

Water Right Number 3246-3

1. Considered () 1-26, 19 77
2. Name of Applicant RALPH E. DOXBURY
3. Post Office Address HURLEY
4. Amount of water claimed 4.85
5. Source of water supply 4.0' WELL (4)
6. Water to be used for IRRIGATION
Acres to be irrigated ~~4.35~~ 34.0
7. Water to be diverted and used in TURNER County
about 2E, 2N Miles of HURLEY
8. Proof of Publication
Received 1-14-77
Not received
9. Application
Approved
Subject to
Not approved
Action deferred

10. Remarks:

No. 3246-3Map No. 2534-3 Water Division No. 3 VERMILLION 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 Ralph E. Duxbury
Postoffice address Hurley, State S. Dak. 57036
If a corporation show date and place of incorporation no
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work Ralph E. Duxbury Irrigation System #1
4. Amount of water claimed (cubic feet per second) 6.35 1.85
5. Source of water supply wells
6. Location of point of diversion Approx. center of the SW $\frac{1}{4}$ 12 and SW $\frac{1}{4}$ 13; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 13 and the
approx. center of the NW $\frac{1}{4}$ 23 all in T. 98 R. 53
County Turner
7. Annual period or periods during which water is to be used April - 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 340

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.
Approx. 9 $\frac{1}{2}$ ac. NE of slough &		Approx. 75 ac. W. and N. of	
16 ac. SW of slough SW $\frac{1}{4}$ 12-98-53, 110		slough in the SW $\frac{1}{4}$ 13-98-53	75
Approx. 65 ac. N & E of slough		Approx. 70 mostly in NE $\frac{1}{4}$	
and 20 ac. SW of slough in the	85	23-98-53. (See ASCS Photo)	70
NW $\frac{1}{4}$ 13-98-53			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 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 Hurley Leader, Hurley, S. Dak. 57036
12. Principal Features of the Proposed Water Supply System.

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

Electric Pumps

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

Short buried pipelines to Center Pivots and Flexible Hose lines to Pig Guns.

C. Works proposed to apply water to beneficial use.

Sprinkler Systems.

Estimated Total Cost \$ 120,000.00Attachments: 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 Turner) ss.I, Ralph E. Duxbury, 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 Ralph E. DuxburySubscribed and sworn to before me this 31 day of Oct., 1954

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3246-3
RALPH E. DUXBURY HURLEY 21 3rd 29
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57036 With the following modifications:
 (State)

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 adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application OCTOBER 22, 1976
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application NOVEMBER 10, 1976
 Approved JANUARY 27, 1977 Recorded in Book 17 Page 56

WATER RIGHT PERMIT NO. 3246-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3246-3 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 22, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 27, 1978
3. The whole of said work is to be completed on or before JANUARY 27, 1980-82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 27, 1982-84
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 4.85 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 JANUARY 27, 1982 said water to be used during the following described annual period: APRIL - NOVEMBER

Extension of time approved 1/3/80

Witness my hand this 7TH day of APRIL, 19 77

WATER RIGHTS COMMISSION

By: John A. Hatch
 Civil Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

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

D. Well Information or Estimates *

(1) Drill Hole, Diameter 18", Depth 40'
 (2) Casing, Type steel Diameter 1 1/2" Thickness 1/4"
 (wood, concrete, steel, etc)
 (3) Perforated Screen
 Type Johnson stainless steel Diameter 1 1/2" Length 15'
 (4) Gravel Pack, Thickness 2", Length of gravel pack 25'

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 18' Sand and Gravel, 2' blue clay, then
20' of water bearing sand and gravel.

Depth to top of water bearing material 20'

Depth to bottom of water bearing material 40'

Thickness of water bearing material 20'

Depth to water (ground surface to water level) 20'

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

On same owner's property none rds. On property owned by others 120 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.

n/a

*Information shown will be approximately the same for all 4 proposed wells.

** F. (2) Continued:

NW 1/4 13 - Well on same owners property 130 rds. & other prop. 120 rds.

SW 1/4 13 - Well on same owners Prop. none & other prop. 80 rods.

NE 1/4 23 - Well on same owners Prop. 65 & others prop. 95 rods.

Mark E. DePuy
 Signature of Applicant

CONSERVATION
COMMISSION
FORM W1, #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 47-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME Ralph E. Duxbury

ADDRESS Harley, S. Dak. 57036

COUNTY Turner

LEGAL DESCRIPTION

1. WELL LOCATION Approx. center of the SW $\frac{1}{4}$ 12 and the SW $\frac{1}{4}$ 13; NE $\frac{1}{4}$ 12 and the approx. center of the N-NE $\frac{1}{4}$ 23-98-53.
2. LOCATION OF AREA TO BE IRRIGATED Approx. 9 $\frac{1}{2}$ ac. NE of slough and 15 ac. SW of slough SW $\frac{1}{4}$ 12; Approx. 65 ac. N & E. of slough and 20 ac. SW of slough in the NW $\frac{1}{4}$ 13-98-53 and approx. 75 ac. W. and N. of slough in the SW $\frac{1}{4}$ 13-98-53 and approx. 70 ac. mostly in the N-NE $\frac{1}{4}$ 23-98-53.

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT 3 GUN 2
4. CROPS TO BE IRRIGATED Corn and Alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-1688
6. SALINITY (EC x 10⁶) 96.2 (moderately high)
7. SODIUM (SAR) 2.19 (low)
8. RESIDUAL SODIUM CARBOATE (meq/l.) 0

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

SUBSCRIBED AND SWORN BEFORE ME THIS
23 DAY OF Oct 19 76.

Ralph E. Duxbury
(TITLE OR SEAL)
Notary Public

Ralph E. Duxbury
APPLICANT'S SIGNATURE

Approval does not imply that this project can be carried out successfully in all circumstances. In full and manifest intent to a large degree, determine the relative success of this venture.

