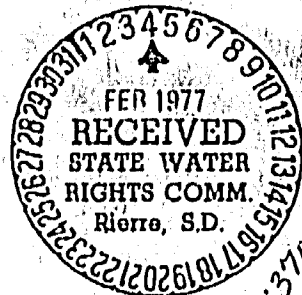


Water Right Number 3730-3

1. Considered 3.23, 1977
2. Name of Applicant MELVIN PARKER
3. Post Office Address BRUCE
4. Amount of Water claimed 2.2
5. Source of water supply 40' WELL
6. Water to be used for IRRIGAT
Acres to be irrigated 156
7. Water to be diverted and used in BROOKINGS County
about 5N, 2E miles 1.5 of BRUCE
8. Proof of Publication Received ✓ 3.23.77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 3730-3Map No. 3003-3 Water Division No. 3 BIG SIOUX 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 Melvin L. Parker
Postoffice address Bruce, State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Melvin L. Parker Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.2
5. Source of water supply Well
6. Location of point of diversion 1860' N 135° W of NE Corner Sec 17-112-50

- County Brookings
7. Annual period or periods during which water is to be used April through October
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 156

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 of NE 1/4 Sec 17-112-50	39		
NE 1/4 " " " "	38		
SW 1/4 " " " "	40		
SE 1/4 " " " "	39		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use Three years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Brookings Register
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. WellB. Works proposed to transport water to place of use. closed conduitC. Works proposed to apply water to beneficial use. center pivot irrigation machineEstimated Total Cost \$42,000Attachments: 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 BrookingsI, Melvin Parker 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 Melvin L. ParkerSubscribed and sworn to before me this 19 day of Jan, 1977John J. Williams
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3730-3

MELVIN PARKER
(Applicant)

BRUCE
(Post Office Address)

SOUTH DAKOTA 57220
(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.

Date of first receipt of application FEBRUARY 4, 19 77

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

Date of receipt of corrected application FEBRUARY 9, 19 77

Approved MARCH 23, 19 77, Recorded in Book 18 Page 77

WATER RIGHT PERMIT NO. 3730-3

The Water Rights Commission, hereby grants and issues this Water Right Permit No. 3730-3 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 FEBRUARY 4, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 23, 19 79
3. The whole of said work is to be completed on or before MARCH 23, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23, 19 85
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 2.2 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 MARCH 23, 19 85; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 21ST day of APRIL, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 28", Depth 40'
 (2) Casing, Type Steel Diameter 14" Thickness 1/4"
 (wood, concrete, steel, etc)
 (3) Perforated Screen.
 Type Perforated, Diameter 14", Length 15'
 (4) Gravel Pack, Thickness 5", Length of gravel pack 20'

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 0' to 4' top soil, 4' to 8' yellow
clay, 8' to 40' water bearing sands
and gravels.

Depth to top of water bearing material 8'
 Depth to bottom of water bearing material 40'
 Thickness of water bearing material 32'
 Depth to water (ground surface to water level) 8'

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

On same owner's property No Supply rds. On property owned by others 350 rds.

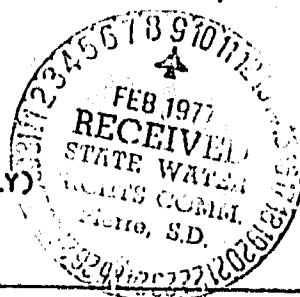
G. Water Storage Dams.

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.

Michael L. Parker
 Signature of Applicant

CONSERVATION
COMMISSION
FORM WI #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 Melvin L. Parker
ADDRESS Brooks South Dakota
COUNTY Brookings

LEGAL DESCRIPTION

1. WELL LOCATION center of NE¹ Sec 17 - 112 - 50
2. LOCATION OF AREA TO BE IRRIGATED NE¹ Sec 17 - 112 - 50

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 77-112
6. SALINITY (EC X 10⁶) 6.55 (medium)
7. SODIUM (SAR) 0.21 (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 Brookings 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.

