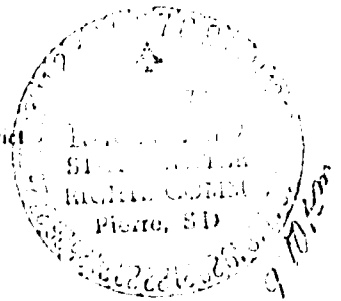


Water Right Number 3199-3

1. Considered 11-17, 19 70
2. Name of Applicant RAILLE BEOS
3. Post Office Address EUREKA
4. Amount of water claimed 2.22
5. Source of water supply 67'
6. Water to be used for IRRIGATION
Acres to be irrigated 640
7. Water to be diverted and used in CAMPBELL County
about 16E, 4S Miles of MOUND CITY
8. Proof of Publication
Received 1ST
Not received
9. Application
Approved
Subject to
Not approved
Action deferred
10. Remarks:

No. 3197-3Map No. 2462-3 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 Raile Bros. (Bruce E. or Michael W.)
 Postoffice address Eureka, State South Dakota 57437
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
3. Name of diversion work Raile Bros. (Bruce E. or Michael W.) Unit #1
4. Amount of water claimed (cubic feet per second) 2.22
5. Source of water supply Ground Water
6. Location of point of diversion A POINT IN THE NE 1/4 OF SECTION 2 T125N, R74W
- County Campbell
7. Annual period or periods during which water is to be used March - November
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 640

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 1/4 of 2-125-74	160		
NE 1/4 of 2-125-74	160		
SE 1/4 of 2-125-74	160		
SW 1/4 of 2-125-74	160		

Attach sheet if more space is needed

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

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

Pump Bowl

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

Main Line

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ -----

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
) ss.
 County of Campbell)

I, Raile Bros.
Bruce E. or Michael W. 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 [Signature]Subscribed and sworn to before me this 19 day of June 1974

Notary Public or other qualified officer

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3199-3
RAILE BEOS EUREKA
 (Applicant) (Post Office Address)

SOUTH DAKOTA 57437 With the following limitations:
 (State)

The irrigation well 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.

See also
 4368-3
 3898-3

Date of first receipt of application OCTOBER 6 19 76
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application OCTOBER 27 19 76
 Approved NOVEMBER 17 19 76 Recorded in Book 16 Page 266
 WATER RIGHT PERMIT NO. 3199-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3199-3 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 OCTOBER 6 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 17 19 79
3. The whole of said work is to be completed on or before NOVEMBER 17 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith NOVEMBER 17 19 83
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who by compliance with the laws of the State of South Dakota have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.22 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 5 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 NOVEMBER 17 19 83 and water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 23RD day of DECEMBER 19 76

WATER RIGHTS COMMISSION

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —

PAGE NO.

Evrett Lodna
FOREMAN

Jt. No.	DEPTH	TIME	Unit #1	REMARKS	DESCRIPTION
1	0-20		0-4 Topsoil Yellow Clay		
			4-20 Coarse yellow sand & gravel		
2	20-35		20-22 Coarse yellow sand & gravel		
			22-32 Blue Clay		
			32-35 Gravel		
3	35-50		35-41 Blue Clay		
			41-50 Coarse gravel		
4	50-65		50-57 B B gravel		
			57-65 Large rocks & gravel water loss coal		
5	65-80		65-67 Large rocks & gravel water loss coal		
			67-80 Blue Clay		
			41-67 = 26' good gravel		
			Cased Hole #1		
			Cased to 65'		
			4" Plastic		
			30 ft. Slotted Bottom		
			35 ft. Blank		
			2000 lbs. pea rock		
			Waterhead 22 ft.		
			Pumped 85 GPM		
			1.5" Retip drag bit		
			1 used 7 7/8"		
			5 1/2 bags bentonite		

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

D. Well Information or Estimates

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

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property 240 rds. On property owned by others 400 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.

