

Water Right Number 2990-3

1. Considered 9.29 1976

2. Name of Applicant SHIRLEY TREEBY

3. Post Office Address HECLA

4. Amount of water claimed 4.0

5. Source of water supply 2-98' WELLS

6. Water to be used for IRRIGATION

Acres to be irrigated 280

7. Water to be diverted and used in _____

BROWN

County

about 2E, 3N

Miles _____

of HECLA

8. Proof of Publication

Received 9-27-76

Not received _____

9. Application

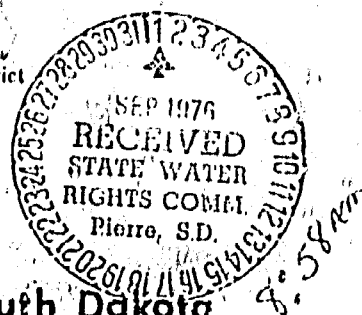
Approved _____

Subject to _____

Not approved _____

Action deferred _____

10. Remarks:

No. 2990-3Map No. 2319-3 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 SHIRLEY TREEBY
Postoffice address HECLA, State S. DAK 57446
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) 4 CFS (2 CFS for EACH QUARTER)
5. Source of water supply WELL (2) EACH QUARTER
6. Location of point of diversion 80' S, 80' W OF NE COR OF SECTION 11
128-61 - 80' S, 80' W OF SE COR OF SECTION 11,
128-61 County BROWN
7. Annual period or periods during which water is to be used APRIL - NOV
8. Use to be made of water (irrigation, industrial, municipal, commercial, recreational, etc.) IRRIGATION
9. For irrigation use, Total number of acres to be irrigated 280

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.
NW NE 11 - 128-61	35	NW SE 11 - 128-61	35
NE NE 11	35	NE SE 11	35
SW NE 11	35	SW SE 11	35
SE NE 11	35	SE SE 11	35

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 yrs. 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 ABERDEEN AMERICAN NEWS
12. Principal Features of the Proposed Water Supply System.

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

PUMP

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

PIPE

C. Works proposed to apply water to beneficial use.

CENTER PIVOTEstimated Total Cost \$ 100.000Attachments: 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 BrownI, Shirley Treeby 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 Shirley TreebySubscribed and sworn to before me this 26th day of August 19 76Deana H. Keale
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2990-3

SHIRLEY TREEBY

HECLA

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57446

(State)

With the following modifications:

The irrigation wells approved under this Permit ~~is~~ located near domestic 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.

Date of first receipt of application SEPTEMBER 1, 19 76

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

Date of receipt of corrected application SEPTEMBER 3, 19 76

Approved SEPTEMBER 29, 19 76, Recorded in Book 16 Page 96

WATER RIGHT PERMIT NO. 2990-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2990-3 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 rights SEPTEMBER 1, 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 77
3. The whole of said work is to be completed on or before SEPTEMBER 29, 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 29, 19 79
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 4.0 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 SEPTEMBER 29, 19 79; said water to be used during the following described annual period: APRIL - NOVEMBER

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

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

WORK ORDER

[illegible]

Materials Used	
1-2	Topsoil
3-19	Yellow clay
19-27	gray smooth soft clay
27-92	brown sand
92-110	gray sandy clay

3-19 yellow clay

19-27 clay
27-97 clay smooth soft clay

77-92 3 small soft clay
brown sand 40-25 clay
92-110

92-110 gray sandy clay

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 12 1/2", Depth 98' TEST HOLE
 (2) Casing, Type Steel Diameter 12" ID Thickness 3/8"
 (wood, concrete, steel, etc.)
 (3) Perforated Screen.
 Type STAINLESS STEEL, Diameter 12", Length 15'
 (4) Gravel Pack, Thickness 2 3/4", Length of gravel pack 15'

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 brown clean sand 40-95 slot

Depth to top of water bearing material 72'

Depth to bottom of water bearing material 92'

Thickness of water bearing material 15'

Depth to water (ground surface to water level) 14'

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

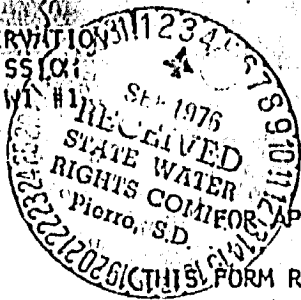
On same owner's property 1 mile rds. On property owned by others 2 miles rds.

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.

