

SOUTH DAKOTA
WATER PERMIT NO. 3684D-3
(DIVISION OF WATER PERMIT NO. 3684A-3 INTO NOS. 3684C-3 AND 3684D-3)

The former Water Rights Commission approved Water Permit No. 3684-3 on March 23, 1977.

On September 13, 2000, due to an ownership change, Water Permit No. 3684-3 was divided and reissued as follows:

- Water Permit No. 3684A-3: Martin's Bakers Dozen, and
 - Water Permit No. 3684B-3: Randy and Anita Geffre
1. Water Permit No. 3684A-3 authorized diversion of 9.60 cubic feet of water per second (cfs) from three wells (approximately 280 feet deep) located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, all in T126N, R76W to irrigate 960 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 8; NW $\frac{1}{4}$ and E $\frac{1}{2}$ Section 9 and the NW $\frac{1}{4}$ Section 15, T126N, R76W.

Ownership changes have been filed for Water Permit No. 3684A-3. The permit is being divided and reissued as follows:

Water Permit No. 3684C-3, Angus Land Inc., % Steve Martin, 2930 Airport Rd, Pierre SD 57501:

authorizing diversion of 2.20 cfs from one well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9 to irrigate 160 acres in the SE $\frac{1}{4}$ Section 9, all in T126N, R76W;

Water Permit No. 3684D-3, Martin Land Inc., % Davis Martin, PO Box 393, Mobridge SD 57601:

authorizing diversion of 7.40 cfs from two wells in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9 to irrigate 800 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 8; N $\frac{1}{2}$ Section 9 and the NW $\frac{1}{4}$ Section 15, T126N, R76W.

2. The amount of the appropriation may not exceed 3 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - November 1.
3. The date from which the permit holder may claim right is February 28, 1977.
4. All construction is to be completed on or before March 23, 1982.
5. Water is to be put to beneficial use on or before March 23, 1986.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 16 2012

date



LANDS TO BE IRRIGATED

LAND DESCRIPTION	No. ACRES	
$S\frac{1}{2}$ OF NE $\frac{1}{4}$, Sec. 8, T. 126 N, R. 76 W	80	Davis Martin Martin Land Inc (3684D-3)
SE $\frac{1}{4}$, Sec. 8, T. 126 N, R. 76 W	160	(3684D-3)
E $\frac{1}{2}$ OF SW $\frac{1}{4}$, Sec. 8, T. 126 N, R. 76 W	80	(3684D-3)
NW $\frac{1}{4}$ OF Sec. 9, T. 126 N, R. 76 W	160	(3684D-3)
NE $\frac{1}{4}$ OF Sec. 9, T. 126 N, R. 76 W	160	(3684D-3)
SE $\frac{1}{4}$ OF Sec. 9, T. 126 N, R. 76 W	160	Steve Martin Angus Land Inc (3684C-3)
NW $\frac{1}{4}$ OF Sec. 15, T. 126 N, R. 76 W	160	Davis Martin Martin Land Inc (3684D-3)
NW $\frac{1}{4}$ OF Sec. 16, T. 126 N, R. 76 W	160	(3684B-3 - Geffre)
N $\frac{1}{2}$ OF SW $\frac{1}{4}$, Sec. 16, T. 126 N, R. 76 W	80	(3684B-3 - Geffre)

RECEIVED

NOV - 1 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 3684D-3

Date: _____

I/We request that portions of Water Permit No. 3684A-3

formerly owned by: Martin's Bakers Dozen

be transferred to : (name & address) Martin Land Inc., % Davis Martin

PO Box 393, Mobridge SD 57601-393

Telephone No. 605 848-1888

Title to the following described land(s)/property has been transferred as described above:

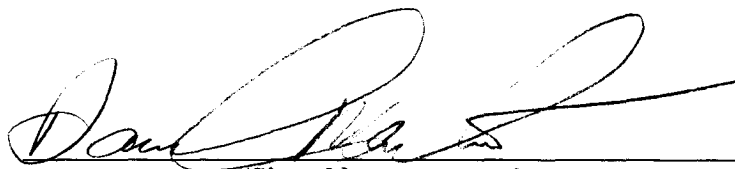
800 acres - S ½ NE ¼, SE ¼, E ½ SW ¼ Section 8; N ½ Section 9; NW ¼ Section 15, T126N, R76W

I/We understand that the validity of Water Permit No. 3684D-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 with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We DAVIS L. MARTIN, the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a 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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/01, 20 07

RECEIVED OF Davis Martin PO Box 393 McBride SD 57601

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3684D-3</u>	2	50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)		
TOTAL	2	50

No.

