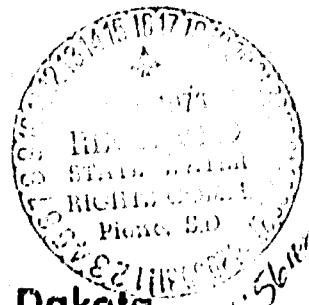


Water Right Number 3421-3

1. Considered 1-26, 1977
2. Name of Applicant DELBERT & RICHARD BOTTOM
3. Post Office Address TULARE
4. Amount of Water claimed 2.22
5. Source of Water supply 145' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 480
7. Water to be diverted and used in HAND County
about 45, 18W miles of TULARE
8. Proof of Publication
Received 1-19-77
Not Received
Approved
Subject to
Not Approved
Action Deferred
9. Application
10. Remarks:

Map No. 2702-3 Water Division No. 3 JAMES RIVER District
 (Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Delbert & Richard Bottum
 Postoffice address Tulare, State South Dakota 57476
 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 Delbert & Richard Bottum - 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 CENTER OF THE SW 1/4 SECTION 10, T14N. R66W

County Hand

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 480

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.
SW 1/4 of 10-114-66	160		
W 1/2 of 14-114-66	320		

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 _____ years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Miller Press, Miller, SD 57362

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)

County of Hand) ss.

I, Delbert & Richard Bottum 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 Delbert & Richard Bottum

Subscribed and sworn to before me this 2 day of December 1976

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

MY COMMISSION
 EXPIRES NOV. 4, 1984

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3421-3

DELBERT & RICHARD BOTTUM
(Applicant)

TULARE
(Post Office Address)

SOUTH DAKOTA 57476 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 DECEMBER 16, 19 76

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

Date of receipt of corrected application DECEMBER 29, 19 76

Approved JANUARY 26, 19 77, Recorded in Book 17 Page 162

WATER RIGHT PERMIT NO. 3421-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3421-3 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 16, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 26, 19 79
3. The whole of said work is to be completed on or before JANUARY 26, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 26, 19 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 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 26, 19 84, said water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 11TH day of APRIL, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

[illegible]

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. *Log will be provided by driller

- (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 _____

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 960 rds. On property owned by others 160 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.

Robert L. Richard B. B. B.
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 Delbert & Richard Bottum
ADDRESS Tulare, South Dakota 57476
COUNTY Hand



LEGAL DESCRIPTION

- 1. WELL LOCATION Center of the SW $\frac{1}{4}$ of 10-114-66
- 2. LOCATION OF AREA TO BE IRRIGATED SW $\frac{1}{4}$ of 10-114-66, W $\frac{1}{2}$ of 14-114-66

TYPE OF IRRIGATION

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

WATER QUALITY

- 5. SAMPLE NUMBER 76-1986
- 6. SALINITY (EC X 10⁶) 1501 (high)
- 7. SODIUM (SAR) 2.64 (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 Hand 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.

Delbert & Richard Bottum
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
2 DAY OF December 19 76.

Delbert A. Gering
(TITLE OR SEAL)

Albert J. Duffels
APPROVED/DISAPPROVED

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

Submitted by: Dolbert & Richard Eottum

Date Rec'd December 6, 1976

Address Tulsa, OK 74176
Co: Huron Drilling, Inc.

Sample No. 76-1986

P.O. Box 1422
Huron, SD 57350

Identification Well-145'
Sec. 10, T. 114N, R. 66W

WATER ANALYSIS

Calcium (Ca)	167	ppm*	8.35	me/l**
Magnesium (Mg)	41	ppm	3.36	me/l
Sodium (Na)	147	ppm	6.39	me/l
Potassium (K)	14	ppm	0.36	me/l
Sulfate (SO ₄)	340	ppm	7.07	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	46	ppm	1.29	me/l
Bicarbonate (HCO ₃)	586	ppm	9.60	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)	480	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1501	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.64			
Sodium	34.61	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.40			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 13.46 me/l
 Total anions 17.96 me/l

By: Shirley Hittan

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. 76-1986

Amount Enclosed \$

Signed



December 21, 1976

Delbert & Richard Bottum
Tulare, SD 57476

Dear Sirs:

Your water sample (Lab. No. 76-1986) 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. Fink

L. O. Fink
Water Quality Lab

LOF:ckb
Enclosures

cc: State Conservation Commission

P.S. I recommend you eliminate from your plans the irrigation of Crebhard soils (CRA) and any other claypan or depression-phase soil. Severe difficulty will result (water-logging, crop drowning, salinity).

