

17' DEEP WELL

W/ 8" WESTERN LAND PUMP MODEL S-12C H

W/ 75HP U.S. ELECTRIC MOTOR

VALLEY ELECTRIC DRILLS / KNOX

Water Right Number 2940-3

1. Considered 9-29, 19 70
2. Name of Applicant WILLIAM & DAVID CURRY
3. Post Office Address ELK POINT
4. Amount of water claimed 2.28
5. Source of water supply 100' WELL
6. Water to be used for IRRIGATION

Acres to be irrigated 160

7. Water to be diverted and used in UNION County  
about 2E Miles of ELK POINT

8. Proof of Publication

Received 1<sup>st</sup> 9-28-76

Not received \_\_\_\_\_

9. Application

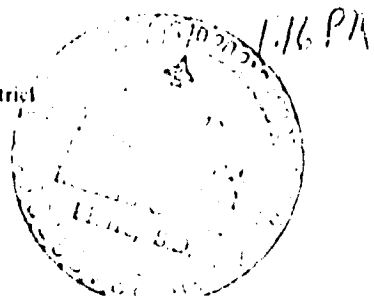
Approved \_\_\_\_\_

Subject to \_\_\_\_\_

Not approved \_\_\_\_\_

Action deferred \_\_\_\_\_

10. Remarks:

No. 2240-3Map No. 2272-3 Water Division No. 3 BIG SIOUX 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 ~~Ed. Bowers and sons~~ William & David M. Curry  
Postoffice address Elk Point, State South Dakota 57025  
If a corporation show date and place of incorporation Mo
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Curry Bros. Irrigation Project
4. Amount of water claimed (cubic feet per second) 2.88 2.7 CFS MAXIMUM ALLOWABLE
5. Source of water supply Well
6. Location of point of diversion 1320' West and 1320' North of the Southeast Corner of Section 21, T11N R49W  
Union County
7. Annual period or periods during which water is to be used June through September
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 150 Acres

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>SE 1/4 Section 21, T11N R49W</u> | <u>160 acres</u> |                  |                |
|                                     |                  |                  |                |
|                                     |                  |                  |                |
|                                     |                  |                  |                |

Attach sheet if more space is needed

10. Time required to complete construction of water supply system five (5) years. Additional time required to complete application of water to the proposed beneficial use five (5) years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Lander-Jourior, Elk Point, S. Dak. 57025
12. Principal Features of the Proposed Water Supply System.

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

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

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C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ 10,000.00Attachments: 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 UnionI, David M. Curry 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 constructionSigned by David M. CurrySubscribed and sworn to before me this 16 day of March, 1976  
David M. Curry  
Notary Public (or other qualified officer)

NOT TO SCALE

BM 4  
(2-11-64)  
590.1

108-L

(6-102)  
72.5

30

(6-3)

18

(6-102)  
38.8

91-49

NOT TO SCALE

(6-412)  
44.6

14.6

107-L  
(6-44)  
34.1

(6-225)  
35.2

3675-3  
GLORIA HASNELL  
(E.E. ROSELL - OPER)

(6-354)  
21.1

(6-377)  
164.2

107-L  
(6-378)  
113.2

(6-377)  
34.0

3850-3  
JOHN CORREY  
(5-15-74)  
22.7

(6-412)  
165.8

19

20

34.4

(6-257)  
74.0

2371-3

(6-257)  
8.5

(6-173)  
11.8

91-49

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2940-3

WILLIAM & DAVID CURRY  
(Applicant)

ELK POINT  
(Post Office Address)

SOUTH DAKOTA 57025 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 MARCH 17 1976

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

Date of receipt of corrected application SEPTEMBER 3 1976

Approved SEPTEMBER 30 1976, Recorded in Book 16 Page 62

WATER RIGHT PERMIT NO. 2940-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2940-3 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 SEPTEMBER 3 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 30 1979
3. The whole of said work is to be completed on or before SEPTEMBER 30 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 30 1981
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 2.28 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-hundredth (1/100) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before SEPTEMBER 30 1981; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 29<sup>th</sup> day of NOVEMBER 1976

WATER RIGHTS COMMISSION

By

John Hatch  
Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 17 1979

Water License Issued SEPTEMBER 17 1979

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30 inches, Depth 100 feet
- (2) Casing, Type Transite Diameter 16" I.D. Thickness 3/4 inch  
(wood, concrete, steel, etc)
- (3) Perforated Screen.  
Type 1/8 inch slotted, Diameter 16" I.D., Length 20 feet
- (4) Gravel Pack, Thickness 6-9 inches, Length of gravel pack 20 + feet

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 Water bearing gravels and rock  
Sample # 76-076

Depth to top of water bearing material 30 feet

Depth to bottom of water bearing material 100 feet

Thickness of water bearing material 70 feet

Depth to water (ground surface to water level) 14 foot drawdown

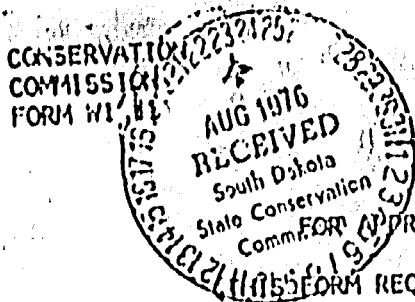
- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 200 rds. On property owned by others 220 rds.

