

C-1
Record 9
Jan. 22, 1971

15' DEEP WELL - 1 1/2" TRAPSTONE

WESTERN LAND CORP. 8" PUMP // MOTOR 5-12000

POWERED BY US 100 HP ELECTRIC MOTOR

240' 8" BUSTED LINE TO

VALLEY CORNER CENTER PLOT 230 ACRES (137.5)

TAKEN PORTIONS OF ORIGINAL PERMIT #

COVERS SOME LAND IN DEC 19 - (PERMIT NO 1133.3)

Water Right Number 2370-3

1. Considered NOV. 12, 1975
2. Name of Applicant EDMUND CURRY
3. Post Office Address ELK POINT, SD
4. Amount of water claimed 1.90
5. Source of water supply GROUND WATER (105' DEEP WELL)
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in UNION County
- about 1/2 N Miles of ELK POINT
8. Proof of Publication Received 10-27-75
- Not received _____
9. Application Approved _____
- Subject to _____
- Not approved _____
- Action deferred _____
10. Remarks:

No. 2370-3Map No. 1749-3 Water Division No. 3 Big Sioux River District 8, 57
(Blanks to be filled by the Engineer for the W. R. 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 Edmond & Jacqueline Curry
 Postoffice address Box 517 Elk Point State South Dakota 57025
 If a corporation show date and place of incorporation None
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Curry Irrigation Project
4. Amount of water claimed (cubic feet per second) 19
5. Source of water supply Well
6. Location of point of diversion 1080' East & 1350' North of the S.W. Corner of Sec 18 T9N R49W
 County Union
7. Annual period or periods during which water is to be used June thru 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 160 ac.

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>SW 1/4 Sec. 18 T9N R49W</u>	<u>160</u>		

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 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Leader Courier, Elk Point, S.D. 57025
12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Center PivotEstimated Total Cost \$10,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of UnionI, Edmond Curry, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Edmond CurrySubscribed and sworn to before me this 3rd day of October 1975

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2370-3
EDMUND & JACQUELINE CURRY Box 517, Elk Point,
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57025 With the following modifications:
 (State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application OCTOBER 6 1975
 Date of return to applicant for correction, amendments or changes required — 19—
 Date of receipt of corrected application — 19—
 Approved NOVEMBER 13 1975 Recorded in Book 14 Page 105

WATER RIGHT PERMIT NO. 2370-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2370-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is OCTOBER 6 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13 1978
3. The whole of said work is to be completed on or before NOVEMBER 13 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13 1980
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 1.9 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, 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 1980; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 18TH day of NOVEMBER 1975

WATER RIGHTS COMMISSION

John H. H. H.
 Chief Engineer, Executive Officer

Certificate of Construction Issued — 19—

Water License Issued — 19—

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 105'
- (2) Casing, Type transite Diameter 16" T D Thickness 3/4"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type 1/8" Slotted, Diameter 16" T D, Length 20'
- (4) Gravel Pack. Thickness 6 to 9', Length of gravel pack 20' ±

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 0-5' loam 5-10' Sandy loam 10-30'
Sand mixed with gravel 30'-105' coarse gravel to shale

Depth to top of water bearing material 30'

Depth to bottom of water bearing material 105'

Thickness of water bearing material 75'

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

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

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

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Edmund L. Curry

Jacqueline Curry
Signature of Applicant

h



Then Surveyed

Total number of Acres.

Subscript

Commissioner's letter "H"

The 5th Principal MERIDIAN

C b " A

Sec. 2.

Sec. 12.

U W A

Wm. D. Draper
U.S. Surveyor General.

