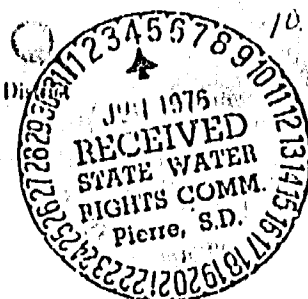


2768-

1. Considered 7-21, 1976
2. Name of Applicant GARY J. GISI
3. Post Office Address IPSWICH
4. Amount of water claimed 2.0
5. Source of water supply UP TO 3-37' DEEP WELLS
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in EDMUNDS county
about 4S, 2E miles of IPSWICH
8. Proof of Publication Received 7-1-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2768-3Map No. 2124-3 Water Division No. 3 JAMES RIVER (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)

1. Name of Applicant Gary J. Gisl
 Postoffice address Ipawich, RR2, Box 14, State South Dakota 57451
 If a corporation show date and place of incorporation -----
2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor
3. Name of diversion work Gary J. Gisl Unit # 1
4. Amount of water claimed (cubic feet per second) 2.0
5. Source of water supply ground water
6. Location of point of diversion UP TO 3 WELLS TO BE LOCATED IN THE NW 1/4 SECTION 12, T122N, R68W
----- County Edmunds
7. Annual period or periods during which water is to be used March-November
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 160
 List below 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.
S.W. 12-122-68	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication American News - Aberdeen, So. Dak.
12. Principal Features of the Proposed Water Supply System.

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

Pump Bowl

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

Main Line

C. Works proposed to apply water to beneficial use.

Center Pivot

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 Edmunds) ss.

I, Gary J. Gisl 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 Gary J. GislSubscribed and sworn to before me this 5 day of May 1976

Notary Public (or other qualified officer)

COMMISSION EXPIRES
 MARCH 4, 1981

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2768-3

GARY J. EYISI

(Applicant)

IPSWICH R.R. 2, BOX 14

(Post Office Address)

SOUTH DAKOTA 57451

(State)

With the following modifications:

The irrigation well 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 4, 19 76

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

19 _____

Date of receipt of corrected application _____

JUNE 6, 19 76

Approved _____

JULY 22, 19 76

Recorded in Book

15

Page

244

WATER RIGHT PERMIT NO. 2768-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2768-3 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 4, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 22, 19 79
3. The whole of said work is to be completed on or before JULY 22, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 22, 19 83
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 2.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JULY 22, 19 83; said water to be used during the following described annual period: MARCH - NOVEMBER

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 _____

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 _____, Depth _____
- (2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc.)
- (3) Perforated Screen.
Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout. * Log will be furnished by driller.

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

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

- (2) Distance to nearest existing household or livestock watering well:

On same owner's property 130 rds. On property owned by others 160 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.

Gary D. Dyer
Signature of Applicant

April 1, 1976

Mr. Gary Gisi
R.R.
Ipswich, SD 57451

Dear Mr. Gisi:

On March 26, we sent you the original copy of the report of analysis of 2 water samples submitted by you. They are given lab #76-140 and 141. I am presuming that the sample #140 is a field well which you intend to develop for irrigation. There is not a great deal of difference between these two wells, but we have to make a recommendation based on one of these sources. With that assumption, however, I am sending a copy of both the field well (140) and the pumphouse well (141) along with this letter and the other application materials to the State Conservation Commission. The water quality in the two wells is not significantly different or sufficiently different enough to cause a difference in recommendation. It is quite good water and there is not a very high salt problem or a very high sodium problem at all. The difficulty in irrigating the lands you propose to irrigate, is that both the Ransio and the Noonan soils are what we call solddized soldnetz soils and have both a poor structure in the B horizon with frequently high exchangeable sodium and a high salt content in the lower B horizon and in the C horizon or parent material. In these 2 soils, the beginning of the salt occurrence is at depths as shallow as 14 inches in some cases and 20 inches in other cases. This means that salt rise to the surface is simply a matter of very short time, once that is any tendency whatever for water table rise, or for continued contact of water from the surface on downward to the saline layer of the soil. Thus, the delineations on the soil map which is prepared and accompanied your WI-1 forms, which are labeled 18A and 86A are not irrigable lands in any sense of the word. They should not be developed, should not have water accidentally or otherwise applied to them.

If you are able to organize an application system, center pivot or otherwise, which avoids the application of water to these soil areas, I think success might be fairly good on the land which you have. However, you will be extremely disappointed by the salinity which will develop and the loss of any present vegetation that is worthwhile on areas 18A and 86A if they become irrigated land, or if for any reason a water table begins to develop underneath them with the consequence of salt rise to the surface.



Mr. Gisi
April 1, 1976
Page 2

This is a hazard which I cannot over-emphasize and it goes along with a slightly lesser hazard which already exists in the soil, that of high exchangeable sodium, especially in the B horizon of these soils.

Consequently, the recommendation which I am sending to the State Conservation Commission by means of a copy of this letter, is that you be given a water use permit only for the northwestern portion, approximately 2/3, of the southeast quarter of section 11, and that the only way in which the west half of section 12 should be irrigated is in some manner so that the very western edge of the southwest quarter, which is delineation 18A, not be irrigated. Likewise, in the northwest quarter of section 12, the soil area which is not suitable for irrigation, runs right through the quarter to the southwest to the northeast and leave only about approximately 70 acres on the northwestern side which is suitable. There is very little in the southeastern part of the quarter which is suitable.