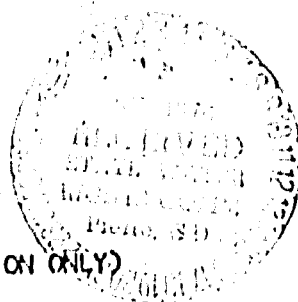
G. Water Storage Dams.

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.

David M. George  
Signature of Applicant



STATE CONSERVATION COMMISSION  
SUPPORTING INFORMATION  
APPROPRIATION OF GROUND WATER IN ACCORDANCE  
WITH SDCL 46-6-3 AS AMENDED  
FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY



NAME William & David Curry  
ADDRESS Elk Point, S.D. 57025  
COUNTY Union

LEGAL DESCRIPTION

1. WELL LOCATION 1320' West & 1320' N. SE corner of  
2. LOCATION OF AREA TO BE IRRIGATED SE 1/4 Sec. 21 T91N. R49E

TYPE OF IRRIGATION

3. GRAVITY \_\_\_\_\_ TOWLINE \_\_\_\_\_ CENTER PIVOT Valley GUN \_\_\_\_\_  
4. CROPS TO BE IRRIGATED Corn

WATER QUALITY

5. SAMPLE NUMBER 76-076  
6. SALINITY (EC x 10<sup>6</sup>) 2640 See Enclosed Copy  
7. SODIUM (SAR) 1.88  
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and; the soils information has been acquired from Union Co. 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.

David M. Curry  
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS  
5 DAY OF April 19 76

David M. Curry  
(TITLE OR SEAL)  
My Commission Expires 3-17-79

NOVA  
APPROVED/DISAPPROVED

STATE INFORMATION ON REVERSE SIDE

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

Submitted by: ILL. D. McQuay  
 Address: 111. 01.11. 00 57025

Date Rec'd: 0930 July 9, 1976  
 Sample No: 75-076  
 Identification: \_\_\_\_\_

**WATER ANALYSIS**

|                                       |       |                             |       |           |
|---------------------------------------|-------|-----------------------------|-------|-----------|
| Calcium (Ca)                          | 254   | ppm*                        | 12.70 | me/l**    |
| Magnesium (Mg)                        | 138   | ppm                         | 11.32 | me/l      |
| Sodium (Na)                           | 150   | ppm                         | 6.52  | me/l      |
| Potassium (K)                         | 10    | ppm                         | 0.26  | me/l      |
| Sulfate (SO <sub>4</sub> )            | 920   | ppm                         | 19.14 | me/l      |
| Nitrate (as N)                        |       | ppm                         |       | me/l      |
| Chloride (Cl)                         | 60    | ppm                         | 1.57  | me/l      |
| Bicarbonate (HCO <sub>3</sub> )       | 517   | ppm                         | 6.43  | me/l      |
| Carbonate (CO <sub>3</sub> )          |       | ppm                         |       | me/l      |
| Iron (Fe)                             |       | ppm                         |       | me/l      |
| Fluoride (F)                          |       | ppm                         |       | me/l      |
| Hardness (EDTA as CaCO <sub>3</sub> ) |       | ppm                         |       | g.p.g.*** |
| Alkalinity (Methyl Orange)            | 424   | ppm (as CaCO <sub>3</sub> ) |       |           |
| Alkalinity (Phenolphthalein)          | 0     | ppm (as CaCO <sub>3</sub> ) |       |           |
| Electrical Conductivity               | 2540  | micromhos per cm at 25° C   |       |           |
| Sodium Adsorption Ratio               | 1.15  | % of cat                    |       |           |
| Sodium                                | 11.15 | % of cat                    |       |           |
| Residual sodium carbonate             | 0.00  | me/l                        |       |           |
| pH                                    | 7.27  |                             |       |           |

Others:

\*ppm=parts per million

\*\*me/l=millequivalents per liter

\*\*\*g.p.g.=gra

**COMMENTS:**

total hardness 25.4 g/l  
 total alkalinity 42.4 g/l

By: \_\_\_\_\_

Service Performed \_\_\_\_\_

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No: \_\_\_\_\_



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

Submitted by: Bill & Doreen Gurey  
 Address: Ell Point, SD 57025

Date Rec'd: February 9, 1976

Sample No. 76-076

Identification \_\_\_\_\_

**WATER ANALYSIS**

|                                       |       |                             |       |           |
|---------------------------------------|-------|-----------------------------|-------|-----------|
| Calcium (Ca)                          | 254   | ppm*                        | 12.70 | me/l**    |
| Magnesium (Mg)                        | 138   | ppm                         | 11.32 | me/l      |
| Sodium (Na)                           | 150   | ppm                         | 6.52  | me/l      |
| Potassium (K)                         | 10    | ppm                         | 0.26  | me/l      |
| Sulfate (SO <sub>4</sub> )            | 920   | ppm                         | 19.14 | me/l      |
| Nitrate (as N)                        |       | ppm                         |       | me/l      |
| Chloride (Cl)                         | 60    | ppm                         | 1.67  | me/l      |
| Bicarbonate (HCO <sub>3</sub> )       | 517   | ppm                         | 8.48  | me/l      |
| Carbonate (CO <sub>3</sub> )          |       | ppm                         |       | me/l      |
| Iron (Fe)                             |       | ppm                         |       | me/l      |
| Fluoride (F)                          |       | ppm                         |       | me/l      |
| Hardness (EDTA as CaCO <sub>3</sub> ) |       | ppm                         |       | g.p.g.*** |
| Alkalinity (Methyl Orange)            | 424   | ppm (as CaCO <sub>3</sub> ) |       |           |
| Alkalinity (Phenolphthalein)          | 0     | ppm (as CaCO <sub>3</sub> ) |       |           |
| Electrical Conductivity               | 2640  | micromhos per cm at 25° C   |       |           |
| Sodium Adsorption Ratio               | 1.88  |                             |       |           |
| Sodium                                | 21.16 | % of cat                    |       |           |
| Residual sodium carbonate             | 0.00  | me/l                        |       |           |
| pH                                    | 7.27  |                             |       |           |
| Others:                               |       |                             |       |           |