Brian B. B. B.
Signature of Applicant Brian B. B. B.

October 19, 1976

Baile Brothers
Eureka, SD 57437

Dear Sir:

Your water sample (Lab. No. 76-1541) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

The WI-1, soils information, and a copy of the water analysis are being forwarded to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

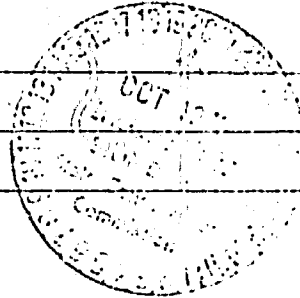
P.S. You must be able to provide at least surface drainage for soil areas 38 and 51. You will be extremely disappointed and have lots of difficulty getting stuck, etc with those pockets unless you drain them.

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

NAME Boile Brothers (Bruce E. or Michael E.)

ADDRESS Eureka, South Dakota 57437

COUNTY Campbell



LEGAL DESCRIPTION

1. WELL LOCATION East side midcenter down of NW¼ of 2-125-74
2. LOCATION OF AREA TO BE IRRIGATED NW¼ of 2-125-74, NE¼ of 2-125-74, SE¼ of 2-125-74
SW¼ of 2-125-74

TYPE OF IRRIGATION

3. GRAVITY TOWLINE CENTER PIVOT GUN
4. CROPS TO BE IRRIGATED Corn, Alfalfa, Small Grain

WATER QUALITY

5. SAMPLE NUMBER 76-1541
6. SALINITY (EC X 10⁶) 981 (moderately high)
7. SODIUM (SAR) 1.71 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0.24

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 Campbell 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.

[Signature]
APPLICANT'S SIGNATURE

Approval does not imply that this project can be carried
out successfully in all circumstances. Individual manage-
ment will, to a large degree, determine the relative
success of this venture.

SUBSCRIBED AND SWORN BEFORE ME THIS
DAY OF 19

(TITLE OR SEAL)

APPROVED/DISAPPROVED

(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: 7-11-77
 Address: 52437
cc: Huron Dilling, Inc.
P.O. Box 1422
Huron, SD 57350

Date Rec'd: Oct 7, 1976
 Sample No. 76-1541
 Identification 1 Well-
1, Sec. 2, T 125N, R 74

WATER ANALYSIS

Calcium (Ca)	77	ppm*	2.25	me/l**
Magnesium (Mg)	33	ppm	2.71	me/l
Sodium (Na)	71	ppm	3.09	me/l
Potassium (K)	9	ppm	0.23	me/l
Sulfate (SO ₄)	184	ppm	3.92	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.17	me/l
Bicarbonate (HCO ₃)	415	ppm	6.30	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.**
Alkalinity (Methyl Orange)	340	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	981	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.71			
Sodium	31.27	% of cations		
Residual sodium carbonate	0.24	me/l		
pH	7.63			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 9.88 me/l
 Total anions 10.79 me/l



By: Shirley Patten

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. 76-1541

Amount Enclosed \$

Signed

Form 6. - Notice Intent to Appropriate Water

No. 3199-3

Publish first publication, on or before

November 9, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 5, 1976

Notice is hereby given that Raile Brothers

whose post office address is Eureka, 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 2.22 cubic feet of water per

second of time from ~~the~~ ground water through the

Raile Brothers #1, the point of diversion of which is to be located in the NE1 NW1

of Section 2, Twp. 125N, Range 74W. Said water to be used for the purpose of providing irrigation on the following described land:

section 2, T125N, R74W

This application No. 3199-3 will be considered by the Water Rights

Commission at the Marvir Rughitt Hotel in Euron, South Dakota

upon the 17th day of November, 1976 at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFI/bw

cc: Raile Brothers, Eureka, SD 57437

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 3199-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brown) ss.

