

Val Right No. 2717-3A

To be Considered 8-27-79

County Mont about 7

Miles South of Ordway

APPLICATION

Name Brink Bros. Inc.

Address Ordway, S.D.

Date Received June 5, 1979 Application

Date Returned Complete - Yes No

Reason

apr. 26, 1976

Add. two wells on Existing Permit # 2717-3

Date Received

Corrected Appl.

SOURCE G.W. (2 wells)

USE Irrigation

ACRES No add'l

C.F.S. No add'l

ACRE-FEE

Diversion Location

SW¹ SW⁴ & SW⁴ SE⁴

30-121N-52W

Land to be Irrigated SW⁴, N¹/₂ SE⁴ and SE⁴ SE⁴ - 30-121N-52W

Period of annual use Apr thru Oct.

Type of Map Aerial & Drawn Prepared by John W. Vetsman

Map No. 2078-3 Map located in W/R X Map File

Received - Yes X Amount 150.00 No. Date of letter

REASON

Date Returned Corrected:

Received w/App'l. - Yes X No Date of Request

REASON

Date Received

DRILLER North Star Drilling Co. Licensed in SD Yes X No

DEPTH AND FORMATION 29' & 30' Deep

OTHER INFORMATION
FILED WITH
WATER RIGHT

WATER
QUALITY

Date Received July 18, 1979 Date Approved
and/or Conditional by S.C.C. _____
(Circle one)

Date Disapproved by S.C.C. _____ Reason _____
Date Disapproved _____
Application Returned _____

WI-1 Land Description- same as Application- yes X no _____ Remarks _____

Well # 5 - a little different description but close enough.

REVIEWED

This application was reviewed within 30 days of receipt, accepted as complete
Number assigned and written up for advertisement before the Board on

8-27-79

Betty Westlund
(Signed)

This Application was unable to be completed - Reason _____

PUBLICATION

Dates Published - 1st 8-29-79 2nd _____
Date _____
Affidavit Received 9-10-79 Remarks _____

Grant Co. Review

PROTESTS

Letters/Petitions in File Yes _____ No _____ Remarks _____

STAFF REC-
OMMENDATIONSBOARD
ACTION

Date Approved 9-28-79 Qualifications Domestic well

Deferred - Date _____ Reason _____

Denied - Date _____ Reason _____

REMARKS
F.F.C. OF
LAW, FINAL
DECISIONS,
ETC.

No. 27-177-3AMap No. 3455-3 Water Division No. 3 WHETSTONE CREEK
(Blanks to be Filled by the Engineer for the W. H. C.)
2078-3

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 Ortlog 57256 State South Dakota
If a corporation show date and place of incorporation Grant County - Jan 1970
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) - No additional water from permit # 2717-3
5. Source of water supply 2 additional wells
6. Location of point of diversion Well #4 - 912' N + 1125' E of SW corner of Sec 30-121-52; Well #5 - 1170' N + 1300' W of SE corner of 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 acres as original permit
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>1/16th of SW 1/4 Sec 30-121-52</u>	<u>39</u>	<u>NW 1/4 of SE 1/4 Sec 30-121-52</u>	<u>33</u>
<u>NE 1/4 of SW 1/4 Sec 30-121-52</u>	<u>40</u>	<u>SW 1/4 of SE 1/4 Sec 30-121-52</u>	<u>39</u>
<u>SW 1/4 of SW 1/4 Sec 30-121-52</u>	<u>38</u>	<u>SE 1/4 of SE 1/4 Sec 30-121-52</u>	<u>38</u>
<u>SE 1/4 of SW 1/4 Sec 30-121-52</u>	<u>39</u>		

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 land 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 additional wells + completion of the two wells in original permit # 2717-3 plus the well already in permit # 3802-3

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 \$16,000

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 BrookingsDale 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 Brink Bros. Inc. By Dale BrinkSubscribed and sworn to before me this 29 day of May 1979

Notary Public (or other qualified officer)

Note! This is request for two additional wells.
No new land or added water.

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2717-3ABRINK BROS. INC.
(Applicant)ORTLEY
(Post Office Address)SOUTH DAKOTA 57256 With the following modification:
(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 adequate domestic wells.

Land covered under this Permit is also covered under Permits Nos. 3302-3 and 2717-3. Combinations of diversions under the three permits shall not exceed the Statutory limit of 1 c.f.s. for each 70 acres of land to be irrigated.

Date of first receipt of application JUNE 5 19 79
 Date of return to applicant for correction, amendments or changes required JUNE 5 19 79
 Date of receipt of corrected application JULY 18 19 79
 Approved SEPTEMBER 28 19 79, Recorded in Book 21 Page 46

WATER RIGHT PERMIT NO. 2717-3A

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2717-3A 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 JUNE 5 19 79
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 28 19 82
3. The whole of said work is to be completed on or before SEPTEMBER 28 19 84
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 28 19 87
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 NO ADD'L 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 it for the irrigation purposes said appropriation must be limited to not more than 2 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 SEPTEMBER 28 19 87 and water to be used during the following described annual period APRIL THRU OCTOBER

Witness my hand this 4th day of OCTOBER 19 79

WATER RIGHTS COMMISSION

By:

John Walsh
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

CONSERVATION COMMISSION

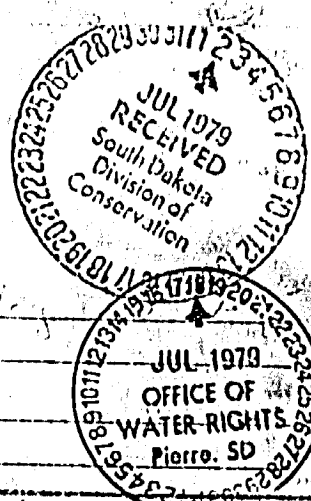
1171 FORM

1/79

SOIL/WATER COMPATIBILITY APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE



OWNER'S NAME: B. D. E. L.