03191

By

Garland Erbe
Chief Engineer

7



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 11, 2007

3684A-3
3684D-3

Davis Martin
Martin Land Inc
PO Box 393
Mobridge SD 57601-0393

Dear Mr. Martin:

I am writing in regard to ownership of land described in Water Permit No. 3684A-3. Today, Steve Martin stopped by the office to transfer a portion of the land described in the permit to Angus Land Inc. He mentioned while he was here that the remaining land is no longer held by Martin's Bakers Dozen and should also be transferred to reflect current ownership.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

As soon as we receive the ownership change from you, Water Permit No. 3684A-3 will be divided and reissued to reflect separate ownership. One additional item I need to ask you is what year the land will come out of CRP. We have been holding up sending out irrigation questionnaires for this permit due to enrollment of the land in the Program and it would be helpful to have the correct year.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

June 30, 2011

3684A-3

Steve Martin
Angus Land Inc
2930 Airport Rd
Pierre SD 57501

Davis Martin
Martin Land Inc
PO Box 393
Mobridge SD 57601-0393

Dear Sirs:

I am contacting you in regard to ownership of land described in Water Permit No. 3684A-3. The water right covers land in Sections 8, 9 and 15, T126N, R76W. Back in 2007, both of you filed an ownership change for the land described in the permit.

The ownership changes were effective back when you filed them however the paperwork was never completed due to the issue of diversion rate authority for the respective acres. A note written on the file indicates I was to hold up on finalizing anything until I heard from both of you.

Please contact me so the permits can be finalized and issued.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

File No. 3684C-3
3684D-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Davis Martin, PO Box 393, Mobridge SD 57601

DATE: October 4, 2011

TELEPHONE: 605 848-1888

RE: diversion rate authority for transfer of water permit

COMMENTS:

No. 3684A-3 authorizes diversion of 9.60 cfs to irrigate 960 acres. Steve Martin now owns 160 acres with a prorated share of the diversion rate being 1.60 cfs; Davis Martin owns 800 of the acres with a prorated share of the diversion rate being 8.00 cfs.

The transfer and reissuance of Water Permit No. 3684A-3 into C & D's has been pending since 2007 due to request of the land owners as they work out diversion authority issues.

On today's date I spoke with both Steve and Davis Martin concerning the transfers. Steve Martin needs at least 900 gallons per minute to run his system. Davis will not be using his entire share and has agreed to relinquish a portion of his diversion authority.

Based on our conversations, the following is the break down as they have agreed to it (*written documentation from Davis Martin will be required*):

- No. 3684C-3: Steve Martin, Angus Land Inc., 160 acres in the SE ¼ Section 9, T126N, R76W with a diversion authority of 2.20 cfs.
- No. 3684D-3: Davis Martin, Martin Land Inc., 800 acres – S ½ NE ¼, SE ¼, E ½ SW ¼ Section 8; N ½ Section 9; NW ¼ Section 15, T126N, R76W with the remaining diversion authority of 7.40 cfs.



Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 5, 2011

3684C-3
3684D-3

Davis Martin
Martin Land Inc.
PO Box 393
Mobridge SD 57601-0393

Dear Mr. Martin:

I am writing in follow-up to our phone conversation regarding the diversion authority authorized by Water Permit No. 3684A-3. The permit authorizes diversion of 9.60 cubic feet of water to irrigate 960 acres. If the diversion rate was prorated according to the acreage that you and Steve Martin own, Steve would not have adequate water to run his irrigation system.

During our phone conversation you agreed to relinquish a portion of the diversion authority and allow the permit issued to Steve Martin to reflect a total of 2.20 cfs for the irrigation of 160 acres. In doing so, the permit issued to you would authorize a total of 7.40 cfs for irrigation of 800 acres.

After giving the issue more thought, I think the file should have something in writing from you which would show you agree with the above breakdown. I am writing up a brief summary and attaching it to this letter. Please review it and if you agree, sign the paper and return it in the enclosed postage paid envelope. If anything appears to be incorrect, please make the correction and then sign the bottom and return it to us.

Thank you in advance and if you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

c: Steve Martin

RECEIVED

OCT 12 2011

WATER RIGHTS
PROGRAM

File Nos. 3684C-3 and 3684D-3

Water Permit No. 3684A-3 is being divided and reissued to reflect separate ownership. Currently a total of 9.60 cubic feet per second (cfs) is authorized for irrigation of 960 acres.