I, Dianne Brenden hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Aberdeen American News

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

City _____ of Aberdeen

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

November 9, 1976

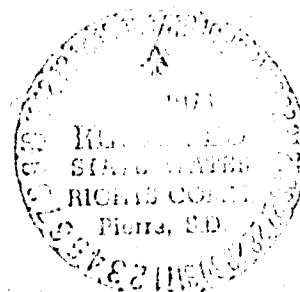
November 16, 1976

Dianne Brenden
(Signature)

Principal Clerk
(Title)

November 16, 1976
(Date Signed)

No. 3199-3 - NOV 9 16 - 1976
NOTICE OF INTENT TO
APPROPRIATE WATER
Notice is hereby given that Ralle
Brothers whose post office address is
Eureka, 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 222 cubic feet of water per
second of time from ground water
through the Ralle Brothers No. 1, the
point of diversion of which is to be
located in the NE 1/4 NW 1/4 of Section 2,
Twp. 125N, Range 74W. Said water to be
used for the purpose of providing
irrigation on portions of the following
described land: Section 2, T125N, R74W.
This application No. 3199-3 will be
considered by the Water Rights Com-
mission at the Marvin Hughitt Hotel in
Huron, South Dakota upon the 17th day
of November, 1976 at 10:00 A.M. All
interested persons may appear and be
heard.
WATER RIGHTS COMMISSION
By: Burton F. Jones, Water Rights
Specialist.



re: 3199-3

May 8, 1978

Lawrence O. Fine
Dept. of Plant Science
219 Agricultural Hall
S.D.S.U.
Brookings, SD 57007

Mr. Fine:

I am writing in answer to your letter dated April 28, 1978 concerning water availability in Campbell County.

Section 2, T125N, R74W is presently under water right permit 3199-3 for 640 acres from shallow (0-70 feet) wells.

Under Section 2 there are possibly three separate aquifers, the Selby aquifer, an intermediate aquifer and the deep-glacial aquifer. These aquifer are referenced in Bulletin 20, U.S. Geological Survey, 1970 by Neil Koch.

From a test log on the NE $\frac{1}{4}$ -2-T125N-R74W, the aquifer thicknesses are as follows:

Selby 26 to 67 feet
Intermediate 150 to 160 feet
Deep 278 to 314 feet

The water quality is generally good and of sufficient quantity to irrigate from, especially the Selby and deep glacial aquifers.

Personally, I do not favor full-section center pivots because of the large amount of water necessary to operate the pivot, the speed at which the outside land is covered, and the problems with possible shut-downs. This is only personal opinion and not intended to tell an individual what or how to irrigate.

Before making any plans to buy a system adequate test drilling should be done because the information I have given you is general and the aquifers do vary substantially in Campbell County.

If you have any further questions, please contact our office.

Sincerely,

Gale N. Selken
Hydrologist

GNS/bt



Department of Water & Natural Resources

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

March 23, 1987

RAILE BROTHERS, Bruce Raile
BOX 608
EUREKA, SD 57437

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). 3898-3, ~~3199-3~~, 4368-3. 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). 3898-3, 3199-3, 4368-3 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.



Department of Water & Natural Resources

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

April 13, 1987

(3199-3)
3898-3
4368-3

Raile Brothers
RR #1 Box 151
Eureka, SD 57437

Dear Sirs:

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. 3199-3, 3898-3 and 4368-3 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

#3149-3
#9363-3
#3898-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Raile Brothers
RR 1, Box 151
Eureka, SD 57437

Dear Sirs:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

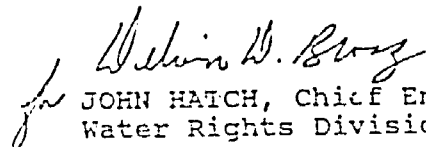


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

3199-3



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

RAILS BROTHERS
RR 1 BOX 151
EUREKA SD 57437

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 3199-3, 3898-3 & 4368-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3199-3, 3898-3 & 4368-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

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

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



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

February 7, 1992

3199-3
3898-3
4358-3

Raile Brothers
RR #1 Box 151
Eureka, SD 57437

Dear Sirs:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 3199-3, 3898-3, and 4368-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst
Water Rights Division