Approved
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: Ralph E. Duxbury
 Address: Hurley, SD 57036

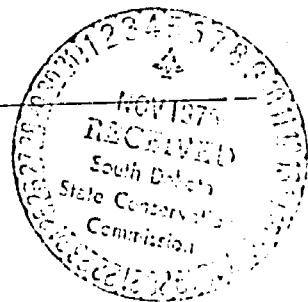
Date Rec'd October 25, 1976
 Sample No. 76-1688
 Identification Well-40
SW4, Sec. 12, T. 98N, R. 53E

WATER ANALYSIS

Calcium (Ca)	133	ppm*	6.65	me/l**
Magnesium (Mg)	55	ppm	4.51	me/l
Sodium (Na)	10	ppm	0.44	me/l
Potassium (K)	3	ppm	0.08	me/l
Sulfate (SO ₄)	312	ppm	6.49	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.06	me/l
Bicarbonate (HCO ₃)	305	ppm	5.00	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	250	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	962	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.19			
Sodium	3.76	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.42			
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g.p.g.=grains per gallon

COMMENTS: Total cations 11.68 me/l
 Total anions 11.55 me/l



By: Shirley Mitten

Service Performed:	Amount Due
Irrigation analysis	\$8.00

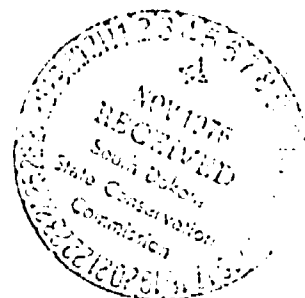
Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1688

Amount Enclosed \$

Signed



November 2, 1976

Mr. Ralph E. Duxbury
Hurley, SD 57036

Dear Mr. Duxbury:

Your water sample (Lab. No. 76-1658) 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. Finn

L. O. Finn
Water Quality Lab

LOF:ckl
Enclosures
cc: State Conservation Commission

No. 224C-2

Publish first publication, on or before January 10, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

~~December 10~~, 1977

Notice is hereby given that Ralph E. Duxbury
whose post office address is Hurley, South Dakota, make an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
4.95 cubic feet of water per second of time from the ground water through the
Dunbury #1, the point of diversion of which is to be located in the
~~center of the SW $\frac{1}{4}$, Section 21, Center of the SW $\frac{1}{4}$ and NE $\frac{1}{4}$, NW $\frac{1}{4}$,
section 13, center of the NE $\frac{1}{4}$, NE $\frac{1}{4}$,~~
of Section 23, Twp. 98N, Range 53W. Said water to be used for the purpose
of providing irrigation on the following described land:
~~SW $\frac{1}{4}$, Section 12; SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 13; NE $\frac{1}{4}$, Section 13, all in~~
township 98N, R53W

This application No. 224C-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of January, 19 77, 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: Ralph E. Duxbury, Hurley, SD 57036

*Called 12-28-76
238-5229 had been
notified already
by Duxbury
Bul*

STATE OF SOUTH DAKOTA)
County Turner) ss.

I, James E. Huff hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Hurley Leader

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 Hurley

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

Thursday, January 6, 1977

Thursday, January 13, 1977

James E. Huff

(Signature)

Publisher

(Title)

1-13-77

(Date Signed)

— THE HURLEY LEADER —

Thursday, January 13, 1977

No. 3246-3

NOTICE

INTENT TO

APPROPRIATE WATER

Pierre, South Dakota 57501

Notice is hereby given that
Ralph E. Duxbury, whose
post office address is Hurley,
South Dakota, has made an ap-
plication in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
4.85 cubic feet of water per sec-
ond of time from ground water
through the

Duxbury No. 1
the point of diversion of which is
to be located in the
center of the SW $\frac{1}{4}$; Section 12;
Center of the SW $\frac{1}{4}$ and NE $\frac{1}{4}$
NW $\frac{1}{4}$, Section 13; Center of the
N $\frac{1}{2}$ NE $\frac{1}{4}$,
of Section 23, Twp. 98N, Range
53W. Said water to be used for
the purpose of providing irriga-
tion on portions of the following
described land:

SW $\frac{1}{4}$, Section 12; SW $\frac{1}{4}$, NW $\frac{1}{4}$,
Section 13; NE $\frac{1}{4}$, Section 23, all
in Township 98N, R53W

This application No. 3246-3 will
be considered by the Water
Rights Commission at their of-
fice at Pierre upon the 26th day
of January, 1977, at 10:00 A. M.
All interested persons may ap-
pear and be heard.

By: BURTON F. JONES

Water Rights Specialist

Publish: Jan. 6 & 13, 1977

Jan 13, 1977

J. E. Duxbury

Notary Public 7-11-80

Turner County

A.D.



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7206

PIERRE, January 7, 1910

RECEIVED OF Ralph F. Durbury, Hurley, SD 57036

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.		
Fee for Inspecting Beneficial Use, and issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing <u>extension of time for water right No. 3246-3</u>	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL		2 50

WATER RIGHTS COMMISSION

By (John Hatch)
Chief Engineer, Executive Officer

JOHN HATCH

(97)

APPLICATION FOR EXTENSION OF TIME



To: Water Rights
Foss Building
Pierre, South Dakota 57501

Date Jan. 3, 1980

Dear Sirs:

In Water Right Permit No. 3246-3 it is specified that the water diversion system is to be completed by January 27, 1980 and that the water is to be put to the limit of beneficial use by January 27, 1982.

I hereby request that the date for completing the diversion system be extended to January 27, 1982 and that the date for putting the water to the limit of beneficial use be extended to January 27, 1984.