The final decision on this, of course, is with the State Conservation Commission and the Water Rights Board, but I cannot emphasize too much the hazards which exist with the soil which you have. As indicated above, the materials are being sent to the State Conservation Commission. I am enclosing for your use a copy of the AES publication #11 which described some of the changes in soil which occur as a result of irrigation. You should keep the original copies of the reports of analysis for future use and perhaps file them along with this publication which I am sending. You will be hearing from the Conservation Commission as to their decision.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

D. Fahl

Herbert Brandner, County Extension Agent



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

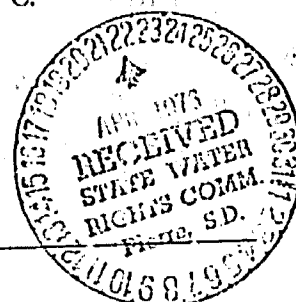
Submitted by: Gary Gisl
 Address: Rt.
Ipswich, SD 57451

Date Rec'd: February 23, 1976
 Sample No. 76-140
 Identification _____

WATER ANALYSIS

Calcium (Ca)	80	ppm*	4.00	me/l**
Magnesium (Mg)	26	ppm	2.13	me/l
Sodium (Na)	39	ppm	1.70	me/l
Potassium (K)	5	ppm	0.13	me/l
Sulfate (SO ₄)	64	ppm	1.33	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	32	ppm	0.90	me/l
Bicarbonate (HCO ₃)	372	ppm	6.10	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	305	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	642	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.97	% of cations		
Sodium	21.35	me/l		
Residual sodium carbonate	0.00			
pH	7.63			
Others:				

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



COMMENTS: Total cations 7.96 me/l
 Total anions 8.33 me/l

Please fill in the enclosed questionnaire and return with your payment.

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$8.00
	- 1.00 paid
	<u>\$7.00 DUE</u>

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-140

Amount Enclosed \$ _____

Signed _____

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

Submitted by: Gary Gisi
 Address Rt.
Ipswich, SD 57451

Date Rec'd February 23, 1976
 Sample No. 76-141
 Identification Pump House?

WATER ANALYSIS

Calcium (Ca)	60	ppm*	3.00	me/l**
Magnesium (Mg)	18	ppm	1.48	me/l
Sodium (Na)	48	ppm	2.09	me/l
Potassium (K)	5	ppm	0.13	me/l
Sulfate (SO ₄)	33	ppm	0.69	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	22	ppm	0.62	me/l
Bicarbonate (HCO ₃)	323	ppm	5.30	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)	265	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	531	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.40			
Sodium	31.19	% of cations		
Residual sodium carbonate	0.82	me/l		
pH	7.64			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 6.70 me/l
 Total anions 6.61 me/l

Please fill in the enclosed questionnaire and return with your payment.

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$8.00
	- 1.00 paid
	\$7.00 DUE

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-141

Amount Enclosed \$

Signed

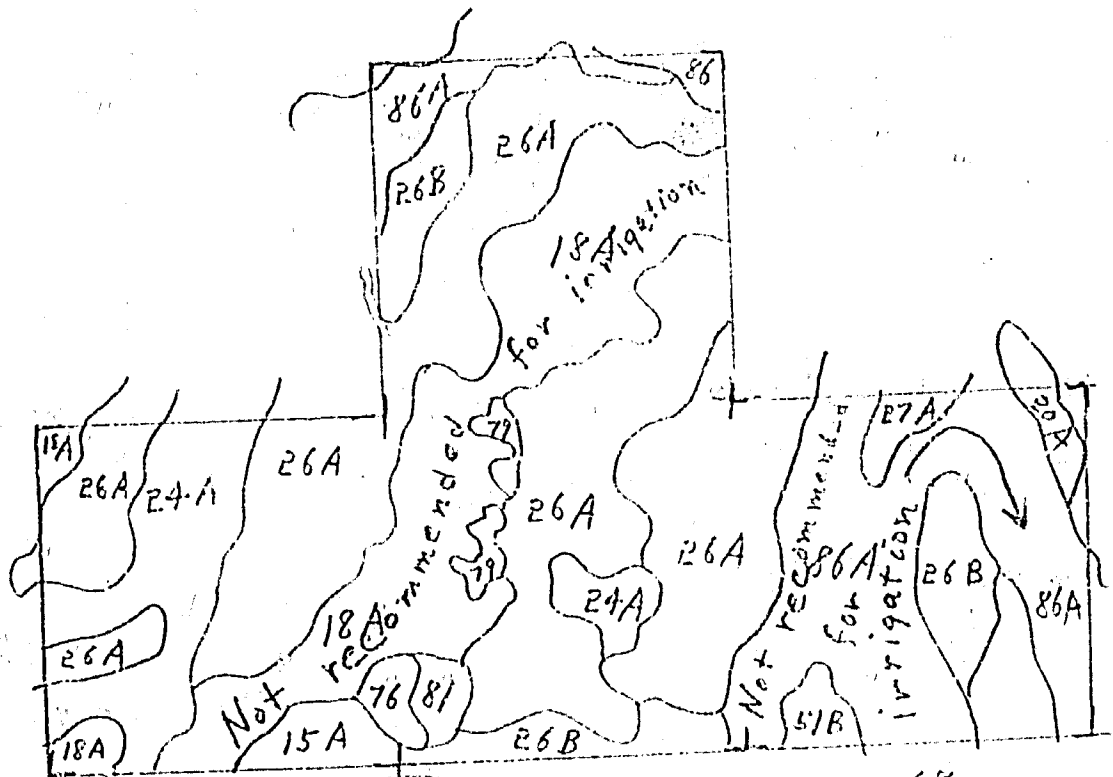


UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBJECT: Soils on Gary Gisi

DATE: 3-22-76

TO:



SE 1/4 of Sec. 11 - 122-68

Sec. 12 - 122-68

Scale of Map 4" To 1 Mile.



7.5

Slope:

A = 0 - 2%

B = 2 - 5%

Soils:

R6 = Ranclo - Harriet Silt Loam
Poorly drained bottom land.

Slowly permeable depressional
clay pan subject to frequent flooding
NOT Recommended For Irrigation.
Capability class = VTw 4

R6 = Bryant Silt Loam
Recommended For Irrigation
Capability class = IIIc And IIc1

18-A Nisbell - Noxon Loams
III s1 Capability Class
NOT Recommended For Irrigation

24 = Bonbelle - Geshard Loams
II c 3 = Capability Class
Recommended For Irrigation

DESCRIPTIONS OF LAND CAPABILITY UNITS (DRYLAND)

Normal precipitation in this part of the state limits maximum yields on all soils except for some with (w) subclass.

