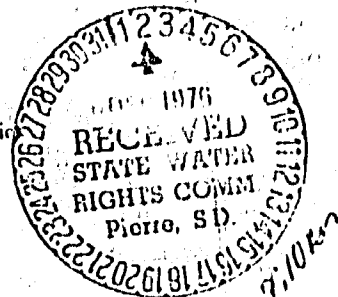


Water Right Number 3408-3

1. Considered 2-23, 19 77
2. Name of Applicant HAROLD TREEBY
3. Post Office Address HECLA, S.D.
4. Amount of Water claimed 4.5
5. Source of Water supply 135' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 320
7. Water to be diverted and used in BROWN County
about 3N, 8E miles of HECLA
8. Proof of Publication
Received 2-17-77
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

1/4 mile

No. 3408-3
 Map No. 2690-3 Water Division No. 3 JAMES RIVER District _____
 (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 Harold Lee TREEBY
 Postoffice address Heck, State S.Dak.
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Harold Treeby Irrigation System # 2
4. Amount of water claimed (cubic feet per second) 45.8
5. Source of water supply Well
6. Location of point of diversion NEL SW 1/4 11 128-60
800 ft S of 900 ft E of SW cor of Section 11-128-60
 County Brown
7. Annual period or periods during which water is to be used April through Oct.
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation + livestock
9. For irrigation use, Total number of acres to be irrigated 320

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.	Land Description					No. Acres Irr.
NW 1/4	SW 1/4	11	128-60	40	NW 1/4	SE 1/4	11	128-60	40		
NE 1/4	SW 1/4	11	128-60	40	NE 1/4	SE 1/4	11	128-60	40		
SE 1/4	SW 1/4	11	128-60	40	SW 1/4	SE 1/4	11	128-60	40		
SW 1/4	SW 1/4	11	128-60	40	SE 1/4	SE 1/4	11	128-60	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 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 Aberdeen American News
12. Principal Features of the Proposed Water Supply System.

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

Pump

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

Pipe

C. Works proposed to apply water to beneficial use.

Center pivots (2)Estimated Total Cost \$ 85,000
 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

County of Brown
 I, Harold Lee Treeby, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed

Harold Lee TreebySubscribed and sworn to before me this 16 day of November, 1976
() Phyllis A. Johnson
 Notary Public (or other qualified officer)

 PHYLLIS A. JOHNSON
 Notary Public, BROWN COUNTY, S. DAK.
 My Comm. Exp. 12/31/77

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3408-3
HAROLD TREEBY (Applicant) HECLA (Post Office Address)

SOUTH DAKOTA 57446 (State) With the following modifications.

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

THE WELL APPROVED UNDER THIS PERMIT SHALL BE LOCATED AT LEAST 1/4 MILE FROM APPROVED IRRIGATION WELLS.

Date of first receipt of application DECEMBER 2, 1976
 Date of return to applicant for correction, amendments or changes required DECEMBER 29, 1976
 Date of receipt of corrected application DECEMBER 29, 1976
 Approved FEBRUARY 23, 1977, Recorded in Book 17 Page 187
 WATER RIGHT PERMIT NO. 3408-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3408-3 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 DECEMBER 2, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before AUGUST 23, 1977
3. The whole of said work is to be completed on or before FEBRUARY 23, 1978
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is FEBRUARY 23, 1980
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 4.5 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 which water is actually and beneficially applied for irrigation on or before FEBRUARY 23, 1980; said water to be applied during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 12TH day of APRIL, 1977

WATER RIGHTS COMMISSION
 By: John K. Hark
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____
 Water License Issued _____, 19____

HURON DRILLING INC. DRILLERS LOG

PAGE NO. 3408

Harold Treeby
JOB NAME

SW 1/4 of 11-128-60
LOCATION

DATE

FIG NO.