Melvin L. Parker
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
14 DAY OF Jan 1977.

John H. [Signature]
(TITLE OR SEAL)

Albert J. [Signature]
APPROVED/DATE

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Melvin Parker

Date Rec'd January 20, 1977

Address: Brice, SD 57220

Sample No. 77-112

Identification Well-40

NE 1/4, Sec. 17, T 112N, R 50W

WATER ANALYSIS

Calcium (Ca)	90	ppm*	4.50	mc/l**
Magnesium (Mg)	33	ppm	2.71	mc/l
Sodium (Na)	9	ppm	0.39	mc/l
Potassium (K)	2	ppm	0.05	mc/l
Sulfate (SO ₄)	108	ppm	2.25	mc/l
Nitrate (as N)		ppm		mc/l
Chloride (Cl)	6	ppm	0.17	mc/l
Bicarbonate (HCO ₃)	298	ppm	4.88	mc/l
Carbonate (CO ₃)		ppm		mc/l
Iron (Fe)		ppm		mc/l
Fluoride (F)		ppm		mc/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	244	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	655	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.21			
Sodium	5.09	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.46			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 7.65 me/l
 Total anions 7.30 me/l

By: Shirley Mittan

Service Performed

Amount Due

Irrigation analysis

\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-112

Amount Enclosed \$

Signed

February 1, 1977

Mr. Melvin L. Parker
Bruce, SD 57220

Dear Mr. Parker:

Your water sample (Lab. No. 77-112) 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 VI-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

LOFickb
Enclosures
cc: State Conservation Commission

Form 6 - Notice of Intent to Appropriate Water

No. 2720-2

Publish first publication, on or before March 11, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

March 11, 1977

Notice is hereby given that Melvin Parker
whose post office address is Bruce, 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
2.2 cubic feet of water per second of time from the ground water through the
Melvin L. Parker Irr. Project, the point of diversion of which is to be located in the
center of NE 1/4

of Section 17, Twp. 112N, Range 50W. Said water to be used for the purpose
of providing irrigation on the following described land:

NE 1/4, Section 17, T112N, R50W

This application No. 2720-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 23rd day of March, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERTON
Water Rights Specialist

BFJ/bw

cc: Melvin Parker, Bruce, SD 57220

No. 3730-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brookings) ss.

I, James M. McLellan Jr., hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Brookings Daily Register

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 Brookings

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

March 14, 1977

March 21, 1977

James M. McLellan Jr.
(Signature)

Editor - General Manager
(Title)

3-21-77

(Date Signed)

Legal No 784-March 14 and 21, 1977
NOTICE
INTENT TO APPROPRIATE WATER
Pierre, South Dakota 57501
March 9, 1977
Notice is hereby given that Melvin
Parker whose post office address is
Bruce, 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 2.2 cubic feet of water per
second of time from ground water
through the Melvin L. Parker Irr.
Project No. 1, the point of diversion of
which is to be located in the center of
NE 1/4 of Section 17, Twp. 112N, Range 50
W. Said water to be used for the purpose
of providing irrigation on portions of the
following described land: NE 1/4, Section
17, T112N, R50W.
This application No. 3730-3 will be
considered by the Water Rights
Commission at their office at Pierre
upon the 23rd day of March, 1977, at
10:00 A.M. All interested persons may
appear and be heard.
WATER RIGHTS COMMISSION
By James Winkler
Water Rights Specialist





Department of Water & Natural Resources

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

April 15, 1985

Melvin L Parker
Bruce SD 57220

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) 3730-3. 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.

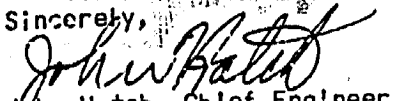
The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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). 3730-3 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 or Amendment to Water Permit(s)

To: Melvin L. Parker
Bruce, SD 57220

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

SUBJECT: Amendment to Water Permit No(s). 3730-3.

