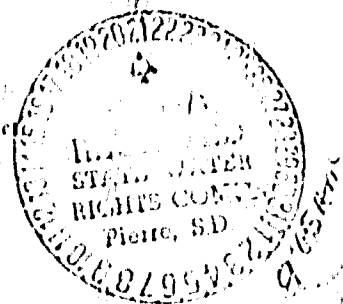


Water Right Number 3266-3

1. Considered C. 1-26, 1971
2. Name of Applicant OLE V. HIRSCH
3. Post Office Address ALPENA
4. Amount of water claimed 2.22
5. Source of water supply 57' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 24.0
7. Water to be diverted and used in VERMILION County
about 1/4 Miles of ALPENA
8. Proof of Publication
Received 1-20-77
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 3266-B
 No. 2553-B Water Division No. 3 JAMES RIVER District 1
 (Blanks to be filled by the Engineer for the W. H. 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 Ole-V-Hirsch-Scott Loring
 Postoffice address R.R.#17- Alpha, State South Dakota 57312
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
3. Name of diversion work Ole V. Hirsch - 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 IN THE NW 1/4 NE 1/4 SECTION 10, T10N, R63W

County Jerald

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 240

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.
West 1/2 of NE 1/4 of 10-108-63	80		
NW 1/4 of 10-108-63	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 Daily Plainsman, Huron, So. Dak.
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 Jerald)

I, Ole V. Hirsch 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 Ole V. Hirsch

Subscribed and sworn to before me this 15 day of October 19 26

James A. Osberg
 Notary Public (or other qualified officer)

Commission expires 11-1-1934

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3266-3

OLE V. HIRSCH -- Scott Losing
(Applicant)

R.R. #1, ALPENA
(Post Office Address)

SOUTH DAKOTA 57312 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 21, 1976

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

Date of receipt of corrected application NOVEMBER 3, 1976

Approved JANUARY 27, 1977, Recorded in Book 16, 274 Page 274

WATER RIGHT PERMIT NO. 3266-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3266-3 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 21, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 27, 1979
3. The whole of said work is to be completed on or before JANUARY 27, 1982
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 27, 1984
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 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, 1984; said water to be used during the following described annual period MARCH - NOVEMBER

Witness my hand 8TH day of MARCH, 1977

WATER RIGHTS COMMISSION

By: John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

PAGE NO.

Steve Kuehl
FOREMAN

JO No.	DEPTH	TIME	LOCATION	DATE	REG. NO.	FOREMAN
				REMARKS	DESCRIPTION	
1	0-20		0-4 Top soil 4.15 Yellow gravel 11-20 Gravel		El of 10-108-63	
2	20-35		Coars gravel		Herald County	
3	35-50		35-45 Coarse gravel 45-47 Blue clay 47-50 Gravel		#1	
4	50-65		50-52 Gravel 52-58 Blue clay & streaks 58-59 Rock 59-65 Blue clay 65-75 Blue clay 75-80 Sand			
		TD				

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 _____, 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 provided 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 80 rds. On property owned by others 20 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.

Oliver H. Smith
Signature of Applicant

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 Ole V. Hirsch
ADDRESS R.R.# 1, Alpern, South Dakota 57312
COUNTY Jerald.

LEGAL DESCRIPTION

1. WELL LOCATION NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of 10-108-63
2. LOCATION OF AREA TO BE IRRIGATED West $\frac{1}{2}$ of the NE $\frac{1}{4}$ of 10-108-63, NW $\frac{1}{4}$ of 10-108-63

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 76-1696
6. SALINITY (EC X 10⁶) 1232 (High)
7. SODIUM (SAR) 2.26 (Low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from Jerald 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
15 DAY OF October 1976.

James A. Gering
(TITLE OR SEAL)

10. 11. 1976
(SOILS INFORMATION ON REVERSE SIDE)

Ole V. Hirsch
APPLICANT'S SIGNATURE

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

Albert J. H. H. H.
APPROVED/DISAPPROVED

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 Ole Hirsch

ADDRESS Alpena, South Dakota

COUNTY Jeravld

LEGAL DESCRIPTION

1. WELL LOCATION _____

2. LOCATION OF AREA TO BE IRRIGATED _____

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN _____

4. CROPS TO BE IRRIGATED _____

WATER QUALITY

5. SAMPLE NUMBER _____

6. SALINITY (EC x 10⁶) _____

7. SODIUM (SAR) _____

8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

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

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: Ole Hirsch
 Address: Rt. 1
Alpena, SD 57312
 co: Huron Drilling, Inc.
Huron, SD 57350

