

Oct 15/1976
C/

284-2431

#1 59' - 21' CONCRETE

Rotational Pump 2100-8 8"

Powered by 100 HP VS Electric Motor

#2 63' - ~~21'~~ ^{16" steel} - 15' Screen

104P - 6" submersible pump

6" Power Station to Mainline

#3 70' ^{16"} ~~21'~~ ^{16"} ~~21'~~ 20' P.D. Screen
104P - 6" submersible - P.D.A.

10 Tower Zimmers	117	\$150	End gun	900
11 Tower	117	\$150	End gun	450

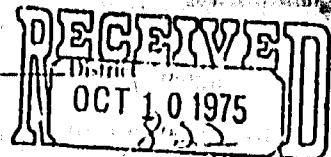
10.10.75

EUREKA, S.D. 57437

2423.3

CANCELED

7/17/86
3650-3

No. 24-23-3Map No. 1800-3 Water Division No. 3 MISSOURI RIVER
(Blanks to be filled by the Engineer for the W. R. C.)APPLICATION FOR PERMIT TO APPROPRIATE WATER RIGHTS COMPANY
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Calvin Newharth
 Postoffice address EUREKA, State S. D.
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of others + labor
3. Name of diversion work Newharth
4. Amount of water claimed (cubic feet per second) 2.2 Cu. Ft. Per Second
5. Source of water supply underground (well)
6. Location of point of diversion Twp 127 N R. 21 W Sec. 22
EUREKA, S. D. County Mephereson
7. Annual period or periods during which water is to be used APRIL THRU 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 160

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Subdivision and Description	No. Acres Irr.	Description	No. Acres Irr.
<u>NE 1/4 SW 1/4 Sec. 22</u>	<u>40</u>	<u>SW 1/4, NW 1/4 Sec. 22</u>	<u>40</u>
<u>NE 1/4 SE 1/4 Sec. 22</u>	<u>40</u>	<u>SE 1/4 NW 1/4 Sec. 22</u>	<u>40</u>
<u>SW 1/4, NW 1/4 Sec. 22</u>	<u>40</u>	<u>NW 1/4 SW 1/4 Sec. 22</u>	<u>40</u>
<u>SE 1/4, NW 1/4 Sec. 22</u>	<u>40</u>	<u>NE 1/4 SW 1/4 Sec. 22</u>	<u>40</u>

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Northwest Blade
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.

Pivotal OR BoomPipes from well to Application

C. Works proposed to apply water to beneficial use.

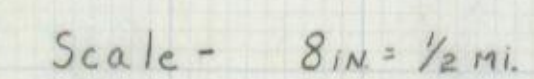
Pivotal OR BoomEstimated Total Cost \$ 50,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of MepheresonI, Calvin Newharth, 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.Calvin Newharth

Signed

Calvin NewharthSubscribed and sworn to before me this 9 day of October, 1975Deane D. Warner
Notary Public (or other qualified officer)DUANE D. WARNER, Notary Public
My Comm. in Expiration Date 12/1/1978



U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date _____		Approved by _____	
Designed <u>JAMES R. SCHAEFER</u>		Title _____	
Drawn <u>JAMES R. SCHAEFER</u>		Title _____	
Traced _____		Title _____	
Checked _____		Sheet _____	Drawing No. _____
		of _____	

SCS-313B (APRIL 1963)

MAP N° 1800-3 ADPL N° 2423-3 & 3656-3

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2423-3
CALVIN NEUHARTH EUREKA
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57437 With the following modifications:
 (State)

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.