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). 3730-3 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.



Department of **Water & Natural Resources**

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

Attachment to Water Permit No(s). 3730-3

Pursuant to the provisions of the notice dated April 15, 1965, and following the Hearing May 15, 1965, the Water Management Board has amended Water Permit No(s). 3730-3 to add the following qualification:

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

3730-3

WATER RIGHTS DIVISION
(605) 773-3352

November 1, 1985

Brookings County Farm Partnership
James Anderson, Manager
P.O. Box 1196
Marshall, Minnesota 56258

Dear Sir:

This will acknowledge receipt of the "Notice of Transfer" you submitted for transferring Water Permit No. 3730-3. However, as indicated in our letter to you dated October 24, 1985, a \$2.50 filing fee is required before the transfer can be completed.

Upon receipt of the \$2.50 filing fee, Permit No. 3730-3 will be transferred to Brookings County 160 acre Irrigated Farm Partnership.

If you have any questions, please contact us.

Sincerely,

Genny McHath
Natural Resources Analyst

GJM:ms

Water Rights Division - DWR
Conversation or File Documentation

File No. 3730-3

NAME OF PERSON OR FILE: James Anderson

ADDRESS: P.O. Box 1196, Marshall, MN 56258 COUNTY

DATE: October 21, 1985 TELEPHONE 507-537-1508 (office)

RE: Status of Permit No. 3730-3 - Melvin Parker

COMMENTS:

Brookings Co. Assessor indicated land was sold to
Brookings County Farm Partnership
to James Anderson
P.O. Box 1196
Marshall, MN 56258

called & spoke w/Mr. Anderson - He
indicated a system was developed
on that land & irrigation was being
done. Send transfer form.

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.

NAME: Genny McMath



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 3730-3

October 24, 1985

Brookings County Farm Pir.
c/o James Anderson
PO Box 1196
Marshall, MN 56258

Dear Sir:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. 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.

Please advise if you have any questions.

Sincerely,

Genny McMath
Natural Resources Analyst

DWNR-820A-8/83

RECEIPT

Division of Water Rights

No 4 10235

South Dakota Department of Water and Natural Resources

Pierre, November 12, 1985, 19

RECEIVED OF Brookings County Farm Partnership, PO Box 1196, Marshall, MN 56858

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. _____		
Fee for Filing Transfer Form <u>No. 3730-3</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 50

By (John Hatch)
Chief Engineer JOHN HATCH (ES)

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 10/26/85

This is to notify you that the title to the lands described as follows:

156 Acres - NE 1/4 Section 17, T12N, R50W

formerly owned by Melvin L. Parker

has been transferred to BROOKINGS COUNTY 160 Acre Irrigated Farm PSHA,
(please include complete mailing address) c/o James R. Anderson,
together with any rights to the beneficial use of water thereon as evidenced by R. Anderson,
Water Right Permit No. 3730-3 as provided for in SDCL 46-5-32 and 46-5-33. Box 1196, Mandak, Minn. 56258

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

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

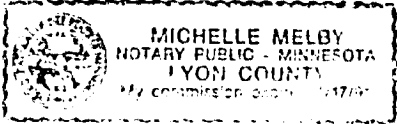
MINNESOTA
STATE OF ~~SOUTH DAKOTA~~)
County of Lyon) ss.

I, JAMES R. Anderson Farm Manager of
being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

[Signature]
(Signed)

Subscribed and sworn to before me this 26th Day of October, 1985

[Signature]
(Notary Public)



file received 11-12-85

No. 3730-3



**Department of
Water & Natural Resources**

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

November 13, 1985

Brookings Co. Farm Partnership
c/o James R. Anderson
PO Box 1196
Marshall MN 56258

Dear Mr. Anderson:

Enclosed is receipt No. 419235 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 3730-3.