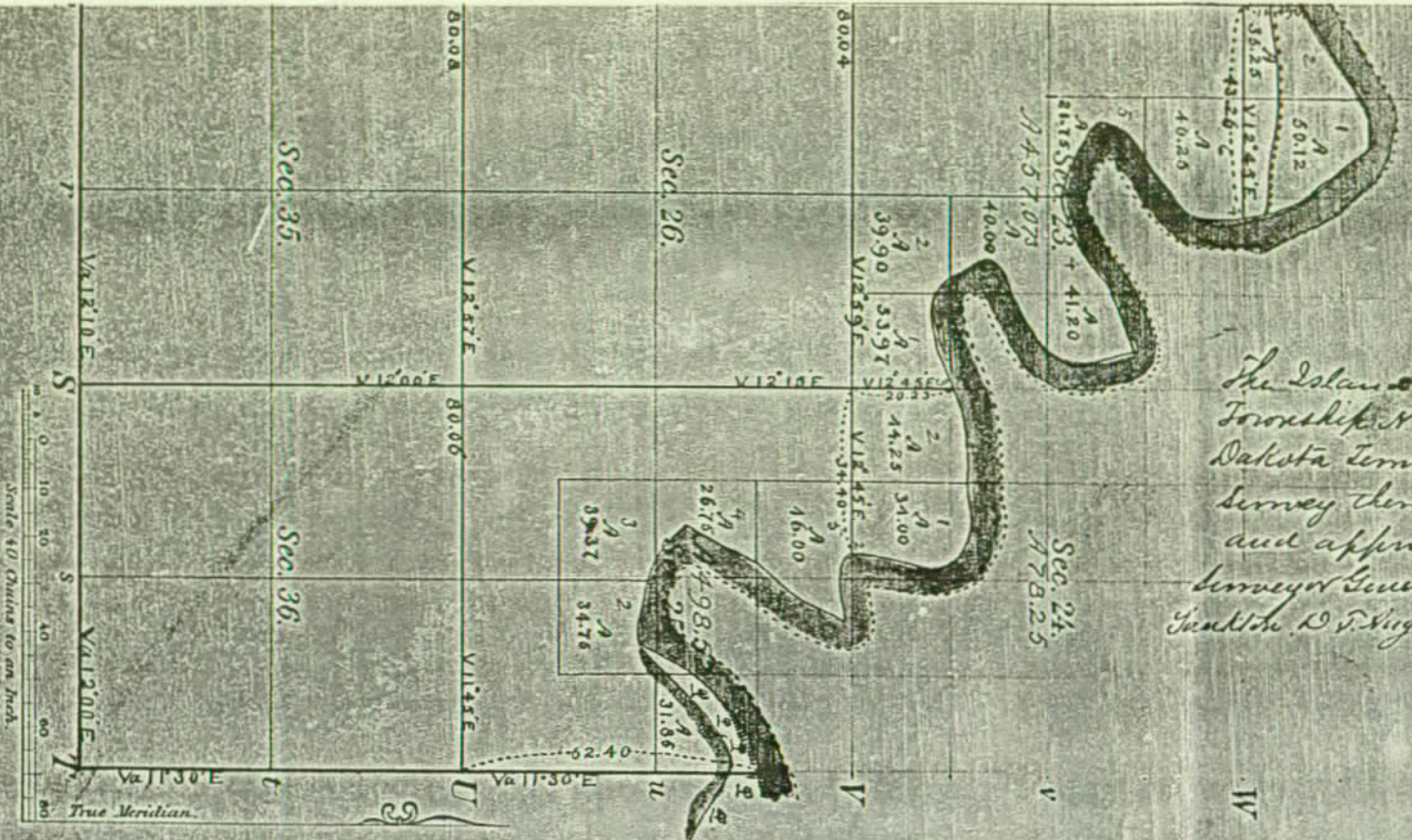
nd Survey
Accepted!

Director's Letter "E"

30 30. 1874.

Surveyor General's Office
Ft. Union, D. S. Aug. 13, 1874

The Island in Section 15 as represented on the above Map of Township 89 North of Range 49 West of the 5th Principal Meridian Dakota Territory is strictly conformable to the field notes of the survey thereof on file in this office which have been examined and approved.



Meanders of Big Sioux River. Right Bank				Meanders of ar Island in Section 15.			
Point	Course	Ch. 1/4	Point	Course	Ch. 1/4	Point	Course
1	S. 60° W. 14		8	N. 19° 03' E. 12 12		15	S. 54° E. 6
	S. 43° W. 7			N. 13° W. 4 50			4 50
	S. 33° W. 16 90			N. 37° 30' W. 4 90			4 90
	N. 42° 15' W. 14 55		9	S. 52° W. 3 58			3 58
	N. 40° 51' W. 3			N. 69° 54' W. 19 26			19 26
	N. 58° W. 5 06			N. 48° 30' W. 9 27			9 27
	N. 30° 0' E. 38 89			N. 27° W. 14 76			14 76
	N. 85° 0' W. 14 94			N. 10° E. 6 21			6 21
	N. 24° 51' W. 1 08		10	N. 30° 30' E. 5 21			5 21
	N. 11° E. 15 20			N. 82° 30' E. 6 60			6 60
	N. 43° 30' W. 11 40			S. 33° E. 5 70			5 70
	West 18 10		11	S. 38° 15' E. 6 05			6 05
	S. 74° 51' W. 11 70			S. 85° 30' E. 5 40			5 40
	S. 52° W. 6 47			S. 63° 30' E. 5 90			5 90
	S. 87° 11' W. 10 54			N. 57° 30' E. 6			6
	N. 53° W. 11 63			N. 37° 30' E. 5 73			5 73
	N. 65° E. 15			N. 30° E. 5 30			5 30
	N. 41° E. 11 30			N. 30° W. 11 55			11 55
	N. 8° W. 14		13	N. 31° 30' W. 6 40			6 40
	S. 71° W. 12 70			S. 77° W. 10 81			10 81
	S. 80° W. 7		14	S. 74° 30' W. 12 23			12 23
	S. 53° W. 18 40			N. 55° 10' W. 4 23			4 23
	N. 56° W. 16 80			S. 83° 30' W. 5 65			5 65
	N. 83° 0' E. 5 37			N. 29° 30' W. 3 10			3 10
	N. 50° 15' E. 21 59			N. 15° E. 3			3
	N. 1° 15' W. 9 25			N. 34° 30' E. 1 97			1 97
	N. 5° E. 10			N. 50° 30' E. 4 82			4 82
	N. 41° W. 20 40			N. 17° 15' E. 17 40			17 40
	West 8 60			N. 53° 01' W. 14 63			14 63
	S. 59° W. 26 20			N. 62° W. 7 25			7 25
	S. 34° W. 1 77			N. 73° 30' W. 8 33			8 33
	S. 66° 01' E. 5 73			N. 40° 30' W. 8			8
	N. 72° 15' W. 9 40			N. 21° W. 11 65			11 65
	N. 44° 30' W. 9 80						
	N. 38° E. 18 50						
	N. 20° E. 13 50						
	S. 57° 15' E. 9 30		16	S. 67° E. 5 50			5 50
	S. 40° W. 17 50			N. 67° E. 5 40			5 40
	S. 88° 45' W. 4						
	S. 70° 45' W. 5 29						
	N. 78° 15' W. 5 86						
	N. 38° W. 5 19						
	N. 20° 10' E. 8 41						
	N. 79° 15' W. 9 95						
	N. 18° 15' W. 12 55						
	N. 42° 30' W. 4 71						
	N. 9° W. 10						
	N. 45° 01' W. 9 10						
	S. 78° 30' W. 7 40						
	S. 61° 15' W. 9 19						
	N. 76° 01' W. 3 81						
	N. 87° 01' W. 3 91						
	N. 34° W. 3 11						
	N. 20° W. 10 60						
	N. 83° 0' E. 2 92						
	N. 19° E. 10 20						
	N. 44° E. 13 39						
	N. 16° 0' E. 2 15						