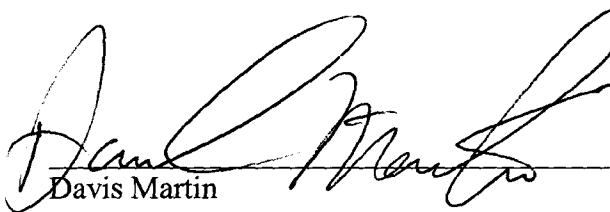
Based on the prorated share, the breakdown would be:

- 1.60 cfs for 160 acres (Steve Martin) and
- 8.00 cfs for 800 acres (Davis Martin).

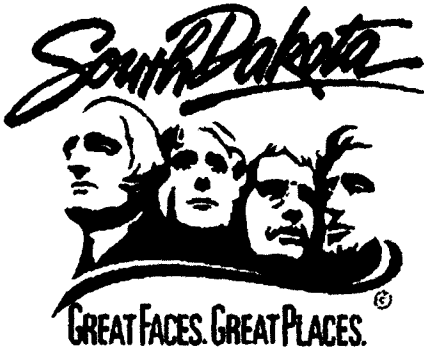
I agree to relinquish a portion of my diversion rate authority to Angus Land Inc., % Steve Martin as follows:

- Allow an increase in the diversion rate authority of 0.60 cfs, bringing the total rate up to 2.20 cfs for irrigation of 160 acres.

In relinquishing 0.60 cfs, I understand that my permit will be issued for a total of 7.40 cfs for irrigation of 800 acres.

A handwritten signature in black ink, appearing to read "Davis Martin", is written over a horizontal line.

Davis Martin
Martin Land Inc.
PO Box 393
Mobridge SD 57601



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

MAY 16 2012

3684D-3

Davis Martin
Martin Land Inc
PO Box 393
Mobridge SD 57601

Dear Mr. Martin:

Enclosed is your Reissued Water Permit No. 3684D-3. Based on the ownership changes that you and Steve Martin filed, Permit No. 3684A-3 was divided and reissued to reflect separate ownership.

For informational purposes, the project originally authorized under the permit has never been inspected for licensing purposes. At some point in time, a staff engineer from our program will be in touch with you to line up an inspection of your irrigation system. Once the inspection is conducted, a water license will be issued for the project as it was developed.

If you have any questions concerning the enclosed water permit, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

enclosure

Water Permit No. 3684D-3

Missouri River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, November 9, 2016, made a thorough examination of the water use system constructed by Martin Land, Inc of PO Box 393, Mobridge, SD 57601 holder of Permit No. 3684D-3, bearing the priority of February 28, 1977 authorizing the diversion of 7.40 cu. ft. per second of water from the Grand Aquifer for Irrigation use purposes, in Campbell County.

Inspection contact & relationship to permit holder, if applicable: **Randy Geffre (957-3377, 957-5730 cell)**

A. Works used to divert the water:

Well One:

- 1) Well Drilling Firm: Oahe Drilling
- 2) No. of Wells 1
- 3) Depth(s) 285 feet
- 4) Well log is available Y
- 5) Comment:

Casing:

- 1) Diameter 15 and 10 inches
- 2) Length 263 feet
- 3) Type Plastic

Screen:

- 1) Type Stainless Steel
- 2) Length 30 feet
- 3) Static water level 39 feet

Pump:

- 1) Make (2) Goulds Submersible
- 2) Model Unknown
- 3) Capacity 800 GPM

Well Two:

- 1) Well Drilling Firm: Oahe Drilling
- 2) No. of Wells 1
- 3) Depth(s) 285 feet
- 4) Well log is available Y
- 5) Comment:

Casing:

- 1) Diameter 15 inches
- 2) Length 255 feet
- 3) Type Plastic

Screen:

- 1) Type Stainless Steel
- 2) Length 30 feet
- 3) Static water level 40 feet

Motor:

- 1) Make **(2) Franklin**
- 2) Model No. **Unknown**
- 3) Horsepower rating **60** hp

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

- 1) Type **Buried Pipe**

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make **(3) Reinke, (1) T & L**
- 2) Number of towers **7**
- 3) End gun **Y**
- 4) High or low pressure **Low**
- 5) Capacity **850** GPM

Chemigation Equipment:

- 1) Does chemigate **Y**
- 2) Main line check valve **Y**
- 3) Inspection port/air relief **Y**
- 4) Low pressure drain **Y**
- 5) Discharge is 20' from source **Y**
- 6) Interlock type **electrical**
- 7) Injection pump type **piston**
- 8) Injection check valve **Y**
- 9) Injection line check valve or positive displacement pump **Y**
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules **Y**

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows:

Well 1: Approximately 1,400 feet north and 1,360 feet west of the SE corner of Section 8-T126N-R76W (N 45.74248, W -100.05353) (NW ¼ SE ¼)

Well 2: Approximately 1,340 feet south and 2,610 feet east of the NW corner of Section 9-T126N-R76W (N 45.74956, W -100.03770) (SE ¼ NW ¼)

The works are capable of diverting and conveying to the place of use 3.56 cu. ft. per second of water which is to be used for Irrigation use. Water has been put to beneficial use to the maximum extent as follows:

Section 8-T126N-R76W

NW ¼ SE ¼ - 33 acres
NE ¼ SE ¼ - 33 acres
SW ¼ SE ¼ - 33 acres
SE ¼ SE ¼ - 33 acres

SW ¼ NE ¼ - 33 acres
SE ¼ NE ¼ - 33 acres

Section 9-T126N-R76W

NW ¼ NE ¼ - 33 acres
NE ¼ NE ¼ - 33 acres
SW ¼ NE ¼ - 33 acres
SE ¼ NE ¼ - 33 acres

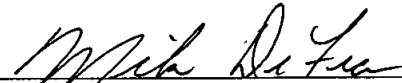
NW ¼ NW ¼ - 33 acres
NE ¼ NW ¼ - 33 acres
SW ¼ NW ¼ - 33 acres
SE ¼ NW ¼ - 33 acres

comprising a total of 462 acres of land and the license should be issued for 3.56 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:

Well 1, supplies water for the two pivots located in Section 8, and Well 2, supplies water for the two pivots located in Section 9; both in T126N-R76W. Both wells are only capable of operating one irrigation system at a time.


Mike DeFea

Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: December 14, 2016

NOTICE OF WELL CONSTRUCTION

Walworth
Campbell
3684-3 3684D-3

(1) WELL CONSTRUCTION

Location of well: 1/4 SE 1/4 NE Section 8 Township 126 N Range 76 W
Well owner MARTINS BAKERS DOZAN MURRIDGE S. OAK
(Name) (Address)
Date well drilling completed 5/1/77 Purpose of well (domestic) (irrigation) (municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer
0-3	top soil	ft.
3-43	yellow silt & clay	Depth to static water level <u>39</u> ft.
43-220	Blue clay & silt	Name of producing aquifer (if known) _____
220-285	SAND & Gravel	Total depth of drill hole <u>2</u> ft.
	Edge on top	Depth to bottom of casing _____ ft.
	7 Bottom	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
		15" Plastic top 105'
		10" " 105 - 225
		10" 255 - 263
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
		10' 40 slot Stainless steel.
		20' 50 slot
		(225 - 255) 304 H: Q
		If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

OATHE Drilling Co.
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump _____ HP _____
Type of pump _____ Capacity of installed pump _____ G.P.M.
Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____

Name of Pump Installation Contractor

Campbell

(1) WELL CONSTRUCTION

Well owner MARTIN'S BAKERS DOZEN Moundcity
(Name) (Address)

Date well drilling completed 5/1/77 Purpose of well (domestic, irrigation, municipal, industrial, other)

Layers, top to top in feet	Description of layer
0-2	top soil
2-35	yellow clay with sand
35-220	Blue clay
220-280	SAND & Gravel
280-285	Shale

Depth to top of water producing aquifer 220 ft.

Depth to static water level 40 ft.

Name of producing aquifer (if known) _____

Total depth of drill hole 285 ft.

Depth to bottom of casing 255 ft.

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

15" plastic

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

10" Stainless Steel

10' 30 slot

20' 50 slot

If a flowing well, flow at completed well _____ G.P.M.

Attach sheet if more space is needed

If a flowing well, flow at completed well _____ G.P.M.