Form 6 - Notice of Intent to Appropriate Water

No. 2421-3

Publish first publication, on or before January 12, 19 77

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

January 7, 19 77

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

_____ of the _____
of Section 10, Twp. 114N, Range 55W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

S&A, Section 10; S&A, Section 14, T114N, R55W

This application No. 2421-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 25th day of January, 19 77, at 10:00A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Dalbarn & Richard Bottum, Tulare, South Dakota 57476

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hand) ss.

I, Robert H. McFarlane hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Miller Press

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 Miller

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

January 6, 1977

January 13, 1977

Robert H. McFarlane
(Signature)

Publisher
(Title)

January 17, 1977
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

No. 3421-3
Pierre, South Dakota 57501
January 3, 1977
Notice is hereby given that
Delbert & Richard Bottum
whose post office address is
Tulare, South Dakota, has
made an application in ac-
cordance 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
Bottum No. 1 the point of
diversion for which is to be
located in the Center of the
SW 1/4 of Section 10, Twp. 114N,
Range 66W. Said water to be
used for the purpose of provid-
ing irrigation on portions of the
following described land: SW 1/4
Section 10, SW 1/4 Section 14,
T114N, R66W.
This application No. 3421-3
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 per-
sons may appear and be heard.
WATER RIGHTS
COMMISSION
By: Burton F. Jones
Water Rights Specialist
FPNO 16 LPNO 17



Water Rights Division - DWR
Conversation or File Documentation

File No. 3457-3

3421-3

NAME OF PERSON OR FILE: Delbert Bottum

ADDRESS: Tulsa COUNTY

DATE: May 8, 1984 TELEPHONE 596-4185

RE: Questionnaire return and status of 3457-3

COMMENTS:

Mr. Bottum called to find out if he had returned his 1983 irrigation questionnaires for 3457-3 and 3421-3. He had returned them both.

Mr. Bottum stated he did not have a system on 3457-3 (land in Sec. 22) (he also indicated no system on questionnaire) He does have a system on Permit No. 3421-3 (land in Sections 10 and 14)

I indicated to him that Permit No. 3457-3 would be scheduled for cancellation for non construction, he was agreeable to the cancellation.

File in Permit or other file as necessary. Use to document conversations and what the other party was told, why action or decision was made.

4/82

NAME: Henry M. Math



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 3421-3

July 11, 1988

Delbert & Richard Bottum
RR 1, Box 60
Tulare, South Dakota 57476

Dear Mr. Bottum:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 3421-3 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.

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,

Maxine Stirling
Secretary

ms/
Enc.

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ July 14, 1980

RECEIVED OF Delbert Bottum, RR 1, Box 60, Tilam, SD 57170

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>3421-3</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

Chief Engineer JOHN HATCH (MS)

Permit No. 3421-3James River Water District10160009**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Delbert G.
Richard Bottom of Tulare, SD 57476 holder of
 Permit No. 3421-3, bearing the priority of Dec. 16 19 76 authorizing
 the diversion of 2.22 cu. ft. per second of the waters of groundwater (1 well)
 for irrigation purposes, in Hand County.

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

A. Works used to divert the water: 155' deep Well - 16" Plastic Casing, 15' Stainless Steel Screen
Byron Jackson Pump - Model 1H7216
General Electric Motor - 75 H.P., Model 5K6255 XM501A,
Ser. No. KMJ1027363

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

20' of 10" Steel Pipe.

C. Works used to apply water to beneficial use:

Lockwood Center Pivot - 9 towers, operated at 40-50 psiThe system is in the following condition Good.