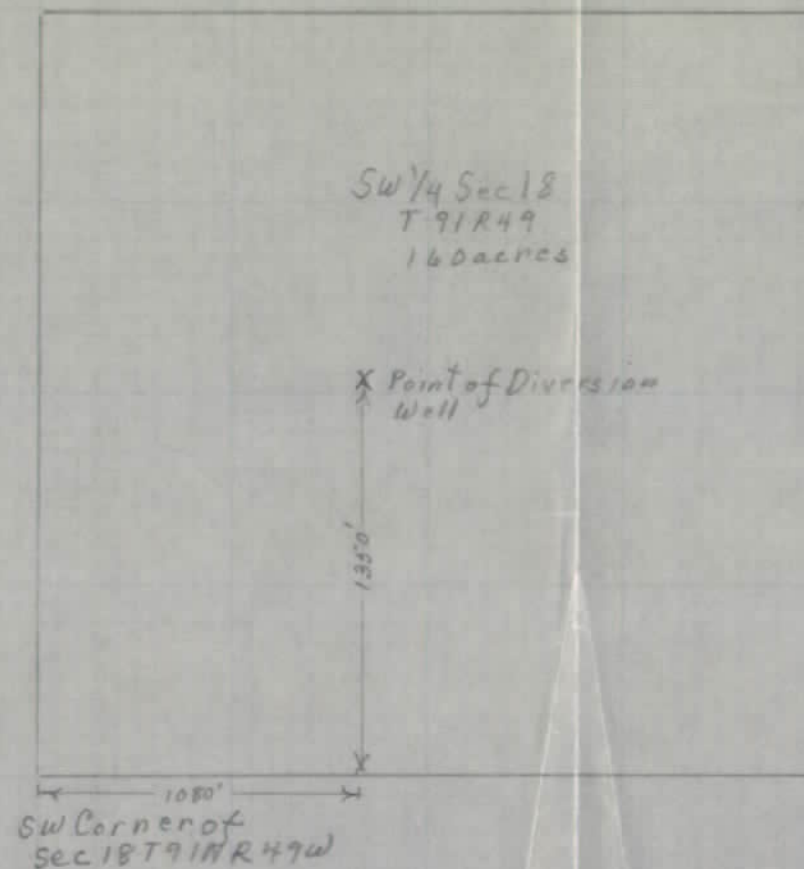
Accepted:

The above Map of Township 89 North of Range 49 West of the 5th Principal Meridian Dakota Territory is strictly conformable to the field notes of the survey thereof on file in this office which have been examined and approved.

Surveyor General's Office
Ft. Union, D. S. Aug. 25, 1874

Wm. D. Draper
U.S. Surveyor General.

Commissioner's Letter "E"
Dated Feb. 18, 1862



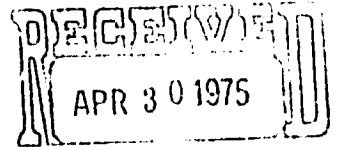
Scale 8" = 1 mi

Edmund & Jacqueline Curry
Elk Point, S.D.
Jackies Whirly Bird Project

160 ac.