OWNER'S ADDRESS: 1111 1st St.

COUNTY LAND LOCATED IN: 1 PHONE: 111-1111

AGENT'S NAME AND ADDRESS: (If Other Than Owner) 1111 1st St.

According to State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

WELL LOCATION OR DIVERSION POINT: 1111 1st St.

SURFACE WATER SOURCE: 1111 1st St.

LOCATION OF AREA TO BE IRRIGATED: 1111 1st St.

INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show approximate acres under each type of system)

GRAVITY 1111 TOWLINE 1111 CENTER PIVOT 1111 GUN 1111 OTHER (Specify) 1111

CROPS TO BE IRRIGATED 1111

SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1111

LAND: 1111 IN WHAT NAME: 1111

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

SAMPLE NUMBER: 1111

SALINITY (EC X 10⁶): 1111

SODIUM (SAR) 1111 ADJUSTED (SAR) 1111

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at 1111 A.M./P.M., on 1111, 1911, at the following location: 1111 1st St.

(individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from 1111 Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS 1111 DAY OF 1111, 1911.

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

APPROVED

DISAPPROVED

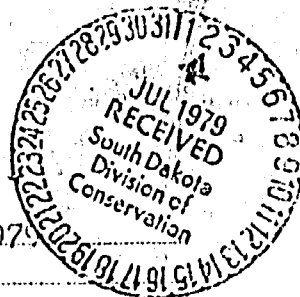
CONDITIONALLY APPROVED

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Right Commission.

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57607



Submitted by: Brink Farms, Inc.
 Address: o/o Dale Brink
Cortley, SD 57256

Date Rec'd: June 20, 1979
 Sample No. 75-364
 Identification all-29
511, Sec. 30, T. 121N, R. 52E

WATER ANALYSIS

Calcium (Ca)	130	ppm*	6.48	mc/l**
Magnesium (Mg)	22	ppm	1.77	mc/l
Sodium (Na)	6	ppm	0.23	mc/l
Potassium (K)	2	ppm	0.06	mc/l
Sulfate (SO ₄)	109	ppm	2.26	mc/l
Nitrate (as N)		ppm		mc/l
Chloride (Cl)	2	ppm	0.06	mc/l
Bicarbonate (HCO ₃)	312	ppm	5.12	mc/l
Carbonate (CO ₃)		ppm		mc/l
Iron (Fe)		ppm		mc/l
Fluoride (F)		ppm		mc/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	256	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	741	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.15	Adjusted SAR	0.35	
Sodium	3.25	% of cations		
Residual sodium carbonate	0.00	mc/l		
pH	7.30			

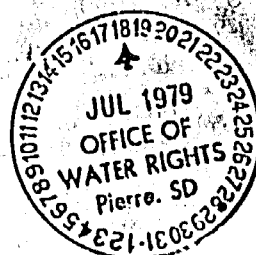
Others:

*ppm=parts per million

**mc/l=millequivalents per liter

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

COMMENTS: Total cations 8.59 mc/l
 Total anions 7.44 mc/l



By: Shirley Litten

Service Performed

Amount Due

Irrigation Analysis

15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-364

Amount Enclosed \$

Signed

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Submitted by: Brink Farms, Inc.
 Address: o/o. Brink
Ortley, SD 57265

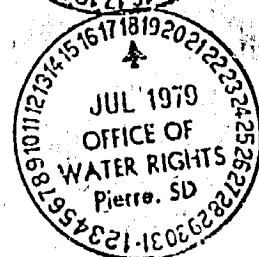
Date Rec'd June 20, 1979
 Sample No. 79-365
 Identification Well-30'
Sec. 30, T. 121N, R. 52E

WATER ANALYSIS

Calcium (Ca)	128	ppm*	6.40	me/l**
Magnesium (Mg)	23	ppm	1.89	me/l
Sodium (Na)	6	ppm	0.23	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	109	ppm	2.26	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	1	ppm	0.03	me/l
Bicarbonate (HCO ₃)	315	ppm	5.16	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)	258	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	773	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.15	Adjusted SAR	0.35	
Sodium	3.00	% of cations		
Residual sodium carbonate	0.03	me/l		
pH	7.35			
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g.p.g.=grains per gallon

COMMENTS: Total cations 8.60 me/l
 Total anions 7.45 me/l



By: Shirley Mitten

Service Performed	Amount Due
Irrigation Analysis	15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 79-365

Amount Enclosed \$

Signed

North Star Drilling, Inc.

TEST HOLE FORM

CUSTOMERS NAME Brink Bros DATE 5/15/79
 ADDRESS _____ DRILLER Melvin
 CITY AND STATE SO. DAK LEGAL DESC. _____
 PHONE 605-947-4375

TEST HOLE NO. <u>H+I</u>						(FOR OFFICE USE)
FROM	TO	FORMATION	COLOR	HARDNESS	NOTES	ANALYSIS
0	3	TOP SOIL			= LOOKS BEST	25-25' BR. CL. RD. OK
3	34	SAND			8' S.W.L.	F=70% C=30%
34	36	SAND LITTLE CLAY				25-30' BR. CL. RD. OK
36	38	SAND			good drop	0.1550% / 1.12050%

North Star Drilling, Inc.