- IIc2 Deep, and moderately deep, loamy, well drained soils on nearly level (0 to 2%) uplands. Moisture is inadequate in most years and these soils have slight to moderate wind erosion hazard.
- IIc3 Deep, loamy, well to moderately well drained soils in upland swales that receive beneficial moisture. However, moisture is still inadequate in most years.
- IIe1 Deep and moderately deep, loamy soils on gently sloping (2 to 6%) uplands. They have moderate wind and water erosion hazards.
- IIe2 Deep, loamy soils on gently undulating (2 to 6%) upland slopes. They have moderate wind and water erosion hazards.
- IIe3 Deep, loamy soils on (2 to 6%) slopes of upland swales that receive extra moisture. However, moisture is still inadequate. They have a moderate water erosion hazard.
- IIe4 Deep, loamy, somewhat poorly drained, very limy soils on nearly level (0 to 2%) uplands. They have moderate to severe wind erosion hazard.
- IIIs1 Deep, well to moderately well drained soils with loamy to clayey surfaces and clayey or claypan subsoils. Slopes are nearly level (0 to 2%). Clay subsoils limits rooting, water intake, and moisture release to plants. These soils have a moderate wind erosion hazard.
- IIIs2 Deep, loamy, poorly drained, limy, nearly level soils on bottom lands. High water table and occasional flooding influences choice of plants and time of tillage.
- IIIe1 Deep and moderately deep, loamy soils on sloping (6 to 9%) uplands. They have moderate to severe water and moderate wind erosion hazards.
- IIIe2 Deep, loamy soils on undulating (6 to 9%) uplands and eroded soils on gently undulating (2 to 6%) uplands. They have moderate to severe water and moderate wind erosion hazards.
- IIIe3 Deep, loamy and clayey soils on gently sloping and gently undulating (2 to 6%) uplands. These soils have clayey or claypan subsoils that restrict root and water penetration. They have moderate to severe water and slight to moderate wind erosion hazards.
- IIIe6 Soils with 20 to 40 inches of loamy material over sand and gravel on gently sloping (2 to 6%) uplands. The porous substrata limits water storage capacity and rooting depths. These soils have moderate wind and water erosion hazards.

- IIIe8 Deep and moderately deep, moderately sandy soils on gently undulating (2 to 6%) uplands and eroded phases of these soils on nearly level (0 to 2%) uplands. They have a severe wind erosion hazard.
- IIIe9 Moderately sandy soils with sand and gravel or sandstone at 20 to 40 inches. These soils are on nearly level (0 to 2%) uplands. They have a severe wind erosion hazard.
- IIIe1 Deep, loamy soils on nearly level (0 to 2%) uplands that have claypan subsoils. The clayey subsoils restrict rooting, water penetration, and water release to plants. They have a slight to moderate wind erosion hazard.
- IIIe2 Soils with 20 to 40 inches of loamy material over sand and gravel on nearly level (0 to 2%) uplands. The porous substrata limits water storage capacity and rooting depth. These soils have a moderate wind erosion hazard.
- IIIe4 Somewhat poorly drained, limy soils with 20 to 40 inches of loamy material over sand and gravel or soft chalkrock. These soils are on nearly level (0 to 2%) uplands. They have a seasonal water table and moderate to severe wind erosion hazard.
- IIIw3 Deep, clayey, poorly drained soils on low flood plains of major streams. These soils are frequently flooded and operations are delayed in most years due to wetness.
- IVe Deep and moderately deep, loamy soils on rolling (9 to 15%) uplands and eroded soils on undulating (6 to 9%) uplands. These soils have severe water erosion and moderate wind erosion hazards.
- IVe6 Soils with 10 to 20 inches of loamy material over sand and gravel on gently sloping (2 to 6%) uplands. The porous substrata limits rooting and water storage capacity. These soils have moderate wind and water erosion hazards.
- IVe13 Deep, well to moderately well drained soils with sandy surfaces and firm, compact, loamy subsoils. They occupy nearly level to gently sloping (0 to 6%) uplands and basins. They have very severe wind erosion hazards.
- IVs1 Soils with 10 to 20 inches of loamy material over sand and gravel on nearly level (0 to 2%) uplands. The porous substrata limits rooting and water storage capacity. These soils have moderate wind erosion hazards.
- IVs2 Moderately well drained soils with 4 to 10 inches of friable, loamy surface layers over dense, very slowly permeable, claypan subsoils that contain salts. They occur in nearly level (0 to 2%) upland swales and on uplands.
- IVs3 Moderately well drained soils with 4 to 10 inches of friable, loamy surface over dense, very slowly permeable, claypan subsoils that contain salts. They occupy gently sloping and gently undulating (2 to 6%) uplands. They have a severe water erosion hazard.

- IVw1 Deep, loamy, poorly drained, soils on bottom lands and in depressions. An intermittent water table, occasional flooding, or salinity severely limits use.
- Vw1 Very poorly drained loamy soils in low bottoms and depressions. The water table is at or near the surface during most of the growing season. These soils are too wet for crops but may be used for tame grasses.
- Vw4 Very poorly drained and poorly drained loamy and clayey soils in depressions. These soils are ponded or have water tables at or near the surface. More than 50 percent of the vegetation is suitable for grazing.
- VIc1 Deep and moderately deep, loamy soils on hilly (15 to 25%) uplands and eroded soils on rolling (9 to 15%) uplands. Severe water erosion hazard and excessive runoff make these soils unsuited for cultivation.
- VIc3 Deep and moderately deep, loamy soils on rolling to hilly (9 to 25%) uplands and eroded soils on rolling (6 to 15%) uplands. These soils have thin surface layers and severe wind and water erosion hazards. They are not suited for cultivated crops.
- VIsl Moderately well to poorly drained soils on nearly level to sloping (0 to 9%) uplands or in depressions. Dense, compact subsoils near the surface, salts, or ponding, or a combination of these limitations make these soils generally unsuited for cultivation.
- VIsh Soils with 6 to 20 inches of loamy material over sand and gravel on nearly level to hilly (0 to 25%) slopes. The porous substrata limits rooting and water storage capacity. These soils are not suited for cultivation.
- VIw1 Deep, loamy to clayey soils on bottom lands dissected by meandering channels. These soils overflow frequently and are not easily accessible for cultivation.
- VIw3 Loamy and sandy soils on bottom lands that frequently overflow. These soils are not suited for cultivation.
- VIw4 Poorly drained soils with 1 to 4 inches of loamy material over compact claypan subsoil on nearly level (0 to 2%) low-lying plains. These soils have salts in the subsoil and a fluctuating water table. They are not suited for cultivated crops.
- VIIsh Soils with less than 20 inches of loamy material over sand and gravel on rolling to very hilly (9 to 50%) uplands. The porous substrata limits rooting and water storage capacity.
- VIIIs6 Rough mountainous, rough broken and very stony areas containing shallow to deep soils on nearly level to very steep slopes.
- VIIIw1 Marshes having more than 50 percent vegetation not suited for grazing. Best suited for wildlife and recreation.