\*ppm=parts per million

\*\*me/l=millequivalents per liter

\*\*\*g.p.g.=grain

COMMENTS: Total cations 3090 me/l  
 Total anions 2929 me/l

By: \_\_\_\_\_

Service Performed \_\_\_\_\_

Date: Feb 11, 1976

Make checks payable to: Water Quality Laboratory

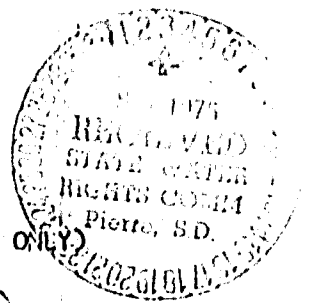
Cut along dotted line and return the lower portion with payment

Sample No. 76

CONSERVATION  
COMMISSION  
FORM W1



STATE CONSERVATION COMMISSION  
SUPPORTING INFORMATION  
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE  
WITH SDCL 46-6-3 AS AMENDED



FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY

NAME William & David Curry  
ADDRESS Elk Point, S.D.  
COUNTY Union 57065

LEGAL DESCRIPTION

1. WELL LOCATION 1320' North & 1320' No. SE corner of  
2. LOCATION OF AREA TO BE IRRIGATED SE 1/4 Sec. 21 T91N. R49E

TYPE OF IRRIGATION

3. GRAVITY \_\_\_\_\_ TOWLINE \_\_\_\_\_ CENTER PIVOT Valley GUN \_\_\_\_\_  
4. CROPS TO BE IRRIGATED Corn

WATER QUALITY

5. SAMPLE NUMBER 76-076  
6. SALINITY (EC X 10<sup>6</sup>) 140 See Enclosed Copy  
7. SODIUM (SAR) 1.88  
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Union 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.

David M. Curry  
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS  
DAY OF Aug 19 76

Robert J. Anderson, Not Public  
(TITLE OR SEAL)

NOEL J. KELLY  
APPROVED/DI. 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: 111 S. D. vs. Gurney  
Address: 111 Soine, S.D. 57025

Date Rec'd ..... January 9, 1976 .....

Sample No. ....75-076.....

**Identification** ..... 1

## WATER ANALYSIS

|                                       |       |                             |       |           |
|---------------------------------------|-------|-----------------------------|-------|-----------|
| Calcium (Ca)                          | 554   | ppm*                        | 12.70 | me/l**    |
| Magnesium (Mg)                        | 138   | ppm                         | 11.32 | me/l      |
| Sodium (Na)                           | 150   | ppm                         | 6.52  | me/l      |
| Potassium (K)                         | 10    | ppm                         | 0.26  | me/l      |
| Sulfate (SO <sub>4</sub> )            | 920   | ppm                         | 19.14 | me/l      |
| Nitrate (as N)                        |       | ppm                         |       | me/l      |
| Chloride (Cl)                         | 60    | ppm                         | 1.37  | me/l      |
| Bicarbonate (HCO <sub>3</sub> )       | 517   | ppm                         | 6.13  | me/l      |
| Carbonate (CO <sub>3</sub> )          |       | ppm                         |       | me/l      |
| Iron (Fe)                             |       | ppm                         |       | me/l      |
| Fluoride (F)                          |       | ppm                         |       | me/l      |
| Hardness (EDTA as CaCO <sub>3</sub> ) |       | ppm                         |       | me/l      |
| Alkalinity (Methyl Orange)            | 424   | ppm (as CaCO <sub>3</sub> ) |       | g.p.g.*** |
| Alkalinity (Phenolphthalein)          | 0     | ppm (as CaCO <sub>3</sub> ) |       |           |
| Electrical Conductivity               | 4040  | micromhos per cm at 25° C   |       |           |
| Sodium Adsorption Ratio               | 1.16  |                             |       |           |
| Sodium                                | 11.16 | % of cat                    |       |           |
| Residual sodium carbonate             | 0.00  | me/l                        |       |           |
| pH                                    | 7.27  |                             |       |           |
| Others:                               |       |                             |       |           |

\*ppm=parts per million

\*me/l=millequivalents per liter

\*\*\* g.p.g. = gra

**COMMENTS:**

By:

Service Performed

**Make checks payable to: Water Quality Laboratory**

Cut along dotted line and return the lower portion with payment

Sample No.



Permit No. 2940-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That William and David Curry

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 2940-3, issued upon Application No. 2940-3, bearing date of priority of September 3,  
1976 authorizing the diversion of 2.28 cu. ft. per second of the waters of \_\_\_\_\_  
groundwater (one well) County of Union, State of South Dakota in  
the Center of the SE 1/4, Section 21-T91N-R49W  
\_\_\_\_\_, for irrigation

purposes, has \_\_\_\_\_ complied with the provisions of the laws of the State of South Dakota relating to proof of  
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory  
condition for diverting and conveying to the place of intended use 2.0 cu. ft. per second of water.