DATE 11-11-76
Name of Drilling Contractor

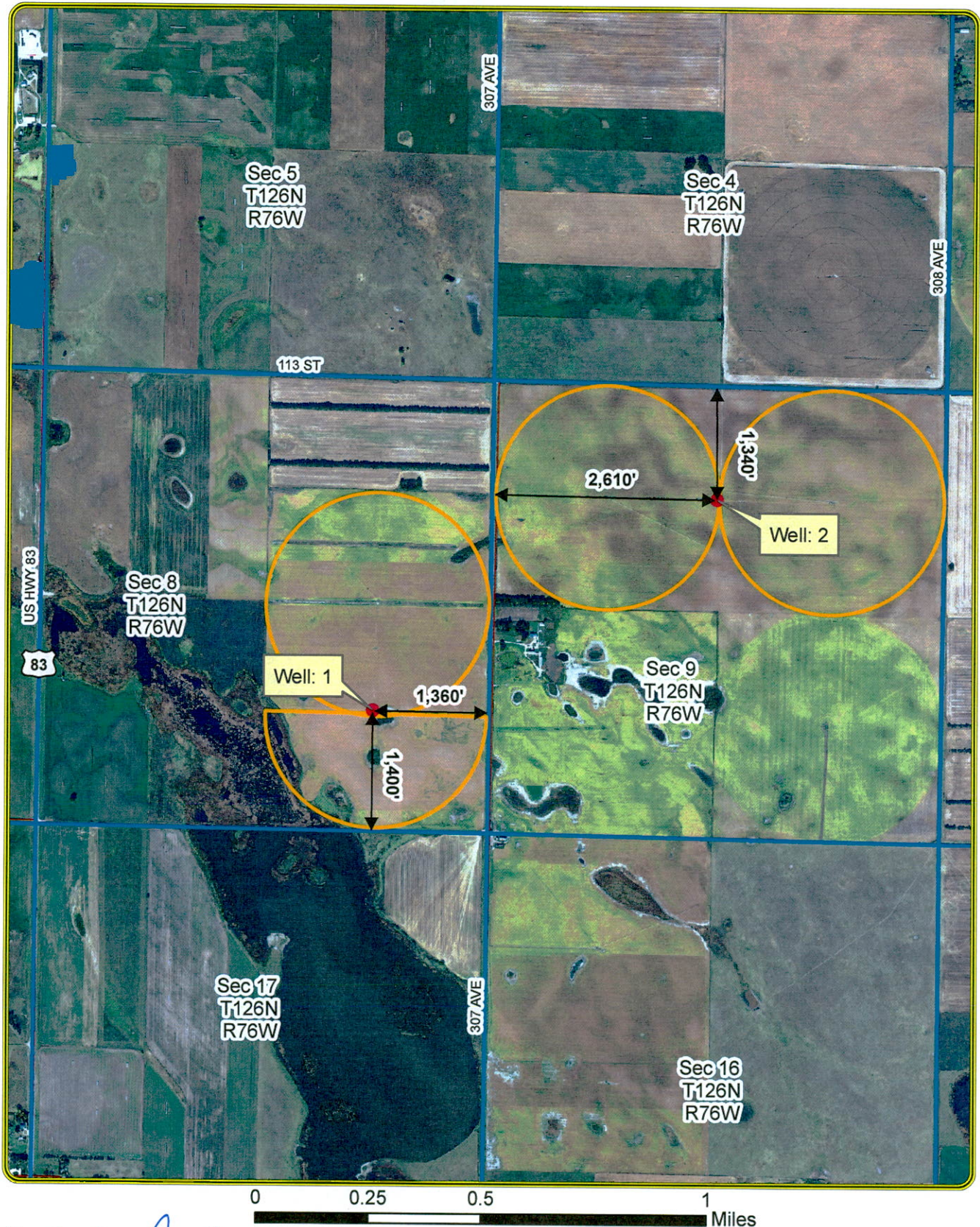
Company name and size of pump _____ HP _____
Type of pump _____ Capacity of installed pump _____ G.P.M. _____
Depth of pump placement _____ ft., Date of pump installation _____

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____ tube material _____.

Name of Pump Installation Contractor _____

Martin Land, Inc
Water Permit No. 3684D-3



Mike DeFea
Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
December 14, 2016



Approval of Location Change and/or Additional Diversion Point(s)

NAME: Martin Land, Inc
ADDRESS: PO Box 393, Mobridge, SD 57601
DATE: December 15, 2016
COUNTY: Campbell
TELEPHONE: 848-1888

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The water source is the Grand aquifer, same as permitted, with no additional water appropriated. This permit authorizes the diversion of 7.40 cfs of water for irrigation of 800 acres from two wells. One well was to be located in the SE ¼ NE ¼ Section 8 and the second well was to be located in the SE ¼ NW ¼ Section 9: both in T126N-R76W. At the time of the permit licensing inspection, the first well was found to be located in the NW ¼ SE ¼ Section 8, and the second well was located in the SE ¼ NW ¼ Section 9 as permitted. GPS coordinates were taken at the location and are included in the inspection report.