CONSERVATION
COMMISSION
WI #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 WELL IRRIGATION ONLY)

FOR COMMISSION USE ONLY

IRRIGATION SYSTEM _____

WATER QUALITY _____

SOILS CAPABILITY _____

Conditionally
APPROVED *[Signature]*

DISAPPROVED _____

NAME

Darry Gisi

ADDRESS

Ipswich SD 57451

COUNTY

Edmunds

LEGAL DESCRIPTION

1. WELL LOCATION

SE 12-122-68

2. AREA TO BE IRRIGATED

W 1/2 12-122-68

- Excluding Soils 86A & 18A

TYPE OF IRRIGATION

3. GRAVITY

SPRINKLER (INDICATE TYPE)

Pivot

4. CROPS TO BE IRRIGATED

Corn & Alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE

Fairly level ground

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION

See Attached copy

WATER QUALITY

(TO BE COMPLETED BY COMMISSION)

7. SAMPLE NUMBER

76-140

76-141

8. SALINITY

EC = 642 (medium)

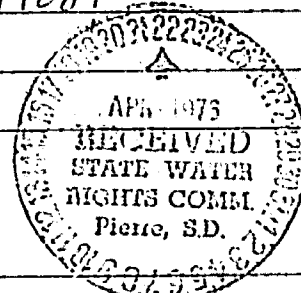
EC = 531 (medium)

9. SODIUM

SAR = 0.97 (low)

SAR = 1.40 (low)

RSC = 0.82 me/L



I DO HEREBY CERTIFY THAT A CHEMICAL ANALYSIS OF THE GROUND WATER TO BE
ACQUIRED FOR IRRIGATION FROM SOUTH DAKOTA STATE UNIVERSITY AND:

THE LAND CAPABILITY FOR IRRIGATION INFORMATION HAS BEEN ACQUIRED FROM

Gary Giese
AND: Soil Conservation Dist. - Ed. Co., SD

THAT THE LEGAL DESCRIPTION FOR THE LOCATION OF THE WELL AND LAND TO BE
IRRIGATED IS TRUE AND CORRECT.

Gary Giese

SUBSCRIBED AND SWORN BEFORE ME THIS

22nd DAY OF March 1976.

Lynda Giese

Nancy Gubler
(TITLE)

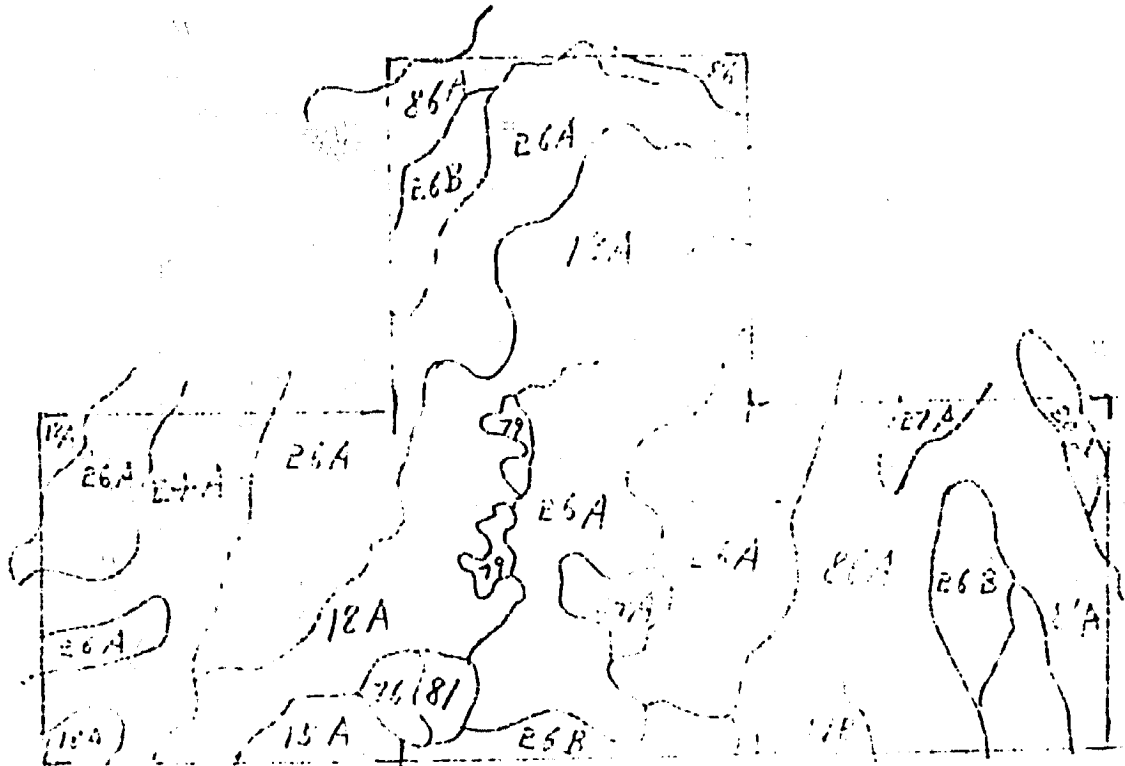
UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBJECT:

Soils on Gary-Gisi

DATE: 3-22-76

TO:



51 1/4 FSC-11-12-58

51 1/4 FSC-11-12-58

Map 9 To 1 M



BEST IMAGE POSSIBLE FROM POOR ORIGINAL

10/11/77

A - 0.4%

R - 2.5%

1.5:

P6 = Faint - Faint Silt loss
 Poorly drained bottom land.
 Slowly permeable claypan
 Subject to frequent flooding
 not recommended for irrigation
 Capacity class - IT 2

P6 = Faint Silt loss
 recommended for irrigation
 Capacity class - IT 2 and that

BEST IMAGE POSSIBLE FROM POOR ORIGINAL

2-14-41 Probelle - Noonan Loan
III c) Capability class
Not Recommended For Traction

2-14-41 Probelle - Greenfield Loan
III c) = Capability class
Recommended For Traction

BEST IMAGE POSSIBLE
FROM POOR ORIGINAL

W
31.66

172-68

145.5

167

144.6

40.8

12

172-68

X

June 1, 1976

Mr. Gary J. Gisi
Ipswich, SD 57451

Dear Mr. Gisi:

I am enclosing a copy of the report of the water analysis we did for you back in February on water sample #76-140. I am assuming from your note at the bottom of my letter of May 13 that you wish this water to be used for your new application to irrigate in the southwest quarter of section 12-122-68.

This water is satisfactory for use on any normal soil and should give you no difficulty. However, the soil areas marked 18A and I think also, although I am not sure of this, the areas marked 79 in the west side of that quarter are not suitable for irrigation. The soil legend information is incomplete and difficult to read, but I believe the area 79 are depressional areas with solodized solonetz or solonchic soils. Consequently, you should avoid the western side of this quarter in your irrigation plans.

A copy of this letter, and your application materials, plus a copy of the water analysis are all being sent to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures

cc: State Conservation Commission

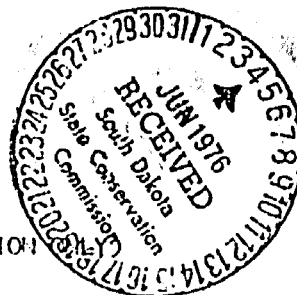
D. Pahl

Herbert Brandner, 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)



NAME Gary J. Gisi

ADDRESS Ipswich, South Dakota 57451

COUNTY Edmunds

LEGAL DESCRIPTION

1. WELL LOCATION S.W. of the S. E. Sec. 12-122-68

2. LOCATION OF AREA TO BE IRRIGATED S.W. 12-122-68

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____

4. CROPS TO BE IRRIGATED corn, alfalfa, small grain

WATER QUALITY

5. SAMPLE NUMBER 76-140

6. SALINITY (EC x 10⁶) 642 (medium)

7. SODIUM (SAR) 0.97 (low)

8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

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 Edmunds County 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.

Gary J. Gisi
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
5 DAY OF MAY 19 76.

Karl Eugene Ashby
(TITLE OR SEAL)
COMMISSION EXPIRES
MARCH 4, 1984

Albert J. Heltz
APPROVED/DISTRICT APPROVED

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Gary Glasi
 Address: Box 57451
Lincoln, NE

Date Rec'd: February 23, 1976
 Sample No.: 76-140
 Identification: 2074, 500, 12, 7, 12, 19, R 680

WATER ANALYSIS

Calcium (Ca)	80	ppm*	4.00	me/l**
Magnesium (Mg)	26	ppm	2.13	me/l
Sodium (Na)	39	ppm	1.70	me/l
Potassium (K)	5	ppm	0.13	me/l
Sulfate (SO ₄)	54	ppm	1.33	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	32	ppm	0.90	me/l
Bicarbonate (HCO ₃)	72	ppm	6.10	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)	105	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	142	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.97			
Sodium	21.35	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.63			
Others:				

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



COMMENTS: Total cations 7.96 me/l
 Total anions 8.33 me/l

Please fill in the enclosed questionnaire and return with your payment.

By: Shirley Blanton

Service Performed

Amount Due

Ir 10-1200 11/1/71

8.00
 - 2.00 paid
 67.00 103

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-140

Amount Enclosed \$

Signed

Form 6. - Notice of Intent to Appropriate Water

No. 2E7X 2708-3

Publish first publication, on or before

July 8, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 13, 1976

Notice is hereby given that Gary J. Gisl

whose post office address is Ipswich, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from ~~the~~ ground water through the Gary Gisl Unit #1, the point^s of diversion of which ~~is~~^{are} to be located in the _____

SW 1/4 SE 1/4

of Section 12, Twp. 111N, Range 68W. Said water to be used for the purpose of providing irrigation on the following described land:
portions of

SW 1/4, Section 12, T122N, R68W

This application No. 2708-3 will be considered by the Water Rights Commission at the Court House in Winner, South Dakota upon the 21st day of July, 1976 at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc: Gary J. Gisl, Ipswich, S.D. 57451

No. 2768-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brown) ss.

I, Dianne Brenden hereby

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:

June 23, 1976

June 30, 1976

Nianne Brenden
(Signature)

Principal Clerk
(Title)

June 30, 1976
(Date Signed)

(No. 487 - June 23-30 - ST)

**NOTICE OF INTENT TO
APPROPRIATE WATER**

Notice is hereby given that Gary Gisl, resident of post office address Joplin, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from ground water through the Gary Gisl Unit No. 1, the points of diversion of which are located in the SW¼ SE¼ of Section 12, Twp. 111N, Range 64W. Said water is to be used for the purpose of providing irrigation on portions of the following described land: SW¼, Section 12, T122N, R64W, S71W, SD.

This application No. 1748-3 will be considered by the Water Rights Commission at the Court House in Winner, South Dakota upon the 21st day of July, 1974, at 10:00 A.M. All interested persons may appear and be heard.