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date 10-3-75		Approved by C. K. Dahlman	
Designed C. K. Dahlman		Title District Engineer	
Drawn C. K. Dahlman		Title	
Traced		Sheet No. 1	Drawing No.
Checked		No. 1	of 1



STATE WATER RIGHTS COMMISSION
MERCER COUNTY, S.D.

April 24, 1975

Mr. Ed. L. Curry
Elk Point
South Dakota 57025

Dear Mr. Curry:

Enclosed please find the original copy of the report of analysis for the water sample submitted here a week ago. This is yours to keep. Also enclosed you will find Extension Circular 654 with the approximate quality of this water for irrigation purposes designated by the red encircled cross on the outside back cover. You will note that it is very high in total salt, but low in sodium.

This water is definitely of a marginal nature for irrigation of the lands which you have, and I would recommend the development of this project and the use of this water only under circumstances where you use it relatively infrequently, not more than three or four times a growing season and in large amounts, at least three to four inches per application. Under these circumstances the tendency to accumulate salts in the root zone and in the upper part of the soil profile will be minimized. Even then you may have difficulty with salt accumulations and crusts reducing germination and decreasing the yield of crops.

A copy of this letter and the WI-1 form and a copy of the water analysis are being forwarded to the State Conservation Commission.

Sincerely yours,

L. O. Fine
Water Quality Lab

LOF:MRB

Enclosures

cc: State Conservation Commission
Louie DeSmet, Union County Extension Agent
Darrel Pahl

#2

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: ALL D. J. J.
9/23/75

Disapproved: _____

NAME: _____

Ed. L. Curry

ADDRESS: _____

Elk Point, S. Dak.

COUNTY: _____

Union

LEGAL DESCRIPTION

1. WELL LOCATION: N.E. Corner of SE 1/4 Sec 18 of 91-49
2. AREA TO BE IRRIGATED: Lot 2 S. 1/4, T. 133 N. R. 3 E. Sec 18 of 91-49
125.7 acres

TYPE OF IRRIGATION

3. GRAVITY

SPRINKLER (Indicate Type): Center-Pivot

4. CROPS TO BE IRRIGATED: _____

Corn Beans

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0 to 1%

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Sandy Loam

2 M³ x W1 Deep Medium textured
Moderately heavy subsoil

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-279

8. SALINITY: EC = 2401 micromhos/cm (very high)

9. SODIUM: SAR = 1.68 (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

S.C.S. ~~Ed P. Curry~~

and:

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

Ed P. Curry

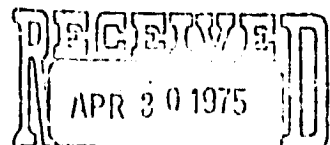
Subscribed and sworn before me this

21ST day of APRIL 1975.

John F. Wieg

NOTARY PUBLIC, S.D. DAKOTA

(Title)



STATE WATER RIGHTS COMM
PIERRE, SOUTH DAKOTA

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

Submitted by: Ed. L. Curry, Elk Point, SD Date Rec'd April 21, 1975
Address Curry Seed Co. Sample No. 75-279
Elk Point, SD 57025 Identification #2 Well-
SEA, Sec. 18, T 91N, R 49E

WATER ANALYSIS

Calcium (Ca)	300	ppm*	15.00	me/l**
Magnesium (Mg)	170	ppm	13.94	me/l
Sodium (Na)	147	ppm	6.39	me/l
Potassium (K)	9	ppm	0.25	me/l
Sulfate (SO ₄)	850	ppm	17.68	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	65	ppm	1.82	me/l
Bicarbonate (HCO ₃)	512	ppm	8.40	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	420	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2401	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.68			
Sodium	17.95	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.90			
Others:				

*ppm=parts per million

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

**me/l=milliequivalents per liter

COMMENTS: Total cations 35.58 me/l
Total anions 27.90 me/l

By: Shirley Mitten

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. 75-279 Amount Enclosed \$

Signed

2370-3

Publish first publication, on or before October 30, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 6, 1975

Notice is hereby given that Edmund and Jacqueline Curry

whose post office address is Elk Point, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

2.9 cubic feet of water per second of time from ~~the~~ ground water through the

Ed Curry #4, the point of diversion of which is to be located in the _____

NW 1/4 SW 1/4

of Section 16, Twp. 91N, Range 49W. Said water to be used for the purpose

of providing irrigation on the following described land:

SW 1/4, Section 18, T91N, R49W

This application No. 2370-3 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

BFG/bw

cc: Edmund Curry, Box 517, Elk Point, S.D. 57020

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E. Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader Courier

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

City of Elk Point

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

October 16, 1975

October 23, 1975

Lester E. Emerson
(Signature)

Publisher
(Title)

October 23, 1975
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
October 6, 1975

Notice is hereby given that
Edmund and Jacqueline Curry
whose post office address is
Elk Point, South Dakota, has
made an application in accordance
with the provisions of the
water laws of South Dakota for
a permit to appropriate for beneficial
use 1.0 cubic feet of
water per second of time from
ground water through the Ed
Curry #4, the point of diversion
of which is to be located in the
NW 1/4 SW 1/4 of Section 18, Twp.
91N, Range 49W. Said water to
be used for the purpose of providing
irrigation on the following
described land: SW 1/4, Section
18, T91N, R49W.