FOREMAN

REMARKS

DESCRIPTION

JI No	DEPTH	TIME	REMARKS	DESCRIPTION
			0-1 Topsoil	SW 1/4 of 11-128-60 Brown county
			1-5 Yellow clay	
			5-40 Fine gray sand takes lots of water	
			40-85 Sandy clay	
			85-110 Sand med. to coarse	
			110-120 Sand coarse to coarser	
			120-127 Coarse gr vel	. #2
			127-135 Coarse gravel	

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 _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen
Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (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 _____ 85'

Depth to bottom of water bearing material _____ 135'

Thickness of water bearing material _____ 50'

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

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

On same owner's property 3/4 mile rds. On property owned by others 1 mile rds.

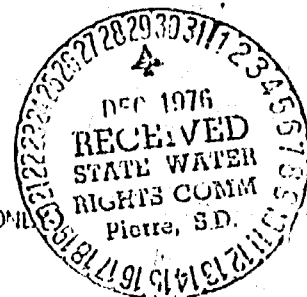
G. Water Storage Dams.

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.

Harold Tucker
Signature of Applicant

CONSERVATION
COMMISSION
FORM W1 #1

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 HAROLD TRENN
ADDRESS LEOLA, S. DAK. 57446
COUNTY BROWN

LEGAL DESCRIPTION

1. WELL LOCATION 80rds W - 90rds E of Sw cor Sec 11-128-60
2. LOCATION OF AREA TO BE IRRIGATED Sec 11-128-60

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED CORN / ALFALFA

WATER QUALITY

5. SAMPLE NUMBER N.D. State Univ Analysis
6. SALINITY (EC x 10⁶) 780 (mod - high)
7. SODIUM (SAR) 2.2 (low)
8. RESIDUAL SODIUM CARBONATE (mM/1.) 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 _____ 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.

VIII-1. Marshes located _____

IV-9 Deep, sandy soils on nearly level and gently undulating (0 to 6%) uplands. They have very severe wind erosion hazards.

SUBSCRIBED AND SWORN BEFORE ME THIS
16 DAY OF November 1976.

PHYLLIS A. JOHNSON
Notary Public, BROWN COUNTY, S. DAK.

(TITLE OR SEAL)

Approved: [Signature]
Notary Public, BROWN COUNTY, S. DAK.
[Signature]
APR 1977



December 21, 1976

Mr. Harold Treeby
Hecla, SD 57446

Dear Mr. Treeby:

Your water sample (Lab. No.--checked by NDSU) 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:ekb

Enclosures

cc: State Conservation Commission

P.S. Soils #70 and 43 are absolutely non-irrigable and will result in getting stuck, salt rise, and crops drowning. If drainage cannot be provided, you must avoid irrigating them.

No. 3408-3Publish first publication, on or before February 10, 19 77NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 4, 19 77

Notice is hereby given that Harold Treeby
whose post office address is Hecla, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
4.5 cubic feet of water per second of time from the ground water through the
Harold Treeby # 1, the point of diversion of which is to be located in the

NE 1/4 SW 1/4

of Section 11, Twp. 128N, Range 60W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

S 1/2, Section 11-T128N-R60W

This application No. 3408-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 23 day of February, 19 77, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

PURTON F. JONES
Water Rights Specialist

BEJ/lw

cc: Harold Treeby, Hecla, South Dakota 57446

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

No. 3408-3

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

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:

February 9, 1977

February 16, 1977

Dianne Brenden
(Signature)

Principal Clerk
(Title)

February 16, 1977
(Date Signed)

(No. 119—Feb. 9-16—2T)
**NOTICE
INTENT TO APPROPRIATE
WATER**
Notice is hereby given that Harold
Treeby whose post office address is
Hecle, South Dakota, has made an
application in accordance with the
provisions of the water laws of South
Dakota for a permit to appropriate
for beneficial use 4.5 cubic feet of
water per second of time from
ground water through the Harold
Treeby No. 1, the point of diversion
which is to be located in the NE 1/4
of Section 11, Twp. 128N,
Range 60W. Said water to be used for
the purpose of providing irrigation
on portions of the following
described land: 5W, Section 11-
T128N R60W.
This application No. 3408-3 will be
considered by the Water Rights
Commission at their office at Pierre
upon the 13 day of February, 1977, at
10:00 A.M. All interested persons
may appear and be heard.
WATER RIGHTS COMMISSION
Burton F. Jones
Water Rights Specialist





Department of Water & Natural Resources

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

April 15, 1985

Harold Treeby
Hecla SD 57446

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 3408-3. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 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.