By: Burton F. Jones, Water Rights Specialist, Water Rights Commission



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

GARY J GISH
RR #1 BOX 145
IPSWICH, SD 57451

Resources

2-1-88

Enclosed are questions, answers for you file. Sorry - these were mis. laid - a apologize for the in convenience

Thank you very much

NOTICE

NOTICE

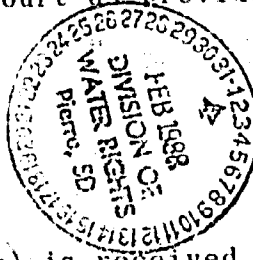
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 2934-3, 2768-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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(s), the Water Management Board can:

1. Amend Permit No(s). 2934-3, 2768-3; to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 5, 1988

2768-3
2934-3

Gary J. Gisi
RR 1, Box 145
Ipswich SD 57451

Dear Mr. Gisi:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 2768-3 & 2934-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



Department of Water & Natural Resources

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

March 5, 1991

2768-3
2934-3

Craig Carson
Real Estate Appraiser
Farm Credit Services
PO Box 1987
Aberdeen, SD 57401-1987

Dear Mr. Carson:

Enclosed, as you requested, are copies of Water Permit Nos. 2768-3 and 2934-3. These permits are currently listed in the name of Gary Gisi, Ipswich, SD. We have not yet conducted an inspection of the irrigation systems which may have been constructed under these permits. Therefore, we are not aware of the extent of development.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

SIEGEL, BARNETT & SCHUTZ

ATTORNEYS AT LAW

500 CAPITOL BUILDING

P. O. BOX 490

ABERDEEN, SOUTH DAKOTA 57402-0490

TELEPHONE (605) 225-5420

FAX (605) 226-1911

April 2, 1991

STAN SIEGEL
JOSEPH D. BARNETT (1931-1985)
RAYMOND M. SCHUTZ
TERENCE A. O'KEEFE
HARVEY C. JEWETT
RORY KING
JEFFREY T. SVEEN
JOSEPH P. BARNETT
RONALD J. HALL
PAUL T. BARNETT
REED RASMUSSEN
SHELLEY R. WIECK
OF COUNSEL
PHILO HALL



OFFICE AT SUTER & CORP. HDQTRS.

ABERDEEN, SOUTH DAKOTA

(605) 275-2272

FAX (605) 226-2519

SIOUX FALLS OFFICE

SECURITY BUILDING, SUITE 610

101 SOUTH MAIN AVENUE

P. O. BOX 1286

SIOUX FALLS, SOUTH DAKOTA 57101

(605) 335-6250

FAX (605) 335-6749

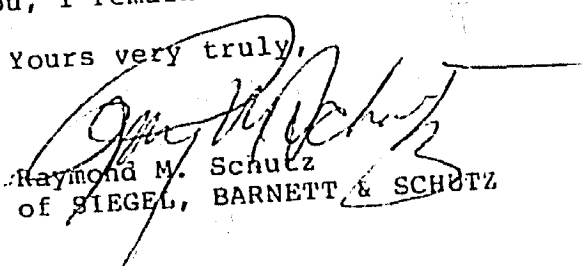
Chief Engineer
Water Rights Division, DWRNR
523 East Capitol
Pierre, South Dakota 57501-3181

Re: Gary Gisi/Arnold Schurr

Dear Sir:

Enclosed herewith is Notice of Transfer of Ownership, together with our check in the amount of \$2.50 to cover the filing fees. Kindly file the Notice of Transfer and issue a permit accordingly. Thanking you, I remain

Yours very truly,


Raymond M. Schutz
of SIEGEL, BARNETT & SCHUTZ

RMS:ks

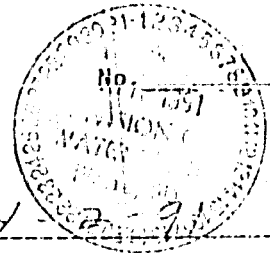
Enclosures

pc w/out encls: Mr. Arnold Schurr

NOT CORRECT - NEEDS TO BE SIGNED
By Mr. Schurr. NOTICE OF TRANSFER OF OWNERSHIP

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: 4-2-91



I/We request that Water Permit/Right No. 2768-3

formerly owned by:

GARY J. GISEL

be transferred to: (name & address)

ARNOLD SCHURR

HCR 2, Box 71, RESERVE, S.D. 57471 (telephone No.) 608-287-3282

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

ARNOLD SCHURR IS OWNER OF 1/2 of 10 1/2 of
secs 12 - 122 - 6P Edmund County, S.D.

I/We understand that the validity of Water Permit/Right No. 2768-3 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of BROWN)

I/We GARY J. GISEL being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Gary Gisel

(Signed)

Subscribed and sworn to before me this 2nd day of April, 1991.

Carlton Helder Larson

(Notary Public)

10/13/91

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water 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.

2768-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

GARY J GISI
RR #1 BOX 145
IPSWICH SD 57451

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) 2768-3 & 2934-3. 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) 2768-3 & 2934-3 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,

A handwritten signature in dark ink, appearing to read "Ron Duvall", is written over a horizontal line.

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

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:

GARY J GISI
RR #1 BOX 145
IPSWICH, SD 57451

4a. Article Number

P 906 557 649

4b. Service Type

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

7. Date of Delivery

1-29-92

5. Signature (Addressee)

6. Signature (Agent)

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 18, 1992

2934-3
2768-3

Diane Schurr
Box 105
Roscoe, SD 57471

Dear Ms. Schurr:

I am writing to acknowledge receipt of the 1991 irrigation questionnaires for Water Permit Nos. 2768-3 and 2934-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire (originally sent to Gary Gisi). The questionnaires were received prior to the Water Management Board meeting and are no longer listed on the agenda.

A transfer of ownership had been filed early in 1991 for a portion of the land described in these permits. The transfer was never completed since ownership of the remaining portion has not been determined.

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

Sincerely,

Genry McMath
Natural Resources Analyst
Water Rights Division

cc: Gary J Gisi, RR #1 Box 145, Ipswich, SD 57451



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 1992

✓2768-3
2934-3

Diane Schurr
Box 105
Roscoe, SD 57471

Dear Ms. Schurr:

Enclosed are two partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change on Water Permit Nos. 2768-3 and 2934-3. We discussed earlier about the one transfer being filed in April of 1991 for a portion of the land. You indicated all the land under both permits should be transferred.

Please check over the forms for accuracy and have them signed in the presence of a notary by the new owner. A \$2.50 filing fee is required for each transfer. We already have a filing fee for No. 2768-3, so you will only need to submit \$2.50 for transferring Permit No. 2934-3.