Signature of Applicant

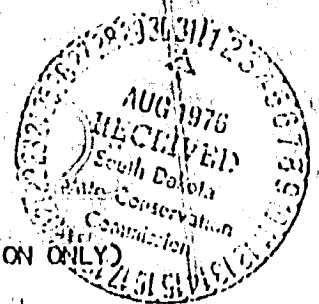
CONSERVATION
COMMISSION
FORM WT. #1



STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION

APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED

THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY



NAME

Shirley Treedy

ADDRESS

4000 E. 2nd St. Pierre

COUNTY

Pierre

LEGAL DESCRIPTION

1. WELL LOCATION

CENTER WELL NO. 1 OF SECTION 11 - 128-61

2. LOCATION OF AREA TO BE IRRIGATED

SAME

TYPE OF IRRIGATION

3. GRAVITY

TOWLINE

CENTER PIVOT

GUN

4. CROPS TO BE IRRIGATED

WATER QUALITY

5. SAMPLE NUMBER

1 SEPTIN

6. SALINITY (EC) 1.06

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 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.

APPLICANT'S SIGNATURE

Shirley Treedy

SUBSCRIBED AND SWORN BEFORE ME THIS

20th DAY OF August 1976.

Leona H. Kaden

(TITLE OR SEAL)

APPROVED/DISAPPROVED

Albert J. Hest

(SOILS INFORMATION ON REVERSE SIDE)

2990-3

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

Submitted by: Dr. C. E. Freedy
 Address: Brookings, SD 57446

Date Rec'd: July 27, 1976
 Sample No. 76-881
 Identification 11-
11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

WATER ANALYSIS

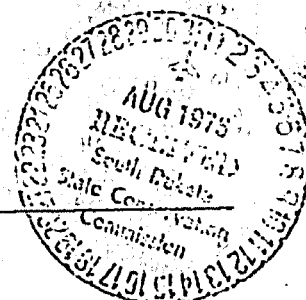
Calcium (Ca)	89	ppm*	4.45	me/l**
Magnesium (Mg)	23	ppm	1.35	me/l
Sodium (Na)	25	ppm	1.09	me/l
Potassium (K)	3	ppm	0.08	me/l
Sulfate (SO ₄)	31	ppm	0.64	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	16	ppm	0.44	me/l
Bicarbonate (HCO ₃)	425	ppm	6.96	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	348	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	741	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.61			
Sodium	14.51	% of cations		
Residual sodium carbonate	0.62	me/l		
pH	7.01			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 7.51 me/l
 Total anions 8.04 me/l



By: Shirley Litten

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. 76-881

Amount Enclosed \$

Signed

Form 6 - Notice of Intent to Appropriate Water

No. 2990-3

Publish first publication, on or before September 20, 19 76

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

~~September 13~~, 19 76

Notice is hereby given that Shirley Treeby
whose post office address is Hecla, 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
4.0 cubic feet of water per second of time from the ground water through the
Treeby # 2, the point of diversion of which are to be located in the

Center of the NE $\frac{1}{4}$ and Center of the SE $\frac{1}{4}$

of Section 11, Twp. 128N, Range 61W. Said water to be used for the purpose
of providing irrigation ^{portions of} on the following described land:

E $\frac{1}{2}$, Section 11, T128N, R61W

This application No. 2990-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 29th day of September, 19 76, at 10:00 AM. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

Shirley Treeby, Hecla, S. D. 57446



Department of Water & Natural Resources

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

2990-3

NOTICE

September 13, 1983

TO: S.G. Treeby
Rt 1, Box 125
Hecia, South Dakota 57446

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

Re: Violation of Permit No(s). 2640-3, 4667-3 and 4898-3
by Failure to Submit Required 1982 Irrigation Questionnaire

The Water Management Board has directed that hearing(s) be held to determine what action the Board should take for violation of the Water Permit No(s). 2640-3, 4667-3 and 4898-3 qualification that requires the Irrigation Water Use Questionnaire to be submitted each year.

The hearing(s) will also be to determine if Permit No(s). 2504-3, 2990-3, 3006-3, 3043-3, 3121-3, and 4351-3 should be amended to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:30 p.m., October 5, 1983, Civil Defense Room, Basement, State Capitol Building, Pierre, South Dakota. Water Rights Division records do not show that the 1982 Irrigation Questionnaire for Permit No(s). 2640-3, 4667-3 and 4898-3 has been received. The questionnaire was requested on the following dates:

1. September 1982 Initial request
2. December 1982 follow-up request
3. March 22, 1983 Notice that submittal of questionnaire is a qualification to water permit.
4. August 1983 Notice that Board had directed owners of permits not in compliance with the Irrigation Questionnaire qualification be given until August 30, 1983 to submit the 1982 questionnaire with any permit owner in violation after August 30 to be given notice for hearing before the Board.

Equal Opportunity Employer

The hearing(s) 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. Suspend Permit No(s). 2640-3, 4667-3, and 4898-3 until either the 1982 Questionnaire is submitted or for a period of up to one year;
2. Amend Permits No(s). 2504-3, 2990-3, 3006-3, 3043-3, 3121-3, and 4351-3 also held by S.G. Treeby to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

These hearing(s) are 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.