Date Rec'd October 22, 1976
 Sample No. 76-1696
 Identification Well
NE 1/4, Sec. 10, T 108N, R 63W

WATER ANALYSIS

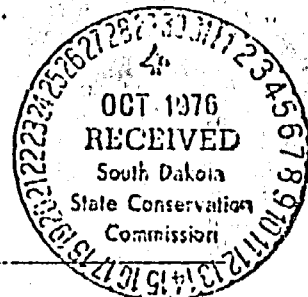
Calcium (Ca)	131	ppm*	6.55	me/l**
Magnesium (Mg)	38	ppm	3.12	me/l
Sodium (Na)	114	ppm	4.96	me/l
Potassium (K)	12	ppm	0.31	me/l
Sulfate (SO ₄)	352	ppm	7.32	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	18	ppm	0.50	me/l
Bicarbonate (HCO ₃)	400	ppm	6.56	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	328	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1232	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.26			
Sodium	33.19	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.80			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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



COMMENTS: Total cations 14.94 me/l
 Total anions 14.38 me/l

By: Shirley Mitten

Service Performed

Amount Due

Irrigation analysis

\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1696

Amount Enclosed \$

Signed



October 28, 1976

Mr. Ole V. Hirsch
R.R. #1
Alpena, SD 57312

Dear Mr. Hirsch:

Your water sample (Lab. No. 76-1696) 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.

This water is marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

(1) It will be used no more than 3 times (preferably less) in any growing season.

(2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.

(3) Water applications will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.

(4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

L. O. Fine
L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

Form 6 - Notice of Intent to Appropriate Water

No. 3266-3

Publish first publication, on or before January 14, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 5, 1977

Notice is hereby given that Old V. Hirsch

whose post office address is Box 1, 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 24 through the March 1, the point of diversion of which is to be located in the

N7E1, R. 1E1

of Section 10, Twp. 106N, Range 63E. Said water to be used for the purpose of providing irrigation on the following described land:

N7E1, R. 1E1, Section 10, Twp. 106N, Range 63E

This application No. 3266-3 will be considered by the Water Rights Commission at their office at Pierre upon the 24th day of January, 1977, at 11:30 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Old V. Hirsch, R. R. # 1, Algona, South Dakota 57512

No. 3266

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County _____)

I, Brenda Haskett hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Huron Daily Plainsman

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 Huron

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

1-11-77 1-18-77

Brenda Haskett
(Signature)

bookkeeper

(Title)

1-18-77

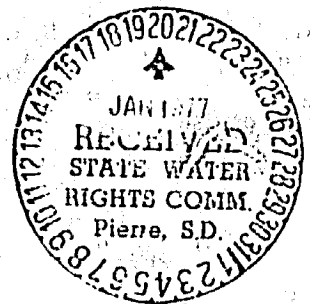
(Date Signed)

F.P. 1-11-77 L.P. 1-18-77
NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
January 6, 1977

Notice is hereby given that Ole V. Hirsch whose post office address is Alpena, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.22 cubic feet of water per second of time from ground water through the Hirsch No. 1, the point of diversion of which is to be located in the W1/4 NE1/4 and NW1/4 of Section 10, Twp. 106N, Range 61W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NW1/4 W1/4 NE1/4, Section 10, T106N, R61W.

This application No. 3266-3 will be considered by the Water Rights Commission at their office at Pierre upon the 26th day of January, 1977, at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION
BURTON F. JONES
Water Rights Specialist
No. 17 (adv.)



Form 10.

No. 3266-3

Jerault

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

Post Office Alpena S.D. RR1

Date Jan 4, 1978

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3266-3.

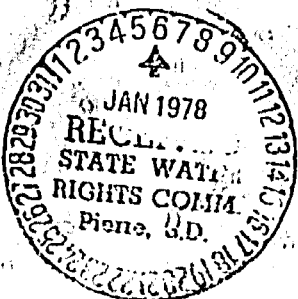
Water Right Permit No. 3266-3 states that the diversion system is to be constructed by Jan 27, 1982 and that the water is to be put to beneficial use by Jan 27, 1984.

The diversion system was completed on Aug 9, 1977. Applying the water to beneficial use was completed on Aug 9, 1977.

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.

Reu Hirsch
(Signature)

Hirsch



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

№ 4 7876

PIERRE, January 5, 1981

RECEIVED OF Ole V Hirsch, RR 1, Alpena, SD 57312

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 filling, transfer of WR# 3266-3	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 / 107

JUN 10 1972
DIVISION OF
WATER RIGHTS
Pierre, SD

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 2. 4. 57

240 acres - $W\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, 10-108N-53W

formerly owned by Ole Hirsch, RR #1, Alpena, SD 57312

has been transferred to Scott Losing, Alpena, S. Dak. 57312

(please include name and full mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 3256-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of JEROME) ss.