*Cancelled 7/17/80
 Incorporated into W/L 3656-3*

Date of first receipt of application OCTOBER 10 19 75
 Date of return to applicant for correction, amendments or changes required OCTOBER 27 19 75
 Date of receipt of corrected application MARCH 3 19 76
 Approved JULY 22 19 76 Recorded in Book 15 Page 228

WATER RIGHT PERMIT NO. 2423-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2423-3 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 a plaintiff may claim right is MARCH 3 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 22 19 78
3. The whole of said work is to be completed on or before JULY 22 19 79
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 22 19 81
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 JULY 22 19 81; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 28TH day of JULY 19 76

WATER RIGHTS COMMISSION

John H. Haskins
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

CALVIN NECHART

T 127 - INSTEAD OF T 126 N

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 30", Depth 50'

(2) Casing, Type concrete Diameter 24" Thickness 3"
(wood, concrete, steel, etc)

(3) Perforated Screen,

Type unknown, Diameter _____, Length _____

(4) Gravel Pack Thickness 6", Length of gravel pack 10'

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: sands & coarse gravel at 20'

Depth to top of water bearing material 20'

Depth to bottom of water bearing material 50-60'

Thickness of water bearing material 10'

Depth to water (ground surface to water level) 20'

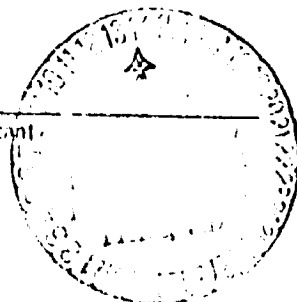
(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 160 rds. On property owned by others 210' 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.

Signature of Applicant



No. 2423-J

Publish first publication, on or before

July 6, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

July 2, 1976

Notice is hereby given that Calvin Neuharth

whose post office address is Eureka, 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 Neuharth #1, the point of diversion of which is to be located in the _____

SE 1/4 NW 1/4

of Section 32, Twp. 126N, Range 71W. Said water to be used for the purpose of providing irrigation on the following described land:

S 1/2 NW 1/4, N 1/2 SW 1/4, Section 32, T126N, R71W

This application No. 2423-J will be considered by the Water Rights

Commission at the Court House at Winner, South Dakota

upon the 21st day of July, 1976 at 10:00 AM. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw
cc:

Calvin Neuharth, Eureka, S.D. 57437

The
NORTHWEST
BLADE
INC.
Eureka, S. D.
Phone 281-2631

*Note - Mr
Nunhardt called
your attention
(via telephone)
to the correction
that it should be
touching No 127 instead
of 126.*

Affidavit of Publication

COUNTY OF McPHERSON
STATE OF SOUTH DAKOTA

Arlo C. Mehlhaff of said county being duly sworn, on oath says that he is the publisher of The Northwest Blade, a weekly newspaper printed and published in Eureka in said County of McPherson and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least 200 copies weekly, and has been published within said County for fifty-two successive weeks next to prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained in a place of publication; that the advertisement, a printed copy of which, taken from the paper in which the notice was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for TWO successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

July 8	1976;	19
July 15	1976;	19
	19;	19
	19;	19
	19;	19
	19;	19

that the full amount of the fees for the publication of the annexed notice is \$ 10.73

Arlo C. Mehlhaff

Subscribed and sworn to before me this 16th

day of July, 19 76

Wm. L. Jones
Notary Public

County of McPherson, South Dakota

WITNESSED BY ME, J. L. LAPP
Notary Public, South Dakota
My Commission Expires May 1, 1977

NOTICE OF INTENT TO APPROPRIATE WATER

Notice is hereby given that Calvin Neuharth whose post office address is Eureka, 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 ground water through the Neuharth No. 1, the point of diversion of which is to be located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Twp. 126N, Range 71W. Said water to be used for the purpose of providing irrigation on the following described land S $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 22, T126N, R71W. This application No. 24223 will be considered by the Water Rights Commission at the Court House at Winner, South Dakota upon the 21st day of July, 1976, at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COM-
MISSION,
Burton F. Jones,
Water Rights Specialist
7-8-15-76



SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

July 18, 1980

Calvin Neuharth
Eureka, SD 57437

Dear Mr. Neuharth:

Enclosed herewith are, Water License No. 3656-3 and Certificate of Construction.

Water License No. 3656-3 is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:gy

enclosures

NOTE: The applicable portions of Permit No. 2423-3 have been incorporated into this Water License and Permit No. 2423-3 has been placed in a cancelled status.