Date September 17, 1979

John Hatch  
JOHN HATCH, Chief Engineer  
Water Rights, WWD

## STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 2940-3

(1) WHEREAS, On the 19th day of March A. D. 19 76  
William & David Curry

made Water Right Application No. 2940-3 for a permit to use 2.28 cubic feet per second of the water  
 of groundwater (one well)

County of Union State of South Dakota, for irrigation

purpose; and  
 (2) WHEREAS, On the 30th day of September A. D. 19 76

Permit No. 2940-3, with a date of priority of September 3, 1976

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water  
 supply system therein described on or before the 30th day of September A. D. 19 81 and for the  
 application to be beneficial use of said water on or before the 30th day of September A. D. 19 81

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota  
 relating to completion of the construction of the water supply system and is entitled to divert 1.94 cubic feet  
 per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota  
 relating to the application of water to beneficial use of the following extent,

to irrigate a 136 acre circle in the SE1, Section 21 - T91N - R49W

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to William and David Curry  
of Elk Point, SD  
the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 2940-3 a water right, dating from September 3, 1976  
to use of 1.94 cubic feet per second of the water  
of groundwater (one well)  
in the County of Union and State of South Dakota, or so much thereof as may be necessary, for the  
purposes hereinafter mentioned, to be diverted at in the center of the SE 1/4 Section 21, T01N-R49

and conduct to and upon a 136 acre circle in the SE 1/4, Section 21-T01N-R49W

for the purpose of irrigation

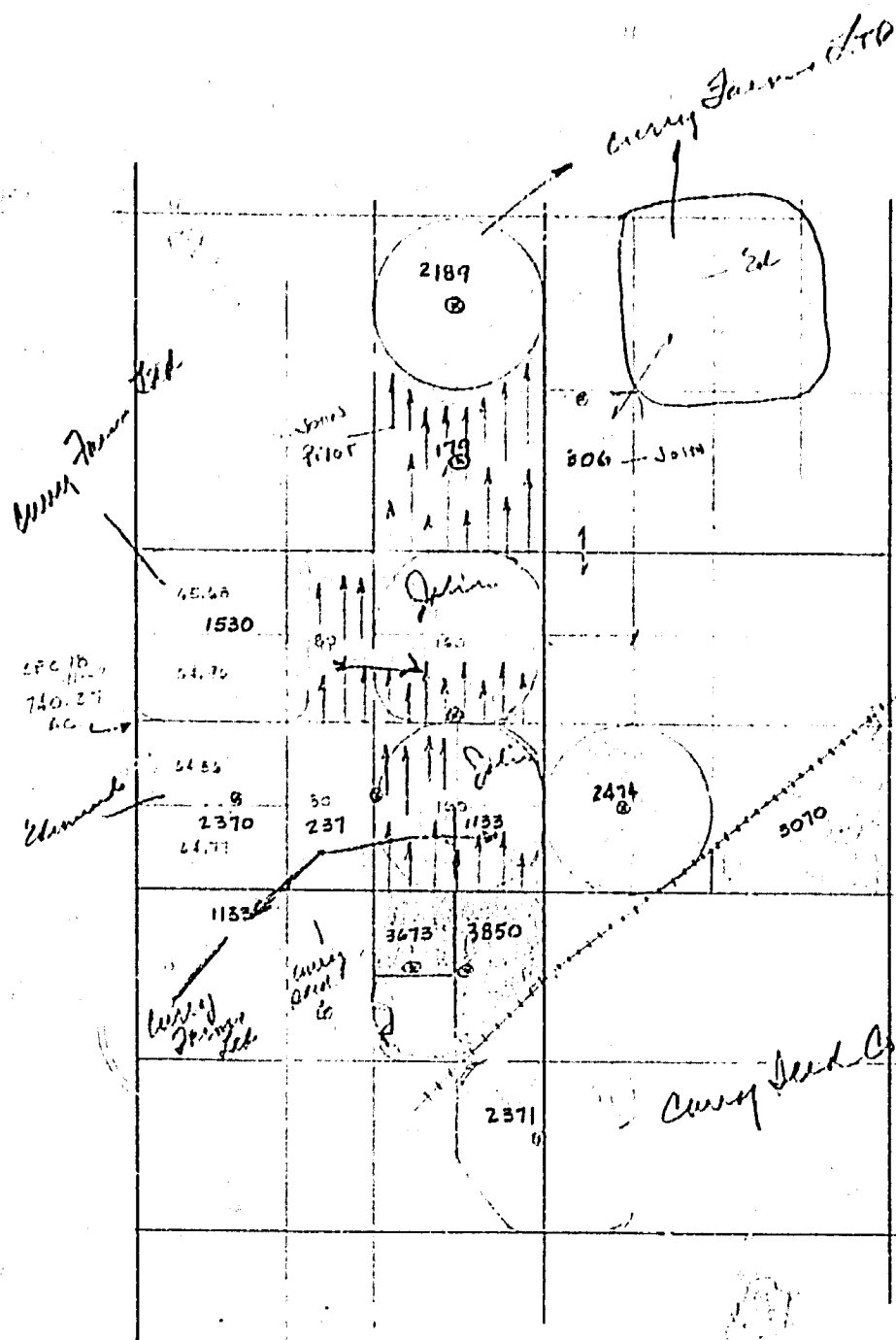
Subject to any limitations listed in Water Right Permit No. 2940-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 17th day of September A. D.  
Nineteen Hundred and Seventy-nine