The extension of time for the completion of these works is requested for the following reasons: It gives me a better opportunity to spread out the cost factor in obtaining financing for the project, phases in gradually the other operational and management adjustments inherent in irrigation farming.

Financing is the primary reason for the need of an extension.

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

Ralph E. Dufour
(Signed)

3246-3
Permit Number

APPROVED: 1-30-80

Board of Water Management

BY: Burton J. Jones

I have completed and in operation two Center Pivot installations on the project. One Completed in 1977, One in 1979.

Check Enclosed:



Department of Water & Natural Resources

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

February 6, 1980

Mr. Ralph E. Duxbury
Hurley, SD 57036

Dear Mr. Duxbury:

This is to inform you that your request for extension of time dated
January 3, 1980 for Water Right No. 3246-3 has been
approved by the Board of Water Management as follows:

The date for completing construction of the water system has
been extended to January 27, 1982, and the date for
putting the water to the limit of beneficial use has been
extended to January 27, 1984.

Enclosed herewith is Receipt No. 4 7206 for \$2.50 fee for filing
of this Extension of Time.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/bat

Equal Opportunity Employer

No. 3246-3

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

Rel. No. 29

Post Office Hurley, S.D. 57036

Date Jan. 26, 1984

TO: Water Rights
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 maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No.

3246-3

Water Right Permit No. 3246-3 states that the diversion system is to be constructed by Jan. 27, 1982, and that the water is put to beneficial use by Jan. 27, 1984.

The diversion system was completed on July 9, 1979. Applying the water to beneficial use was completed on July 9, 1979.

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.

Reginald E. Swinburn
(Signature)



JNR-810-7/79
Notice of Completion of Works and/or
Application of Water to Beneficial Use

DAKOTA RANCH



Berkshires

Ralph Duxbury and Daughters

RR1 Box 31

Hurley, S.D. 57036

Phone: (605) 228-5372

1 mile north, 1 mile east, 1 mile north of Hurley, S.D.

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

December 13, 1990

3246-3

James Lacey
Lacey Well Drilling
P.O. Box 796
Trent, SD 57065

Dear Mr. Lacey:

The Division of Water Rights is in the process of issuing a Water License for irrigation under Water Permit No. 3246-3 held by Ralph Duxbury, Turner County, South Dakota. In order to complete our file and before a Water License can be issued to Mr. Duxbury, an "as constructed" well log is needed for the following well:

NE1/4 of Section 23, T98N R53W

If you still have a copy of the "as constructed" well log for the above well, please forward a copy of the log to our office. The Water License cannot be issued until this information is obtained.

Your prompt attention in this matter will be appreciated. If you have any questions, please contact me.

Sincerely,

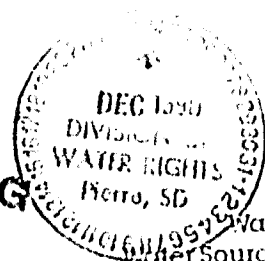
David S. Brown

David S. Brown
Natural Resources Engineer II
DWNR, Water Rights Division
(605) 773-3352

cc: Ralph Duxbury, RR 1, Box 29, Hurley, SD 57036

Wells
Test Drilling
Irrigation Supplies

In Water Since 1946
LACEY WELL DRILLING
Box 795
Trent, South Dakota 57045
Telephone 428-5686 or 428-5979



Pumps
Water Specialists
Water Source Heat Pumps

Mr. [unclear] what [unclear] in the
well [unclear] 1979. [unclear] [unclear] [unclear]
in the [unclear] [unclear]
here's what Mr. Duxbury has written
as it is different in the area 50' x 22' 78-53
just north of the middle of the quarter.

0-2 Topsoil
2-11 sand & clay - [unclear]
11-25 saturated gravel medium to coarse
25-47 coarse sand
drilled a 20' [unclear] [unclear] hole
set 35' x 14" x 1/4" [unclear] casing
set 10' x 14" H.C. 100' set [unclear] with
ss plate bottom - packed with 1/4" x 1/8"
[unclear] gravel - sealed top with clay
& bentonite - Test pump at 1200 gpm
in 20' of head down.

Thanks,

Jim
Lacey

11/2/77

4014-152, 11

7-20154200

DATE	DESCRIPTION	AMOUNT	CHECK NO.
10-2-76	Bank		
10-2-76	Bank		
10-2-76	Bank		
10-2-76	Bank		

30' of 14" Steel Inside.

16" 14" Johnson Stainless
Steel SCREEN
NE

GETTING INDUSTRIES, Inc.
House of Representatives Committee

№ 1734/18-2-МЮ/НС

THEME

Yellow Perch

then read vertical length of water surface measuring tube, when installed _____ ft, tube diameter _____
tube material _____



Vermillion River Water District**Report Of Examination Of Works And/Or Application of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Ralph E. Duxbury of RR 1, Box 29, Hurley, SD 57036 holder of Permit No. 3246-3, bearing the priority of October 22, 1976 authorizing the diversion of 4.85 cu. ft. per second of the waters of groundwater for irrigation purposes, in Turner County.