Our records now show you as the owner of this Water Right.

Sincerely,

KAREN SCHLAAR
Administrative Aide

enclosure

WNR-821-7/79
Receipt & Notice of filing of Transfer of Water Right

 **Department of
Water & Natural Resources**

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

September 1, 1989

3730-3

Brookings County Farm Partnership
& James R. Anderson
Box 1196
Marshall, MN 56258

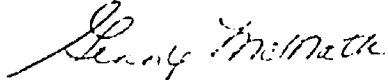
Dear Mr. Anderson:

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. 3730-3 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, we will begin processing your Water License.

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.



Permit No. 3730-3BIG SLOW RIVER Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by MELVIN
PARKER of BRUCE, SOUTH DAKOTA holder of
 Permit No. 3730-3, bearing the priority of FEBRUARY 4, 1977 authorizing
 the diversion of 2.2 cu. ft. per second of the waters of GROUNDWATER (1 WELL)
 for IRRIGATION purposes, in BROOKINGS County.

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

- A. Works used to divert the water: (NO INFORMATION ON WELL; BELOW ARE ESTIMATES FROM FORM 24)
ONE WELL, APPROXIMATELY 40' DEEP; 14" STEEL CASING + 15' OF 14" DIAMETER SS SCREEN
WESTERN LANDROLLER PUMP; HEAD NO. - 8M 4 I.C.M. 800 GPM CAPACITY; SERIAL # F79226
A 60 HP AMARILLO MOTOR; 1760 RPM; SERIAL # 560 140342; POWERED BY AN ALLIS CHALMERS
649T DIESEL ENGINE; ON A
 B. Works used to transport water to place of use: PTO DRIVE
220 FEET OF 10" UNDERGROUND STEEL PIPE TO PIVOT

- C. Works used to apply water to beneficial use:
AN 8 TOWER REINKE ELECTROGATOR CENTER PIVOT WITH END SW
1311' LONG; HIGH PRESSURE (60 PSI); 800 GPM CAPACITY
MODEL-680; SERIAL # 779C 4137 GOOD
 The system is in the following condition GOOD

The point of diversion is located 1270' WEST + 1550' SOUTH OF THE
NORTHEAST CORNER OF SECTION 17, T.112N, R.50W.

The works are capable of diverting and conveying to the place of use 1.78 (800 GPM)
 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 17, T.112N, R.50W.

NW 1/4 NE 1/4 - 35 ACRES

NE 1/4 NE 1/4 - 35 ACRES

SE 1/4 NE 1/4 - 35 ACRES

SW 1/4 NE 1/4 - 35 ACRES

comprising a total of 140 acres of land and the license should be issued for 1.78 cfs

Applicable permit qualifications have been complied with Yes ☒ No

Exceptions to compliance are: NO WELL LOG OR INFORMATION ON Date 8-4-88
THE WELL

Thomas M. Brundage
 (Signature)

LICENSE FOR PERMIT NUMBER 3730-3

1. Legal location of wells: SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17, T12N, R50W

dams & structures: Center Pivot in center of NE $\frac{1}{4}$, Sec. 17, T12N, R50W

2. Well Information: Well Drilling Firm ?

Completion Report Yes No ✓ No. of Wells 1 Depth ? est- 40'

Casing a) diameter

Screen a) type

b) length

b) length

c) type

Static Water Level est. - 8'

Pump a) make

Motor a) make

b) model

b) model No.

c) size

c) horsepower rating

d) capacity gpm

e) turbine pump - no. c. stages

f) operating PSI

(Other information on
"Examination of works"
report)

