

~~2011-3~~
2761-3

1. Considered 7-21, 1976
2. Name of Applicant S.D. WHEATGROWERS ASSN.
3. Post Office Address BATH
4. Amount of water claimed .02
5. Source of water supply 1100' & 1300' DEEP WELLS
6. Water to be used for COMMERCIAL
Acres to be irrigated _____
7. Water to be diverted and used in BROWN county
about IN TOWN OF miles _____ of BATH
8. Proof of Publication Received 7-9-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Form 2 - Application for Permit to Appropriate Water (Original (Includes Approval and Permit))

No. 2761-3

Map No. 2118-3 Water Division No. 3 JAMES RIVER District

(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

- Name of Applicant South Dakota Wheat Growers Assn.
Postoffice address Bath, State South Dakota
#
- If a corporation show date and place of incorporation
- Method of accomplishing work (contract, employment of others, or by direct labor) Wells in Existence
- Name of diversion work
- Amount of water claimed (cubic feet per second) 10 gal./min. 0.2
- Source of water supply Artesian
- Location of point of diversion SW 1/4, Sec. 17 T122N R62W
 County Brown
- Annual period or periods during which water is to be used Aug through Nov., Mar. and Apr.
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Commercial
- For irrigation use, Total number of acres to be irrigated
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>Not Applicable</u>			

Attach sheet if more space is needed

- Time required to complete construction of water supply system 3-4 years. Additional time required to complete application of water to the proposed beneficial use years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Aberdeen American News
- Principal Features of the Proposed Water Supply System.
 - Works proposed to divert water from its natural source.
None
 - Works proposed to transport water to place of use.
Draw from wells.
 - Works proposed to apply water to beneficial use.
None

Estimated Total Cost

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 Brown

I, Ardis Nenson 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 Ardis Nenson

Subscribed and sworn to before me this 23 day of June 1976

Notary Public (or other qualified officer)

Orville A. Fluke

Brown County, South Dakota

My Commission expires May 3, 1982

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2761-3

SOUTH DAKOTA WHEAT GROWERS ASSN.

BATH

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57427

(State)

With the following modifications:

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

Date of first receipt of application JUNE 11 19 76
 Date of return to applicant for correction, amendments or changes required JUNE 21 19 76
 Date of receipt of corrected application JUNE 24 19 76
 Approved JULY 22 19 76 Recorded in Book 15 Page 238

WATER RIGHT PERMIT NO. 2761-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2761-3 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 JUNE 11 19 76
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ++
3. The whole of said work is ~~to be~~ completed ++
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED ++
5. The water appropriated shall be used for the purpose of COMMERCIAL USE
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 .02 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 use~~ and for the irrigation purposes said appropriation must be limited to not more than 1 acre-foot per acre per year and be limited to not more than 100 cubic feet of water per second of time for each acre of land to which water is USED FOR COMMERCIAL PURPOSES. actually and beneficially ~~applied for irrigation~~ applied for irrigation on or before THIS DATE ++ and water to be used during the following described annual period: ++

Witness my hand this 30TH day of JULY 19 76

WATER RIGHTS COMMISSION

By:

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

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 4", Depth 1. 1100 2. 1300'
- (2) Casing, Type Steel (wood, concrete, steel, etc), Diameter 1 1/2" Thickness Schedule 80
- (3) Perforated Screen.
Type none, Diameter _____, Length _____
- (4) Gravel Pack. Thickness none, Length of gravel pack _____

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 Gravel

Depth to top of water bearing material 1. 1050 2. 1250'

Depth to bottom of water bearing material 1. 1150 2. 1300

Thickness of water bearing material 30' - 50'

Depth to water (ground surface to water level) Flowing well

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

On same owner's property _____ rds. On property owned by others 8 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.

Eric Hansen
Signature of Applicant

No. 2761-3

Publish first publication, on or before

July 8, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 24, 1976

Notice is hereby given that the South Dakota Wheat Growers Association whose post office address is Bath, 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 .02 cubic feet of water per second of time from the ground water through the Wheat Growers Wells, the point ³of diversion of which ^{are} ~~is~~ to be located in the _____

SE 1 NW 1

of Section 17, Twp. 12N Range 62W. Said water to be used for the purpose of providing ~~irrigation on the following described land~~ commercial supplies for operation of fertilizer plant

This application No. 2761-3 will be considered by the Water Rights Commission at the Court House at Winner, S.D.

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

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw
cc:

S.D. Wheat Growers Association, Bath, S.D. 57427

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

No. 2761-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brown) ss.