TEST HOLE FORM

CUSTOMERS NAME Brink Bros DATE 5/14/79
 ADDRESS _____ DRILLER Melvin
 CITY AND STATE SO. DAK LEGAL DESC. _____
 PHONE 605-947-4375

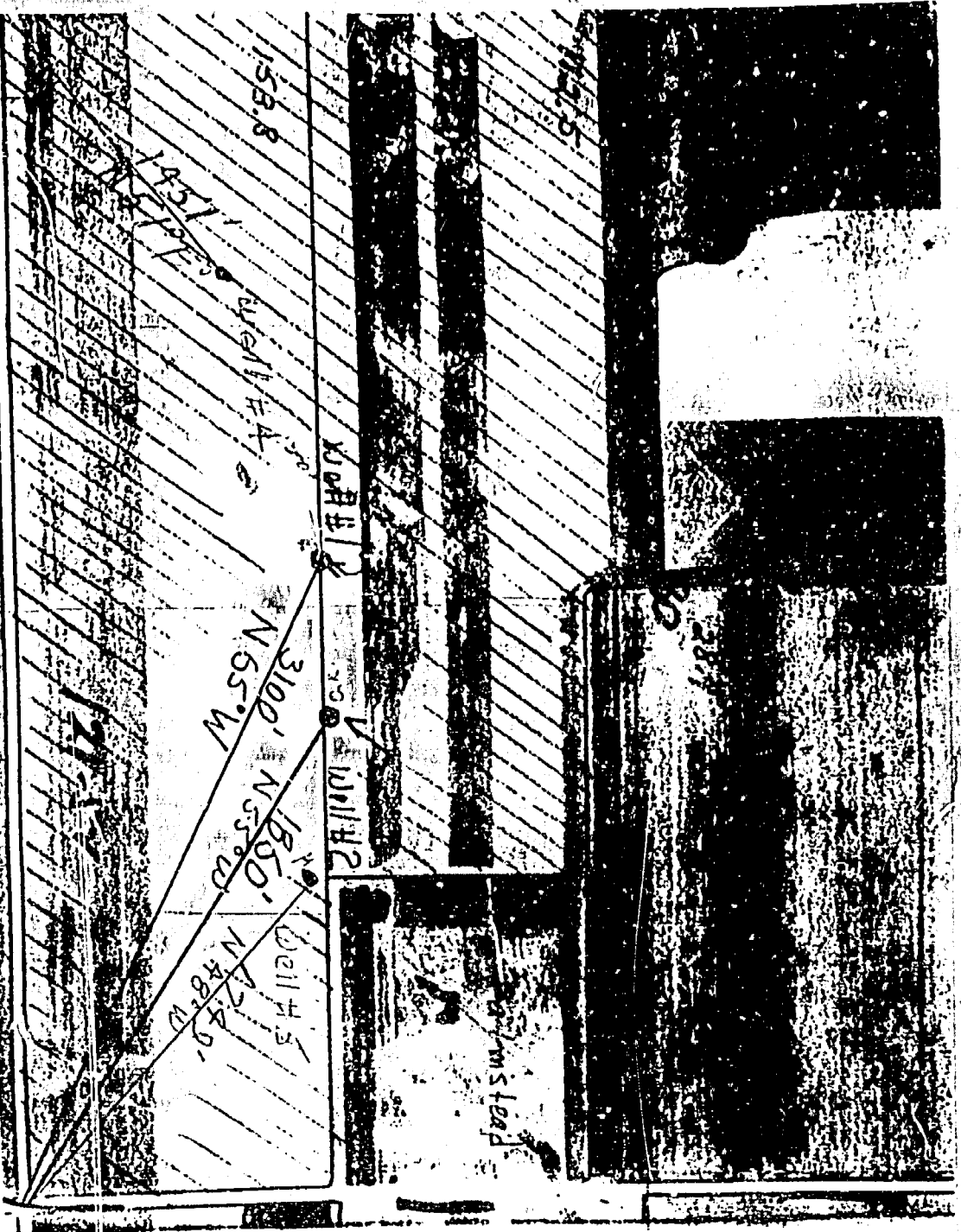
TEST HOLE NO. <u>C+D</u>						(FOR OFFICE USE)
FROM	TO	FORMATION	COLOR	HARDNESS	NOTES	ANALYSIS
0	2	TOP SOIL			LOOSE FORMATION	15-20' F=80% C=40%
2	27	SAND			good drop	CL. RD. OK-6000
27	30	CLAY				F=1010-1015
30	35	CLAY & SAND STRIPS				MIXED C=100% 150+
0	2	TOP SOIL				20-21' F=50% C=70%
2	23	SAND				CL. RD. 2000. F=1011
23	25	CLAY				C=110-1160
						NO ANALYSIS OK
						TEST D-

CUSTOMER'S NAME Brink Bros DATE 5/15/79
ADDRESS _____ DRILLER Melvin
CITY AND STATE SO. DAK LEGAL DESC. _____
PHONE 605-947-4375

TEST HOLE NO. <u>H+I</u>					FOR OFFICE USE
FROM	TO	FORMATION	COLOR	HARDNESS	NOTES
0	3	TOP SOIL			= LOOKS BEST
3	34	SAND			8' S.W.L.
34	36	SAND LITTLE CLAY			
36	38	SAND			good drop
0	3				
3	34				

CUSTOMER'S NAME Brink Bros DATE 5/14/79
ADDRESS _____ DRILLER Melvin
CITY AND STATE SO. DAK LEGAL DESC. _____
PHONE 605-947-4375

[illegible]



BRINK BROS INC

Irrigation Project #1
 Ortley 57265 S.D.
 Land in Grand Co
 Acres Irrigated 266
 Water claimed 3.8 cfs

SURVEYOR'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: Manager
 4-15-76
 Ortley S.D.
 Drawing by
 P.E. #1916
 Brookings S.D.