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

RAILE BROTHERS
RR 1 BOX 151
EUREKA, SD 57437

4a. Article Number

P 906 557 203

4b. Service Type

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

7. Date of Delivery

1-29-92

5. Signature (Addressee)

6. Signature (Agent)

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



3199-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: RAILE BROTHERS
RR #1 BOX 151
EUREKA SD 57437

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 3199-3, 3898-3 & 4368-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has indicated that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3199-3, 3898-3 & 4368-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

ed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

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

- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

3199-3

4a. Article Number

P006560034

RAILE BROTHERS
RR #1 BOX 151
EUREKA SD 57437

4b. Service Type

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

7. Date of Delivery

2-4-93

5. Signature (Addressee)

6. Signature (Agent)

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

Is your RETURN /

PS Form 3811, December 1991

★ U.S.G.P.O.: 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

3199-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 9, 1993

3199-3
3898-3
4368-3

Raile Brothers
RR #1 Box 151
Eureka, SD 57437

Dear Sirs:

I am writing to acknowledge receipt your 1992 irrigation questionnaires. I must assume that since you did not include the questionnaire for No. 4368-3, that the information was included on forms for Nos. 3199-3 and 3898-3.

You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaires. The questionnaires were received prior to the Water Management Board meeting, and your name was deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

3199-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 1996

3199-3

3898-3

Mike Raile
RR 1, Box 151
Eureka SD 57437

Dear Mr. Raile:

Enclosed are two partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Permit Nos. 3199-3 and 3898-3. The permits are currently listed in the name of Raile Brothers.

The transfer forms should be checked over for accuracy and signed by the you (the owner) in the presence of a notary public. Upon completion, return the form to our office with a filing fee of \$2.50 for each notice.

The final inspection of your system was completed on July 18, 1995, by Mark Rath, staff engineer. After the transfer forms have been received, we can issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. The water license is the final document which completes the process of obtaining a water right. Upon receipt of \$55.00 (\$50 for water license and \$5.00 for the transfers) the water license will be sent to you.

if you have any questions, please contact Mark Rath or me at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program

enclosures

OCT 1996
WATER RIGHTS
PROGRAM
Pierre, SD
605/224-2272

No. 3199-3

Date: Oct 3, 1956

formerly owned by: **Raile Brothers**

be transferred to: (name & address) Michael W. Rade R 1 Box 151
Europe. S. Dak. Telephone No. 1-605-234-2972

N 1/2 Section 2-T125N-R74W

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
)
County of Campbell)

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

Michael W. Ford
(Signed)

Subscribed and sworn to before me this 7th day of October, 1996

[Signature]
(Notary Public)
Expires 10-30-21

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

415140

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 8, 19 96

RECEIVED OF Michael W. Raile, RR 1, Box 151, Eureka, SD 57437-9656

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Permit No. 3199-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

Schmitt



DEC 26 1996

3199-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

3898-3

Michael W. Raile
RR 1, Box 151
Eureka, SD 57437-9656

Dear Mr. Raile:

Enclosed is Water License No. 3898-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 3898-3 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License. Also enclosed are Receipt Nos. 415140 and 415141 for the Transfer of Ownership on Water Permit Nos. 3199-3 and 3898-3.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 3898-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Water Permit No. 3199-3 have been incorporated into this Water License No. 3898-3.

HURON DRILLING INC.
WELL LOCATION MAP

NAME Raile Bros. (Bruce E. or Michael W.)

