

2717-3

1. Considered MAY 20, 1976
2. Name of Applicant BRINK FIROS.
3. Post Office Address ORTLEY
4. Amount of water claimed 3.8
5. Source of water supply 2 WELLS 45' & 36'
6. Water to be used for IRRIGATION
- Acres to be irrigated 266
7. Water to be diverted and used in GRANT county
about 75 miles of ORTLEY
8. Proof of Publication Received 5-14-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

NEW AREA -

1.8 mile from
closest development

10. Remarks:

Falk Wells

Incorporated into
W/L 2717-3A

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

November 3, 1981

Brink Brothers
Ortley, SD 57256

Dear Sir:

Enclosed herewith are, Water License No. 2717-3A and Certificate of Construction.

Water License No. 2717-3A 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 Division

JH:bt

enclosures

Note: The applicable portions of Permits Nos. 2717-3 and 3802-3 have been incorporated into this Water License.

WNR-817-7/79
Transmittal of Water License

No. 2717-3Map No. 2078-3 Water Division No. 3 WHITSTONE CREEK
(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 Brink Bros Inc - Dale Brink mgr.
Postoffice address Ortley 22256 State South Dakota
If a corporation show date and place of incorporation Grant County Jan 1974
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Brink Bros Inc Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 3.8
5. Source of water supply 2 wells
6. Location of point of diversion Well #1 - 3100' N65°W of SE corner Sec 30-121-52
Well #2 - 1850' N65°W of SE corner Sec 30-121-52
County Grant
7. Annual period or periods during which water is to be used April through October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 266

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW ¹ of SW ⁴ Sec 30-121-52	39	NW ¹ of SE ⁴ Sec 30-121-52	33
SE ⁴ " " " " " "	40	" " " " " "	
SW ⁴ " " " " " "	38	SW ⁴ " " " " " "	37
SE ⁴ " " " " " "	39	SE ⁴ " " " " " "	38

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use three years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Grant County Review
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. 2 wells with electrically driven deep well turbines

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

C. Works proposed to apply water to beneficial use. center pivot irrigation machine

Estimated Total Cost \$ 44,000

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 Brackley

I, Dale Brink 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 Dale BrinkSubscribed and sworn to before me this 15 day of April 1976

Notary Public (or other qualified officer)

P. C. # 1916

2717-3

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2. Name of Applicant BRINK BROS.
3. Post Office Address ORTLEY
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5. Source of water supply 2 WELLS 45' & 36'
6. Water to be used for IRRIGATION
- Acres to be irrigated 266
7. Water to be diverted and used in GRANT county
about 7.5 miles of ORTLEY.
8. Proof of Publication Received 5-14-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

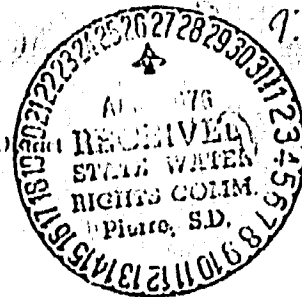
NEW AREA -

7.8 miles from
closest development

10. Remarks:

Falk Heller

Incorporated into
W/L 2717-3A

No. 2717-3Map No. 2078-3 Water Division No. 3 WHETSTONE CREEK
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

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(NOTE - Draw a line through items not applicable)

1. Name of Applicant Brink Bros. Inc. - Dale Brink manager
Postoffice address Ortley 27256 State South Dakota
If a corporation show date and place of incorporation Grant County Jan 1974
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Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 of SW 1/4 Sec 30-121-52	39	NW 1/4 of SE 1/4 Sec 30-121-52	33
NE 1/4 " " " " "	40	" " " " "	
SW 1/4 " " " " "	38	SW 1/4 " " " " "	39
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Estimated Total Cost 44,000

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 Brinkley

I, Dale Brink 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 Dale BrinkSubscribed and sworn to before me this 15 day of April 1976

John L. DeLoe
Notary Public (or other qualified officer)

P. E. # 1916

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2717-3

BRINK BEOS

(Applicant)

ORTLEY

(Post Office Address)

SOUTH DAKOTA 57256

(State)

With the following modifications:

The irrigation wells approved under this Permit are 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.

INCORPORATED INTO
WATER LICENSE NO. 2717-3A

See also 2717-3A

Date of first receipt of application APRIL 26, 1976

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

Date of receipt of corrected application APRIL 30, 1976

Approved MAY 20, 1976, Recorded in Book 15 Page 161

WATER RIGHT PERMIT NO. 2717-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2717-3 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 APRIL 26, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20, 1978
3. The whole of said work is to be completed on or before MAY 20, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20, 1984
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 3.8 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 MAY 20, 1984; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 9TH day of JUNE 1976

WATER RIGHTS COMMISSION

By:

John Ketch
Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

WR // 11/1

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

D. Wet Information or Estimates

(1) Drill Hole, Diameter 30", Depth 43

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

(3) Perforated Screen.