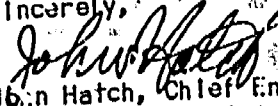
The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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) 3408-3 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.

Sincerely,


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

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.



Department of Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Harold Treeby
Hecla, SD 57446

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352 *John Hatch*

SUBJECT: Amendment to Water Permit No(s). 3408-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 3408-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

**Dakota Department of
Water & Natural Resources**

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

Attachment to Water Permit No(s). 3408-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 3408-3 to add the following qualification:

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

 **Department of
Water & Natural Resources**

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

February 8, 1989

HOLLIS TREEBY, OPERATOR
RR #1 BOX 136B
HECLA, SD 57446

NOTICE

RE: Violation of Water Permit No(s). 4277-3, 3408-3

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4277-3, 3408-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4277-3, 3408-3 qualification:

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

The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City 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, the Water Management Board can:

1. Suspend Permit No(s). 4277-3, 3408-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

cc: Harold Treeby, RR 1, Box 133, Hecla SD 57446





Department of Water & Natural Resources

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

February 24, 1989

3408-3
4277-3

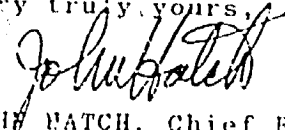
Hollis Treeby, operator
RR #1 Box 1359
Hecla, SD 57446

Dear Mr. Treeby:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 3408-3 and 4277-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaires your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

cc: Harold Treeby, RR #1 Box 133, Hecla, SD 57446

 **Department of
Water & Natural Resources**

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

3408-3

February 9, 1989

Harold Treeby
Hecla, SD 57446

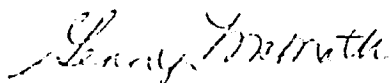
Dear Mr. Treeby:

The inspection of your water use system and the inspection of the extent of the application of water to beneficial use, as developed under your Water Permit No. 3408-3 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



Hecla, S. D.

WELL REPORT

HURON
DRILLING CO.
Huron, S. D.

Brown County
SM-11-123-68

June 27, 1977

Harold Treaby

OWNER

DESCRIPTION

DATE

CASING LOG

Depth 127 ft.
Flows gpm 97 ft. 15" PVO Plastic pipe to 97 ft.
Pumps gpm 30 ft. 16" Stainless Steel Screen pipe to 127 ft.
Head ft. ft. pipe to ft.
90 Ft. Stainless Steel Screen
Perforations ft. pipe to ft.

Pres. 127

97-127 Ft.

REMARKS

3 - 10 ft. lengths of 16" Stainless

Steel Screen - 120 slot

Rig No. 18

Bernard Schleger

Foreman



HURON DRILLING INC. DRILLERS LOG

3408
PAGE NO.

Harold Treeby
JOB NAME

SW $\frac{1}{4}$ of 11-128-60
LOCATION

DATE

RIG NO.

FOREMAN

HI
NO

DEPTH

TIME

REMARKS

DESCRIPTION

0-1 Topsoil

1-5 Yellow clay

5-40 Fine gray sand takes lots of water

40-85 Sandy clay

85-110 Sand med. to coarse

110-120 Sand coarse to coarser

120-127 Coarse gravel

127-135 Coarse gravel

SW $\frac{1}{4}$ of 11-128-60

Brown county

.#2

Permit No. 3408-3JAMES RIVER Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Harold
Treeby of Hecla, SD 57446 holder of
 Permit No. 3408-3, bearing the priority of December 2 1976 authorizing
 the diversion of 4.5 cu. ft. per second of the waters of groundwater
 for irrigation purposes, in Brown County.

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

A. Works used to divert the water:

Pump: unknownno tag600 gpm-capacity

Amaillo motor

Serial # 56911482360 HP

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

30' of 8" Al pipe

C. Works used to apply water to beneficial use:

T-L Center Pivot model 23411250' long 10 towers600 gpmThe system is in the following condition good

The point of diversion is located 1250' North and 1420' East of SW
corner of Section 11 - T128N - R60W.