I, _____ 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 I know of my own personal knowledge that the infor-
mation herein stated is true.

Ch. J. French
(Signed)

Subscribed and sworn to before me this 29 Day of December, 1980

[Signature]
(Notary Public)

Permit No. 3266-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by SCOTT
LOSING of ALPENA holder
 of Permit No. 3266-3, bearing date of priority of OCTOBER 21, 1976
 authorizing the diversion of 2.22 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in JERARD County.

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

The Water Use System consists of,

A. Works used to divert the water:

60' DEEP WELL WITH 16" PLASTIC CASING - 25' SS SCREEN
 BYRON JACKSON 8" PUMP #771H 7546 - POWERED BY
 100 HP U.S. ELECTRIC MOTOR @ 1760 RPM

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

3220' OF 8" BURIED PVC FROM WELL TO CENTER OF
 PIVOT

C. Works used to apply water to beneficial use.

8 TOWER LOCKWOOD CENTER PIVOT SYSTEM WITH
 NELSON #100 END GUN - SYSTEM IS 1200' LONG
 TO AVOID BUILDING SITE & SHELTERBELT

The system is in the following condition: GOOD

The point of diversion is located 1350' W & 150' S OF THE NE CORNER,
SECTION 10, T108N, R63W

The works are capable of diverting and conveying to the place of use 1.78 (800 GPM)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:

FOR IRRIGATING A 115 ACRE CIRCLE IN THE NW⁴,
SECTION 10, T108N, R63W

comprising a total of 115 acres of land.

Date

JUNE 22, 1982

Signature

Robert Jones



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

July 15, 1982

Scott Losing
Alpena
South Dakota 57312

Dear Mr. Losing:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 3266-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

You will also receive the Certificate of Construction as required by statute.

Sincerely,

KAREN SCHLAACK
Administrative Secretary

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

WNR-814-7/79

Notification of Water License Ready for Issuing (\$50.00)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3266-3

(1) WHEREAS, On the 21st day of October A. D. 19 76

Olav V. Hirsch

made Water Right Application No. 3266-3 for a permit to use 2.22 cubic feet per second of the waters of groundwater (one well)

County of Jerauld, State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 27th day of January A. D. 19 77

Permit No. 3266-3, with a date of priority of October 21, 1976

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 27th day of January A. D. 19 82 and for the application to beneficial use of said water on or before the 27th day of January A. D. 19 84

Whereas, on the 5th day of January 1981, Permit No. 3266-3 was transferred to Scott Losing, Alpena, South Dakota.

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.64 cubic feet per second of water for beneficial use and,

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

to irrigate a 115 acre circle in the NW1, Section 10, T108N, R63W.

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Scott Losing

_____ of Alpena, South Dakota

the holder _____ and owner _____ of said permit No. 3266-3 a water right, dating from October 21, 1976

_____ to use of 1.64 cubic feet per second of the waters of groundwater (one well)

in the County of Jerauld and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned to be diverted at a point 1350'W and 150'S of the NE Corner, Section 10, T108N, R63W (AB)

and conducted to and upon a 115 acre circle in the NW1, Section 10, T108N, R63W.

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3266-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 23rd day of July A. D.

Nineteen Hundred and EIGHTY-TWO

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 3266-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

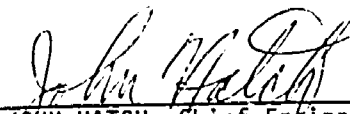
This is to Certify, That Scott Losing

_____ the holder _____ of
Permit No. 3266-3, issued upon Application No. 3266-3, bearing date of priority of _____
October 21, 1976 authorizing the diversion of 2.22 cu. ft. per second of the waters of _____
groundwater (one well) County of Jeravald, State of South Dakota at _____
a point 1350'W and 1150'S of the NE Corner, Section 10, T108N, R63W (AR)

_____, for Irrigation

purposes, ha^s _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.76 cu. ft. per second of water.

Date July 23, 1982



JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8908

PIERRE, July 23, 1982

RECEIVED OF Scott Losine, Box 26, Alameda, SD 57322

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. 3266-2	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3266-2		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By [Signature]
Chief Engineer, Executive Officer
Submitted [Signature]

 **Department of
Water & Natural Resources**

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

February 17, 1989

Scott Losing
RR 1, Box 138
Alpena, SD 57312

Dear Mr. Losing:

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;

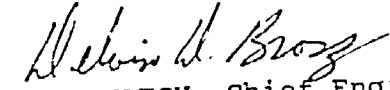


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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.