The point of diversion is located Center of SW 1/4 of Section 10, T114N, R66W
1340' E and 1320' N of SW corner of Section 10

The works are capable of diverting and conveying to the place of use 1.55
 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: Section 10, T114N, R66W

NW 1/4 SW 1/4 - 34 acres
NE 1/4 SW 1/4 - 34 "
SW 1/4 SW 1/4 - 34 "
SE 1/4 SW 1/4 - 34 "

comprising a total of 136 acres of land and the license should be issued for 1.55 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date 6-28-88

James L. Wendt
 (Signature)

B. Hum
6-28-88

LICENSE FOR PERMIT NUMBER 3421-3

1. Legal location of wells: Center SW¹/₄ 10-114-66
20' East of C.P. Center

dams & structures: _____

2. Well Information: Well Drilling Firm Huron Well Drilling
No. of wells 1 Depth 155'

Casing a) diameter 16" Screen a) type S.S.
b) length — b) length 15'
c) type Plastic Static Water Level —

Pump a) make Byron Jackson Motor a) make General Electric
b) model 1H7216 b) model no. 5K6255XM501A
c) size — c) horsepower rating 75
d) capacity 700 GPM d) motor efficiency rating —
e) turbine pump Ser. No. KMJ1027363
no. of stages —

3. Distribution lines:
a) size of lines 10"
b) type Steel
c) length 20'

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

- 1) make Lockwood
- 2) number of towers 9
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) Y
- 6) high or low pressure Med
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 40-50
- 9) GPM 700

~129 acres

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPH) _____
- 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:

Good Condition

W 1/2 of 14 not developed

State of South Dakota
Water License No. 3421-3

(1) Delbert and Richard Bottum
of RR 1, Box 60, Tulare, South Dakota 57476
made Application No. 3421-3, December 16, 1976 for a water permit to appropriate
2.22 cubic feet per second of water from groundwater (one well),
Hand County, South Dakota for irrigation purposes.
Permit No. 3421-3, with a priority date of December 16, 1976
was approved January 26, 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 26, 1982 and for the application to beneficial use of said
water on or before January 26, 1984.

and

applicant

(2) It is certified that the application 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 1.55 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1340'E and 1320'N of SW Corner
of Section 10, T114N, R66W (approximate center of SW1/4)

and

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

Section 10, T114N, R66W

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 34 Acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 34 Acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 34 Acres

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 34 Acres

TOTAL 136 ACRES

(4) Pursuant to §46-5-30.1 Delbert and Richard Bottum

of RR 1, Box 60, Tulare, South Dakota 57476

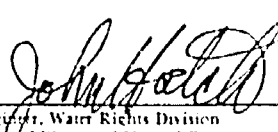
the holder(s) and/or owner(s) of Water Permit No. 3421-3 is issued a license to appropriate water, the right to use

1.55 cubic feet per second of water from groundwater (one well) with a priority date

of December 16, 1976 from the location specified in (2) of this license. The water 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. 3421-3 and subject to South Dakota State Law.


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

JOHN HATCH

DEC 21 1988

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

3421-3

DEC 21 1988

Delbert & Richar Bottum
RR 1, Box 60
Tulare, South Dakota 57476

Dear Mr. Bottum:

Enclosed is Water License No. 3421-3. This is the final water right document completing your process of obtaining a Water Right.

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. 3421-3, 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
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures



**SOUTH DAKOTA Department of
Water & Natural Resources**

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

February 9, 1990

DELBERT BOTTOM
RR 1 BOX 60
TULARE, SD 57476

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 3421-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire 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 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

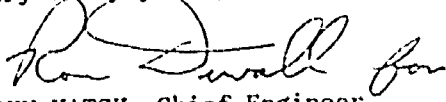
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 3421-3 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.

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,


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



Department of Water & Natural Resources

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

February 16, 1990

3421-3

Delbert Bottom
RR 1, Box 60
Tulare SD 57476

Dear Mr. Bottom:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 3421-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall/KS

RON DUVAL
Natural Resources Engineer
Water Rights Division



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 25, 1991

3421-3

Richard Bottum
RR #1 Box 48
Tulare, SD 57476

Dear Mr. Bottum:

In response to your 1990 irrigation questionnaire, enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 3421-3. The water right is currently listed in the name of Delbert & Richard Bottum.

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

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

Law Offices of
HEIDEPRIEM, WIDMAYER, ZELL & JONES
103 WEST THIRD STREET
BOX 129
MILLER, SOUTH DAKOTA 57362

HERBERT A. HEIDEPRIEM
RUBEN R. WIDMAYER
SCOTT N. HEIDEPRIEM
BRADLEY G. ZELL
BRIAN W. JONES

May 6, 1991

MILLER OFFICE
605/853-2456
FAX: 605/853-2457
HIGHMORE OFFICE
605/852-2962



Chief Engineer
Water Rights Division, DWRN
523 East Capitol
Pierre, SD 57501-3181

Re: 3421-3
Delbert & Richard Bottum

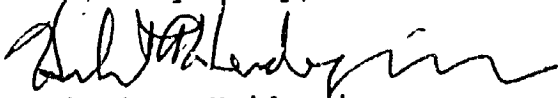
Dear Sir:

Delbert Bottum died on August 25, 1990, and his wife, June Bottum, has been appointed as executrix of his estate.