The works are capable of diverting and conveying to the place of use 1.33
 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 T128N - R60W.

30 acres NW 1/4 SW 1/4 Sec. 11
31 " NE 1/4 SW 1/4 Sec. 11
31 " SW 1/4 SW 1/4 Sec. 11
33 " SE 1/4 SW 1/4 Sec. 11

comprising a total of 126 acres of land and the license should be issued for 1.33 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date May 27, 1988

Tim Rathbun
 ENGINEER

LICENSE FOR PERMIT NUMBER 3804-3

1. Legal location of wells: 1420' East and 1250' North of
SW corner Section 11 - T128N - R60W.

dams & structures: _____

2. Well Information: Well Drilling Firm Huron Drilling

No. of wells 1 Depth ~~127~~ 127'

Casing a) diameter _____
b) length _____
c) type _____

Screen a) type _____
b) length _____

Static Water Level _____

Pump ? a) make _____
tag were b) model _____
off c) size _____
d) capacity 600 GPM
e) turbine pump
no. of stages _____

Motor a) make Amaillo
b) model no. Serial# 36A114923
c) horsepower rating 60
d) motor efficiency rating _____

3. Distribution lines:

a) size of lines 8"
b) type A1
c) length 30'

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:

1) size _____
2) type _____
3) length _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure: _____

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

Model
2341

- 1) make T-L
- 2) number of towers 10
- 3) distance between towers _____
- 4) overall length 1250
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM: 600

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

2. Special Qualifications to permit being abided by.

3. All Structures, wells and lands on map.

REMARKS:

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 3408-3

(1) Harold Treeby of Hecla, South Dakota, 57446 made Application No. 3408-3, December 2, 1976 for a water permit to appropriate 4.50 cubic feet of water per second from groundwater (one well), Brown County, South Dakota for irrigation purposes. Permit No. 3408-3 with a priority date of December 2, 1976 was approved February 23, 1977 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before February 23, 1978 and for the application to beneficial use of said water on or before February 23, 1980.

(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 1.33 cubic feet of water per second for beneficial use. The location of the diversion point is: 1250'N and 1420'E of the SW corner of Section 11, T128N, R60W (SW1/4 SW1/4).

(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:

Section 11, T128N, R60W	NW1/4 SW1/4	30 acres
	NE1/4 SW1/4	31 acres
	SW1/4 SW1/4	31 acres
	SE1/4 SW1/4	33 acres
	Total	126 acres

(4) Pursuant to Section 46-5-30.1 Harold Treeby of Hecla, South Dakota, 57446 the holder(s) and/or owner(s) of Water Permit No. 3408-3 is issued a license to appropriate water, the right to use 1.33 cubic feet of water per second from groundwater (one well) with a priority date of December 2, 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. 3408-3 and subject to South Dakota State Law.



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

SEP 14 1989

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, February 13, 1939

RECEIVED OF Arrowhead Cattle Co., Hecla, SD #7446
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. -3408-3- _____

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

J. L. Hotala / M.A.
Chief Engineer



Department of Water & Natural Resources

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

SEP 14 1989

Harold Treeby
Hecla, SD 57446

Dear Mr. Treeby:

Enclosed is Water License No. 3408-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 411636 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. 3408-3, 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



3408-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: HOLLIS TREEBY, OPERATOR
RR 1 BOX 136B
HECLA SD 57446

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

RE: Violation of Water Permit No(s) 3408-3

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 3408-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 3408-3 qualification:

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

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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3408-3 in accordance with applicable provisions of SDCL 46-1-12;
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, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

cc: Harold Treeby, RR #1 Box 133, Hecla, SD 57446

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: **3408-3**

**HOLLIS TREEBY, OPERATOR
RR 1 BOX 136B
HECLA SD 57446**

4. Article Number: **P 906 560 156**

Type of Service:

☐ Registered ☐ Insured
☒ Certified ☐ C.O.D.
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature — Addressee
X

6. Signature — Agent
Kenneth J. Treeby

7. Date of Delivery
1/30/83 **59**

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

PS Form 3871, Apr. 1982

DOMESTIC RETURN RECEIPT

Is your RETURN ADDRESS completed 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:

Harold Treeby
RR#1 Box 133
Hec la SD 57446

3408-3

4a. Article Number

P 906 560 210

4b. Service Type

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

7. Date of Delivery

5. Signature (Addressee)

Harold Treeby

6. Signature (Agent)

1/30/93 *SG*

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

PS Form 3871, December 1991

U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



3408-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 1993

3408-3

Hollis Treeby, operator
RR #1 Box 136B
Hecla, SD 57446

Dear Mr. Treeby:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire for Water Right No. 3408-3. You may disregard the January 29, 1993 Notice of Violation of Water Permit No. 3408-3. The questionnaire was received in our office 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,

Genny McMath
Natural Resources Analyst
Water Rights Division

cc: Harold Treeby, RR #1 Box 133, Hecla, SD 57446



3408-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 17, 1993

Larry Hanson
Farm Credit Services
PO Box 1987
Aberdeen, SD 57401-1987

Dear Mr. Hanson:

Enclosed, as you requested, is a copy of Water License No. 3408-3, the inspection report and the well log information. The water right is currently listed in the name of Harold Treeby.

If you have any questions, please contact me.

Sincerely,

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

encl



3408-3

January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: HOLLIS TREEBY, OPERATOR, RR 1 BOX 136B, HECLA, SD 57446
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 3408-3.

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 3408-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 3408-3 qualification:

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

The hearing will be held at 9:45 am. March 6, 1996 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 Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3408-3 in accordance with applicable provisions of SDCL 46-1-12;
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 March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.

c: Harold Treeby, RR #1 Box 133, Hecla, SD 57446

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- 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:

HOLLIS TREEBY, OPERATOR
RR 1 BOX 136B
HECLA SD 57446

4a. Article Number

2161 984 096

4b. Service Type

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

7. Date of Delivery

2/2/96 59

8. Addressee's Address (Only if requested and fee is paid)**5. Received By: (Print Name)**

Rena Treeby

6. Signature: (Addressee or Agent)

Rena Treeby

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN address indicated on the reverse side?

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- 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:

Harold Treeby
RR 1 Box 133
Hecia SD 57446

4a. Article Number

2161984097

4b. Service Type

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

7. Date of Delivery

2/2/96

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

59

5. Received By: (Print Name)

Raren Treeby

6. Signature: (Addressee or Agent)

X *Ken W. Treeby*

PS Form 3811, December 1994

Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

3408-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 5, 1996

Hollis Treeby
RR 1 Box 136B
Hecla, SD 57446

3408-3

Dear Mr. Treeby:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of Water Permit No. 3408-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

3408-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: HOLLIS TREEBY, OPERATOR, RR 1 BOX 136B, HECLA, SD 57446
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3408-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3408-3 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 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 Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3408-3 in accordance with applicable provisions of SDCL 46-1-12;
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 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- 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:

3408-3

HOLLIS TREEBY, OPERATOR
RR 1 BOX 136B
HECLA SD 57446

4a. Article Number

2119 141 571

4b. Service Type

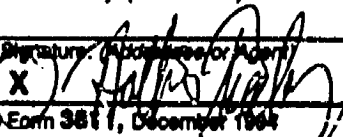
- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

1-16-98 SG

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

(X) 

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

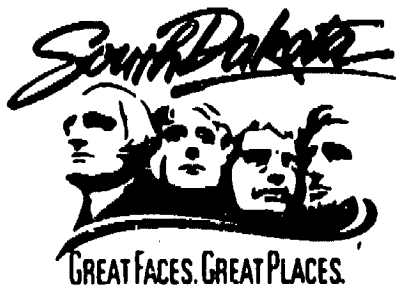
PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

3408-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 1998

3408-3

Hollis Treeby
RR 1 Box 136B
Hecla, SD 57446

Dear Mr. Treeby:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 3408-3.