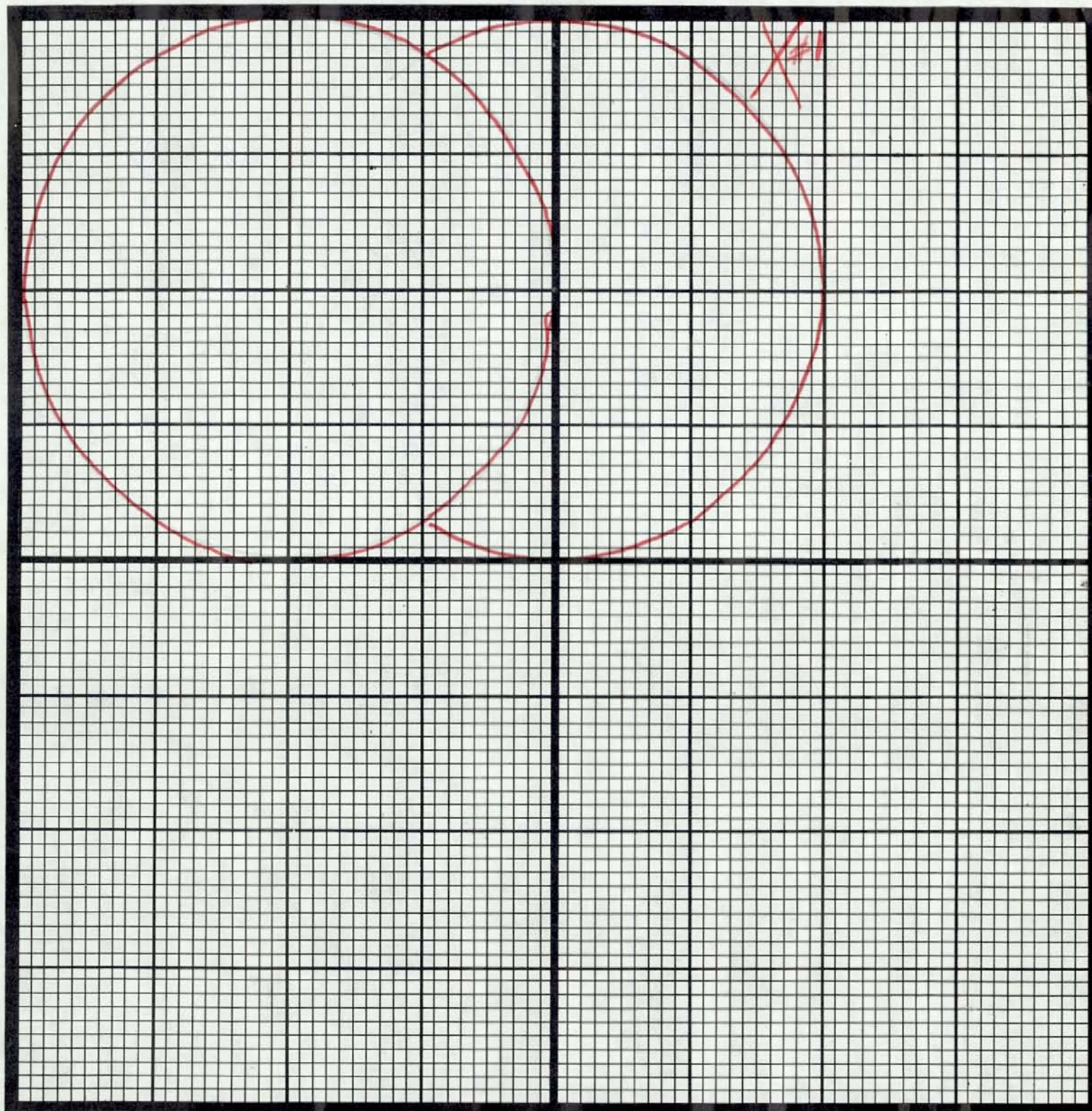
The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone 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,

