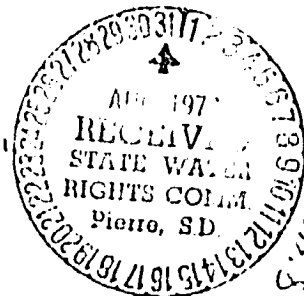


Water Right Number 2974-3

1. Considered 9-29, 19 76
2. Name of Applicant DARWIN OSCHNER
3. Post Office Address ALPENA
4. Amount of water claimed 1.4
5. Source of water supply 60' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 98
7. Water to be diverted and used in BEADLE County
about 2N 3W Miles of ALPENA
8. Proof of Publication
Received 1st 9-29-76
Not received
9. Application
Approved
Subject to
Not approved
Action deferred
10. Remarks:

No. 2974-3
 Map No. 2303-3 Water Division No. 3 JAMES RIVER District _____
 (Blanks to be filled by the Engineer for the W. R. C.)


APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Darwin Qehsner
 Postoffice address Alpena, State S.D., 57312
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct labor & contract
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) _____
5. Source of water supply ground water
6. Location of point of diversion Proposed - Well; located SE $\frac{1}{4}$ Section 34, T 109 N, R 63 W
which is 110 rods north and 121 rods west of the SE corner of Section 34, T 109 N,
R 63 W in Beadle County County Beadle
7. Annual period or periods during which water is to be used April 1 - November 1
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 98

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.
NE $\frac{1}{4}$ Sect. 34, T109N, R63W	40		
NW $\frac{1}{4}$ Sect. 34, T109N, R63W	20		
SE $\frac{1}{4}$ Sect. 34, T109N, R63W	36		
SW $\frac{1}{4}$ Sect. 34, T109N, R63W	2		

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 Daily Plainsman
12. Principal Features of the Proposed Water Supply System.

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

Bowl Pump

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

Mainline

C. Works proposed to apply water to beneficial use.

High Volume GunEstimated Total Cost \$ 6000.00
 Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instruction, concerning preparation.)

STATE OF SOUTH DAKOTA

County of _____

 I, Darwin Qehsner, 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 Darwin QehsnerSubscribed and sworn to before me this 10th day of April, 1974

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2974-3DARWIN OSCHNER
(Applicant)ALPENA
(Post Office Address)SOUTH DAKOTA 57312
(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 AUGUST 31, 19 76Date of return to applicant for correction, amendments or changes required —, 19 —Date of receipt of corrected application SEPTEMBER 9, 19 76Approved SEPTEMBER 29, 19 76, Recorded in Book 15 Page 318WATER RIGHT PERMIT NO. 2974-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2974-3 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 AUGUST 31, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 29, 19 79
3. The whole of said work is to be completed on or before SEPTEMBER 29, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith SEPTEMBER 29, 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 1.4 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 is 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 SEPTEMBER 29, 19 83; said water to be used during the following described annual period: APRIL 1 TO NOVEMBER 1

Witness my hand this 19TH day of NOVEMBER, 19 76

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —Water License Issued —, 19 —

NAME Norman Coleman

DATE Aug 12-40

PURPOSE _____

SGT

DRILLER Emil

LOCATION: NW NE SW SE SECT. 34 TWP. _____

RNG. _____

1. _____
2. 1-2 7-29 soil
3. 3-18 31 soil
4. 19-20 Blue clay
5. 20-30 Sand & gravel
6. 30-33 Blue clay
7. 33-46 gravel
8. 46-47 Blue clay
9. 47-50 gravel
10. 50-56 Blue clay
11. _____
12. #2 - 2 ft top soil
13. 2-43 gravel
14. _____
15. _____
16. _____
17. _____
18. _____
19. #3 2 ft top soil
20. 2-40 gravel
21. 40-42 Blue clay
22. 42-43 gravel
23. 43-50 Blue clay
24. _____
25. _____
26. _____

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

D Well Information or Estimates Well driller will furnish

(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. Well driller will furnish

(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 wells.

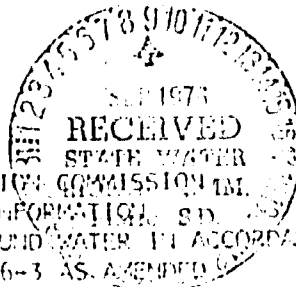
On same owner's property Approx. 960 rds. On property owned by others 172 rds.