John L. Wiersma

Scale - 8" = 1 Mile

Section 30-121-52

2 nearly identical wells.
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 Will #4 - 29'29" } from log
Will #5 - 36'30" }
(2) Casing, Type Plastic Diameter 16" Thickness 7/8"
(wood, concrete, steel, etc.)
(3) Perforated Screen.
Type Johnson, Diameter 16", Length 10'
(4) Gravel Pack, Thickness 2", Length of gravel pack Entire length

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 See attached logs

Depth to top of water bearing material 8'

Depth to bottom of water bearing material Will #4 - 30'; Will #5 - 36'29" (from log)

Thickness of water bearing material Will #4 - 19'; Will #5 - 28'

Depth to water (ground surface to water level) 8'

- (2) Distance to nearest existing household or livestock watering wells. Will #4 - 300

On same owner's property Will #5 - 45' rds. On property owned by others Will #5 - 95' rds.

G. Water Storage Dams.

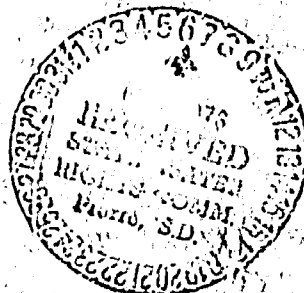
If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Brink Bros Inc By: [Signature]
Signature of Applicant

27113A

April 27, 1976

Brink Bros., Inc.
Ortley, SD 57256



Dear Sirs:

The WI-1 form and the soils information in regard to your application for a water use permit in section 30-121-52 has been received. We have also completed the water analysis of sample #76-347 submitted here by you about 2 weeks ago.

As you will observe by the quality chart on the outside back cover of AES publication #13 enclosed for your use, the water is quite good in quality. It is in the medium salinity bracket, but very low in sodium. As such, it has practically no hazard for irrigation use on any normally well drained soil.

The soils which you intend to irrigate should stand up quite well under supplemental irrigation, and you should experience no difficulty except for those soils along the drainage way in the northeastern part of the half section, and possibly these in the extreme northwestern corner where there is a claypan under these soils. Thus, if you will avoid those 2 areas in your irrigation, you should have no difficulty.

A copy of this letter, and of the water analysis, plus your WI-1 form are being sent to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fina

L. O. Fina
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

D. Pahl

Vern Beare, County Extension Agent

CONSERVATION
COMMISSION
FORM W1 #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 GROUND WATER IRRIGATION ONLY)

NAME Brink Bros. Inc
ADDRESS Ortley S. Dakota - 57256
COUNTY Grant

LEGAL DESCRIPTION

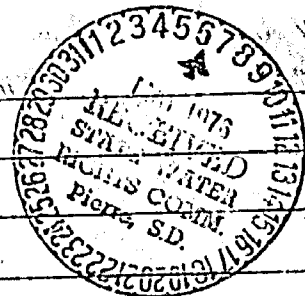
1. WELL LOCATION: about center of S² of Sec 30 - 121 - 52
2. LOCATION OF AREA TO BE IRRIGATED S² of Sec 30 - 121 - 52

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED Corn & alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-347
6. SALINITY (EC X 10⁶) 56.2 (medium)
7. SODIUM (SAR) 0.16 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0



I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from _____ Conservation District, County Extension office or Soil Conservation Service.
and: that the legal description for the location of the well and land to be irrigated is true and correct.

Brink Bros Inc. By Dale Brink
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
14 DAY OF July 1976.

John S. [Signature]
(TITLE OR SEAL)

Albert L. H. [Signature]
APPROVED/DENIED

(SOILS INFORMATION ON REVERSE SIDE)

DESCRIPTIONS OF LAND CAPABILITY UNITS

- IIw1 Deep, clayey and loamy, somewhat poorly or poorly drained soils with slow permeability or that are ponded. They occupy nearly level to flat slopes or depressions. Choice of crops and time of tillage is limited by seasonal wetness.
- IIe3 Deep, loamy, well drained soils on gently undulating and gently sloping (2 to 6%) upland. They have moderate water erosion and slight to moderate wind erosion hazards.
- IIs2 Deep, well drained soils with loamy to clayey surface layers and slowly permeable clay subsoils on nearly level (0 to 2%) upland slopes. Claypan subsoils limits rooting, water intake, and moisture release to plants.
- IIIs2 Moderately deep, well drained soils with 20 to 30 inches of loamy material over gravel and sand on gently undulating (2 to 6%) slopes. These soils have limited water storage capacity and moderate water erosion hazard.