DATE October 1 19 76

WELL NO. #1

NW

QUARTER, SECTION 2-

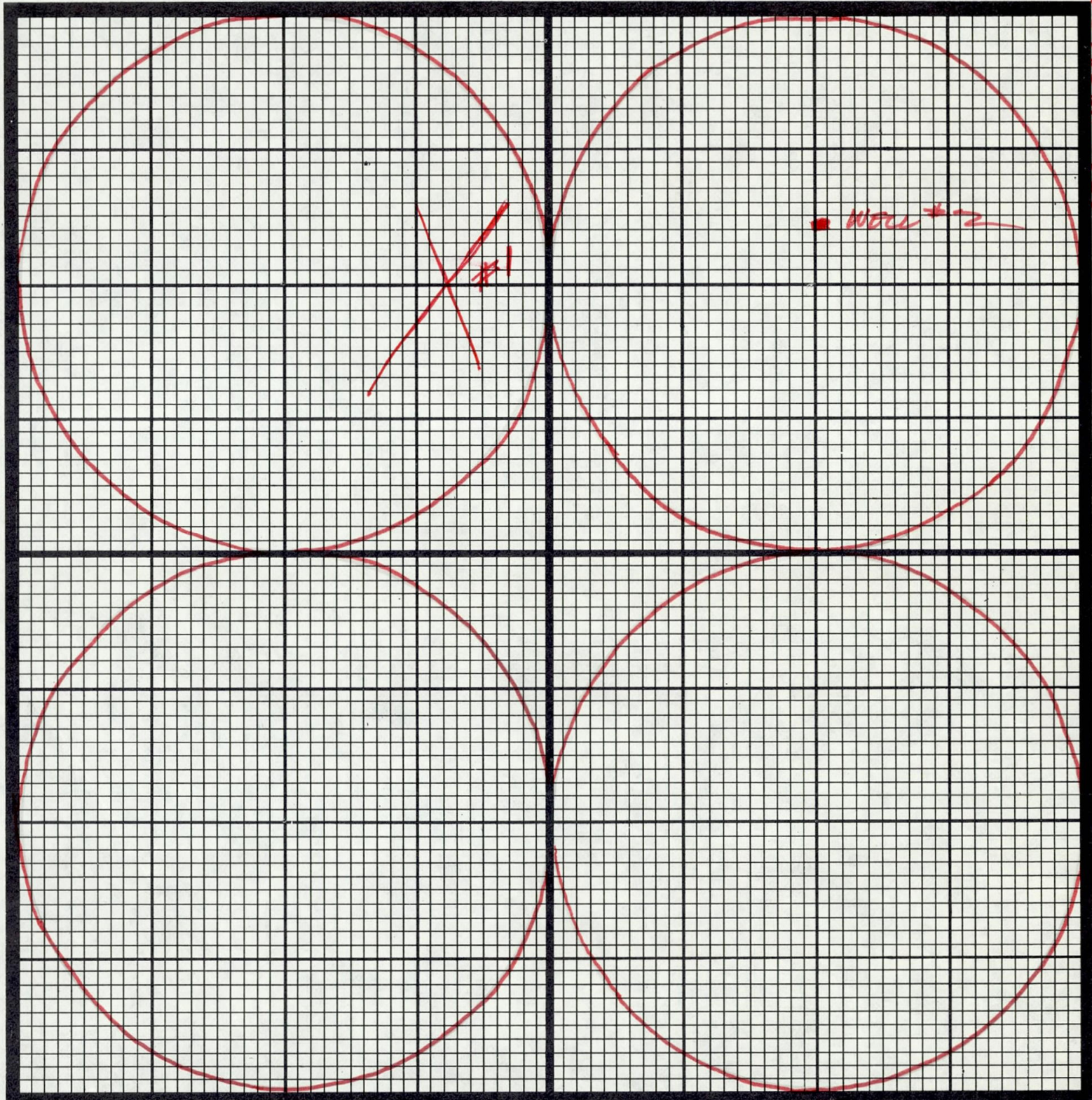
TWP. 125

RANGE 74

IN

Campbell

COUNTY



Prepared By Dick Fadgen

Dick Fadgen

Beadle County Extension Agent

PROPOSED LOCATION

3898-3
6613199-3
APP NO 3199-3
MAP NO 2462-3