This application No. 2370-3,
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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.
Publish: October 16, 23

OCT 27 1975

Permit No. 2370-3Water Division 3 Big Sioux River Water District

**REPORT 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 EDMUND & JACQUELINECURRY of ELK POINT holderof Permit No. 2370-3 bearing date of priority of OCTOBER 6, 1975authorizing the diversion of 1.9 cu. ft. per second of the waters of GROUND WATERfor IRRIGATION purposes, in UNION County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

110' DEEP WELL WITH 16" DIA TRANSITE CASING
WESTERN LAND ROLLER 8" PUMP - MODEL 6-12CH
POWERED BY 100HP U.S. ELECTRIC MOTOR.

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

C. Works used to apply water to beneficial use.

The system is in the following condition: _____

The point of diversion is located _____

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

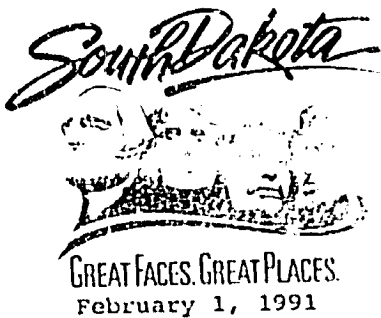
cu. ft. per second of water which is to be used for _____

Water has been put to beneficial use to the maximum extent as follows: _____

comprising a total of _____ acres of land.

Date _____

(Signature) _____



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

CURRY SEED CO, OPERATOR
BOX 517
ELK POINT SD 57025

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2370-3, 1530-3, 2371-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 2370-3, 1530-3, 2371-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

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

Very truly yours,

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

cc: Ed and Jacqueline Curry, 501 N Walnut, Elk Point SD 57025



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

GREAT FACES. GREAT PLACES.

February 11, 1991

Curry Seed Company
Box 517
Elk Point, SD 57025

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

Dear Sir:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and/or chemical application use data for the above listed Water Permits. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)	
3. Article Addressed to: Ed & Jacqueline Curry 501 N Walnut Elk Point SD 57025	4. Article Number P430 906 198
	Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
	Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee X <i>[Signature]</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery FEB - 1 1991	

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)	
3. Article Addressed to: Ed & Jacqueline Curry 501 N Walnut Elk Point SD 57025	4. Article Number P430 906 198 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature -- Addressee X <i>Ed Curry</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature -- Agent X	
7. Date of Delivery FEB 11 1991	

2370-3

EDMUND CURRY
BOX 517
ELK POINT
SD 57025

UN/MI

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

November 1980

For Dept. use only

Please fill out and return at once.

No. Acres irrigated with Groundwater _____

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

My System's

Type of Power	No. acres irrigated	Total Energy used-1980
1. Electric	1200 - 57025	
2. Gravity		
3. Gasoline		gal
4. Nat. Gas pipeline		cf
5. Diesel		gal
6. Propane		gal
7. Other		

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

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated and Estimated Water Use			
				Crop	Acres	Water Used	Water Used
April							
May							
June	22	24	1100	Corn	120 + 80		
July	12	18	1100	Corn	120 + 80		
August	10	12	1100	Corn	120 + 80		
Sept.							
Oct.							
Other Month							

Season Static Water Level: beginning _____ end _____

Comments:

Complete and return to: WATER MANAGEMENT BOARD

Water Rights Division

Joe Foss Building

Pierre, SD 57501

7

CURRY SYSTEMS
Edmund Curry (My System's)

Box 517

Elk Point, SD 57025

Owner or address change, if any:

Please complete front and back.

The South Dakota Office of Energy has requested your cooperation in completing the following:

1979

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

1978

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

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

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

2370-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 20, 2000

2370-3

Edmund & Jacqueline Curry
Box 517
Elk Point, SD 57025

Dear Mr. and Ms. Curry:

The investigation of your water use system was conducted on October 10, 1999, by Lynn Beck, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 2370-3. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

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

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

TO

SD Dept. Environment &
Natural Resources
523 E. Capital-Forces Bldg.
Pierre, SD 57501

SUBJECT

2370-2 Water Permit

MESSAGE:

FROM

CURRY Seed Company
701 NORTH WALNUT STREET
P.O. Box 517
ELK POINT, SO. DAK. 57025
PH. (605) 356-3366

DATE

8 Feb. 2000

Dear Sirs:

Please find enclosed ch. #1162 of Curry Farms, Ltd.
to cover Water Permit #2370-2 in amount of 50.⁰⁰

Yours truly,
Ed. L. Curry

DATE

SIGNED



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416384

Pierre, February 11, 2006

RECEIVED OF Curry Farms, Ltd., Box 517, Elk Point, SD 57025
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. 2370-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By Harland Ebel
Chief Engineer