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

A. Works used to divert the water:

SW1/4 Section 12

One well - 43 feet deep, 28 feet of 14 inch steel casing and 15 feet of 14 inch Johnson stainless steel screen

National pump - Model N200, Serial No. 776146, 650 GPM

General Electric Motor - 40 HP, IDD-6229-02-114 R2108905

NE1/4 Section 23

One well - 47 feet deep, 38 feet of 14 inch steel casing and 10 feet of 14 inch stainless steel 100 slot screen with stainless steel plate on bottom

Western Land Roller Pump - Serial No. KC7938 EM, 650 GPM

General Electric Motor - Model 5K6252XH502A, Serial No. PPJ628317, 50 HP

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

SW1/4 Section 12

100 feet of 8 inch Aluminum pipe

NE1/4 Section 23

12 feet of 8 inch Aluminum

C. Works used to apply water to beneficial use:

SW1/4 Section 12

Valley Center Pivot - 7 towers with end gun, 90 psi, 650 GPM

NE1/4 Section 23

Zimmatic Center Pivot - 6 towers with end gun, Model 507, 80 psi, 650 GPM

The system is in the following condition good. The points of diversion are located 1,200 feet south and 1,200 feet west of the center of Section 12, and 1,530 feet north and 1,100 feet east of the center of Section 23, all in T98N R53W. The works are capable of diverting and conveying to the place of use 2.9 cu. 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: All in T98N R53W

<u>Section 12</u>	<u>Section 23</u>
<u>25 acres in the NW1/4 SW1/4</u>	<u>35 acres in the NW1/4 NE1/4</u>
<u>36 acres in the NE1/4 SW1/4</u>	<u>24 acres in the NE1/4 NE1/4</u>
<u>20 acres in the SE1/4 SW1/4</u>	<u>16 acres in the SE1/4 NE1/4</u>
	<u>22 acres in the SW1/4 NE1/4</u>

comprising a total of 178 acres of land and the license should be issued for 2.54 cfs.

Application permit qualifications have been complied with X Yes No

Exceptions to compliance are: none

Date July 13, 1988



David S. Brown
Natural Resources Engineer II
DWR, Water Rights Division

LICENSE FOR PERMIT NUMBER 3216-3 Ralph Dumbury

1. Legal location of wells: (well No. 1) at a point 1,200 feet south and 1,200 feet west of the center of Section 12, and (well No. 2) 1,530 feet north and 1,100 feet east of the center of Section 23, all in T98N R53W

Dams and Structures none

2. Well Information: Well Drilling Firm Gettling Industries (well No. 1), Lacey Well Drilling (well No. 2)

Completion Report? Yes X No No. of Wells 2 Depth(s) 43, 47 feet
Casing a) diameter 18, 1 1/2 inches Screen a) type both are stainless steel
b) length 28, 38 feet b) length 15, 10 feet
c) type steel, steel Static Water Level 16, unknown feet
Pump a) make National, Western Land Roller Motor a) make General Electric, General Electric
b) model N200, Serial No. KC7938 8M b) model no. unknown, 5K6252XM502A
c) size c) horsepower rating 40, 50
d) capacity 650, 650 GPM d) serial no. IDP-6229-02-114 R2108905, FPJ62P317
e) turbine pump - no. of stages
f) operating PSI 90, 80

3. Distribution lines or canals

a) size 8, 3 inches
b) type Aluminum
c) length 100, 12 feet

4. Dam Information: NA

a) height to crest feet m) Outlet tubes:
b) height to primary spillway feet 1) diameter inches
c) height to secondary spillway feet 2) type
d) crest width feet 3) valved (Y/N)
e) crest length feet 4) valve type
f) spillway length feet 5) location on structure
g) spillway width feet
h) approx. storage AC-FT n) Category of Dam
i) approx. storage to crest AC-FT
j) date constructed
k) inspection sheet completed? (Y/N)
l) name of contractor

5. System Type
- a) sideroll:
- 1) length feet
 - 2) diameter of pipe inches
 - 3) make, model & number of sprinklers
 - 4) spacing of sprinklers feet
 - 5) nozzle size
- c) gun:
- 1) make
 - 2) nozzle size
 - 3) capacity (GPM)
 - 4) hose size inches
 - 5) hose length feet
- e) gated pipe:
- 1) length feet
 - 2) diameter inches
 - 3) spacing of gates inches
- f) portable boom:
- 1) make
 - 2) nozzle size
 - 3) capacity (GPM)
- b) towline:
- 1) length feet
 - 2) make, model & number of sprinklers
 - 3) spacing of sprinklers
 - 4) nozzle size
- d) center pivot:
- 1) make Valley, Zimmatic
 - 2) number of towers 7, 6
 - 3) distance between towers 167, 167
 - 4) overall length 1,250, 1090 feet
 - 5) end gun (Y/N) yes, yes
 - 6) high or low pressure high
 - 7) make and size of nozzles unknown
 - 8) capacity 650, 650 (GPM)
- g) siphons:
- 1) size inches
 - 2) number

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project

Yes	No	Check Items
<u>X</u>	<u> </u>	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	<u> </u>	2. Special qualifications to permit being abided by?
<u>X</u>	<u> </u>	3. All structures, wells and lands on map?
<u>X</u>	<u> </u>	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
<u> </u>	<u>X</u>	5. Is chemigation used?
<u>NA</u>	<u> </u>	6. If yes, does equipment comply with chemigation rules?

REMARKS:

none

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3246-3

(1) Ralph E Duxbury of RR 1 Box 31, Hurley, SD 57036 made Application No. 3246-3, October 22, 1976 for a water permit to appropriate 4.85 cubic feet of water per second from groundwater, Turner County, South Dakota for irrigation purposes. Permit No. 3246-3 with a priority date of October 22, 1976 was approved January 27, 1977 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before January 27, 1982 and for the application to beneficial use of said water on or before January 27, 1984.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.54 cubic feet of water per second for beneficial use. The location of the diversion point(s) are: 1) 1200'S and 1200'W of the center of Section 12 (NE1/4, SE1/4), and 2) 1530'N and 1100'E of the center of Section 23 (NW 1/4 NE 1/4), T98N, R53W..