Board of Water Management

By:

John Hatch  
Chief Engineer JOHN HATCH



Form 6 - Notice of Intent to Appropriate Water

J. 2940-3

Publish first publication, on or before September 16, 1976

NOTICE  
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 9, 1976

Notice is hereby given that William & David Curry  
whose post office address is Elk Point, 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  
2.28 cubic feet of water per second of time from the ground water through the  
Curry Bros. # 1, the point of diversion of which is to be located in the  
Center of the SE 1/4  
of Section 21, Twp. 51N, Range 40W. Said water to be used for the purpose  
of providing irrigation on <sup>portions of</sup> the following described land:

SE 1/4 Section 21, T51N, R40W

This application No. 2940-3 will be considered by the Water Rights Commission at their office at  
Pierre upon the 29th day of September, 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: William & David Curry, Elk Point, S. D. 57025

No. 2940-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Union ) ss.

I, Lester C. Emerson hereby  
certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the Leader Courier

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 Elk Point

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

September 16, 1976

September 23, 1976

Lester C. Emerson  
(Signature)

Publisher  
(Title)

September 23, 1976  
(Date Signed)

LEADER COURIER, ELK POINT  
Thursday, September 23, 1976

NOTICE OF INTENT TO  
APPROPRIATE WATER  
Pierre, South Dakota 57501  
September 8, 1976

Notice is hereby given that  
William and David Curry, whose  
post office address is Elk Point,  
South Dakota, has made an appli-  
cation in accordance with the pro-  
visions of the water laws of South  
Dakota for a permit to appropri-  
ate for beneficial use 2.28 cubic  
feet of water per second of time  
from ground water through the  
Curry Bros. #1, the point of di-  
version of which is to be located  
in the center of the SE 1/4 of Sect-  
ion 21, Twp. 191N, Range 49W.  
Said water to be used for the pur-  
pose of providing irrigation in  
portions of the following de-  
scribed land, SE 1/4 Section 21, T191N,  
R49W.

This application No. 2940-3  
will be considered by the Water  
Rights Commission at their offi-  
ce at Pierre upon the 29th day of  
September, 1976, at 10:00 A.M.  
All interested persons may appear  
and be heard.

WATER RIGHTS COMMISSION

By: Burton F. Jones  
Water Rights Specialist  
(Pub. Sept. 16, 23)

34



Form 10.

No. 2940-3  
2189-2

NOTICE OF COMPLETION OF WORKS AND/OR  
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Elk Point, S.D.  
Date 3 Dec. 1976 57025

TO: Water Rights Commission  
Joe Foss Building  
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2940-3

Water right Permit No. 2940-3 states that the diversion system is to be constructed by Mar. 30, 1979 and that the water is to be put to beneficial use by Sept. 30, 1981.

The diversion system was completed on June, 1976.  
Applying the water to beneficial use was completed on July, 1976.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

x William D. Curry  
x David M. Curry  
(Signature)



Permit No. 2940-3Water Division 3 Big Sioux River Water District

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

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by William E. David  
CURRY of ELK POINT holder  
 of Permit No. 2940-3, bearing date of priority of SEPTEMBER 3, 1976  
 authorizing the diversion of 2940-3 cu. ft. per second of the waters of GROUND WATER  
 for IRRIGATION purposes, in UNION County.

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

The Water Use System consists of,

A. Works used to divert the water:

118' DEEP WELL WITH 16" DIA TRANSITE CASING  
 WESTERN LAND ROLLER 8" PUMP - MOD 5-12CH  
 POWERED BY 75 HP - US. ELECTRIC MOTOR

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

WELL AT CENTER OF PLOT

C. Works used to apply water to beneficial use.

VALLEY ELECTRIC DRIVE CENTER PLOT SYSTEM WITH  
 END GUN

The system is in the following condition: GOOD

The point of diversion is located IN THE CENTER OF THE SE<sup>4</sup> SECTION 21,  
T9N, R49W

The works are capable of diverting and conveying to the place of use 2.0cu. ft. per second of water which is to be used for IRRIGATION

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

FOR IRRIGATING A 136 ACRE CIRCLE IN THE  
SE<sup>4</sup> SECTION 21, T9N, R49W

comprising a total of 136 acres of land.

Date

JULY 26, 1979

(Signature)