Upon completion of the transfer forms, please return them to our office along with \$2.50. The transfers will be processed as soon as they are received in our office.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2768-3



3-12-92

I/We request that Water Permit No. 2768-3

formerly owned by: Gary J Gisi

be transferred to: (name & address) Arnold Schurr HCR 2 Box 71
Roscoe SD 57471 (Telephone No.) 605-287-4282

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

SW 1/4 Section 12, T122N, R68W

I/We understand that the validity of Water Permit No. 2768-3 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Edmunds)

I/We Arnold Schurr being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Arnold Schurr
(Signed)

Subscribed and sworn to before me this 13th day of March, 19 92

Diane Schurr
(Notary Public)
1/17/97

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 19, 1992

2768-3
2934-3

Arnold Schurr
HCR 2 Box 71
Roscoe, SD 57471

Dear Mr. Schurr:

I am writing to acknowledge receipt of the two "Notice of Transfer of Ownership" forms you submitted for use in filing an ownership change with Water Permit Nos. 2768-3 and 2934-3.

The transfer of Water Permit No. 2768-3 has been processed and all records pertaining to No. 2768-3 are now listed under your name. I am enclosing the receipt for filing fees for No. 2768-3, paid by Siegel, Barnett & Schutz.

A filing fee of \$2.50 was not received with the transfer form submitted for No. 2934-3. The water permit can not be completed with the required filing fee.

Upon receipt of the \$2.50 filing fee from you, the transfer of ownership for Water Permit No. 2934-3 will be processed. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

cc: Diane Schurr, Box 105, Roscoe, SD 57471

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____, April 3, 1931

RECEIVED OF Siegel, Barnett & Sonnet

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. _____	2	50
Fee for Filing Transfer Form <u>Water Permit No. 2700-3</u>		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By *John H. H. H.*
Chief Engineer

10.1993

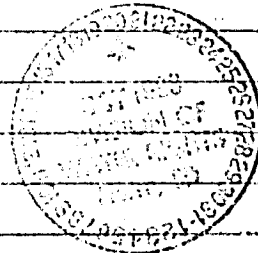
2768-3

Water Rights Division:

we no longer own any
irrigated land. we have
sold it all to Pembroke
Colony of RR1, Ipswich.
To get your questionnaire
filled out, you would
have to send it to them,
as we have none of that
information.

Sincerely,

Arnold Schurr





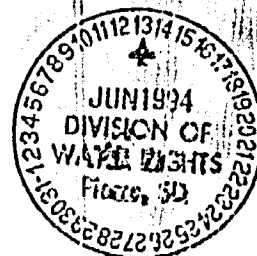
2768-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 21, 1993

Fembrook Colony
RR #1
Ipswich, SD 57471



Dear Sirs:

I am contacting you in regard to ownership of land described in Water Permit No. 2768-3. The permit is currently listed in the name of Arnold Schurr, Roscoe, SD. Mr. Schurr has notified our office that he sold his irrigated land to you. A copy of the permit is enclosed.

Enclosed is a partially completed "Notice of Transfer of Ownership" for use in filing an ownership change with the water permit. Please complete the form and sign it in the presence of a notary public. A \$2.50 fee is required for filing the "Notice of Transfer".

Also enclosed is the 1993 irrigation questionnaire pertaining to Water Permit No. 2768-3. Please complete the form and return it to us before December 17, 1993.

You may return the transfer form, \$2.50 filing fee and the irrigation questionnaire in the enclosed postage paid envelope. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

enclosures: copy of water permit, transfer form and irrigation questionnaire

2768-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

ARNOLD SCHURR
HCR 2 BOX 71
ROSCOE SD 57471

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 2768-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 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 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, 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 1-25. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2768-3 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 on/or before April 1, 1994, your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

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 will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

2768-5

ARNOLD SCHURR
HCR 2 BOX 71
ROSCOE SD 57471

5. Signature (Addressee)

Arnold Schurr

6. Signature (Agent)

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

1. ☒ Addressee's Address

2. ☒ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

9837692449

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-17-94

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

Thank you for using Return Receipt Service.

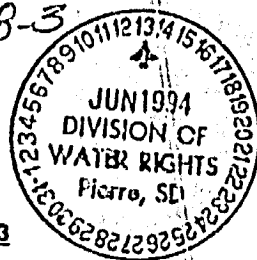
2768-3

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2768-3

Date: June 9-94



I/We request that Water Permit No. 2768-3

formerly owned by: Arnold Schurr

be transferred to: (name & address) Pembroke Huttonian Brothers, Inc.
RR 1, Box 30, Ipswich, SD 57451-9706 (Telephone No) 426-6518

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

SW 1/4 Section 12, T122N, R68W

I/We understand that the validity of Water Permit No. 2768-3 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Edmunds)

I/We Henry Decker being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Henry Decker
(Signed)

Subscribed and sworn to before me this 9 day of June, 19 94.

Francis G. Aldinger
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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.



2768-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 30, 1994

2768-3

Henry Decker
Pembroke Hutterian Brethren, Inc.
RR #1
Ipswich, SD 57471

Dear Mr. Decker:

On June 13, 1994, we received your "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Permit No. 2768-3. The land described in the permit was formerly owned by Arnold Schurr.

The transfer form was completed properly, however can not be filed for record without the required \$2.50 filing fee. Please remit this amount as soon as possible. Upon receipt of the fee, Water Permit No. 2768-3 will be transferred to Pembroke Hutterian Brethren, Inc.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3352

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414211

Pierre, _____ July 6, 19 94

RECEIVED OF Pembrook Hutterian Brethren, Inc., RR 1 Box 30, Ipswich, SD 57451

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. _____		
Fee for Filing Transfer Form <u>Water Permit No. 2768-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

John Blatch

2768-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 12, 1994

No. 2768-3

Henry Decker
Pembroke Hutterian Brethren, Inc.
RR 1, Box 30
Ipswich, SD 57451-9706

Dear Mr. Decker:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 2768-3.

Our records now show you as the owner of Water Permit No. 2768-3.

Sincerely,

A handwritten signature in cursive script that reads 'Cheryl F. Frost'.

