

1. Considered MAY 20, 1976 2736-3
2. Name of Applicant JACK FINLEY
3. Post Office Address PIERRE
4. Amount of water claimed 2.0
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 140
7. Water to be diverted and used in ~~HA~~ SULLY county
about 13W, 4S miles of ONIDA
8. Proof of Publication Received 5-18-76
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

Reversion was changed on this Permit and additional acreage added under Permit No. 4532-3. Also the water quality approval for this acreage and now additional acreage is filed with Permit 4532-3.

DFW 4-14-82

Map No. 2095-3 Water Division No. 3 MISSOURI RIVER District 1
 (Blanks to be filled by the Engineer for the W. D. C.)

APPLICATION FOR PERMIT

To Appropriately Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Jack Finley
 Postoffice address Star Rt. A, Box 130 Pierre, State South Dakota

If a corporation show date and place of incorporation

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract3. Name of diversion work Finley Irrigation Project #14. Amount of water claimed (in cubic feet per second) 2.0 CFS5. Source of water supply Missouri River

6. Location of point of diversion South-east of a point 800 feet east of the
3300 Ft. NW of the SE Corner Sec. 16-113N-80
NE corner of Section 3 T113N, R80W to a point 1200' NE of the
center of Section 3 T113N, R80W County Sully

7. Annual period or periods during which water is to be used Irrigation Season8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 140

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4, Sec 2 T113N-R80W	140		

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 four years.

11. Choice of newspaper for Notice of Intent to Appropriately Water publication Pierre Capital Journal

12. Principal Features of the Proposed Water Supply System.

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

Pumps

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

Pipe

C. Works proposed to apply water to beneficial use.

Sprinkler Irrigation

Estimated Total Cost \$ 70,000.00

Attachments: Attach Form 2, if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

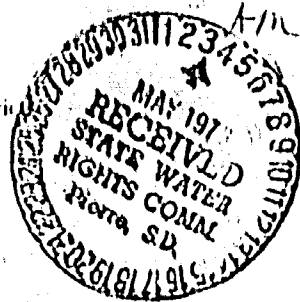
STATE OF SOUTH DAKOTA

County of Hughes
Jack Finley

the applicant, certifies 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.

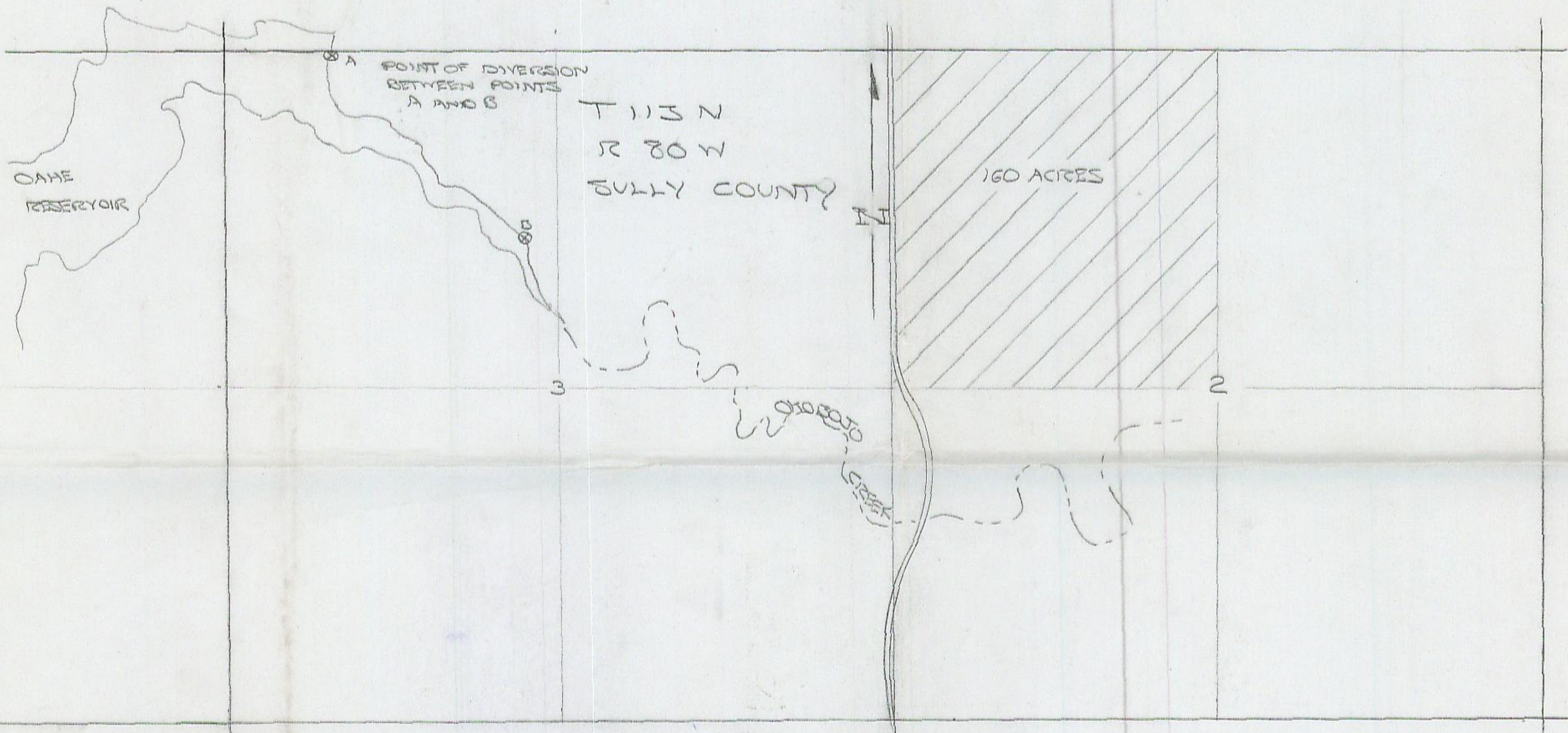
Signed Jack FinleySubscribed and sworn to before me this 27 day of April, 1976