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T98N, R53W Section 12	NW1/4 SW1/4	25 acres
	NE1/4 SW1/4	36 "
	SE1/4 SW1/4	20 "
Section 23	NW1/4 NE1/4	35 acres
	NE1/4 NE1/4	24 "
	SE1/4 NE1/4	16 "
	SW1/4 NE1/4	22 "
Total		178 acres

(4) Pursuant to Section 46-5-30.1 Ralph E Duxbury of RR 1 Box 31, Hurley, SD 57036 the holder(s) and/or owner(s) of Water Permit No. 3246-3 is issued a license to appropriate water, the right to use 2.54 cubic feet of water per second from groundwater (two wells) with a priority date of October 22, 1976 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 3246-3 and subject to South Dakota State Law.


 JOHN HATCH, Chief Engineer
 Water Rights Division
 Department of Water and Natural
 Resources

MAR 27 1981



MAR 27 1991

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

3246-3

Ralph E Duxbury
RR 1 Box 31
Hurley, SD 57036

Dear Mr. Duxbury:

Enclosed is Water License No. 3246-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412496 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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. 3246-3, 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 Division
(605) 773-3352

enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, January 22, 1991

RECEIVED OF Lois Doolittle, PO #1 Box 31, Darley SD 57601

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. <u>Water Permit License No. 5246</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	00

By [Signature]
Chief Engineer

3246-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 14, 2004

NOTICE

TO: RALPH DUXBURY, PAUL PETERSEN, MGR, 45610 282nd ST, HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 3246-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 3, 2004, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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 Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3246-3 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 on/or before **February 27, 2004**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



3246-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 8299

Your item was delivered at 11:22 am on January 15, 2004 in HURLEY, SD 57036. The item was signed for by P PETERSON.

[Shipment Details >](#)

Notification Options

- Track & Confirm by email [What is this?](#) [Go >](#)
- Request Proof of Delivery [What is this?](#) [Go >](#)



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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 8299

RALPH DUXBURY
PAUL PETERSEN, MGR
45610 282nd ST
HURLEY SD 57036

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

fore mailing.

POSTAL CUSTOMER:

Keep this receipt. For inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

- ☐ Priority Mail®
☐ Package Services



3246-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 16, 2004

3246-3
5383-3

Paul Petersen
45610 282nd St
Hurley SD 57036

Dear Mr. Peterson:

I am writing to acknowledge receipt of the 2003 irrigation questionnaires for Ralph Duxbury and W O'Keefe Estate water rights. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 3246-3 and 5383-3.

We received the forms from you at the same time the mailing went out with the notices for hearing. It was too late for me to pull the letters from the mail. I am writing to let you know that we have everything we need on file and the matter has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

Sheet #1
(See Also Sheets #2 & #3)

RALPH E. DUXBURY IRRIGATION SYSTEM #1
Ralph E. Duxbury, Owner
Hurley, S. Dak. 57036

R. 53 W.

Area To Be Irrigated (Outlined in Green):

Approx. 70 ac. in the NE $\frac{1}{4}$ 23-98-53

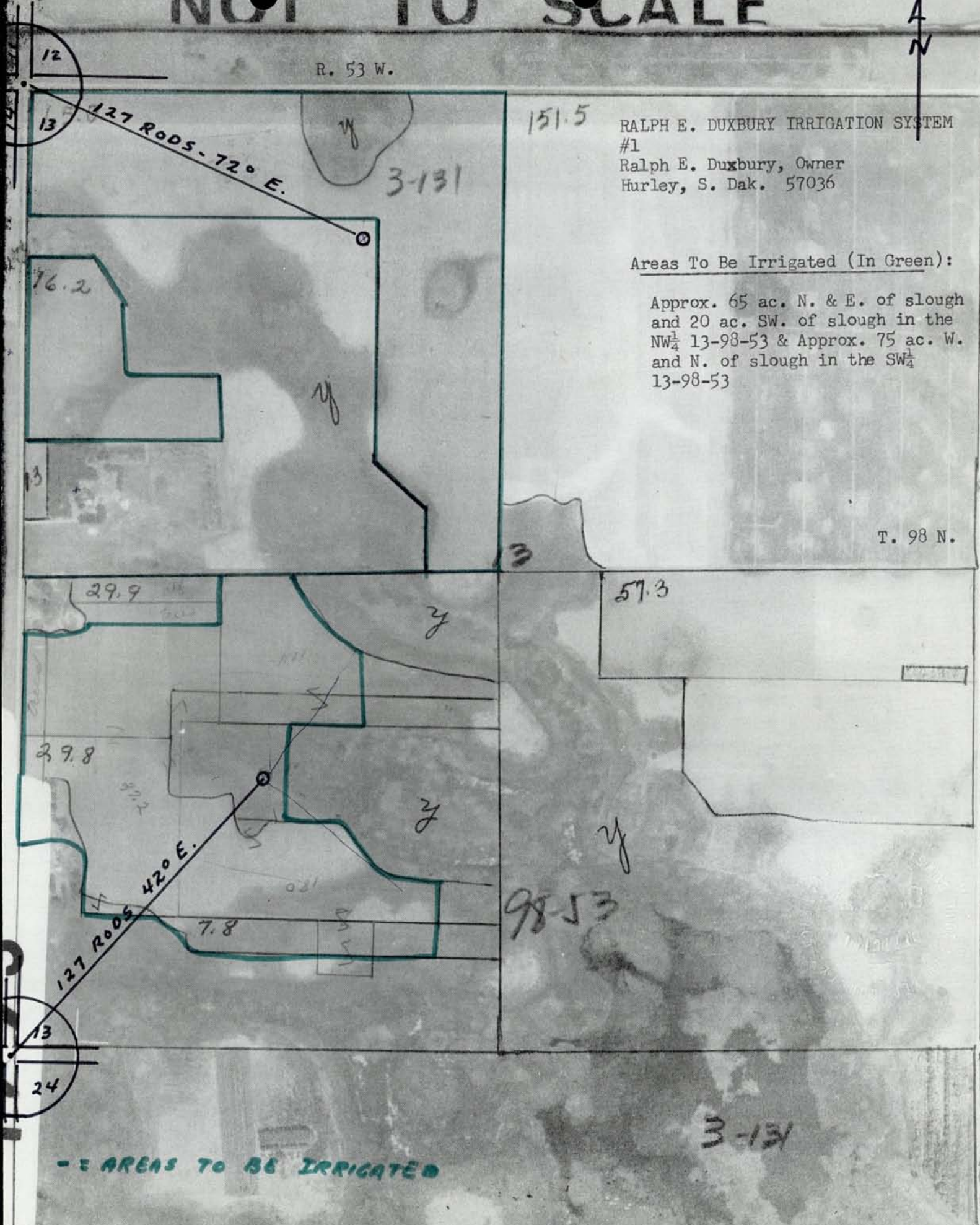
T. 98 N.