Martin Jones

# RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7004

PIERRE, August 22, 1979

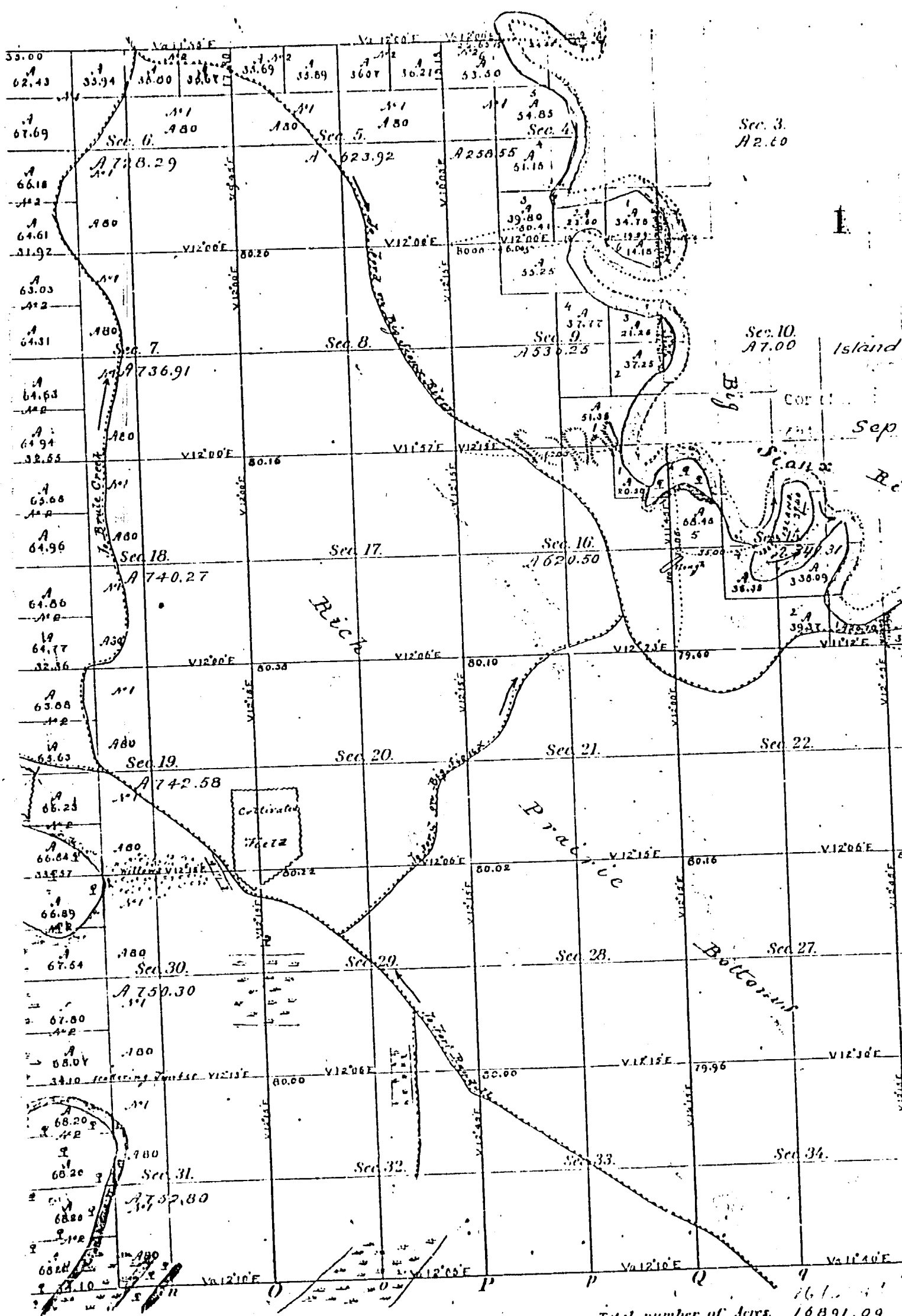
RECEIVED OF Curry Seed Co., Box 517, Elk Point, SD 57025  
the following amount in fees for services rendered as provided for by law:

|                                                                                                                    |  |       |
|--------------------------------------------------------------------------------------------------------------------|--|-------|
| Fee for Application for Permit to Appropriate Water No. .... (examination, processing, recording and filing) ..... |  |       |
| Fee for Inspecting Construction, and issuing Cert. of Construction No. <u>2940-3</u>                               |  |       |
| Fee for Inspecting Beneficial Use, and issuing Water License No. <u>2940-3</u>                                     |  | 12 00 |
| Fee for Issuing Location Certificate-Dry Draw, No. ....                                                            |  |       |
| Fee for filing .....                                                                                               |  |       |
| Fee for certified copy of .....                                                                                    |  |       |
| Fee for Print copy of map .....                                                                                    |  |       |
| Fee for Certifying .....                                                                                           |  |       |
| Fee for .....                                                                                                      |  |       |
| (any other work as provided by law)                                                                                |  |       |
| TOTAL                                                                                                              |  | 12 00 |

WATER RIGHTS COMMISSION

By John Hatch  
Chief Engineer, Executive Officer

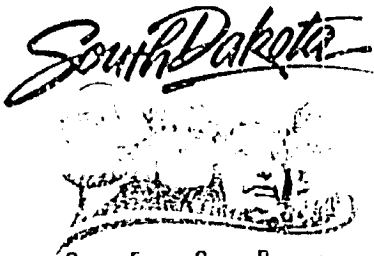
JOHN HATCH 97



Total number of Acres. 16891.09

| Survey Designated            | By Whom Surveyed | Date of Contract           | Amount of Survey | When Surveyed             |
|------------------------------|------------------|----------------------------|------------------|---------------------------|
| Township lines               | John Wall        | Aug 1 <sup>st</sup> 1860   | M. C. E.         | Oct 2 <sup>nd</sup> 1860  |
| Subdivisions                 | Carl H. Thompson | July 24 <sup>th</sup> 1861 | 55-51-10         | Sept 1 <sup>st</sup> 1861 |
| Division of Island in Sec 18 | Wm. M. Chisum    | July 21 <sup>st</sup> 1874 | 70-50            | Aug 5 <sup>th</sup> 1874  |

