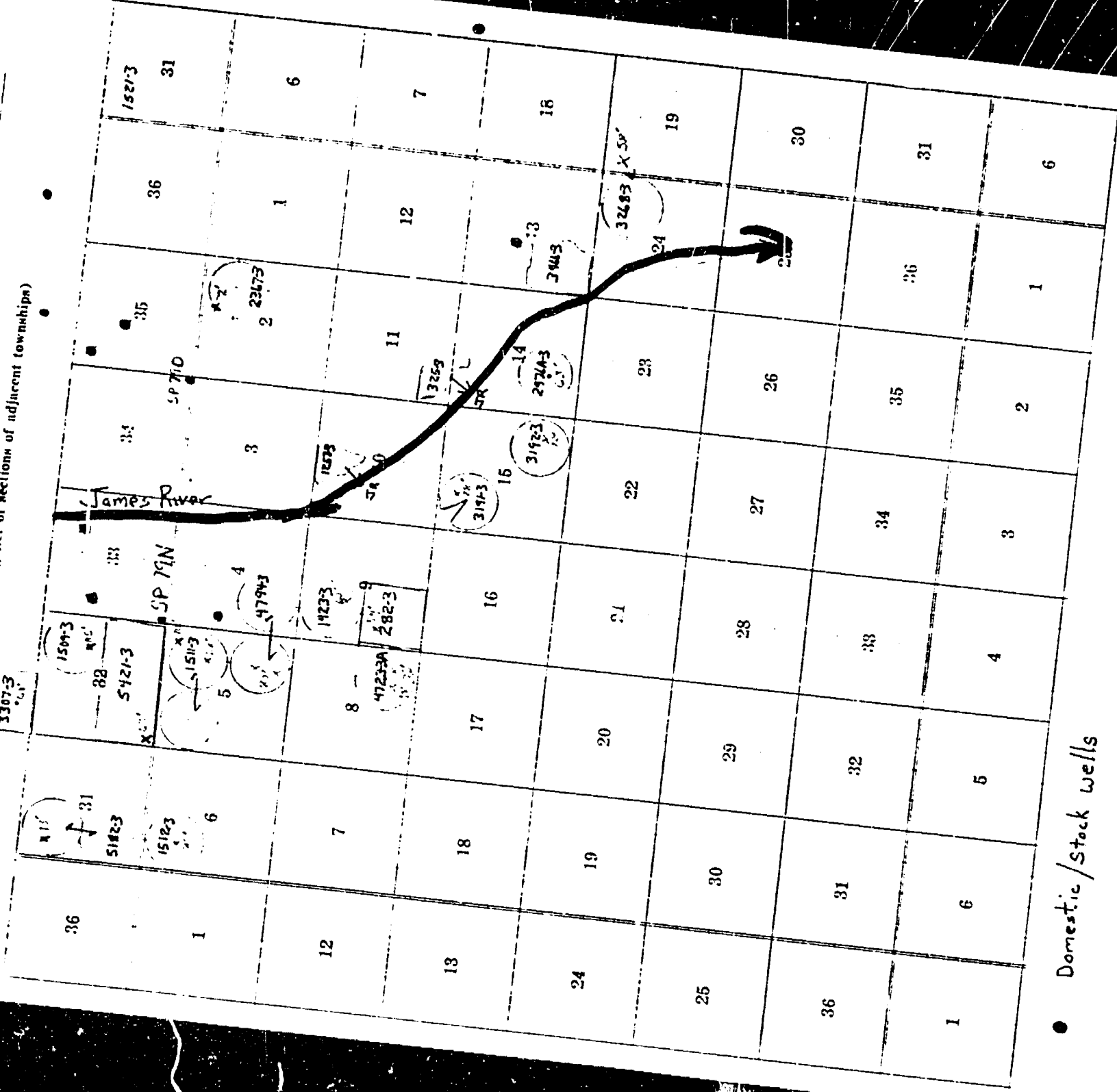
BROWN & BAUGHEN, PRINTERS, SIOUX FALLS, S. D.