Type: Can 5/0 +, Diameter 16, Length 70

(4) Gravel Pack. Thickness 7 Length of gravel pack 20

1. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

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' to 7' is top soil, 7' to 45'
is mixed sand & gravel, over 45' is clay

Depth to top of water bearing material _____

Depth to bottom of water bearing material 45

Thickness of water bearing material 58

Depth to water (ground surface to water level) _____

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

On same owner's property 70 rds. On property owned by others 200 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.

Brink Bros Inc By Dale Brink
Signature of Applicant

Well # 2

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 36'
(2) Casing, Type Steel Diameter 16" Thickness 3/16"
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type Cont Slot, Diameter 16", Length 10'
(4) Gravel Pack, Thickness 7", Length of gravel pack 15'

E. Dugout Information or Estimates.

- (1) Surface dimensions , Depth

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 0' to 3' top soil, 3' to 7' mixed
clay silt & sand, 7' to 36' is mixed sand and
gravel; Duper 36' is clay

Depth to top of water bearing material 7'
Depth to bottom of water bearing material 36'
Thickness of water bearing material 29'
Depth to water (ground surface to water level) 7'

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

On same owner's property 70 rds. On property owned by others 200 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.

David B. B. Inc. By David B. B.
Signature of Applicant

Form 6 - Notice of Intent to Appropriate Water

2717-3

Publish first publication, on or before May 5, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 30, 1976

Notice is hereby given that Brink Bros.

whose post office address is Ortley, 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

3.8 cubic feet of water per second of time from the ground water through the Brink Bros. #1, the point of diversion of which are to be located in the

Center of the W $\frac{1}{2}$ SE $\frac{1}{4}$ and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 30, Twp. 121N, Range 62W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, T121N, R53W

This application No. 2717-3 will be considered by the Water Rights Commission at their office at Pierre upon the 20th day of May, 1976, at 1:00 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

Brink Bros., Ortley, S.D. 57256

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Grant) ss.

I, Clarence Justice hereby

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

Water was taken from the Grant County Review

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 Milbank

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

May 5, 1976

May 12, 1976

Clarence Justice
(Signature)

Foreman

(Title)

May 12, 1976

(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

April 30, 1976

Notice is hereby given that
Brink Bros. (whose post office
address is Ortleigh, 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 3.8 cubic feet of
water per second of time from
ground water through the Brink
Bros. No. 11 the points diversion
of which are to be located in the
Center of the W 1/4 SE 1/4 and in the
SE 1/4 SW 1/4 of (Section) 30, Twp.
121N, Range 52W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:
SW 1/4, W 1/4 SE 1/4, SE 1/4 SE 1/4,
Section 30, T121N, R53W, 121N.

This application No. 2717-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 20th day of
May, 1976, at 1:00 P.M. All
interested persons may appear
and be heard.

Water Right Commission
By: Burton Jones
Water Right Specialist

May 5

May 12





RR2 Waukegan, ID
May 20, 1976

Water Resource Commission
Pierre, S.D.

Dear Sirs:

My name is Jerry Thurman. I live in R-53-54W; T-120-121N; Section - 25, east of reservation line; Cycland Township; Day County.

I have been told that some of my neighbors in Grant County, have applied for irrigation rights and I am concerned about my wells used for livestock, personal and household. They are only twenty-five (25) feet deep but are sufficient for present use but won't be if the water table is affected. What can or must I do to protect these wells?

Sincerely,

Jerry W. Thurman

May 27, 1976

Jerry W. Thurman
R.R. #2
Waubay, S.D. 57273

Dear Mr. Thurman:

Reference is made to your letter regarding irrigation development in Grant County near your land.

The permits were approved with the following qualification:

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.

In shallow aquifers such as you are in, we would not anticipate interference if you are one half mile away from the production well. However, the qualification is placed on such permits in case such interference occurs.

Should you have further questions, feel free to contact this office.

Sincerely,

JOHN HATCH
Chief Engineer

JH/B5J/bw

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

November 3, 1981

Brink Brothers
Ortley, SD 57256

Dear Sir:

Enclosed herewith are, Water License No. 2717-3A and Certificate of Construction.

Water License No. 2717-3A 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.