I, Dianne Brenden hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Aberdeen American News

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 Aberdeen

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

July 1, 1976

July 8, 1976

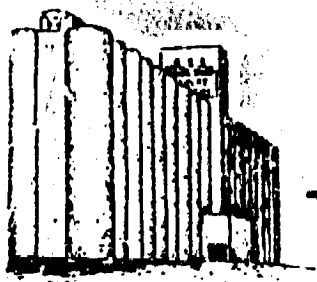
Dianne Brenden
(Signature)

Principal Clerk
(Title)

July 8, 1976
(Date Signed)

(No. 508 - July 18 - 21)
**NOTICE OF INTENT
TO APPROPRIATE WATER**
Notice is hereby given that the South
Dakota Wheat Growers Association
whose post office address is Bath, 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 .02
cubic feet of water per second of time
from ground water through the Wheat
Growers Wells, the points of diversion of
which are located in the SE 1/4 NW 1/4
of Section 17, Twp. 123N, Range 67W.
Said water to be used for the purpose of
providing commercial supplies for
operation of fertilizer plant.
This application No. 2761-3 will be
considered by the Water Rights Com-
mission at the Court House at Winner,
S.D. upon the 21st day of July, 1976, at
10:00 A.M. All interested persons may
appear and be heard.
(By) Burton F. Jones, Water Rights
Specialist, Water Rights Commission





2761-3

South Dakota WHEAT GROWERS Association

GRAIN FEED SEED CHEMICALS FERTILIZER PETROLEUM FARM SERVICES

Bath, South Dakota 57427 Box 517 Telephone 605-225-3280
Scott Hier, Manager

10-31-1990

Tim,

This is all the paperwork I could find
on the well drilling. If you need anything
additional give me a call.

Scott Hier





Statement

Aberdeen, S. D. 57401

9-29-1981

Mr. South Dakota Wheat Growers Assn.

Box 1460

city

BOTH - Bldgs

In Account With

Independent Drilling Co., Inc.

ARTESIAN AND TUBULAR WELL CONTRACTORS

Phone: 225-3122

Phone: 225-2669

Office Phone:

229-0110

Accounts Over Due Subject to Interest

To drill & case a				
4" x 2" well as per				
contract -				
1213' @ \$2.55 per ft.			3093	15
Additional charge per				
207' of 4" @ \$1.55			207	15
per ft.				
			36	45
Tot			3336	85
OK John W				
10/26/71				
ck # 16				

Artesian Well Contract

THIS AGREEMENT, made and entered into this 4th day of August A.D. 1966
 by and between INDEPENDENT DRILLING CO., a corporation of the State of South Dakota located at Aberdeen, South
 Dakota, first party, and Dr. Dick W. Bowers P. O. Aberdeen, S. D. second party.

WITNESSETH: That the said first party agrees and contracts with the said second party, as follows:

FIRST: On or about _____ or after completing the Platz
 well to commence work on an artesian well to be located on the at plant 17
123 Range 62 said land being the property of the second party, and to prosecute the work
 thereon without unnecessary delay until said well is completed.

SECOND: To drill said well into water bearing artesian sand rock, and guarantee the well to furnish water by
 pump or natural flow.

THIRD: To case said well with 4 inch standard black steel pipe to 200 or deeper if deemed
 necessary by the first party, and with _____ inch standard black steel pipe from { top }
 sand rock. Any further drilling below the _____ inch pipe shall be cased with _____ inch pipe. The top length
 of 4 inch pipe to be galvanized.

FOURTH: Said second party to furnish sufficient space where said well is to be sunk, for all material, machinery
 and guy wires until said well is completed and machinery is removed.

FIFTH: Said second party further agrees to ~~keep the men from the time move is commenced until well is com-~~
~~pleted and machinery removed, furnish an ample fire guard, and provide and maintain an ample fire guard.~~

SIXTH: For and in consideration of the drilling and casing of said well, second party agrees to pay first party the
 sum of Two dollars & fifty cents (\$ 2.55)

if not over 1000 feet deep and 50 per foot for each foot in depth below 1000 feet.

_____ to be paid in cash at completion of said well. It is further agreed that all sales
 taxes upon material purchased for use in said well, which have been paid by the party of the first part, shall be paid by
 the party of the second part, in addition to the contract price above stated. Deferred payments to draw interest at
 eight per cent, to be faithfully secured and as follows:

Extra charge per foot 1.00 per ft.

Settlement to be due and dated at completion of said well.