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

Submitted by: Dale Brink
 Address: Ortley, SD 57256

Date Rec'd April 14, 1976
 Sample No. 76-347
 Identification Well-45'
S2, Sec. 30, T 121N, R 52W

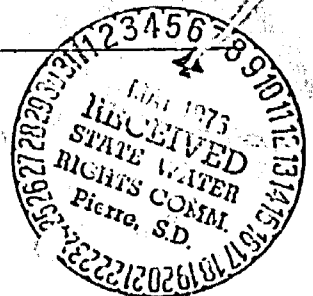
WATER ANALYSIS

Calcium (Ca)	77	ppm*	3.85	me/l**
Magnesium (Mg)	27	ppm	2.21	me/l
Sodium (Na)	6	ppm	0.27	me/l
Potassium (K)	3	ppm	0.03	me/l
Sulfate (SO ₄)	45	ppm	0.94	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.13	me/l
Bicarbonate (HCO ₃)	273	ppm	4.48	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)	224	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	562	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.16			
Sodium	4.21	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.62			

Others:
 *ppm=parts per million
 **me/l=millequivalents per liter

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

COMMENTS: Total cations 6.41 me/l
 Total anions 5.55 me/l



By: Shirley Hittan

Service Performed	Amount Due
Irrigation analysis	8.00 PAID
Make checks payable to: Water Quality Laboratory	
Cut along dotted line and return the lower portion with payment	
Sample No. <u>76-347</u>	Amount Enclosed \$
	Signed

Permit No. 2717-3A

Water Diversion No. 3 Big Sioux River Water District
10170201

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Brink Brothers

the holder of

Permit No. 2717-3A, issued upon Application No. 2717-3A, bearing date of priority of April 26, 1976

authorizing the diversion of 3.8 cu. ft. per second of the waters of groundwater (two wells) County of Grant, State of South Dakota East well - 2180 ft. east and 1290 ft. north; West well - 1050 ft. east and 1220 ft. north, both from SW 1/4, Section 30 - T121N - R52W

for irrigation

purposes, has ve 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 1.66 cu. ft. per second of water.

Date November 1, 1981

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2717-3A

(1) WHEREAS, On the 5th day of June A. D. 19 79

the Brink Brothers

made Water Right Application No. 2717-3A for a permit to use 3.8 cubic feet per second of the waters of groundwater (two wells)

County of Grant, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 28th day of September A. D. 19 79

Permit No. 2717-3A, with a date of priority of April 26, 1976 *

was issued to said applicant B for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 28th day of September A. D. 19 84 and for the

application to beneficial use of said water on or before the 28th day of September A. D. 19 87

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 1.66 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 the following lands all in Section 30 - T121 N -

R52W

	Acres	* The applicable portions of
SW $\frac{1}{4}$ (C)	132	permits numbers 2717-3 and 3802-3
SW $\frac{1}{4}$ SE $\frac{1}{4}$ (DC)	33	have been incorporated into this
SE $\frac{1}{4}$ SE $\frac{1}{4}$ (DD)	33	Water License.
NW $\frac{1}{4}$ SE $\frac{1}{4}$ (DB)	33	
Total	231	

(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 Brink Brothers

_____ of Ortley, South Dakota

the holder as and owner as of said permit No. 2717-3A a water right, dating from April 26, 1976

_____ to use of 1.66 _____ cubic feet per second of the waters

of groundwater (two wells)

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

purposes hereinbelow mentioned, to be diverted at _____

_____ East well - 2180 ft. east and 1290 ft. north;

_____ West well - 1050 ft. east and 1220 ft. north.

_____ both from SW $\frac{1}{4}$, Section 30 - T121N - R52W

and conducted to and upon _____

_____ portions of lands in S $\frac{1}{2}$ Section 30 - T121N - R52W more

_____ fully described on _____

_____ face of this license.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2717-3A and subject to the laws of the State of South Dakota.

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

this 2nd day of November A. D.

Nineteen Hundred and Eighty - one

WATER MANAGEMENT BOARD

By:

John Hatch

Chief Engineer, Executive Officer

JOHN HATCH

No. 2717-3A

Publish first publication, on or before August 31, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 15, 1979

Notice is hereby given that Brink Brothers Inc. whose post office address is Ortley, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use no add'l cubic feet of water per second of time from ground water (two wells) through the Brink Bros. Inc. Irrigation Project #1, to add points of diversion on an existing permit of which are to be located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 30, Twp. 12N, Range 52W. 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 $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, T12N, R52W

This Application No. 2717-3A will be considered by the Water Management Board at the Community Room, City Hall, 222 E Dakota, Pierre, South Dakota upon the 27th day of September, 1979

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the courts as provided by law.

WATER MANAGEMENT BOARD

BETTY VESTLUND
Water Rights Specialist

cc: Brink Brothers Inc., Ortley, SD 57256

No. 2717-3A

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:

August 29, 1979

September 5, 1979

Clarence Justice
(Signature)

foreman
(Title)

Sept. 5, 1979
(Date Signed)

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501
August 15, 1979

Notice is hereby given that Brink Brothers Inc. whose post office address is Ortleigh, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-1-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01-01:01 thru 52:01-01:13, for a permit to appropriate for beneficial use no add'l cubic feet of water per second of time from ground water (two wells) through the Brink Bros. Inc. Irrigation Project No. 1, to add points of diversion on an existing permit of which are to be located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Twp. 121N, Range 52W. 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 $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, T121N, R52W.

This Application No. 2717-3A will be considered by the Water Management Board at the Community Room, City Hall, 222 E Dakota, Pierre, South Dakota upon the 27th day of September, 1979 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evident or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

BETTY WESTLUND
Water Rights Specialist

August 29

September 5



Permit No. 2717-3A
 Water Division 3 Big Sioux River Water District

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by BRINK
BROS of ORTLEY holder
 of Permit No. 2717-3A, bearing date of priority of APRIL 26, 1976
 authorizing the diversion of 3.8 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in GRANT 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:
E. WELL - 46' DEEP WITH 16" STEEL CASING - 10' SS SCREEN
FAIRBANKS MORSE 8" PUMP (NO TAG), POWERED BY 40HP
U.S. ELECTRIC MOTOR
W. WELL - 36' DEEP WITH 16" STEEL CASING - 10' SS SCREEN
FAIRBANKS MORSE 8" PUMP (NO TAG), POWERED BY 25 HP
U.S. ELECTRIC MOTOR

B. Works used to transport water to place of use,
TOTAL OF 2800 OF BURIED 8" PVC PIPE BETWEEN
WELLS AND TWO PIVOT POINTS.