TOWNSHIP No. 113 North

COUNTY, SOUTH DAKOTA

RANGE No. 62 West

(With surrounding tier of sections of adjacent townships)



● Domestic/Stock wells

2367-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1996

John Waterbury
P.O. Box 762
O'Neill, NE 68763

Dear Mr. Waterbury:

Grosch Brothers filed an application requesting authorization for an additional diversion point to Water Right No. 2367-3. Water Right No. 2367-3 appropriates 1.78 cubic feet of water per second from one well (Tulare Aquifer) located in the NW¼ NE¼ Section 2 for irrigation of 124 acres located in the NE¼ Section 2; all in T113N, R62W.

The additional point of diversion is to be located in the NW¼ NE¼ Section 2, T113N, R62W. You indicated the existing well's production has declined and the new well will act as a helper well. This request is for no additional appropriation of water.

Upon review of the application, pursuant to SDCL 46-5-13.1, I have made a finding that the additional diversion point will not increase the potential for interference with existing diversions. The finding, "does not increase the potential for interference" in interpreted to mean potential for adverse interference. Authorization is granted to develop this additional diversion point in the Tulare Aquifer without application or publication of a notice of hearing pursuant to SDCL 46-2A-4.

Water Right No. 2367-3 is subject to existing conditions on the water right.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program

2367-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 19, 2001

NOTICE

TO: GROSCH BROTHERS, PO BOX 762, O'NEILL, NE 68763 0762

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Thief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 5671-3, 1509-3, 1512-3 & 2367-3. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit Nos. 1509-3, 1512-3 & 2367-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No. 5671-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:00 am, March 7, 2001 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No. 5671-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit Nos. 1509-3, 1512-3 & 2367-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing 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 questionnaires are received in this office on/or before March 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 23, 2001

John Waterbury
PO Box 762
O'Neill, NE 68763

RE: Water Right No. 1650-2 (Waterbury Brothers)
Water Right Nos 1509-3, 1512-3, 2367-3 & 5671-3 (Grosch Brothers)

Dear Mr. Waterbury:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 1650-2, 1509-3, 1512-3, 2367-3 and 5671-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

You inquired about adding the legal descriptions to the forms. We used to put the county designation on the label but since we started using window envelopes for mailing, the post office did not appreciate the added notations on the label. We are trying to work out a solution and hopefully in the coming years we can get the task accomplished. In the meantime, I have written up a list of legal descriptions for the above water rights and included them with this letter.

Thanks again John for stopping by the office. If you have any questions, please contact me.

Sincerely,

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

enclosure



January 16, 2002

NOTICE

2367-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

TO: GROSCH BROTHERS, PO BOX 762, O'NEILL, NE 68763 0762
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 5671-3, 1509-3, 1512-3 & 2367-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1509-3, 1512-3 & 2367-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5671-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5671-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1509-3, 1512-3 & 2367-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing 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 questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

2367-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

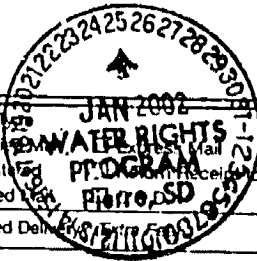
1. Article Addressed to:

GROSCH BROTHERS
PO BOX 762
O'NEILL NE 68763 0762

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) Waterbury B. Date of Delivery 1-22-02
- C. Signature [Signature] ☐ Agent ☐ Addressee
- X ☒ [Signature] ☐ Yes
- D. Is delivery address different from item 1? ☒ Yes
- If YES, enter delivery address below: ☐ No

3. Service Type ☒ Certified Mail ☐ Registered Mail ☐ Insured Mail
4. Restricted Delivery ☐ Yes



2. Article

7001 2510 0004 4797 5736



2367-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 29, 2002

John Waterbury
Waterbury Brothers
PO Box 762
O'Neill, NE 68763 0762

RE: Water Right/Permit No. 1650-2 (Waterbury Brothers) and
Nos. 1509-3, 1512-3, 2367-3 & 5671-3 (Grosch Brothers)

Dear Mr. Waterbury:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1650-2, 1509-3, 1512-3, 2367-3 & 5671-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 18, 2003

No. 1509-3
1512-3
2367-3
5671-3

Peterson Farms
c/o Lenny Peterson
19111 Maple Ave
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1509-3, 1512-3, 2367-3, 5671-3. The water rights are currently listed in the name of Elsie M Grosch. For your information, a copy of each water right is enclosed also.