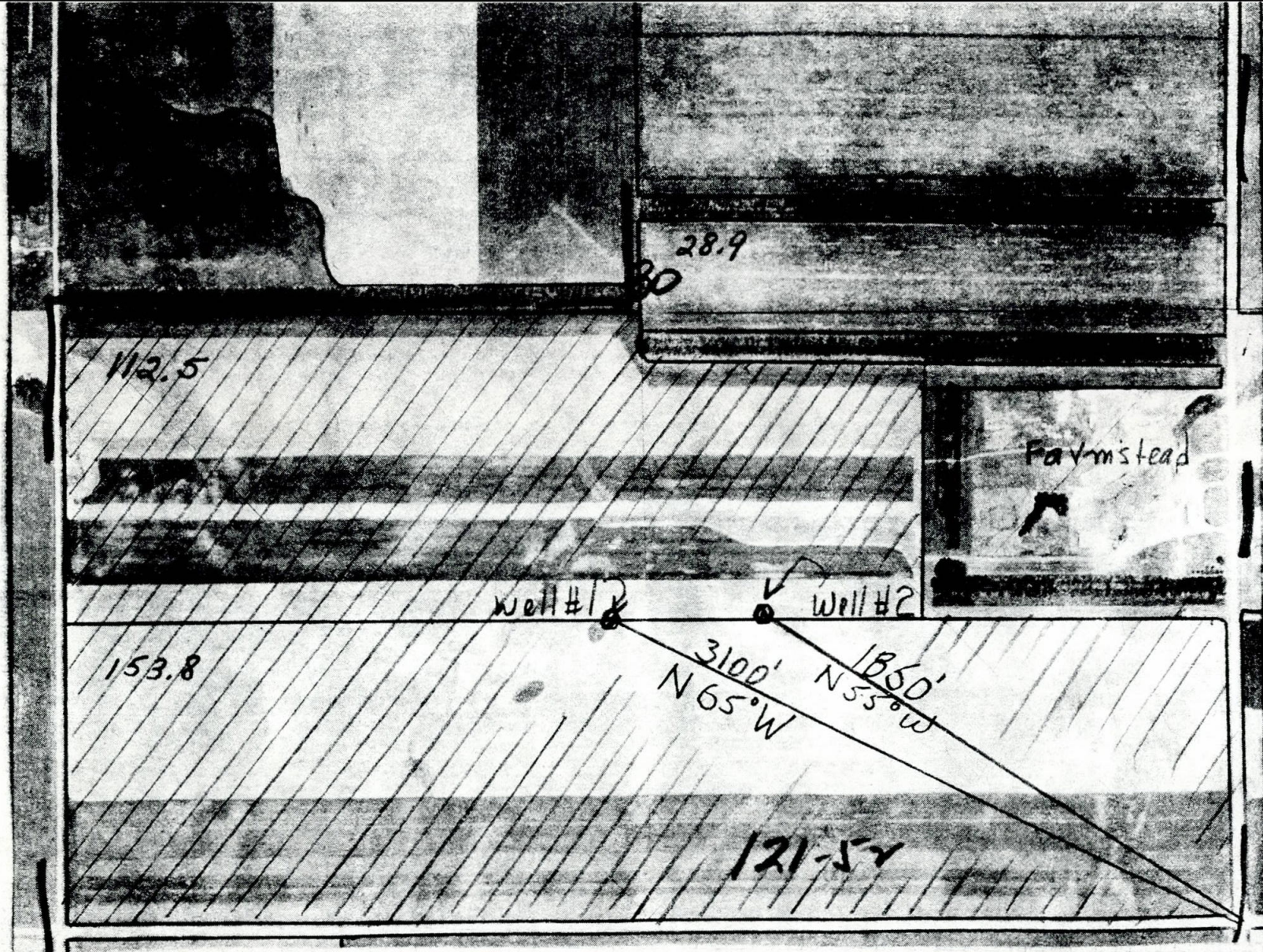
Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:bt

enclosures

Note: The applicable portions of Permits Nos. 2717-3 and 3802-3 have been incorporated into this Water License.



Cross hatch indicates irrigated area
Points of Diversion: well #1 - 3100' N 65° W
Well #2 - 1850' N 55° W of S.E. corner
= 1 Mile Section 30 - 121-52

Scale - 8" = 1 Mile

BRINK BROS INC

Irrigation Project #1
Ortley 57265 S. Dak.

Land in Grant Co.

Acres Irrigated 266
Water Claimed 3.8 cfs

Survivor's Certificate

I, John L. Wiersma, do hereby certify that this map identifies a reasonably accurate record of the land of

Brink Bros. Inc

Dale Brink, Mgr
4-15-76

Ortley S.D.

Drawn by J. Lee

P. E. # 1916

Brookings S.D.

John S. Williams

MAP No 2078-3 APPL No 2717-3