|        |                           |                           |                  |
|--------|---------------------------|---------------------------|------------------|
| 179-3  | J.J. CURRY & SONS         |                           | JOHN CURRY       |
| 237-3  | J.J. CURRY & SONS         |                           | EDMOND CURRY     |
| 306-3  | CURRY BROS.               |                           | ED CURRY         |
| 1086-3 | ED & JAMES CURRY          | GIEGLERS                  | CURRY FARMS LTD. |
| 1133-3 | J.J. CURRY & SONS         | ROCK GARDEN               | CURRY FARMS LTD. |
| 1530-3 | EDMOND L. CURRY           | MAIN FARM                 | CURRY FARMS LTD. |
| 2370-3 | EDMOND & JACQUELINE CURRY | HYSTRONKS                 | EDMOND CURRY     |
| 2371-3 | CURRY SEED CO.            | GERONIMA DONNELLY         | CURRY SEED CO.   |
| 3854-3 | ED CURRY                  | ALICE CURRY'S & COMPANY'S | CURRY FARMS LTD. |
|        |                           |                           |                  |
| 2189-3 | WILLIAM & DAVID CURRY     | TOM'S NORTH               | CURRY FARMS LTD. |
| 2940-3 | WILLIAM & DAVID CURRY     | WALSLEY                   |                  |



GREAT FACES. GREAT PLACES.

February 1, 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

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

CURRY SEED CO, OPERATOR  
PO BOX 517  
ELK POINT SD 570250517

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2189-3, 2940-3. The request for the Questionnaire was dated October 17, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 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 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

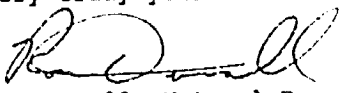
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 2189-3, 2940-3 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 February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours.

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

cc: William and David Curry, RR 1, Box 254, Elk Point SD 57025

**SENDER:** Complete items 1 and 2 when additional services are desired and complete items 3 and 4.  
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you with a record of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ **Show to whom delivered, date, and addressee's address.** (Extra charge)  
 2. ☐ **Restricted Delivery** (Extra charge)

|                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. Article Addressed to:<br>William & David Curry<br>RR 1, Box 254<br>Elk Point SD 57025                                                | 4. Article Number<br>P430 906 196<br>Type of Service:<br><input type="checkbox"/> Registered <input type="checkbox"/> Insured<br><input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD<br><input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise<br>Always obtain signature of addressee or agent and <b>DATE DELIVERED</b> . |
| 5. Signature — Addressee<br>X <i>William Curry</i><br>6. Signature — Agent<br>X <i>[Signature]</i><br>7. Date of Delivery<br>FEB 7 1991 | 8. Addressee's Address (ONLY if requested and fee paid)                                                                                                                                                                                                                                                                                                                                   |



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 11, 1991

Curry Seed Company  
Box 517  
Elk Point, SD 57025

RE: Irrigation Questionnaires and/or Chemical Application Use  
Data for Water Permit Nos. 237-3, 306-3, 324-3, 501-3, 1086-3,  
1133-3, 1136-3, 1297-3, 1530-3, 2141-3, 2189-3, 2370-3, 2371-3,  
2450-3, 2940-3, 3910-3, 4438-3, 4582-3, 4598-3, 5030-3, 5201-3,  
and 5254-3

Dear Sir:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and/or chemical application use data for the above listed Water Permits. You may disregard the February 1, 1991. Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV  
Water Rights Division

2940-3

WILLIAM AND DAVID CURRY  
BOX 517  
ELK POINT  
SD 57025

C. J. J. J.

UN/SR

6

This is the Water Management Board data  
sheet for recording 1980 GROUNDWATER  
source irrigation estimates.

Please fill out and return at once.

No. Acres irrigated with Groundwater 160  
If you did not irrigate during 1980-check this box ☐ No system ☐

November 1980  
For Dept. use only

| Type of Power        | No. acres irrigated | Total Energy used-1980 |
|----------------------|---------------------|------------------------|
| 1. Electric          | <u>160</u>          | <u>35,440</u> kWh      |
| 2. Gravity           | _____               | _____ gal              |
| 3. Gasoline          | _____               | _____ cf               |
| 4. Nat. Gas pipeline | _____               | _____ gal              |
| 5. Diesel            | _____               | _____ gal              |
| 6. Propane           | _____               | _____ gal              |
| 7. Other             | _____               | _____ gal              |

Type of System:

1. Hand Moved sprinklers \_\_\_\_\_
2. Portable booms \_\_\_\_\_
3. Center pivots (# of) 1
4. Gated pipes \_\_\_\_\_
5. Sidewheel \_\_\_\_\_
6. Towlines \_\_\_\_\_
7. Gun type \_\_\_\_\_
8. Hydromatic \_\_\_\_\_
9. Siphons \_\_\_\_\_
10. Flood \_\_\_\_\_
11. Other \_\_\_\_\_

Owner or address change, if any:

Please complete front and back.