The transfer forms should be checked over for accuracy and signed by the new owner. Upon completion, return the forms to our office with a required filing fee of \$2.50 (\$10.00 total).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
APR 11 2003
WATER RIGHTS
PROGRAM

No. 2367-3

Date: 4-9-03

I/We request that Water Right/Permit No. 2367-3

formerly owned by: Elsie M Grosch

be transferred to: (name & address) Peterson Farms, c/o Lenny Peterson, 19111 Maple Ave,
Hitchcock SD 57348

Telephone No. 605-266-2793

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

124 acres – NE ¼ Section 2-T113N-R62W

I/We understand that the validity of Water Right/Permit No. 2367-3 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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Peterson Farms, the new owner, certify that the above information is true and correct.

Lenny Peterson
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 11, 2003

RECEIVED OF Peterson Farms, 19111 Maple Avenue, Hitchcock SD 57348

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>2367-3</u>		2 50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

000723

By

Darlene Erbe

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

April 14, 2003

1509-3
1512-3
2367-3
5671-3

Lenny Peterson
Peterson Farms
19111 Maple Ave
Hitchcock SD 57348

Dear Mr. Peterson:

I am writing to acknowledge receipt of the transfer forms and filing fees for Water Right Nos. 1509-3, 1512-3, 2367-3 and 5671-3. The ownership changes have been completed. The water rights formerly listed in the name of Elsie M Grosch are now listed in the name of Peterson Farms.

Enclosed are Receipt Nos. 000722, 000723, 000724 and 000725 in the amounts of \$2.50 each. You may keep these for your records. I am also returning the duplicate copies of the transfer forms you submitted. These are yours to keep. If I can answer any questions for you, please contact me.

Sincerely,

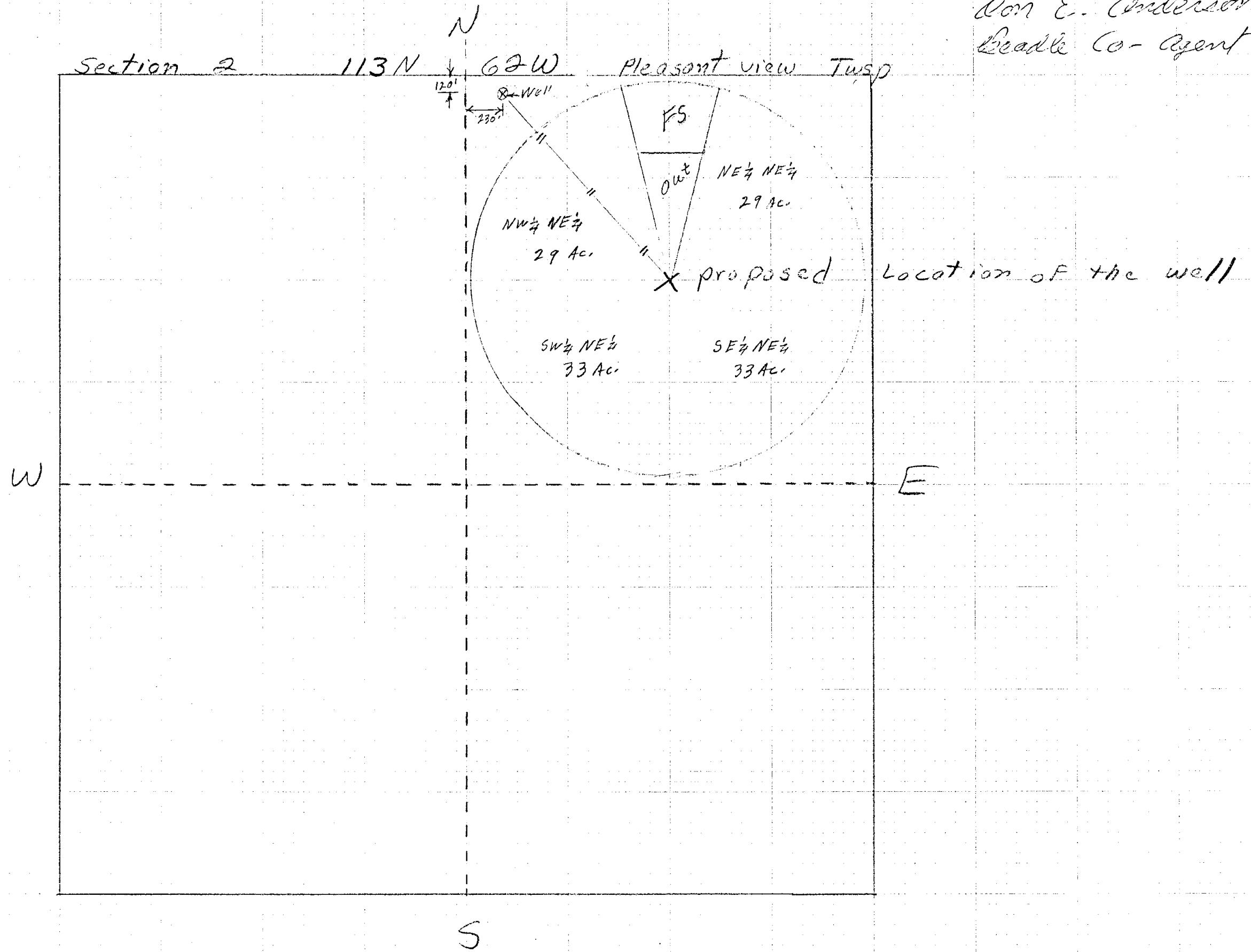
Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure

25 August 1975

Ronald E Johnson Irrigation prepared by Don Anderson

Don E. Anderson
Beadle Co - Agent



MAP NO 1746-3 (APPL NO 2367-3)

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

SEP - 7 2016

WATER RIGHTS
PROGRAM

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

No. 2367-3

Date:

Sept 4 - 2016

I/We request that Water Right/Permit No. 2367-3

formerly owned by: Peterson Farms

be transferred to: (name & address) Brad Peterson, 19026 391st Avenue, Hitchcock SD 57348

Twisted Land and cattle

Telephone No. 605 266-2817

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

NE 1/4 Section 2, T113N, R62W

I/We understand that the validity of Water Right/Permit No. 2367-3 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We

Brad Peterson

, the new owner, certify that the above information is true and correct.

Brad Peterson

(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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
WATER RIGHTS PROGRAM
South Dakota Department of Environment and Natural Resources

Date 9/7, 20 16

RECEIVED OF Twisted Land & Cattle 19026 391st Ave Hitchcock SD 57348

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	50	00
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 _____ 2367-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	50	00

No. **07968**

By J. Paul Goodman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

September 9, 2016

Brad Peterson
Twisted Land and Cattle
19026 391st Ave
Hitchcock SD 57348

RE: Water Permit/Right Nos. 2367-3, 5671-3, 6334A-3, 7234-3, 7235A-3 and 7444-3

Dear Mr. Peterson:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on the above listed water permits and water rights. The ownership changes have been completed as follows:

- **Water Right No. 2367-3**, formerly held by Peterson Farms is now listed in the name of Twisted Land and Cattle;
- **Water Right No. 5671-3**, formerly held by Peterson Farms is now listed in the name of Twisted Land and Cattle;
- **Water Right No. 6334A-3**, formerly held by Peterson Farms is now listed in the name of Twisted Land and Cattle;
- **Water Right No. 7234-3**, formerly held by Peterson Farms is now listed in the name of Twisted Land and Cattle;
- **Water Permit No. 7235A-3**, formerly held by Mitch, Jeb & Shane Peterson is now listed in the names of Trent, Jeb and Shane Peterson (in-care-of your address);
- **Water Permit No. 7444-3**, formerly held by Mitch, Jeb & Shane Peterson is now listed in the names of Trent, Jeb and Shane Peterson (in-care-of your address);

Enclosed for your records are the receipts in the amount of \$50 each which you paid for filing the ownership changes. The two water rights that need to be divided and reissued to reflect separate ownership are being processed separately. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

2367-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 25, 2017

Brad Peterson
Twisted Land & Cattle
19030 391st Ave
Hitchcock SD 57348-6808

RE: Irrigation Questionnaires for Nos. 1722A-3, 2367-3, 5671-3, 6334A-3, 6343B-3, 7234-3

Dear Mr. Peterson:

Enclosed is a "Notice" dated October 20, 2017 concerning the 2017 irrigation questionnaires.

The notice was originally mailed to 19026 391st Ave, Hitchcock SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Genny McMath', is written over a horizontal line.

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

enclosures