2990-3

Water Rights Division
605 773-3352

September 21, 1983

2640-3
4667-3
4898-3

E.G. Treaby
RR 1, Box 125
Hecle SD 57446

Dear Mr. Treaby:

This letter will acknowledge receipt of and thank you for the return of your 1982 Irrigation Questionnaires. A notice was sent to you September 13, 1983 regarding the Irrigation Questionnaire submittal violation of Permits No. 2640-3, 4667-3 and 4898-3 and the date hearings are to be held before the Water Management Board to determine any action to be taken concerning the violation. Our records now show that you have returned the 1982 Irrigation Questionnaires and no longer are in violation of your permits.

Please disregard the notice sent to you dated September 13, 1983. 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

JH:ks



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

May 18, 1984

NOTICE OF PERMIT SUSPENSION AND AMENDMENTS

TO: S.G. Treeby, Hecla SD 57446

FROM: John Hatch, Chief Engineer, Water Rights Division *John Hatch*

SUBJECT: Suspension of Water Permit Nos. 2640-3 and 4898-3 for 1984
Irrigation Season and Amendment of Permit No. 2504-3, 2990-3
3006-3, 3043-3, 3121-3 and 4351-3

Notices were sent to you during November 1983, December 1983, and March 1984 to return your 1983 Irrigation Water Use Questionnaires for Permit Nos. 2504-3, 2640-3, 2990-3, 3006-3, 3043-3, 3121-3, 4351-3 and 4898-3. We have not received Irrigation Questionnaires for any of your permits.

Irrigation Questionnaire Qualification - Permit Nos. 2640-3 and 4898-3

Water Permit Nos. 2640-3 and 4898-3 have the following qualification:

"This Permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

At a Special Water Management Board Meeting May 14, 1984, the Board passed the following motion:

"That Water Permit Nos. 2640-3 and 4898-3 be SUSPENDED for the 1984 irrigation season, unless the required 1983 Irrigation Water Use Questionnaires are submitted by June 1, 1984."

Amendment of Irrigation Questionnaire Qualification to Permit Nos. 2504-3, 2990-3, 3006-3, 3043-3, 3121-3 and 4351-3

The Water Management Board has delayed taking any action on Water Permit Nos. 2504-3, 2990-3, 3006-3, 3043-3, 3121-3 and 4351-3 until the July 11-12, 1984 meeting. At the July hearing those Permits for which the 1983 Irrigation Questionnaires have not been received will be subject to disciplinary action. Action taken by the Board July 11, 1984 can include amendment to those Permits for which the 1983 Questionnaire has not been received by June 1, 1984 with the following qualification:

"This Permit as amended July 11, 1984 is subject to the Irrigation Questionnaire being submitted each year."

Equal Opportunity Employer

May 18, 1984

S.G. Treeby

Page 2

Amendment of a Permit will mean that a Permit can be suspended for up to one year for continued violation of the Irrigation Questionnaire requirement. The amendment may be made pursuant to SDCL 46-1-14.

The hearing before the Water Management Board July 11, 1984 will be at 10:30 am, Room 216, Joe Foss Building, Pierre SD.

Enclosed are additional questionnaires. Please advise if you have any questions, or you do not believe our records are correct.

JH:GM:ks

SOUTH DAKOTA

Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

June 4, 1984

S.G. Treeby
Hecla SD 57446

Dear Mr. Treeby:

This letter will acknowledge receipt of your 1983 Irrigation Questionnaire for Permits No. 2504-3, 2640-3, 2990-3, 3006-3, 3043-3, 3121-3, 4351-3 and 4898-3.

Sincerely,



GENNY MCNATH
Natural Resources Analyst

GM:ks

Equal Opportunity Employer



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 4898-3

2990-3

3006-3
3121-3

NOV 25 1986

S. G. Treeby
RR#1, Box 125
Hecla, South Dakota 57446

Dear Mr. Treeby:

Enclosed herewith is, Water License No. 4898-3. This 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:ms

Enclosures

Applicable portions of Water Permit Nos. 2990-3, 3006-3 and 3121-3 are being incorporated into this Water License No. 4898-3.

WNR-817 3/83
Transmittal of Water License

FA
ROTATOR

OWNER

SHIRLEY TREEBY

557-14-6621-7

M91 ROBERT CHAMBERLIN

41

OW HECLA S D 57446

5 of 17

Tract No.

41-25

Farm No.

Operator

Owner

NE

97.1

52.5

44.6

MAP PREPARED BY
RICK ULBRICH
D.C. - SCS - BROWN CO
RICK ULBRICH

80rds

WELL

80rds

WELL

80rds

80rds

Legal Description

11-128-61

SE

MAP NO 2319-3 (APRIL 2990-3)