The information was received in our office prior to the Water Management Board meeting and your name 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

HURON DRILLING INC.
WELL LOCATION MAP

NAME Harold Treeby

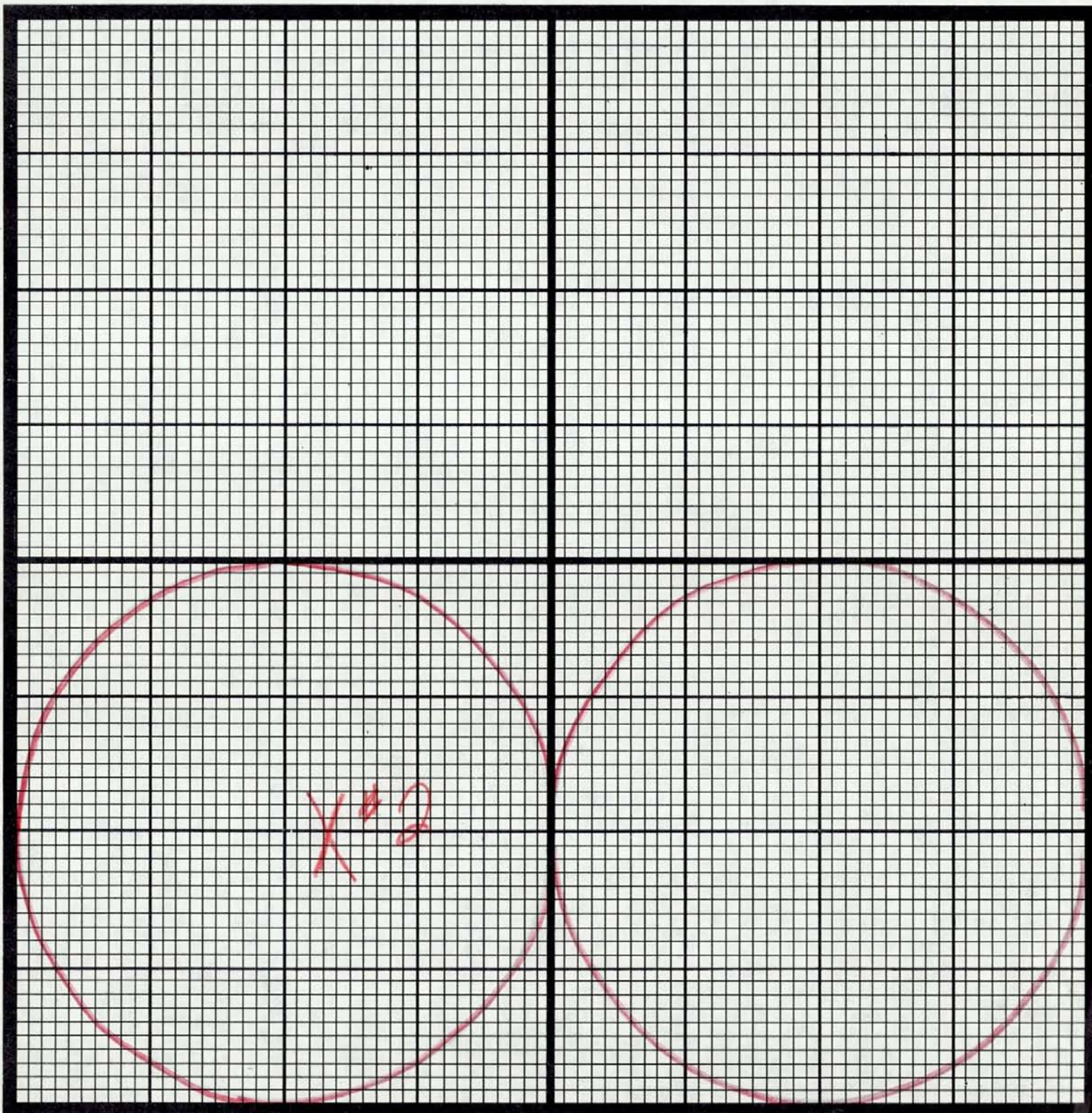
DATE November 16 19 76

WELL NO. #2

SW

