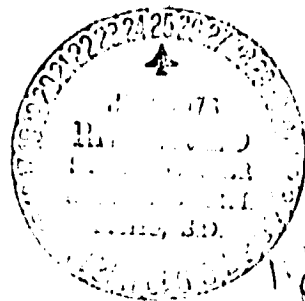


1. Considered 7-21, 19 76
2. Name of Applicant ROBERT S ZGENT
3. Post Office Address PIERRE
4. Amount of water claimed 9.30
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 650
7. Water to be diverted and used in SULLY county
about 27 W miles of ONIDA
8. Proof of Publication Received 7-12-76
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

2785-3

No. 2785-3
 Map No. 2141-3 Water Division No. 3 MISSOURI 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)

1. Name of Applicant Robert Sargent
 Postoffice address Part A., 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) _____
3. Name of diversion work Sargent #1
4. Amount of water claimed (cubic feet per second) 9.3
5. Source of water supply Missouri River
6. Location of point of diversion a point in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21 and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, T114N, R81W
 _____ County Sully
7. Annual period or periods during which water is to be used April thru October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, _____ Total number of acres to be irrigated 650

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.
SW $\frac{1}{4}$, Sec. 15-T114N-R81W	130		
SE $\frac{1}{4}$, Sec. 15-T114N-R81W	160		
SW $\frac{1}{4}$, Sec. 14-T114N-R81W	160		
NE $\frac{1}{4}$, Sec. 14-T114N-R81W	200		

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 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Onida Watchman, Onida, S.D.
12. Principal Features of the Proposed Water Supply System.

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

Pump - Motor

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

Mainline to Holding reservoir

C. Works proposed to apply water to beneficial use.

Center pivot sprinkler system
Towline and/or Big Gun SprinklerEstimated Total Cost \$ 150,000.00

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)
) ss.
 County of Hughes)

I, Robert Sargent 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 Robert Sargent 25th day of June 1976

Subscribed and sworn to before me this

Betty Westlund
 Notary Public (or other qualified officer)

BETTY WESTLUND Land Water Clerk II

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2185-3

ROBERT SARGENT
(Applicant)

PART A, PIERRE S.D. 57501
(Post Office Address)

SOUTH DAKOTA 57501 With the following modifications:
(State)

Date of first receipt of application JUNE 25, 19 76

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

Date of receipt of corrected application —, 19 —

Approved JULY 22, 19 76, Recorded in Book 15 Page 253

WATER RIGHT PERMIT NO. 2785-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2785-3 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 25, 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 85
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 9.3 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 85; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 30th day of JULY, 19 76

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

No. 2785-3

Publish first publication, on or before

July 8, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 25, 1976

Notice is hereby given that Robert Sargent

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 9.3 cubic feet of water per second of time from the Missouri River through the Sargent #1, the point of diversion of which is to be located in the _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$ or NW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 21, Twp. 114N, Range S1W. Said water to be used for the purpose of providing irrigation on the following described land:

S $\frac{1}{4}$, Section 15; N $\frac{1}{4}$ and SW $\frac{1}{4}$, Section 14, T114N, R81W

This application No. 2785-3 will be considered by the Water Rights Commission at the Court House at 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:

Robert Sargent, Part A., Pierre, S.D. 57501

No. 2785-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Sully) ss.

No. 2785-3

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501

June 25, 1976

I, Alice Olson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Omaha Watchman

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 Omaha

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

Thursday, July 1, 1976

Thursday, July 8, 1976

Alice Olson
(Signature)

Publisher
(Title)

July 9, 1976
(Date Signed)

Notice is hereby given that
Robert Sargent, whose post office
address is Pierre, South Dakota,
has made an application in ac-
cordance with the provisions of
the water laws of South Dakota
for a permit to appropriate for
beneficial use 9.3 cubic feet of
water per second of time from
the Missouri River through the
Sargent #1, the point of diversion
of which is to be located in the
NE $\frac{1}{4}$ NW $\frac{1}{4}$ or NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section
21, Twp. 114N, Range 81W.
Said water to be used for the
purpose of providing irrigation
on the following described land:
S $\frac{1}{2}$, Section 15; N $\frac{1}{2}$ and SW $\frac{1}{4}$,
Section 14, T114N, R81W.

This application No. 2785-3
will be considered by the Water
Rights Commission at the Court
House at 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
BURTON F. JONES, Water Rights
Specialist

22-23



**South Dakota Department of
Water & Natural Resources**

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

March 23, 1987

ROBERT SARGENT
RT A BOX 121
PIERRE, SD 57501

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

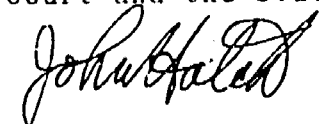
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 2785-3, 3560-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires 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 hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 2785-3, 3560-3 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 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

May 5, 1987

(2785-3)
2997-3
3560-3

Bob Sargent
West Sully Irrigation
HCR 31 #121
Pierre, SD 57501

Dear Mr. Sargent:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 2785-3, 2997-3, and 3560-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

August 14, 1987

REPORT ON SUSPENDED WATER RIGHTS INSPECTION

I made an inspection of those suspended permits that were not cancelled during my first inspection trip which was in June, 1987.

I reinspected Laura Tucker's Permit No. 3814-3. Tuckers said they never developed the system and to cancel the permit. However, this office heard that Robert Sargent leased the land and pulled center pivot onto the SE 1/4 Section 14, T114N, R81W from their Permit No. 2785-3. I inspected the site and found there was no center pivot pad, therefore Permit No. 3814-3 can be cancelled.

Don Sibrasse Permit No. 3692-3, Collins Ranch Permit No. 4199-3 now owned by Perry Hoffman, and John Younberg Permit No. 790-1 can be cancelled as they were never developed. Raymond Neuhauser Permit Nos. 1388-2, 572-2 and 1263-2 owned by Ike McQuistion are not being used.

I inspected Paul Kanes Permit No. 568-1, now owned by Dennis Michael Heesacher and it is not being used. I will try to contact Heesacher personally in the near future as there is a possibility that this Permit can be cancelled.

Ronald Irelands Permit No. 332-2 is not being used this year. I have made an appointment with Mr. Ireland to re-inspect Permit No. 332-2 and Permit No. 839-2 which irrigates nearly the same land. Permit No. 332-2 from the White River and 839-2 from a dry draw.

The Water Management Board gave Jerome Jacobs permission to irrigate Permit No. 1647-3 and 2085-3. Permit No. 2004-3 is to be cancelled.



LeRoy J. Mernaugh
Natural Resources Engineer

**South Dakota Department of
Water & Natural Resources**

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

February 9, 1990

ROBERT SARGENT
HCR 37 BOX 121
PIERRE, SD 57501

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). (2785-3, 3560-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire 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 hearings will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

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

1. Amend Permit No(s). 2785-3, 3560-3 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.

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
695 773-3352

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

March 2, 1990

2785-3
3560-3

Robert Sargent
HCR 37, Box 121
Pierre SD 57501

Dear Mr. Sargent:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit Nos. 2785-3 and 3560-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall /KS
RON DUVALL
Natural Resources Engineer
Water Rights Division



2785-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

3560-3

Robert Sargent
18559 Remington Place
Pierre, SD 57501

Dear Mr. Sargent:

Enclosed is Water License No. 3560-3. Water License No. 3560-3 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,

A handwritten signature in cursive script, appearing to read 'John Hatch', is written over a horizontal line.

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

gm
enclosures

NOTE: The applicable portions of Water Permit No. 2785-3 are being incorporated into this Water License No. 3560-3.