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

enclosure



2768-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 25, 1995

2521-3

2768-3

2934-3

Craig Summers
Farm Credit Services
PO Box 1987
Aberdeen, SD 57401

Dear Mr. Summers:

Enclosed, as you requested, are copies of Water Permit Nos. 2768-3 & 2934-3 and Water Right No. 2521-3. These are currently listed in the name of Pembroke Colony (Pembroke Hutterian Brethren or Pembroke Farmers Cooperative).

An inspection was conducted and a water license issued for No. 2521-3. A map showing the extent of development is also enclosed. We do not know the extent of development under Water Permit Nos. 2768-3 & 2934-3, because they have not yet been inspected. In 1994, the Colony reported irrigation of a total of 500 acres using 5 center pivots. Irrigators do not include a legal description with their annual reports, so I am unable to determine from their questionnaires which land was irrigated. It may change from year to year, depending on crop rotation.

I hope the enclosed material is of help to you. If I can be of further assistance, please contact me.

Sincerely,

Genny McMath

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures



2768-3

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

JUL 2 1996

2934-3

Henry Decker
Pembrook Hutterian, Inc.
RR 1, Box 30
Ipswich, SD 57451

Dear Mr. Decker:

Enclosed is Water License No. 2934-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414866 in the amount of \$50.00 which you paid for the investigation 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. 2934-3, 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

ks
enclosures

NOTE: The applicable portions of Water Permit No. 2768-3 have been incorporated into this Water License No. 2934-3.

2768-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 22, 1996

Permit No. 2934-3

Henry Decker
Pembroke Colony
RR 1, Box 30
Ipswich, SD 57451

Dear Sirs:

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 Nos. 2768-3 and 2934-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 2768-3 will be incorporated into 2934-3.

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.

HURON DRILLING INC.
WELL LOCATION MAP

NAME Gary J. Gisi

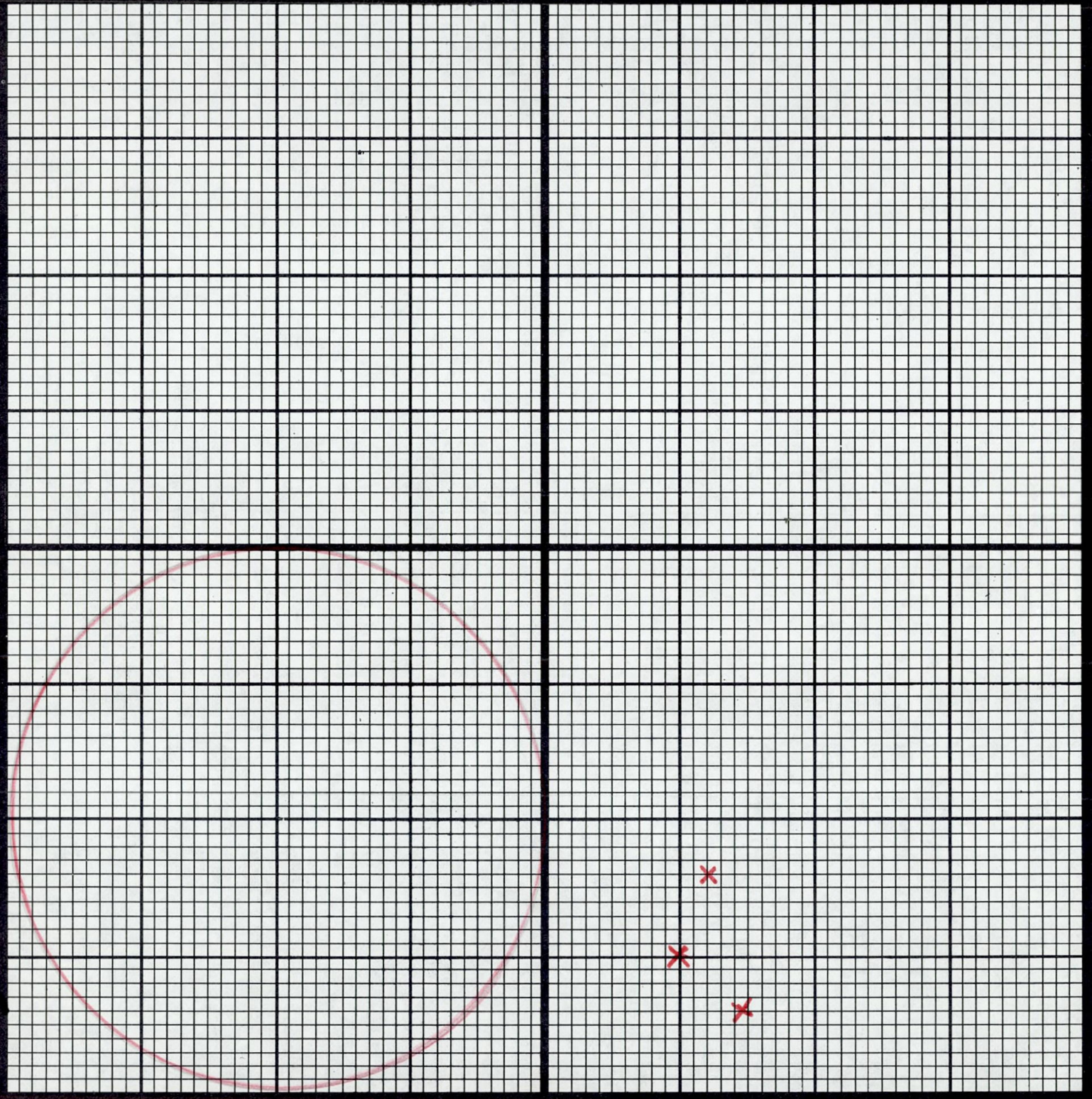
DATE May 5, 1976

WELL NO. 1

S.E.

QUARTER, SECTION 12

TWP. 122 RANGE 68 IN Edmunds COUNTY



Prepared By Dick Fadgen

Beadle County Extension Agent

Dick Fadgen

X — PROPOSED LOCATION

MAP NO 2124-3 APP NO 2768-3