Permit No. 2370-3
Big Sioux River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **October 10, 1999** made a thorough examination of the water use system constructed by **Edmund and Jacqueline Curry** of **Box 517, Elk Point, SD 57025** holder of Permit No. **2370-3**, bearing the priority of **October 6, 1975** authorizing the diversion of **1.9** cu. ft. per second of the waters of **Missouri Aquifer Elk Point Management Unit** for **irrigation** purposes, in **Union** County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

One well 111' deep with 63' of 13" concrete casing and 48' of concrete screen; Western Landroller pump 900 gpm capacity and a U.S. Electric motor rated at 100 hp.

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

580' of 8" pvc pipe.

C. Works used to apply water to beneficial use:

Valley cornering center pivot 1783' long with 10 towers and an end gun; high pressure system with a 900 gpm capacity.

The system is in the following condition **good**. The point of diversion is located **1395' N and 4600' W of the SE corner of Section 18, T91N, R49W**. The works are capable of diverting and conveying to the place of use **2.0** 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 18, T91N, R49W:

All in Section 19, T91N, R49W:

NE¼ SW¼ 33 acres

SW¼ SW¼ 65 acres

NE¼ NW¼ 14 acres

NW¼ NW¼ 30 acres

NW¼ SW¼ 55 acres

SE¼ SW¼ 38 acres

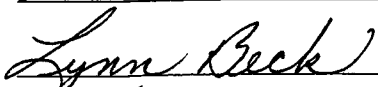
comprising a total of **235** acres of land and the license should be issued for **2.0** cfs.

Applicable permit qualifications have been complied with: **yes**

Exceptions to compliance are: **none**

Comments:

The center pivot under Water Right No. 2370-3 irrigates 13 acres in the E½ SW¼ Section 18, T91N, R49W covered under Water Right No. 237-3. The priority date with these acres is August 13, 1956 for 0.186 cfs. The center pivot also irrigates 35 acres in the N½ NW¼ Section 19, T91N, R49W covered under Water Right No. 1133-3. The priority date with these acres is October 13, 1964, for 0.629 cfs. Water Right 2370-3 should be licensed incorporating applicable lands from Water Right Nos. 237-3 and 1133-3. The remaining portions of 237-3 and 1133-3 cover lands being irrigated in the SE¼ of Section 18, T91N, R49W.


 Lynn Beck

Nov. 19, 1999
 Date

Natural Resources Engineer
 DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 2370-3

DATE OF INSPECTION: 10-18-99

Other permit(s) associated with the project: LC 237-3, LC1133-3

NAME & ADDRESS OF INSPECTION CONTACT: Ed Curry, Box 517, Elk Point, SD 57025

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: same as above

DIVERSION POINT LEGAL LOCATION: 1395' N and 4600' W of the SE corner Section 18, T91N, R49W.

WELL INFORMATION:

- 1) Well Drilling Firm: J.J. Curry and Sons
- 2) No. of Wells 1
- 3) Depth(s) 111 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 13 inches
- 2) Length 63 feet
- 3) Type concrete

Screen:

- 1) Type concrete
- 2) Length 48 feet
- 3) Static water level 16.5 feet

Pump:

- 1) Make Western Landroller
- 2) Model #
- 3) Size #
- 4) Capacity 900 GPM

Motor:

- 1) Make U.S. Electric
- 2) Model No. #
- 3) Horsepower rating 100 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type pvc
- 2) Size 8"
- 3) Length 580 feet

SYSTEM TYPE:**Center Pivot:**

- 1) Make Valley cornering
- 2) Overall length 1783
- 3) Number of towers 10
- 4) End gun yes
- 5) High or low pressure high
- 6) Capacity 900 GPM