for 
JOHN HATCH, Chief Engineer
Water Rights Division

HURON DRILLING INC.
WELL LOCATION MAP

NAME OLE V. HIRSCH DATE October 18 19 76
WELL NO. #1 NE QUARTER, SECTION 10
TWP. 108 RANGE 63 IN Jerald COUNTY

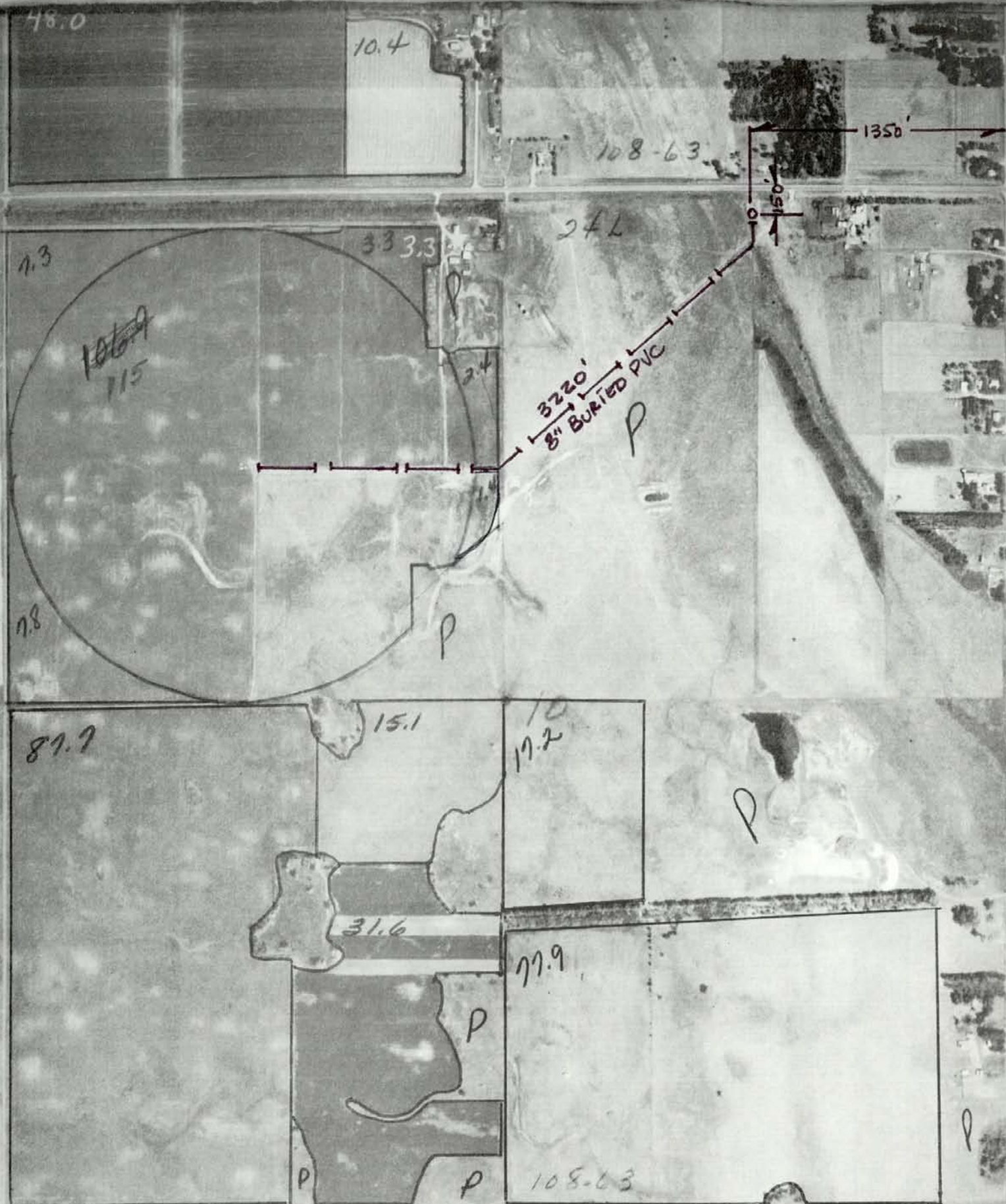


X — PROPOSED LOCATION

Prepared By Dick Fadgen
Dick Fadgen
Beadle County Extension Agent

APP. N-3266-3
APP. N-2533

NOT TO SCALE



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCESJOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

FEB 23 2016

6640-3
3266-3Scott Losing
39159 221st St
Alpena SD 57312

Dear Mr. Losing:

Enclosed is Water License No. 6640-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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. 6640-3, 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.

It is our understanding that you may start applying chemicals or fertilizer through your irrigation system. Enclosed is a copy of Water Management Board rules dealing with chemigation. "Appendix A" shows the minimum requirements for the equipment. If after reading through the rules you have questions concerning placement of the equipment, please contact Ron Duvall with our program at 605 773-3352.

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.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Right No. 3266-3 were incorporated into Water License No. 6640-3.