We enclose a document for transfer of his ownership in the water rights on the SW $\frac{1}{4}$ of 10-114-66 in Hand County so that Mrs. Bottum as sole beneficiary of his Will will be the owner of same in tenants in common with Richard Bottum.

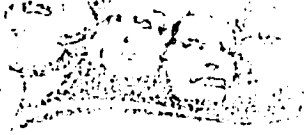
Also enclosed is Mrs. Bottum's check in the amount of \$2.50.

Yours very truly,


Herbert A. Heidepriem

HAH/mmd
Enc.

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

June 3, 1991

Herbert A Heidepriem
HEIDEPRIEM, WIDMAYER, ZELL & JONES
103 West Third Street
Box 129
Miller, SD 57362

Dear Mr. Heidepriem:

Enclosed, as we discussed is the "Notice of Transfer of Ownership" form submitted for Water Right No. 3421-3. In order for the water right to be transferred to Richard and June Bottum, both names must be included under the "transferred to:" portion of the form. Also, both Richard and June must sign the form in the presence of a notary.

Upon completion of the transfer form, please return it to our office. If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

encl

Law Offices of
HEIDEPRIEM, WIDMAYER, ZELL & JONES
103 WEST THIRD STREET
BOX 129
MILLER, SOUTH DAKOTA 57362

HERBERT A. HEIDEPRIEM
RUBEN R. WIDMAYER
SCOTT N. HEIDEPRIEM
BRADLEY G. ZELL
BRIAN W. JONES

June 10, 1991



MILLER OFFICE
605/853-2456
FAX: 605/853-2457
HIGHMORE OFFICE
605/852-2962

Genny McMath
Natural Resource Analyst
Department of Water and Natural Resources
523 East Capitol
Pierre, SD 57501-3181

Dear Ms. McMath:

We are returning to you the Notice of Transfer of Ownership to establish that June Bottum succeeds to the interest of Delbert Bottum in Right No. 3421-3 covering 136 acres in the SW $\frac{1}{4}$ of 10-114N-66 in Hand County.

Thank you for your assistance in this matter.

Yours very truly,

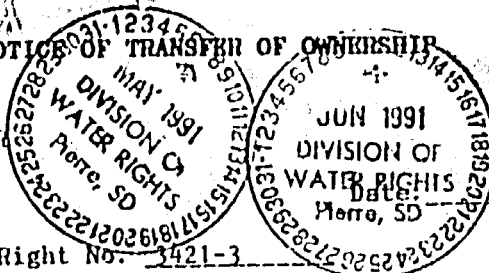
Herbert A. Heidepriem

HAH/mmd
Enc.

NOTICE OF TRANSFER OF OWNERSHIP

No. 3421-3

TO: Chief Engineer
Water Rights Division, DWNH
523 East Capitol
Pierre, SD 57501-3181



Date June 5, 1991

I/We request that Water Permit/Right No. 3421-3

formerly owned by: Delbert & Richard Bottum

be transferred to: (name & address) Richard Bottum, R1, Box 48 - Tulare, SD 57476
and June Bottum, RR 1, Box 60, Tulare, SD 57476 (telephone No.) 605-472-1519

Title to the following described land(s)/property has been transferred as described above:
136 acres - SW 1/4 Section 10, T114N, R66W

I/We understand that the validity of Water Permit/Right No. 3421-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Hand)

and Richard Bottum

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

Richard Bottum
(Signed)

June Bottum
(Signed)

Subscribed and sworn to before me this 6th day of May, 1991.

Herbert A. Heldepriem
(Notary Public)
My Commission Expires: 3/24/92

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:
1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

DATE MICROFILMED

CAMERA OPERATOR

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ May 7, 19 91

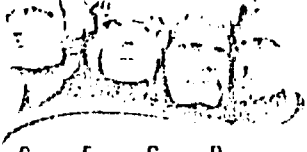
RECEIVED OF June Bottum, RR 1, Box 60, Tulare, SD 57476

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-Right-No</u>		
Fee for Filing Transfer Form <u>Water Right No. 3421-3</u>	2	50
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	2 59

By W. H. Hotal (Signature)
Chief Engineer

South Dakota



GREAT FACES. GREAT PLACES.