Wesley Nickel
 Notary Public (or other qualified officer)
 My Commission Expires
 April 5, 1984



Chg
 Diversion
 #4532-3
 7/29/80
 BW

2736-3



LAND TO BE IRRIGATED	
OWNER: JACK FINLEY	
DESCRIPTION	ACRES
NW 1/4, SEC 2, T113N, R30W	160

SURVEYOR'S CERTIFICATE

I, R. V. Summerside, Registered Land Surveyor, State of South Dakota, do hereby certify that, at the direction of Jack Finley, I have surveyed the tract of land as shown, and that the above drawn plat is a reasonably accurate description of the land of the proposed irrigation project. In witness whereof I have set my hand and seal this 30th day of April, 1976, A.D.

R. V. Summerside
REGISTERED LAND SURVEYOR

WATER APPROPRIATION MAP		
SCALE: 1"=550'	APPROVED BY:	DRAWN BY:
DATE: 30 APR 76		REVISED:
JACK FINLEY		DRAWING NUMBER:
PERRE, S.D.		

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2736-3
JACK FINLEY Star Rt. A, PIERRE
 (Applicant) Box 180 (Post Office Address)
SOUTH DAKOTA 57501 With the following modifications
 (State)

Permit No. 4532-3 for additional acreage also changes the diversion point on Permit No. 2736-3. Previous action by the Water Rights Commission stated that the applicant need not make application for such change when it was mandated by the Corps of Engineers to secure additional pumping depth.

Date of first receipt of application MAY 3 1976
 Date of return to applicant for correction, amendments or changes required 19
 Date of receipt of corrected application 19
 Approved MAY 20 1976, Recorded in Book 15 Page 174

WATER RIGHT PERMIT NO. 2736-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2736-3 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 MAY 3 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 1985
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 MAY 20 1985; 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 H. Hatch
 Chief Engineer, Executive Officer

Certificate of Construction issued 19

Water License issued 19

2736-3

Publish first publication, on or before May 10, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 3, 1976

Notice is hereby given that Jack Finley
whose post office address is Pierre, 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 Missouri River through the
~~Finley Irrigation Project #1~~, the point of diversion of which is to be located in the

between points in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 3, Twp. T113N, Range R80W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:
NW $\frac{1}{4}$, Section 3, T113N, R80W

This application No. 2736-3 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: Jack Finley, Part A., Pierre, S.D. 57501

No. 2736-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

) ss.

County Hughes)

I, John H. Hipple hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Daily Capital Journal

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 _____ Pierre

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

May 10, 1976; and
May 17, 1976.

John H. Hipple
(Signature)

Business Manager
(Title)

May 17, 1976
(Date Signed)

No. 3375 - 2t dly May 10-17

No. 2736 3

NOTICE

INTENT TO

APPROPRIATE WATER

Notice is hereby given that
Jack Finley whose post office
address is Pierre, 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
Missouri River through the
Finley Irrigation Project No. 1,
the point of diversion of which is
to be located in between points in
the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and in the SE $\frac{1}{4}$
NW $\frac{1}{4}$ of Section 3, Twp. 113N,
Range 80W. Said water to be used
for the purpose of providing
irrigation on portions of the
following described land:

NW $\frac{1}{4}$, Section 2, T113N, R80W
This application No. 2736-3 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





2736-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

JACK FINLEY
HCR 37 BOX 130
PIERRE SD 57501

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 2736-3 & 4532-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2736-3 & 4532-3 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 before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 6, 1992

2736-3
4532-3

Jack Finley
HCR 37 Box 130
Pierre, SD 57501

Dear Mr. Finley:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 2736-3 and 4532-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JACK FINLEY
HCR 37 BOX 130
PIERRE, SD 57501

4a. Article Number

P906 557644

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery
JAN 29 1992

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)



2736-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 8 1995

4532-3

Jack Finley
28478 190th Street
Pierre, SD 57501

Dear Mr. Finley:

Enclosed is Water License No. 4532-3 and Receipt No. 413832 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 4532-3 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

gm:
enclosures

NOTE: The applicable portions of Water Permit No. 2736-3 have been incorporated into this Water License No. 4532-3.