3. Distribution lines or canals

a) size 10"

b) type Steel - underground

c) length See map

4. Dam Information:

a) height to crest

m) Outlet tubes:

b) height to primary spillway

1) diameter

c) height to secondary spillway

2) type

d) crest width

3) valved (Y/N)

e) crest length

4) valve type

f) spillway length

5) location on structure

g) spillway width

h) approx. storage

n) Category of Dam

i) approx. storage to crest

j) date constructed

k) inspection sheet completed (Y/N)

l) Name of Contractor

5. System Type a) sideroll:

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

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

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

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

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

d) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____

- 8) capacity (GPM) _____

g) siphons

- 1) size _____
- 2) number _____

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

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

Yes	No	Check Items
☒	☐	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?
☒	☐	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period? <i>Construction period up in 1982.</i>
☒	☐	5. Is chemigation used? <i>Only one Questionnaire sent in prior to 1985 when he irrigated sent Questionnaire</i>
☐	☒	6. If yes, does equipment comply with chemigation rules? <i>Inspected prior to chemigation rules</i>
REMARKS:		

RECEIPT

411903

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, September 11, 1939

RECEIVED OF Brookings Co. Farm Partnership c/o James R. Anderson Box 1103, Marshall MN
the following amount in fees for services rendered as provided for by law: 50258

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>Water Permit No. 5730-3</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 [Signature]
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3730-3

(1) Melvin Parker of Bruce, South Dakota 57220 made Application No. 3730-3, February 4, 1977 for a water permit to appropriate 2.20 cubic feet of water per second from groundwater (one well), Brookings County, South Dakota for irrigation purposes. Permit No. 3730-3 with a priority date of February 4, 1977 was approved March 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 March 23, 1982 and for the application to beneficial use of said water on or before March 23, 1985.

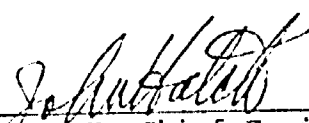
On November 12, 1985, Water Permit No. 3730-3 was transferred to Brookings County 160 acre Irrigated Farm Partnership, c/o James R. Anderson, Box 1196, Marshall, MN 56258.

(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 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is: 1270' W and 1550' S of the NE corner of Section 17, T112N, R50W (SE1/4 NE1/4).

(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:

T112N, R50W Section 17	NW1/4 NE1/4	35 acres
	NE1/4 NE1/4	35 "
	SE1/4 NE1/4	35 "
	SW1/4 NE1/4	35 "
	Total	140 acres

(4) Pursuant to Section 46-5-30.1 Brookings County 160 acre Irrigated Farm Partnership c/o James R. Anderson of Box 1196, Marshall, MN 56258 the holder(s) and/or owner(s) of Water Permit No. 3730-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of February 4, 1977 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. 3730-3 and subject to South Dakota State Law.


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

SEP 14 1989

 **Department of
Water & Natural Resources**

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

3730-3

SEP 14 1989

James R. Anderson
Brookings County Farm Partnership
P.O. Box 1196
Marshall, MN 56258

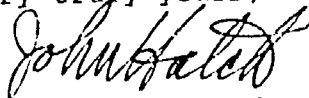
Dear Mr. Anderson:

Enclosed is Water License No. 3730-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 411903 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. 3730-3, 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JAMES R ANDERSON
PO BOX 1196
MARSHALL MN 56258

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s) 3730-3

The first notice to file chemigation report(s) for Permit No(s) 3730-3 was dated December 2, 1991. Our records indicate that we have not received the 1991 chemigation report for Permits No(s) 3730-3. The Water Management Board has directed that owners of water permits who have not submitted the 1991 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearings will be held at 9:15 am, on March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre SD, and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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 or up to three years for the 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) 3730-3 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.

Very truly yours,

RON DUVAL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 4, 1992 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 4, 1992

JAMES R ANDERSON
PO BOX 1196
MARSHALL MN 56258

Dear Mr. ANDERSON:

I am writing to acknowledge receipt of your 1991 chemigation report for Water Right No.(s) 3730-3. You may disregard the January 27, 1992 Notice of Failure to Report Chemical Use for 1991. With receipt of the chemigation report, your name has been deleted from the March 4, 1992 Water Management Board meeting agenda.