Map No 2534.3 April 193246-3

NOT TO SCALE



R. 53 W.



RALPH E. DUXBURY IRRIGATION SYSTEM
#1

Ralph E. Duxbury, Owner
Hurley, S. Dak. 57036

Areas To Be Irrigated (In Green):

Approx. 65 ac. N. & E. of slough
and 20 ac. SW. of slough in the
NW $\frac{1}{4}$ 13-98-53 & Approx. 75 ac. W.
and N. of slough in the SW $\frac{1}{4}$
13-98-53

T. 98 N.

- = AREAS TO BE IRRIGATED

R. 53 W.

98.53

149.5

RALPH E. DUXBURY IRRIGATION SYSTEM #1

Ralph E. Duxbury, Owner

Hurley, S. Dak. 57036

Area To Be Irrigated (In Green);

Approx. 94 ac. N.E. of slough &
16 ac. S.W. of slough in the
SW $\frac{1}{4}$ 12-98-53

A
N

32.0

y

3-19

38.5

37.8

T. 98 N.

84.4

2.0

67.0

2.8

31.7

OK

2.8

36.0

2.8

6.3

16.1

130 Rods - 43° E.

98.53

12

13

- = AREA TO BE IRRIGATED

NOT TO SCALE

198-53

153.8
138.1
T-1146

Prepared by
David Brown
Natural Resource Engineer-II
Water Rights Division
2/1/90 DDB
Water Right No. 3246-3