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.

Daniel Scher
Signature of Applicant

CONSERVATION
COMMISSION
FORM WI #1



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

(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION)

NAME DARWIN CCHMER
ADDRESS 11 DENA, SD 57312
COUNTY BEADLE

LEGAL DESCRIPTION

- (Proposed) Sec 34, T109N, R63W
1. WELL LOCATION: 1/2 mile North and 1/2 mile West of the SE corner Sec 34, T109N, R63W
2. LOCATION OF AREA TO BE IRRIGATED: NE 1/4 SECTION 34, T109N, R63W lying east of the railroad right of way.

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN X
4. CROPS TO BE IRRIGATED CORN, ALFALFA, GRASS

WATER QUALITY

5. SAMPLE NUMBER 76-570 Sampled Satd June 1, 1976 from well in 584, Sec 34, T109N, R63W. Copy of analysis is attached.
6. SALINITY (EC X 10⁶) _____
7. SODIUM (SAR) _____
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 Beadle 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.

X Darwin Cchmer
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
24 DAY OF Aug 19 76

Ken Zwick
(TITLE OR SEAL)

Albert L. Dwyer
APPROVED BY _____

(COPIES INFORMATION ON REVERSE SHEET)

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

Submitted by: Dan A. Coomes

Date Rec'd JUN 2, 1976

Address ALPENA, SD 57312

Sample No. 76-570

Identification 1011

WATER ANALYSIS 34. T. 102N. R. 63E

WATER ANALYSIS

Calcium (Ca)	83	ppm	4.65	me/l ^{***}
Magnesium (Mg)	62	ppm	6.35	me/l
Sodium (Na)	162	ppm	7.65	me/l
Potassium (K)	46	ppm	1.03	me/l
Sulfate (SO ₄)	407	ppm	8.42	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	30	ppm	0.62	me/l
Bicarbonate (HCO ₃)	478	ppm	7.84	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)	392	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2365	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	3.03			
Sodium	37.24	% of cations		
Residual sodium carbonate	0.60	me/l		
pH	7.31			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 10.98 me/l
Total anions 17.63 me/l

By: Shirley Mitten

Service Performed

Amount Due

Irrigation analysis

\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-570

Amount Enclosed \$

Signed

No. 9

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, Marshall G. Jones hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Beadle County Record

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Beadle of Beadle

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

September 20, 1976

September 27, 1976

Marshall G. Jones
(Signature)

Beadle County
(Title)

September 27, 1976
(Date Signed)

F.P. 9-20-76 L.P. 9-27-76
NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
September 18, 1976

Notice is hereby given that
Darwin Ochsner whose post office
address is Alpena, 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 1.4 cubic feet of water per second
of time from ground water through
the Ochsner No. 1, the point of
diversion of which is to be located in
the NW 1/4, SE 1/4 of Section 34, Twp.
109, Range 63W. Said water to be
used for the purpose of providing
irrigation on portions of the
following described land: NE 1/4,
Section 34, T109N, R63W.

This application No. 2974-1 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
No. 314 (adv.)

Form 6 - Notice of Intent to Appropriate Water

No. 2974-3

Publish first publication, on or before September 20, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 10, 1976

Notice is hereby given that Darwin Oschner
whose post office address is Alpena, 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

1.4 cubic feet of water per second of time from the ground water through the

Oschner # 1, the point of diversion of which is to be located in the

NW 1/4 SE 1/4

of Section 34, Twp. 110N, Range 63W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

NE 1/4, Section 34, T110N, R63W

This application No. 2974-3 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

BFG/dw

cc: Darwin Oschner, Alpena, S. D. 57312

Form 10.

No. 2774-3

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

Post Office Alpena, S. Dak.

Date 1-3-77

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. 2774-3.

Water Right Permit No. 2774-3 states that the diversion system is to be constructed by 9-27, 1971 and that the water is to be put to beneficial use by 9-29, 1973.

The diversion system was completed on 12-20, 1976.
Applying the water to beneficial use was completed on _____,
19____.

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.

Darwin Ochens
(Signature)



 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 (605) 773-3352

July 2, 1982

Darwin D Oschaner
Alpena,
South Dakota 57312

Dear Mr. Ochsner:

Enclosed herewith are, Water License No. 3458-3 and Certificate of Construction.