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

Sincerely,

DON FRYE, Natural Resources Analyst
Water Rights Division

JAMES R. ANDERSON
ATTORNEY-AT-LAW
1106 EAST COLLEGE DRIVE
P.O. BOX 449
MARSHALL, MINNESOTA 56258
ATTORNEY REGISTRATION 2045

FAX 507-537-1508

PHONE 507-537-1508

October 15, 2002

RECEIVED

OCT 18 2002

WATER RIGHTS
PROGRAM

Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

RE: NE Quarter of Section 17, Township 112, Range 50, Brookings County

Dear Sirs:

I return herewith to you the questionnaire that you sent me. This farm was sold last year to Bret and Connie Adee and I enclose their address below so that you can change your records and send them the questionnaire if you so desire.

Sincerely yours,

James R. Anderson

JRA/ka

Enclosure: Bret and Connie Adee
Rt. 2, Box 90
Toronto, SD 57268-9750

021015ka/6



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 21, 2002

3730-3

Bret & Connie Adee
RR 2 Box 90
Toronto SD 57268-9750

Dear Mr. & Mrs. Adee:

I am contacting you in regard to ownership of land described in Water Right No. 3730-3. We were notified by the previous owner that you purchased the land last year. Enclosed is a copy of the water right.

Since you now own the land, the water right should be transferred to your names. Enclosed is a partially completed form. Please review and complete as needed. 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.

Also enclosed is the 2002 irrigation questionnaire pertaining to Water Right No. 3730-3. Please complete the form and return it to us prior to December 2nd.

Thank you in advance for your help. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 4, 20 02

RECEIVED OF Bret & Connie Adee, RR 2 Box 90, Toronto SD 57268

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>3730-3</u>		
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.

000336

By

Harland D. White

Chief Engineer

gmc

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3730-3

Date: 10-30-02

I/We request that Water Right No. 3730-3

formerly owned by: Brookings County 160 Acre Irrigated Farm Partnership %James R Anderson

be transferred to: (name & address) Bret J Conkle Adee
RR 2 Box 90
Toronto, SD 57268 Telephone No. 605-794-2008

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

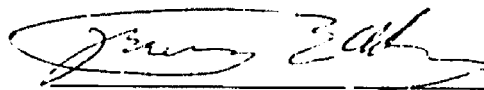
NE 1/4 Section 17, T112N, R50W

I/We understand that the validity of Water Right No. 3730-3 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 SDCJ 46-2-13. This form must be signed by the new owner.

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



(Signed by new owner)

RECEIVED

NOV 04 2002

WATER RIGHTS
PROGRAM

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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 5, 2002

3730-3

Bret & Connie Adce
RR 2 Box 90
Toronto SD 57268

Dear Mr. & Ms. Adce:

Thank you for following up on the ownership change for Water Right No. 3730-3. The transfer has been completed. The water right formerly listed in the name of Brookings county 160 Acre Irrigated Farm Partnership is now listed in your names.

Enclosed is your Receipt No. 000336 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