6.3

3.9

5.6

133.7

647.9

13R 5.7

T-1142

12

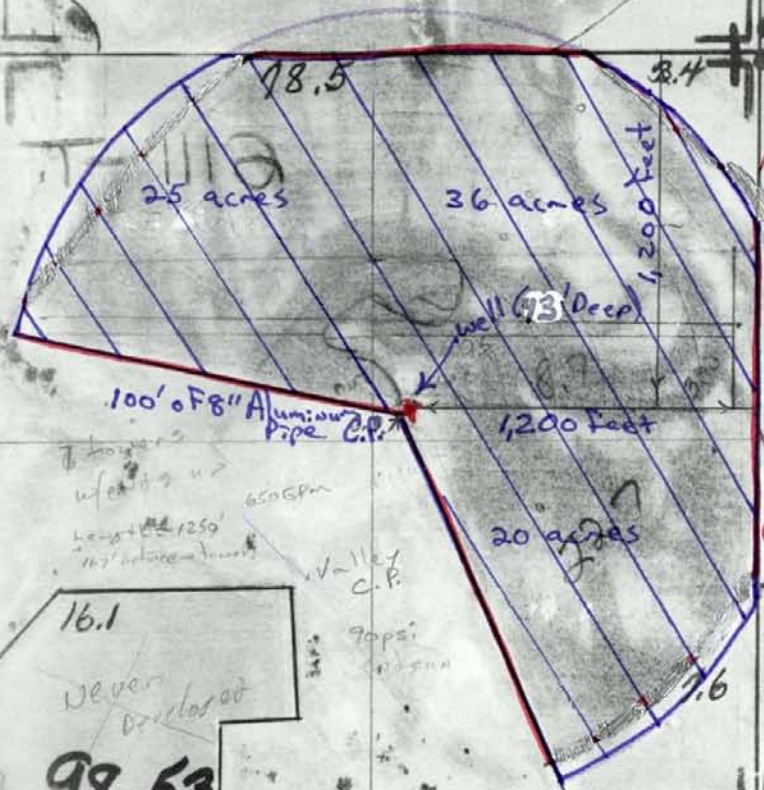
5.1 6.7

6.6

3.4

108.7 133.0

T-1437
Total of 81 acres

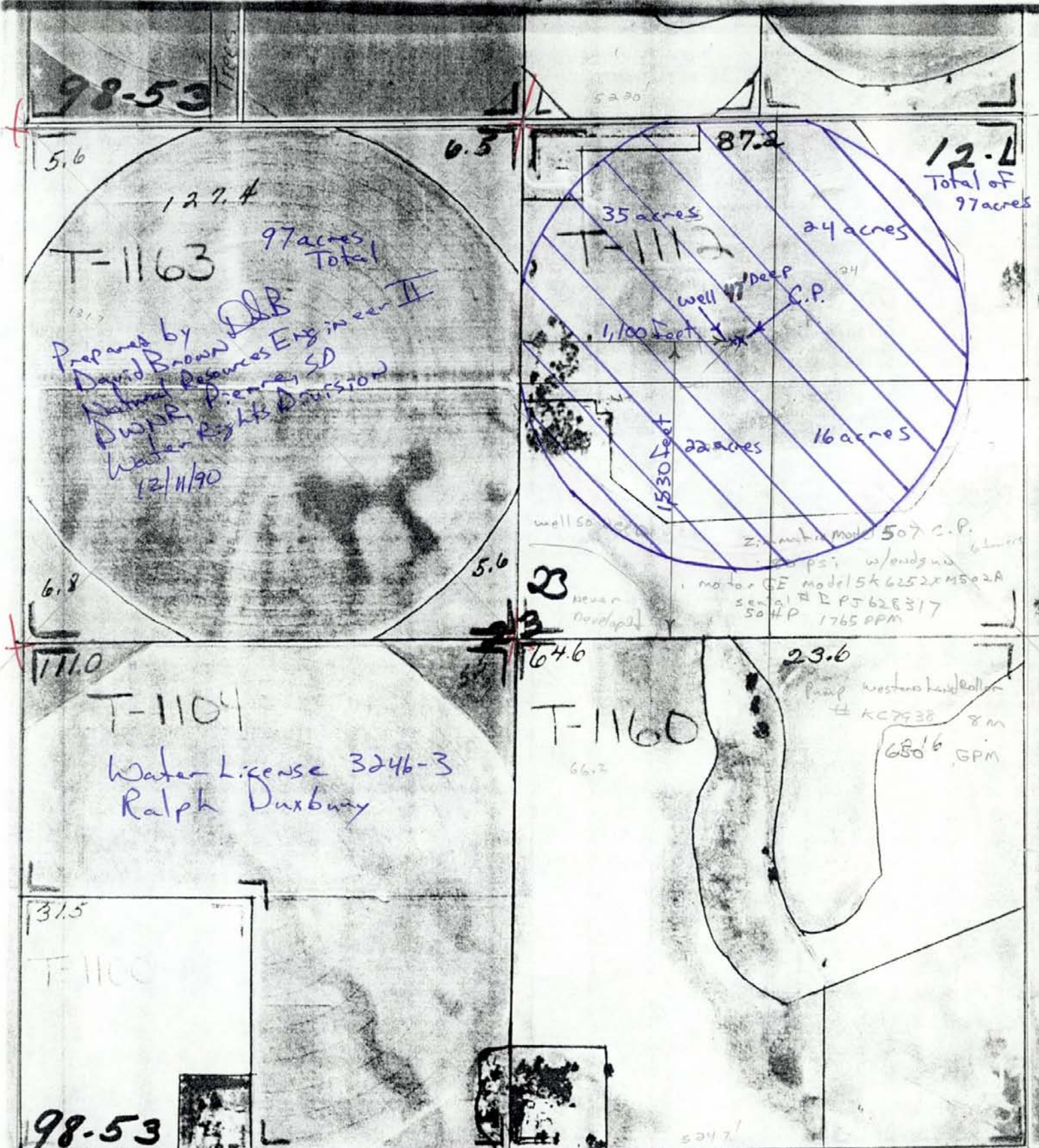


98-53

2/1/90
1 inch = 646 Feet DDB

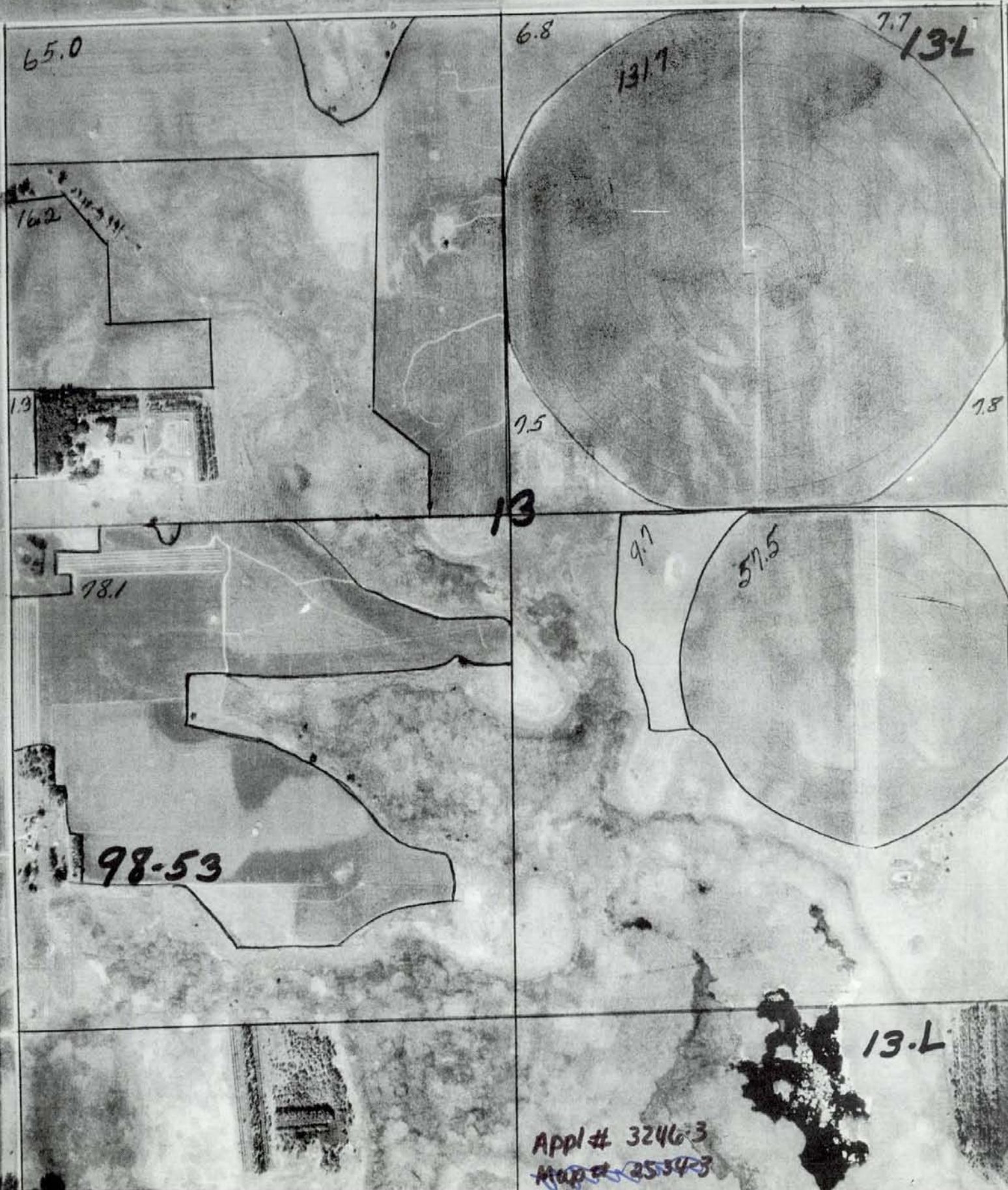
Water Right 3246-3
1 of 2 maps

NOT TO SCALE

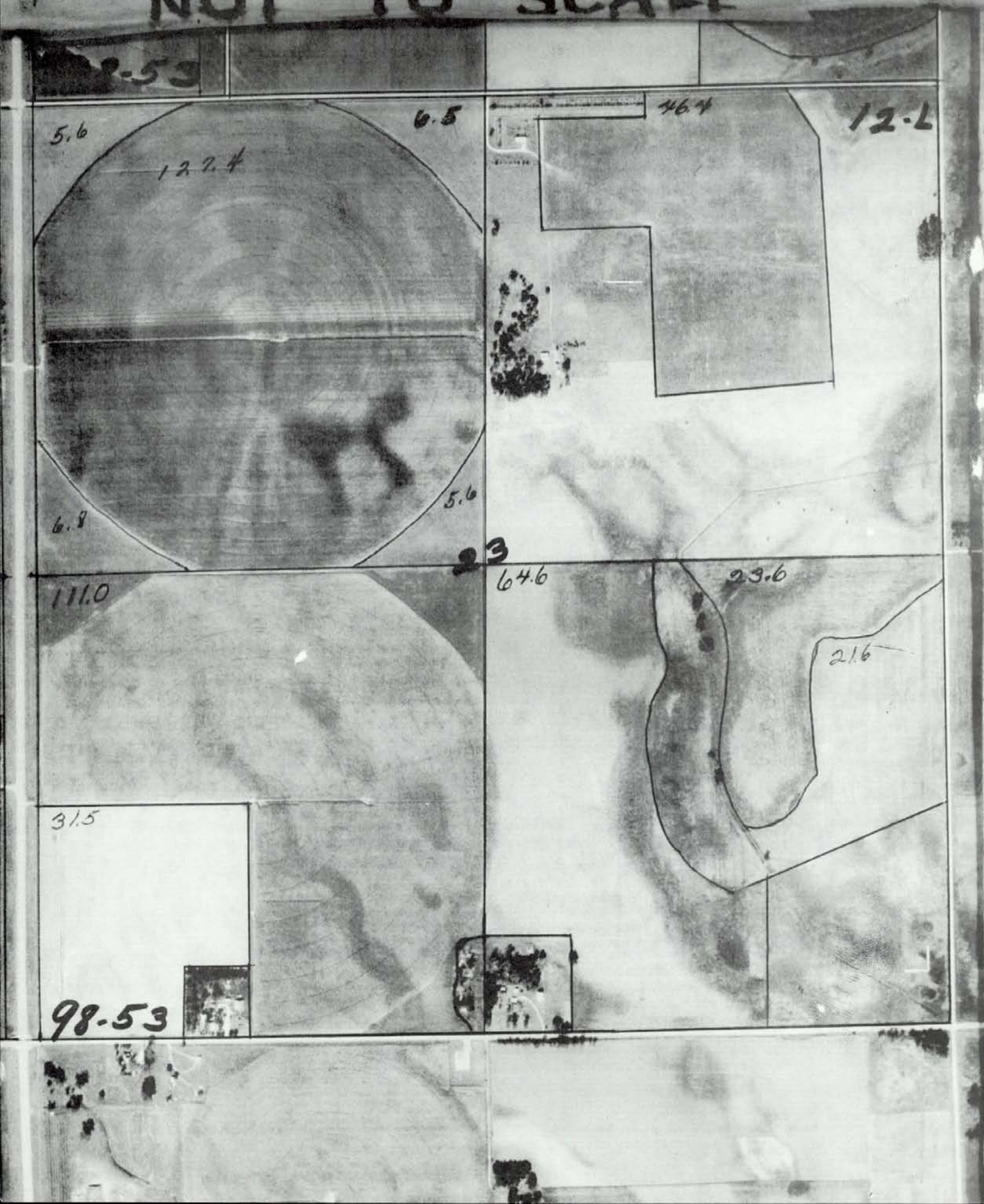


Water Right
 3246-3
 2 of 2 maps

NOT TO SCALE



NOT TO SCALE





3246-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: RALPH DUXBURY, PAUL PETERSEN, MGR, 45610 282nd ST, HURLEY, SD 57036

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire has not been submitted for Permit No(s) 3246-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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 Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3246-3 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 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: FEEJAQ**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

3246-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 31, 2022

Brett Petersen
45656 US Hwy 18
Hurley SD 57036

RE: Irrigation Questionnaires – Water Permit or Right Nos. 358-3, 2365-3 and 8488-3
Water Right No. 3246-3, Ralph Duxbury

Dear Mr. Petersen:

I am writing to acknowledge receipt of the 2021 irrigation questionnaires for the above listed permits/rights.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Water Right No. 3246-3 is still listed in Ralph Duxbury's name, and I know that he passed away in 2018. The water right needs to be transferred to reflect current ownership. Please let me know who owns the land so I can contact them concerning filing of an ownership change.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us