QUARTER, SECTION 11

TWP. 128 RANGE 60 IN Brown COUNTY



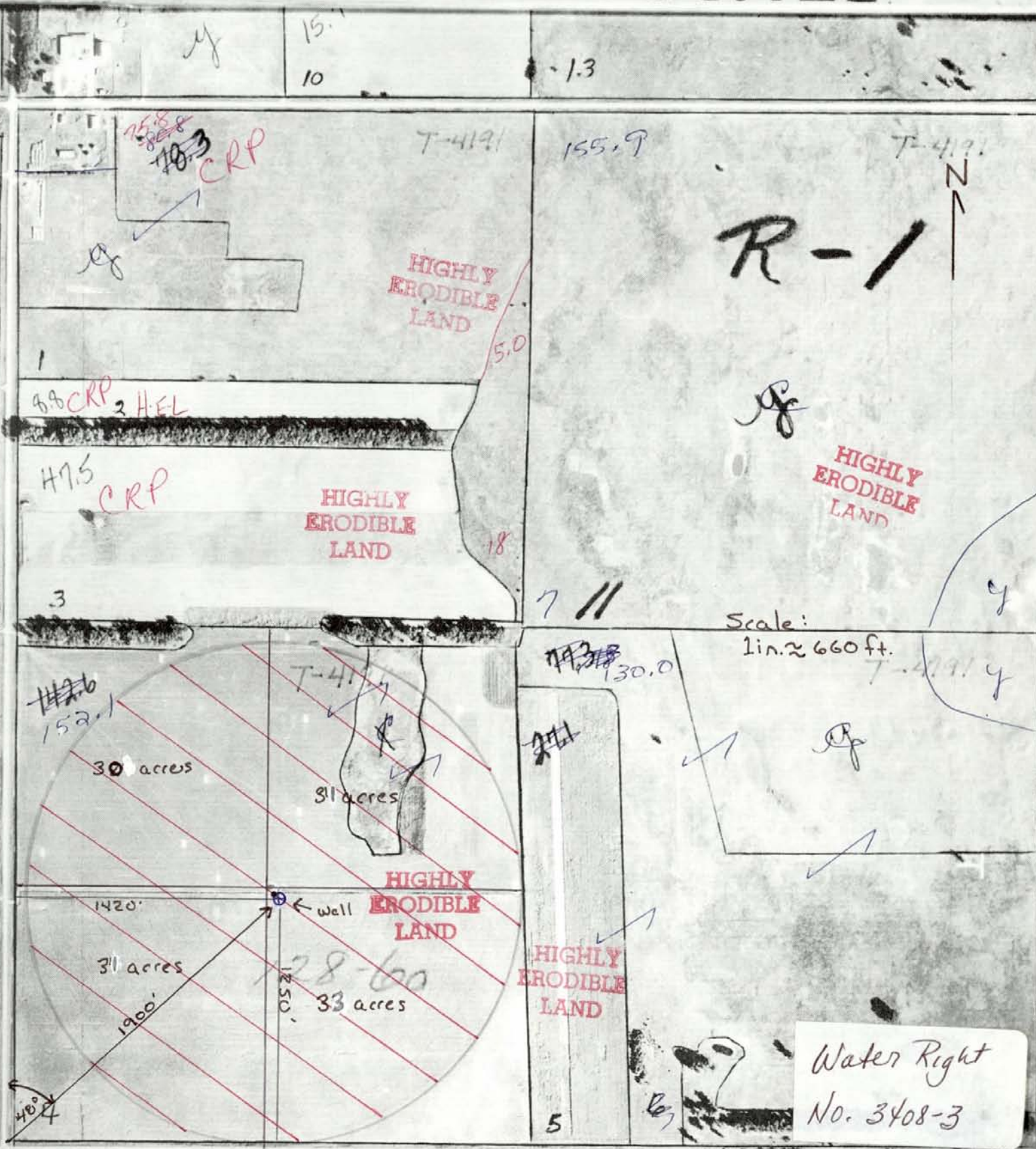
X — PROPOSED LOCATION

Prepared By Dick Fadgen
Dick Fadgen
Beadle County Extension Agent

MAP # 2090-3 APPL N° 3408-3

W.P. 3408-3
Harold Treeby

NOT TO SCALE



Jim Talburt
Natural Resources Engineer 6/16/88