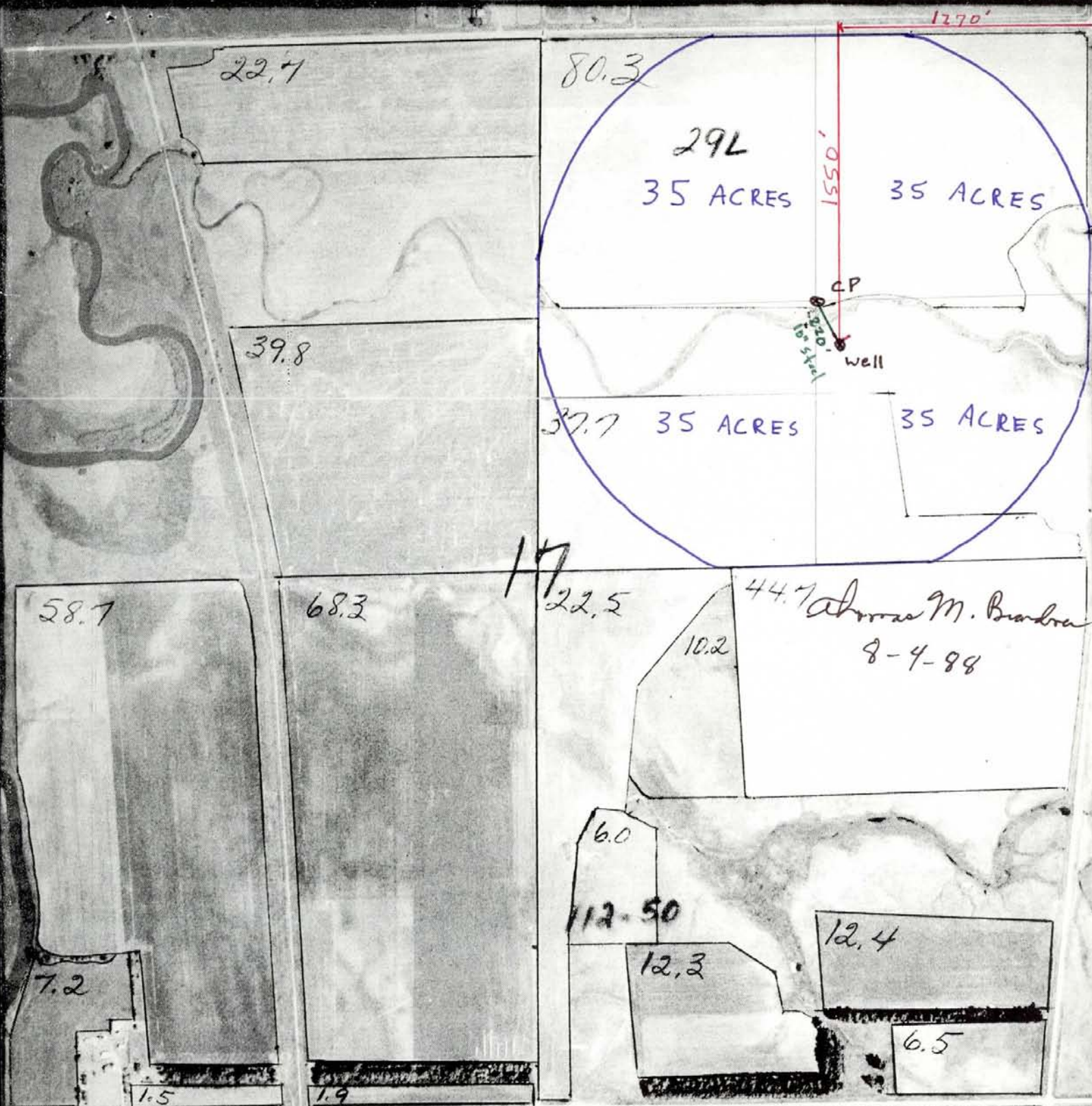
Genny McMath

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

enclosure

NOT TO SCALE

3730-3
4507-3



17

Abraha M. Banda
8-4-88

Water License
No. 3730-3

NOT TO SCALE

22.7

80.3

MELVIN L. PARKER
Irrigation Project #1
Bruce S. Dak.
57220

2-125

1860'
N135°W

39.8

Brookings County

Area Irrigated NE⁴ sec 17 -
112-50

37.7

58.7

68.3

23.2

44.7

Acres Irrigated - 156
Water Claimed 2.2 cfs

45

2-1-77

112-50

12.4

3.1

6.1

6.5

1.5

1.4

82.7

56.0

1843 Certified Power of Attorney
John E. Wilson
2-125

MAP 112-300-3 ADD. 112-37-30-3