C. Works used to apply water to beneficial use.
10 TWINER GIFFORD HILL (MODEL 360) CENTER PIVOT WITH
NELSON 100 END GUN

The system is in the following condition: GOOD

The point of diversion is located E. WELL - 2180' E & 1290' N; W. WELL - 1050' E & 1220' N,
BOTH FROM THE SW¹/₄ SECTION 30, T112N, R52W

The works are capable of diverting and conveying to the place of use 1.66 (750 GPM)
 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 30, T112N, R52W

<u>SW¹/₄</u>	<u>132</u>	<u>ACRES</u>
<u>NW¹/₄ SE¹/₄</u>	<u>33</u>	<u>"</u>
<u>SW¹/₄ SE¹/₄</u>	<u>33</u>	<u>"</u>
<u>SE¹/₄ SE¹/₄</u>	<u>33</u>	<u>"</u>

comprising a total of 231 acres of land.

THE APPLICABLE PORTIONS OF PERMITS NO. 2717-3 & 3802-3
 HAVE BEEN INCORPORATED INTO THIS WATER LICENSE

Date AUGUST 28, 1981
[Signature]
 (Signature)

NOT TO SCALE

2717-3 & 3A
3807-3

124.8

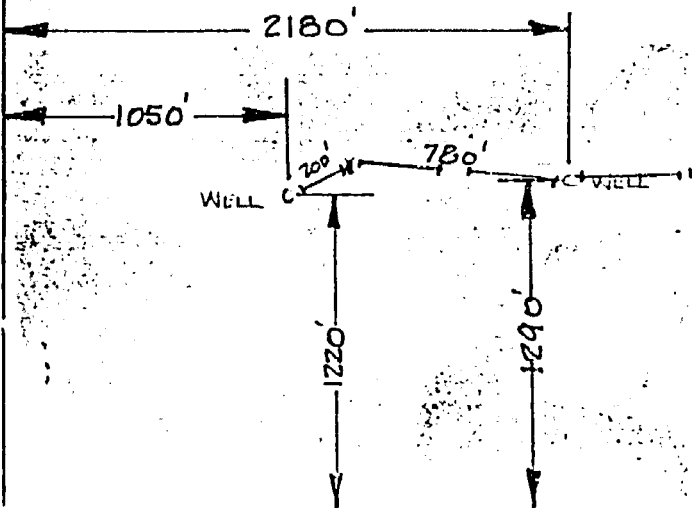
127.2 779-184 R

NCOP

28.9
30

151.8

34.2



1820'
146

121-52 R

75.2

14.4

777-184 R

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8497

PIERRE, _____, 1931

RECEIVED OF Brink Brothers, Ortle, SD 57256
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. <u>2717-3A</u>	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. <u>2717-3A</u>		
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 (Wm. H. Hutton)
Chief Engineer, Executive Officer
JAN 1 1931



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 3602-3 have been incorporated into this Water License.

 **Department of
Water & Natural Resources**

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

February 8, 1989

DALE BRINK-- BRINK BROTHERS
BOX 22
ORTLEY, SD 57256

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). 2717-3A. 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.

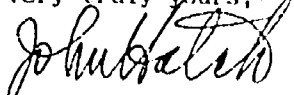
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 2717-3A 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
605 773-2352





Department of Water & Natural Resources

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

March 6, 1989

2717-3A

Dale Brink
Brink Brothers
Box 22
Ortley, SD 57253

Dear Mr. Brink:

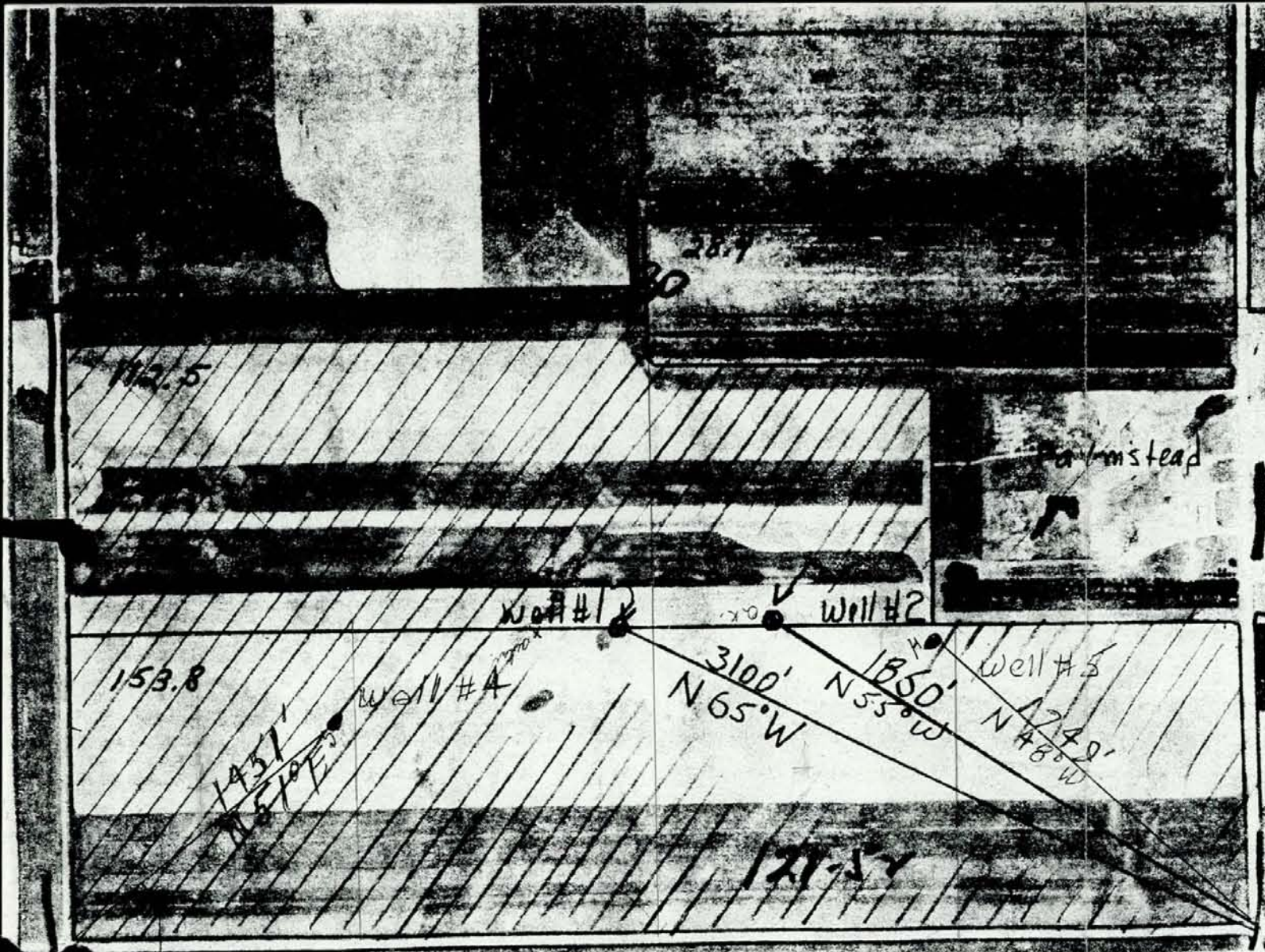
I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 2717-3A. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division



Cross hatch indicates irrigated area
 Points of Diversion: Well #1 - 3100' N65°W
 Well #2 - 1850' N55°W at S.E. corner
 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

Resubmitted for
 additional wells
 5-29-79
 John L. Wiersma

Surveyor's Certificate

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

Brink Bros. Inc.

Date Brink Map
 4-15-76

John L. Wiersma

Ortley S.D.
 Drawn by JWW
 P.E. #1916
 Brookings S.D.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 25, 2010

2717-3A

Todd Brink
Brink Brothers
5825 7th Ave SW
Watertown SD 57201-7020

Dear Mr. Brink:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaire.

The notice was originally mailed to 14873 450th Ave, Ortleigh 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 that reads "Genny McMath".

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

enclosures



2717-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: BRINK BROTHERS, TODD BRINK, 5825 7th AVE SW, WATERTOWN, SD 57201 7020

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire has not been submitted for Permit No(s) 2717-3A as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 7, 2012**, in the Floyd Matthew Training Center, Joe Foss Building, 523 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2717-3A to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
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(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 10, 2012

2717-3A

Todd Brink
Brink Brothers
5825 7th Ave SW
Watertown SD 57201

Dear Mr. Brink:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 2717-3A. 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
email: genny.mcmath@state.sd.us



2717-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: BRINK BROTHERS, TODD BRINK, 5825 7th AVE SW, WATERTOWN, SD 57201 7020

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire has not been submitted for Permit No(s) 2717-3A as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **8:30 am, March 7, 2013**, in the Floyd Matthew Training Center, Joe Foss Building, 523 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2717-3A to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
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(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

English

Customer

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Service



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Quick Tools

Ship a Package

Send Mail

Manage Your Mail

Shop

Business Solutions

Track & Confirm

You entered: 23032160000008021796

Status: Delivered

Your item was delivered at 2:50 pm on January 22, 2013 in WATERTOWN, SD 57201. The item was signed for by T BRINK. Additional information for this item is stored in files offline.

You may request that the additional information be retrieved from the archives, and that we send you an e-mail when this retrieval is complete. Requests to retrieve additional information are generally processed momentarily.

I would like to receive notification on this request

Restore

Find Another Item

What's your label (or receipt) number?

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U.S. Postal Service® Signature Confirmation™ Receipt	
SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 1796	BRINK BROTHERS TODD BRINK 5825 7th AVE SW WATERTOWN SD 57201 7020
	Waiver of Signature ☐ YES ☐ NO Postmark Here <i>Delivered</i> <i>1-22-13</i>
POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com ® or call 1-800-222-1811	
CHECK ONE (USPS USE) ☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel	
(See Reverse)	



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 8, 2013

NOTICE OF AMENDMENT OF WATER RIGHT

TO: BRINK BROTHERS, TODD BRINK, 5825 7th AVE SW, WATERTOWN,
SD 57201 7020

FROM: Garland Erbele, Chief Engineer
Water Rights Program 

SUBJECT: Amendment to Water Right No. 2717-3A

On March 7, 2013, the Water Management Board amended Water Right No. 2717-3A to add the following qualification:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

This action was taken for failure to return the 2012 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on March 8, 2013, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated March 8, 2013 regarding cancellations addressed as stated below:

Edward Patrick Henry, PO Box 11, White Clay NE 69365 #672-2
Richard Will, 1104 Vista Dr, Milbank SD 57252 #4084A-3
Lane Tekrony, 47840 180th St, Clear Lake SD 57226 #2954-3
Jeff & Jeril Kessel, 2114 Mustang Lane, Spearfish SD 57783 # 508A-1
Robert Hattum, 21744 W Bend Rd, Harrold SD 57536 #6168-3
Cabbage Patch Ranch, Pete Reinert, 19153 Vista Pl, Howes SD 57748 #'s 1921-1 & 1922-1
Wendell Schubloom, 20608 Hwy 25, DeSmet SD 57231 #3937-3
Duane Rogers, 13575 383rd Ave, Aberdeen SD 57401 #2943-3
Donald Schmidt, 19053 427th Ave, Willow Lake SD 57278 #'s 2696-3A & 4414-3
Bruce Weyrich, 20080 145th Ave, Sturgis SD 57785 #996-1
Burnell & Helen Gaskins, 821 Fox Run Rd, #124, Rapid City SD 57701 #953-1
Samuel & Angela Fousek, 29972 396th Ave, Wagner SD 57380 #2323A-3
Brink Bros, Todd Brink, 5825 7th Ave SW, Watertown SD 57201 #2717-3A

Laila Jacobson

Gail Jacobson
Secretary/Water Rights

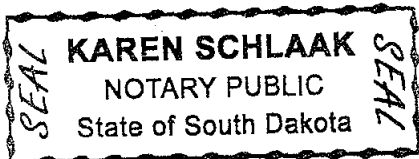
[illegible]

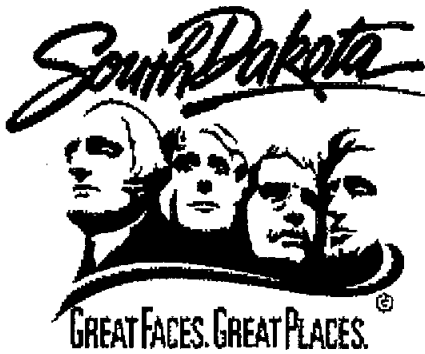
Sworn to, before me, this 8th day of March, 2013.

Kares, Anlaak

Karen Schlaak
Notary Public

My Commission expires April 1, 2013





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

October 22, 2013

2717-3A

Kris Bronson
Bronson Custom Farms
14873 450th Ave
Ortley SD 57256

Dear Mr. Bronson:

I am writing in follow-up to our phone conversation concerning Water Right No. 2717-3A. I have enclosed a copy of the water right for your records.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed is the 2013 irrigation questionnaire that the post office returned due to the incorrect name on the envelope. Thank you in advance for updating the water right and completion of the irrigation questionnaire. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED
NOV - 4 2013
WATER RIGHTS
PROGRAM

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

No. 2717-3A
Date: 10-29-13

I/We request that Water Right No. 2717-3A

formerly owned by: Brink Brothers

be transferred to: (name & address) Kristopher Bronson
14873 450th Ave. Home (605) 947-4276
Ortley SD 57256 Telephone No. (605) 881-8182
Cell

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

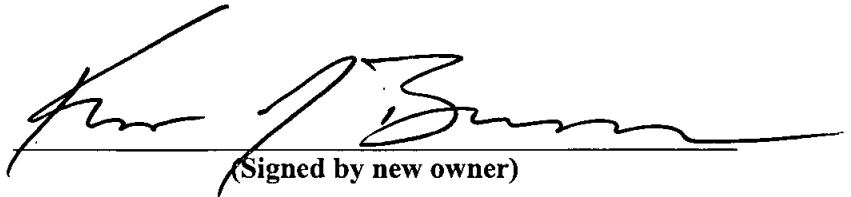
231 acres - SW ¼, S ½ SE ¼ and NW ¼ SE ¼ Section 30, T121N, R52W

I/We understand that the validity of Water Right No. 2717-3A 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 Kris Bronson, the new owner, certify that the above information is true and correct.


(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 11/4, 20 13

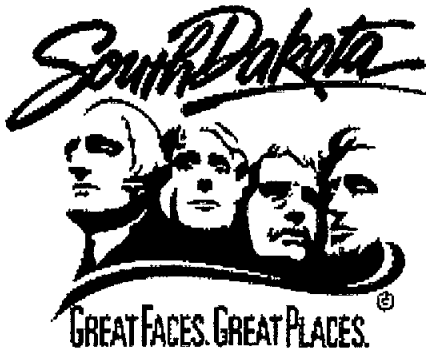
RECEIVED OF Kristopher Bronson 14873 450th Ave Ortley SD 57256

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 <u>2717-3A</u>		
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. _____	50	00
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	50 00

No. **06473**

By J. Lee Hoelmer 29
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

November 6, 2013

2717-3A

Kristopher Bronson
14873 450th Ave
Ortley SD 57256

Dear Mr. Bronson:

Thank you for sending in the irrigation questionnaire and ownership change for Water Right No. 2717-3A.

The ownership change has been completed. Water Right No. 2717-3A formerly held by Brink Brothers is now listed in your name.

Enclosed for your records is Receipt No. 06473 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: KRISTOPHER BRONSON, 14873 450TH AVE, ORTLEY, SD 57256

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2717-3A. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2717-3A qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 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) 2717-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
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(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: RECCUY**

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 AGRICULTURE
and NATURAL RESOURCES**

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

January 28, 2025

2717-3A

Kristopher Bronson
14873 450th Ave
Ortley SD 57256

Dear Mr. Bronson:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 2717-3A. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us