SEVENTH: First party ~~guarantees~~ to furnish water for the period of one year from the date of com-
 pletion. In case the well should fail to ~~furnish~~ ~~guarantee~~, first party shall repair same or drill new well free to
 second party, except the loss of part of the well, but guarantees the well against natural decline in pressure.

Tenant _____

Post Office _____

Telephone out of 235

INDEPENDENT DRILLING CO.

Per _____ First Party

July 2nd 1966 Second Party

Permit No. 2761-3James River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by S. J. Wheat
Growers Assn. of Bath, SD 57427 holder of
 Permit No. 2761-3, bearing the priority of June 11 19 76 authorizing
 the diversion of 0.02 cu. ft. per second of the waters of Groundwater
 for Commercial purposes, in Brown County.

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

A. Works used to divert the water:

Jacuzzi - Model 1RM2-S, 1" Pump with
GE 1Hp Elec. Motor - Model SKC36PN2021

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

Approx. 500 ft. 1" PVC pipe

C. Works used to apply water to beneficial use:

The system is in the following condition Good

The point of diversion is located *1-900 ft. West & 600 ft. North and
*2-800 ft. West & 400 ft. North of the Center of Sec. 17-T123N-R62W.

The works are capable of diverting and conveying to the place of use 0.02 cfs (10 gpm)
 cu. ft. per second of water which is to be used for Commercial

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

comprising a total of _____ acres of land and the license should be issued for 0.02 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: _____ Date November 2, 1990

Timothy K. Schaal
 (Signature)

LICENSE FOR PERMIT NUMBER 2761-3

1. Legal location of wells: #1- 900 ft. West; 600 ft. North and
#2- 800 ft. West; 400 ft. North of the center of Section
dams & structures: 17-T123N-R62W (SE 1/4 NW 1/4)

2. Well Information: Well Drilling Firm Independent Drilling
No Completion Report Available

Completion Report Yes No ☒ No. of Wells 2 Depth #1-1100 #2-1300

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length None

c) type _____ Static Water Level _____

Pump a) make Jacuzzi Motor a) make GE

b) model 1RM2-S b) model No. SKC36PN2021

c) size 1" c) horsepower rating 1

d) capacity 10 gpm

e) turbine pump - no. of stages _____

f) operating PSI 40

3. Distribution lines or canals

a) size 1"

b) type PVC

c) length Approx 500 ft.

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

b) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) capacity (GPM) _____

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
___	___	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
___	___	2. Special qualifications to permit being abided by?
___	___	3. All structures, wells and lands on map?
___	___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
___	___	5. Is chemigation used?
___	___	6. If yes, does equipment comply with chemigation rules?

REMARKS:



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 24, 1995

2761-3

Scott Hier, Manager
South Dakota Wheat Growers Association
Box 517
Bath, SD 57427

Dear Mr. Hier:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 2761-3, has been completed. Your final water right document, the Water License, can now be issued.

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

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

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414566

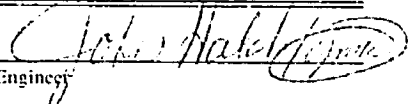
Pierre, July 28, 19 95

RECEIVED OF South Dakota Wheat Growers, PO Box 517, Bath, SD 57427

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. 2761-3	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By 
Chief Engineer

STATE OF SOUTH DAKOTA

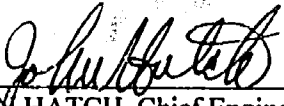
WATER LICENSE NO. 2761-3

(1) South Dakota Wheat Growers Association of PO Box 517, Bath, SD 57427-0517 made Application No. 2761-3, June 11, 1976 for a water permit to appropriate 0.02 cubic feet of water per second from groundwater (two wells), Brown County, South Dakota for irrigation purposes. Permit No. 2761-3, with a priority date of June 11, 1976 was approved July 22, 1976 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.02 cubic feet of water per second for beneficial use. The location of the diversion points are #1 - 900 feet west and 600 feet north of the center of Section 17; #2 - 800 feet west and 400 feet north of the center of Section 17, T123N, R62W (both located in the SE 1/4 NW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the South Dakota Wheat Growers Association of PO Box 517, Bath, SD 57427-0517 the holder and/or owner of Water Permit No. 2761-3 is issued a license to appropriate water, the right to use 0.02 cubic feet of water per second from groundwater (two wells) with a priority date of June 11, 1976 from the location specified in (2) of this license. The water is used for the purpose of commercial use. This license is subject to any limitations or qualifications listed in Water Permit No. 2761-3 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 6 1995

date



2761-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

2761-3

Scott Hier, Manager
South Dakota Wheat Growers Association
Box 517
Bath, SD 57427-0517