| Month       | # days pumped | Average # hours per day | Average pump rate (gpm) | Acres of Crop Irrigated and Estimated Water Use |            |            |       |
|-------------|---------------|-------------------------|-------------------------|-------------------------------------------------|------------|------------|-------|
|             |               |                         |                         | Crop                                            | Acres      | Water Used | Acres |
| April       |               |                         |                         |                                                 |            |            |       |
| May         |               |                         |                         |                                                 |            |            |       |
| June        | <u>10</u>     | <u>20</u>               | <u>1100</u>             | <u>Corn</u>                                     | <u>160</u> |            |       |
| July        | <u>20</u>     | <u>20</u>               | <u>1100</u>             | <u>Corn</u>                                     | <u>160</u> |            |       |
| August      | <u>10</u>     | <u>20</u>               | <u>1100</u>             |                                                 |            |            |       |
| Sept.       |               |                         |                         |                                                 |            |            |       |
| Oct.        |               |                         |                         |                                                 |            |            |       |
| Other Month |               |                         |                         |                                                 |            |            |       |

Season Static Water Level: beginning \_\_\_\_\_ end \_\_\_\_\_

Comments:

Complete and return to:

WATER MANAGEMENT BOARD  
Water Rights Division  
Joe Foss Building  
Pierre, SD 57501

Curry Seed Co.  
William & David Curry  
Box 517  
Elk Point, SD 57025

The South Dakota Office of Energy has requested your cooperation in completing the following:

1979

| Type of Power        | No. Acres Irrigated | Total Energy Used |
|----------------------|---------------------|-------------------|
| 1. Electric          | <u>132</u>          | <u>4500</u> kwh   |
| 2. Gravity           | _____               | _____             |
| 3. Gasoline          | _____               | _____ gal         |
| 4. Nat. Gas pipeline | _____               | _____ cf          |
| 5. Diesel            | _____               | _____ gal         |
| 6. Propane           | _____               | _____ gal         |
| 7. Other             | _____               | _____             |

1978

| Type of Power        | No. Acres Irrigated | Total Energy Used |
|----------------------|---------------------|-------------------|
| 1. Electric          | <u>132</u>          | <u>20,000</u> kwh |
| 2. Gravity           | _____               | _____             |
| 3. Gasoline          | _____               | _____ gal         |
| 4. Nat. Gas pipeline | _____               | _____ cf          |
| 5. Diesel            | _____               | _____ gal         |
| 6. Propane           | _____               | _____ gal         |
| 7. Other             | _____               | _____ gal         |

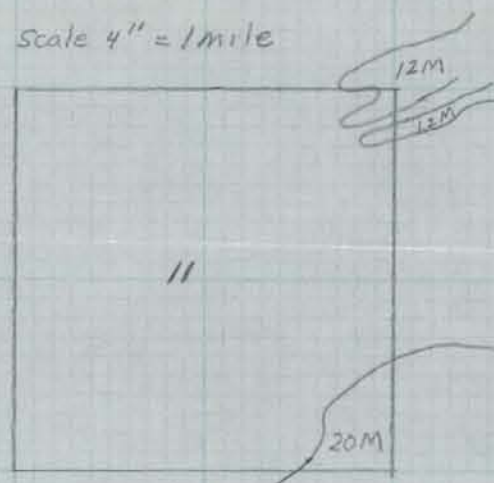
- What is your on-farm storage capacity for gasoline 0 gallons  
diesel 0 gallons
- What are your present plans for acres under irrigation for 1981?  
 \_\_\_\_\_ an increase in acres  
☒ irrigate same acres  
 \_\_\_\_\_ a decrease in acres
- A. Has your regular fuel supplier been able to meet your fuel needs for irrigation this past year?  
☒ yes  
 \_\_\_\_\_ no  
 B. If no, were you able to buy from other sources?  
 \_\_\_\_\_ yes  
 \_\_\_\_\_ no
- Would you continue irrigating the same number of acres in 1981 if the price of fuel increased-  

|                  |                    |
|------------------|--------------------|
| 10% yes _____    | 20% yes _____      |
| no _____         | no _____           |
| 15% yes <u>Z</u> | over 20% yes _____ |
| no _____         | no _____           |
- At what price for fuel would you cut back on irrigation activities? 1.80/gal
- What is your best estimate of your fuel needs for irrigation in 1981, if we experience a  
 Dry summer: \_\_\_\_\_ gallons.  
 Wet summer: \_\_\_\_\_ gallons.

2940-3

# SOILS MAP

Scale 4" = 1 mile



- ⑪ Modale Silt Loam Class I,  
Deep, moderately well drained, nearly level silty soils  
Suitable for Irrigation
- ⑫ Benclare Soils, overwash Class II<sub>w</sub>,  
Deep, moderately well and somewhat poorly drained soils  
0.3 in. Intake family - Suitable for Irrigation
- ⑬ FORNEY Soils overwash (II<sub>w</sub> class)  
Silt Loam, fine sandy loam or silty clay loam  
Suitable for Irrigation

SE<sup>4</sup> SECTION 21,  
T91N R49W  
160 AC. To be  
Irrigated.

Well - Point of Diversion

1320'

1320'

SE CORNER  
SECTION 21, T91N R49W

Scale 8 inches = 1 mile

Ed Curry and Sons  
ELK POINT, SOUTH DAKOTA 57025  
CURRY & SONS Irrigation Project  
160 AC. To Be Irrigated

U. S. DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE

|                                 |                    |                   |
|---------------------------------|--------------------|-------------------|
| Designed <u>JMBaline 2/9/76</u> | Date <u>2/9/76</u> | Approved by _____ |
| Drawn <u>JMBaline 2/9/76</u>    | Title _____        | Sheet _____       |
| Traced _____                    | No _____           | Drawing No. _____ |
| Checked _____                   | of _____           |                   |