June 26, 1991

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

No. 3421-3

June Bottum
RR 1, Box 60
Tulare, SD 57476

Dear Ms. Bottum:

Enclosed is a receipt in the amount of \$2.50 which you paid for
the transfer of Water Right No. 3421-3.

Our records now show Richard Bottum, RR 1, Box 48, Tulare, SD 57476
and June Bottum, RR 1, Box 60, Tulare, SD 57476 as the owners of Water
Right No. 3421-3.

Sincerely,

Cheryl F. Frost

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure

cc: Richard Bottum

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:

RICHARD/JUNE BOTTOM
RR 1 BOX 43
TULARE SD 57476

3421-3

4a. Article Number

378 081 327

4b. Service Type

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

7. Date of Delivery

2-6-97

5. Received By: (Print Name)

Richard Bottom

6. Signature: (Addressee or Agent)

X

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

Thank you for us...

3421-3



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: RICHARD/JUNE BOTTOM, RR 1 BOX 48, TULARE, SD 57476

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3421-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3421-3 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 28, 1997, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1997

3421-3

Richard & June Bottom
RR 1 Box 48
Tulare, SD 57476

Dear Mr. & Mrs. Bottom:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

I completed a questionnaire for you based on our February 6th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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

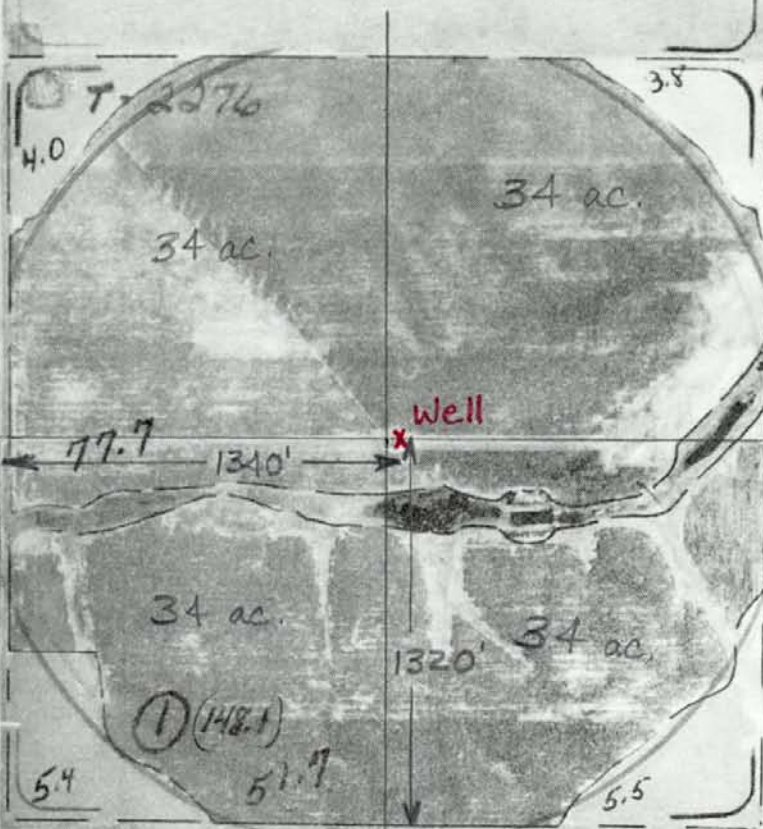
NOT TO SCALE

114-66
R. 15

34.1

T 776

T 740



T 781

54.4

① (137.9)

85.5
- 2.0
83.5

114-66
R. 15

James L. Wendt
N.R. Engineer.
7-7-88

3421-3

HURON DRILLING INC.
WELL LOCATION MAP

NAME Delbert & Richard Bottum

DATE December 3 19 76

WELL NO. #1

SW

QUARTER, SECTION 10

TWP. 114 RANGE 66 IN Hand COUNTY

X WELL

WATER TO BE PIPED TO

Prepared By

Dick Gredgen

X — PROPOSED LOCATION

W², SECTION 14, T114N, R66W

Map No. 27023
App. No. 3421-3