Dear Mr. Hier:

Enclosed is Water License No. 2761-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414566 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2761-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

gm
enclosures

65.4

- Bath -

108.7

70A

125.0

17

17.2

130.9

THE LOCATION
OF THE WELLS FROM
WHICH WATER WILL BE
TAKEN IS AS SHOWN BY
THE ABOVE CIRCLES

James L. Anderson
Brown County ASO
123-67 Excavator & Director

70

Two of

65.4

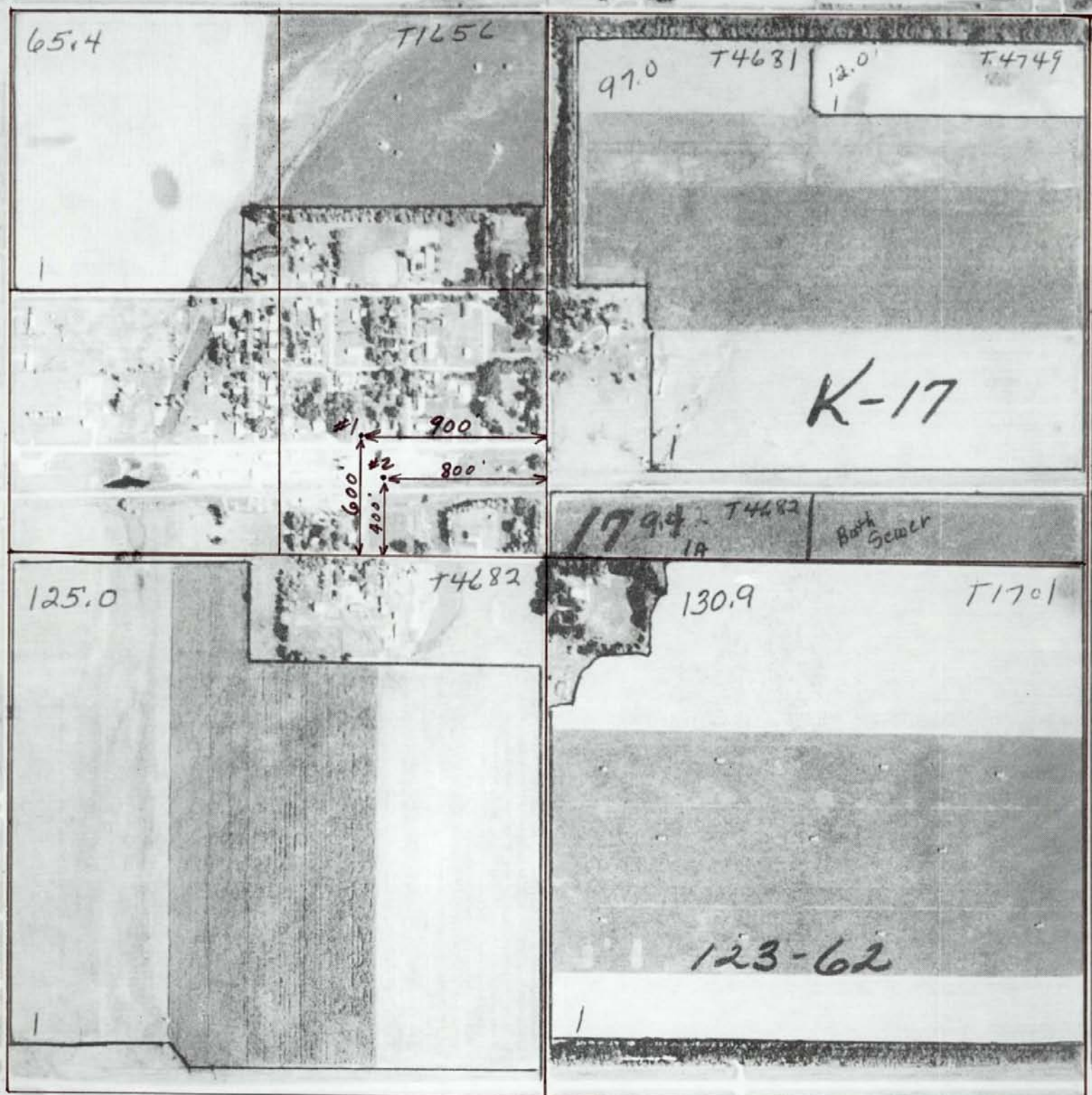
70A

MAP NO. 2118-3 APR. 1967

126.6

2761-3

NOT TO SCALE



T1684

65.4 Timothy H. Khaal 1703
October 31, 1990

2761-3