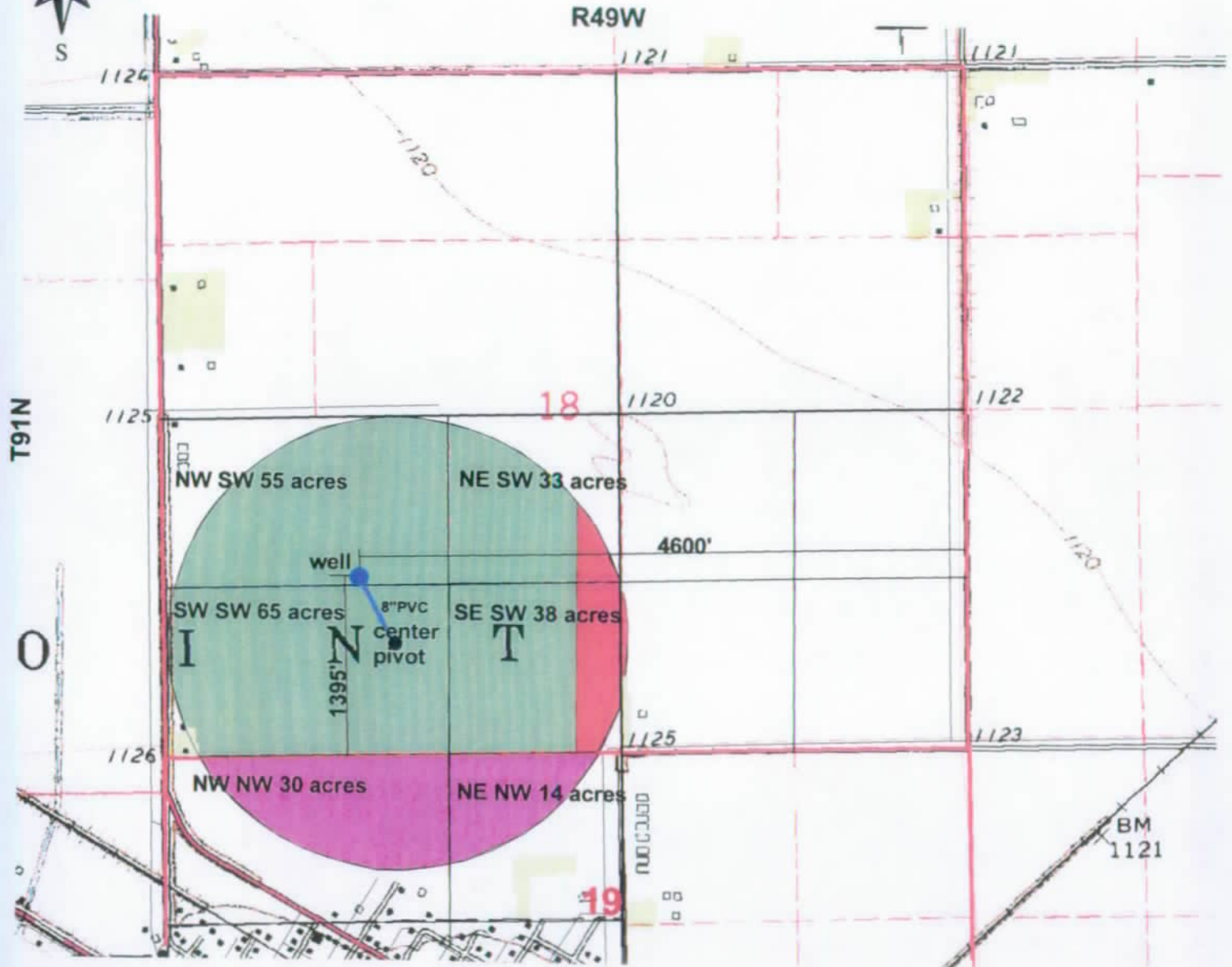
CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

WATER RIGHT NO. 2370-3



LEGEND

- lands from WR 1133-3
- lands from WR 237-3
- lands from WR 2370-3

TOTAL 235 ACRES



Lynn Beck

Lynn Beck
Natural Resources Engineer
DENR, Water Rights Program
November 19, 1999



South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2370-3

(1) Edmund & Jacqueline Curry, Box 517, Elk Point SD 57025 made Application No. 2370-3, October 6, 1975 for a water permit to divert 1.9 cubic feet of water per second from groundwater (one well), Union County, South Dakota for irrigation purposes. Permit No. 2370-3, with a priority date of October 6, 1975 was approved November 13, 1975 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 13, 1980 and for the application to beneficial use of said water on or before November 13, 1980.

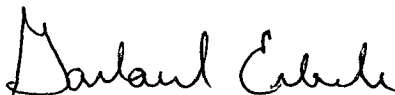
The system as constructed under No. 2370-3 irrigates 13 acres located in the E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 18-T91N-R49W authorized under No. 237-3 and 35 acres located in the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 19-T91N-R49W authorized by No. 1133-3. Portions of Nos. 237-3 and 1133-3 are incorporated into Water License No. 2370-3.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.0 cubic feet of water per second for beneficial use. The location of the diversion point is 1,395 feet north and 4,600 feet west of the southeast corner (NW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 18-T91N-R49W.

(3) The permit holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 18-T91N-R49W		Priority date
NW $\frac{1}{4}$ SW $\frac{1}{4}$	55 acres	October 6, 1975
SW $\frac{1}{4}$ SW $\frac{1}{4}$	65 acres	October 6, 1975
NE $\frac{1}{4}$ SW $\frac{1}{4}$	28 acres	October 6, 1975
NE $\frac{1}{4}$ SW $\frac{1}{4}$	5 acres	August 13, 1956
SE $\frac{1}{4}$ SW $\frac{1}{4}$	30 acres	October 6, 1975
SE $\frac{1}{4}$ SW $\frac{1}{4}$	8 acres	August 13, 1956
Section 19-T91N-R49W		
NW $\frac{1}{4}$ NW $\frac{1}{4}$	30 acres	October 13, 1964
NE $\frac{1}{4}$ NW $\frac{1}{4}$	14 acres	October 13, 1964
Total 235 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 Edmund & Jacqueline Curry, Box 517, Elk Point SD 57025 the holders and/or owners of Incorporated Water Right No. 2370-3 are issued a license to appropriate water, the right to use 2.0 cubic feet of water per second from groundwater (one well) with priority dates of August 13, 1956, October 13, 1964 and October 6, 1975 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Right No. 2370-3 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 08 2005