- **If irrigation, no new land is irrigated**

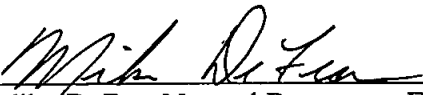
No new land is being irrigated. Upon licensing of this permit, the irrigated acres will be decreased from 800 acres to 462 acres, and the diversion rate will be decreased from 7.40 cfs to 3.56 cfs.

- **Review of Existing Diversions**

There are several water rights/permits in this area which divert water from this aquifer. This well has a construction date of May 1, 1977 and Water Permit priority date of February 28, 1977, with no record on file regarding any interference with other wells in the area.

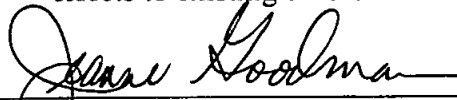
RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.


Mike DeFea, Natural Resources Engineer II
DENR, Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.


Jeanne Goodman, Chief Engineer
DENR, Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.gov

January 27, 2017

3684D-3

Davis Martin
Martin Land Inc
PO Box 393
Mobridge SD 57601 0393

Dear Mr. Martin:

On November 9, 2016 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 3684D-3, was completed by Mike DeFea, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that cannot be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/1, 20 17

RECEIVED OF Davis Martin PO Box 393 Mobridge SD 57601

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
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>3684D-3</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **08162**

By Jeanne Goodman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

FEB 06 2017

3684D-3

Davis Martin
Martin Land Inc
PO Box 393
Mobridge SD 57601 0393

Dear Mr. Martin:

Enclosed is Water License No. 3684D-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. 3684D-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.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 3684D-3

(1) Martin Land Inc., PO Box 393, Mobridge SD 57601 was issued Water Permit No. 3684D-3, May 16, 2012 for a water permit to divert 7.40 cubic feet of water per second from ground water, two wells (Grand Aquifer), Campbell County, South Dakota for irrigation purposes. Permit No. 3684D-3, with a priority date of February 28 1977 was issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 23, 1982 and for the application to beneficial use of said water on or before March 23, 1986. *The originating Water Permit No. 3684-3 was approved March 23, 1977. Based on ownership changes, the permit was divided and reissued as 3684A-3 and 3684B-3. The next ownership change caused No. 3684A-3 to be divided into 3684C-3 and 3684D-3.*

An investigation of the water use system authorized under Water Permit No. 3684D-3 found the location of one of the wells to be outside of the permitted area. Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01, the Chief Engineer made a finding that the change in location of the well did not increase the potential for adverse effects to existing diversions.

(2) It is certified that the permit holder 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 3.56 cubic feet of water per second for beneficial use. The location of the diversion points are:

- Well #1: approximately 1,400 feet N and 1,360 feet W of the SE corner of Section 8, T126N, R76W (NW ¼ SE ¼ Section 8);
- Well #2: approximately 1,340 feet S and 2,610 feet E of the NW corner of Section 9, T126N, R76W (SE ¼ NW ¼ Section 9).

(3) The permit holder 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 8, T126N, R76W		Section 9, T126N, R76W			
NW ¼ SE ¼	33 acres	NW ¼ NE ¼	33 acres	NW ¼ NW ¼	33 acres
NE ¼ SE ¼	33 acres	NE ¼ NE ¼	33 acres	NE ¼ NW ¼	33 acres
SW ¼ SE ¼	33 acres	SW ¼ NE ¼	33 acres	SW ¼ NW ¼	33 acres
SE ¼ SE ¼	33 acres	SE ¼ NE ¼	33 acres	SE ¼ NW ¼	33 acres
SW ¼ NE ¼	33 acres				
SE ¼ NE ¼	33 acres				
		Total 462 acres			

Note: Well #1 supplies water for the two pivots in Section 8; Well #2 supplies water for the two pivots located in Section 9

(4) Pursuant to South Dakota Water Law 46-5-30.1 Martin Land Inc., PO Box 393, Mobridge SD 57601 the holder and/or owner of Water Right No. 3684D-3 is issued a license to appropriate water, the right to use 3.56 cubic feet of water per second from ground water, two wells (Grand Aquifer) with a priority date of February 28, 1977 from the locations specified in (2) of this license for irrigation purposes.

continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 3684D-3 and subject to the following qualifications:

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



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 06 2017

date