Water License No. 3458-3 is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

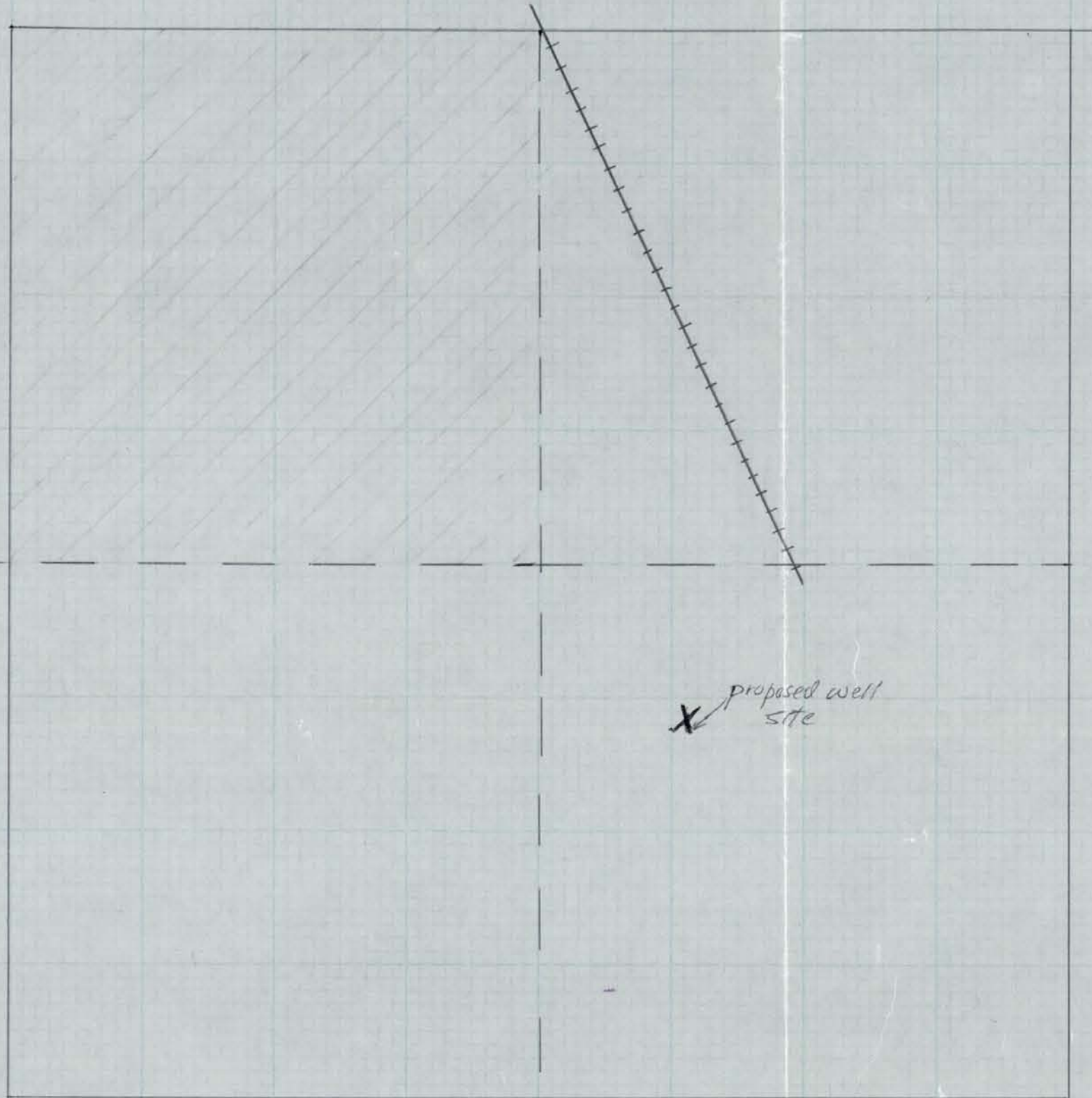
JH: ks

enclosures

NOTE: The applicable portions of Permit No. 2974-3 have been incorporated into this Water License No. 3458-3.

DARWIN OCHSNER
Section 34-T109N-R63W

Prepared by Kenneth A. Huska
District Conservationist
Kenneth A. Huska
8/24/76



X proposed well site

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn		Title
Traced		Title
Checked	Sheet No.	Drawing No.
	of	