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 08 2005

1133-3 & 2370-3

J J Curry and Sons
Box 517
Elk Point SD 57025

Dear Sirs:

Enclosed is Reissued Water License No. 1133-3 and Water License No. 2370-3. These are the final water right documents completing the process of obtaining a Water Right. Also, enclosed is the receipt for the license fee which was paid several years ago for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 1133-3 and 2370-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

File No. 237-3

1133-3

2370-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

DATE: July 11, 2005

RE: Water License and Incorporated License Nos. 237-3, 1133-3 and 2370-3

File Clarification:

Water License No. 2370-3 included portions of No. 237-3 and 1133-3;

Water License No. 1133-3 was reissued to include the remaining portions of No. 237-3
(*nothing remains under No. 237-3*).

Form 12

Permit No. 2370-3
Big Sioux River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, October 10, 1999 made a thorough examination of the water use system constructed by Edmund and Jacqueline Curry of Box 517, Elk Point, SD 57025 holder of Permit No. 2370-3, bearing the priority of October 6, 1975 authorizing the diversion of 1.9 cu. ft. per second of the waters of Missouri Aquifer Elk Point Management Unit for irrigation purposes, in Union County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

One well 111' deep with 63' of 13" concrete casing and 48' of concrete screen; Western Landroller pump 900 gpm capacity and a U.S. Electric motor rated at 100 hp.

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

580' of 8" pvc pipe.

C. Works used to apply water to beneficial use:

Valley cornering center pivot 1783' long with 10 towers and an end gun; high pressure system with a 900 gpm capacity.

The system is in the following condition good. The point of diversion is located 1395' N and 4600' W of the SE corner of Section 18, T91N, R49W. The works are capable of diverting and conveying to the place of use 2.0 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:

<u>All in Section 18, T91N, R49W:</u>		<u>All in Section 19, T91N, R49W:</u>	
<u>NE 1/4 SW 1/4 33 acres</u>	<u>SW 1/4 SW 1/4 65 acres</u>	<u>NE 1/4 NW 1/4 14 acres</u>	<u>NW 1/4 NW 1/4 30 acres</u>
<u>NW 1/4 SW 1/4 55 acres</u>	<u>SE 1/4 SW 1/4 38 acres</u>		

comprising a total of 235 acres of land and the license should be issued for 2.0 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

Comments:

The center pivot under Water Right No. 2370-3 irrigates 13 acres in the E 1/2 SW 1/4 Section 18, T91N, R49W covered under Water Right No. 237-3. The priority date with these acres is August 13, 1956 for 0.186 cfs. The center pivot also irrigates 35 acres in the N 1/2 NW 1/4 Section 19, T91N, R49W covered under Water Right No. 1133-3. The priority date with these acres is October 13, 1964, for 0.629 cfs. Water Right 2370-3 should be licensed incorporating applicable lands from Water Right Nos. 237-3 and 1133-3. The remaining portions of 237-3 and 1133-3 cover lands being irrigated in the SE 1/4 of Section 18, T91N, R49W.

Lynn Beck
 Lynn Beck

Natural Resources Engineer
 DENR, Water Rights Program

Nov. 19, 1999
 Date

REPORT ON INSPECTION OF PERMIT NO. 2370-3

DATE OF INSPECTION: 10-18-99

Other permit(s) associated with the project: LC 237-3, LC1133-3

NAME & ADDRESS OF INSPECTION CONTACT: Ed Curry, Box 517, Elk Point, SD 57025

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: same as above

DIVERSION POINT LEGAL LOCATION: 1395' N and 4600' W of the SE corner Section 18, T91N, R49W.

WELL INFORMATION:

- 1) Well Drilling Firm: J.J. Curry and Sons
- 2) No. of Wells 1
- 3) Depth(s) 111 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 13 inches
- 2) Length 63 feet
- 3) Type concrete

Screen:

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- 2) Length 48 feet
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Pump:

- 1) Make Western Landroller
- 2) Model #
- 3) Size #
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Motor:

- 1) Make U.S. Electric
- 2) Model No. #
- 3) Horsepower rating 100 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type pvc 2) Size 8" 3) Length 580 feet

SYSTEM TYPE:**Center Pivot:**

- 1) Make Valley cornering
- 2) Overall length 1783
- 3) Number of towers 10
- 4) End gun yes
- 5) High or low pressure high
- 6) Capacity 900 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation questionnaires checked to determine if permit owner started irrigation by the end of construction period yes