

No. 3802-3Map No. 2078-3 Water Division No. 3 WHETSTONE CREEK District
(Blanks to be filled by the Engineer for the W.R.C.)

APPLICATION FOR PERMIT (9:30)

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Brink Bros. Inc., Dale Brink, Mgr.
 Postoffice address Ortley 57256 State South Dakota
 If a corporation show date and place of incorporation Grant County, South Dakota
 Method of accomplishing work (contract, employment of others, or by direct labor) Contract and Direct Labor
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract and Direct Labor
3. Name of diversion work Brink Bros. Inc. Irrigation Project #2
4. Amount of water claimed (cubic feet per second) no additional water, new diversion point
5. Source of water supply well
6. Location of point of diversion Well #3, will be 300 feet east and 100 feet North of the SW Corner of Section 30, T121N, R52W

- County Grant
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 266

(Same acreage as covered by W.R. 2717-3)

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW $\frac{1}{4}$ SW $\frac{1}{4}$	39	NW $\frac{1}{4}$ SE $\frac{1}{4}$	33
NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	SW $\frac{1}{4}$ SE $\frac{1}{4}$	39
SW $\frac{1}{4}$ SW $\frac{1}{4}$	38	SE $\frac{1}{4}$ SE $\frac{1}{4}$	38
SE $\frac{1}{4}$ SW $\frac{1}{4}$	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 Grant County Review
12. Principal Features of the Proposed Water Supply System.

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

Well with electrically driven deep well turbine

B. Works proposed to transport water to place of use

Closed conduit

C. Works proposed to apply water to beneficial use

Center pivot irrigation machine

Estimated Total Cost \$ 7,000

Attachments: Attach Form 2A if diversion from a well or dugout, or if a stage of water is proposed. Attach map (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
 County of Hughes)

I, Dale Brink, 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 Dale BrinkSubscribed and sworn to before me this 21st day of March, 19 77

Notary Public (or other qualified officer)

BETTY WESTLUND, Land/Water Clerk II

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 3802-3
BRINK BROS, INC. ORTLEY
(Applicant) (Post Office Address)
SOUTH DAKOTA 57256 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.

**INCORPORATED INTO
 WATER LICENSE NO. 2717-3A**

*See also
 2717-3A & 2717-3*

Date of first receipt of application MARCH 21 19 77
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application — 19 —
 Approved MAY 26 19 77 Recorded in Book 18 Page 214

WATER RIGHT PERMIT NO. 3802.3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 3802.3 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 MARCH 21 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 26 19 79
3. The whole of said work is to be completed on or before MAY 26 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 26 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 NO ADDITIONAL 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 MAY 26 19 85; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 9th day of JUNE 19 77

Rights
 WATER RESOURCES COMMISSION

By John F. [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

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

WELL #3

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30 1/2 inches, Depth 45 feet
- (2) Casing, Type wood concrete steel, etc, Diameter 16", Thickness 3/16"
- (3) Perforated Screen.
Type Cont. slot, Diameter 16", Length 10
- (4) Gravel Pack, Thickness 7", 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 _____
0-5' top soil, 5' to 45' is mixed sand and coarse gravel;
over 45' is clay

Depth to top of water bearing material 7'

Depth to bottom of water bearing material 45'

Thickness of water bearing material 38'

Depth to water (ground surface to water level) 7'

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

On same owner's property 140 rds. On property owned by others 140 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.

David R. ...
 Signature of Applicant

SEE PERMIT NO 2717-3
FOR WATER QUALITY DATA.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Grant) ss.

I, Clarence Justice hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Grant County Review

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 Milbank

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

April 13, 1977

April 20, 1977

Clarence Justice
(Signature)

Foreman
(Title)

4-21-77
(Date Signed)

NOTICE OF INTENT
TO APPROPRIATE WATER
Pierre, South Dakota 57501
April 4, 1977

Notice is hereby given that
Brink Bros., Inc., whose post
office address is Ortle, South
Dakota, has made an applica-
tion in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
No Additional water per second
of time from ground water
through the Brink Bros., Inc.
No. 2, the point of diversion of
which is to be located in the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Twp.
121N, Range 52W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:
SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 30-T121N-R52W.

This application No. 3802-3
will be considered by the Water
Rights Commission at their
office at Pierre upon the 26th
day of May, 1977, at 11:00 A.M.
All interested persons may
appear and be heard.

Water Rights Commission
James Winterlon
Water Rights Specialist

April 13 April 20



Form 6 - Notice of Intent to Appropriate Water

No. 3802-1

Publish first publication, on or before May 12, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

May 12, 1977

Notice is hereby given that Brink Bros., Inc.

whose post office address is 511 1st St., 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

No Additional cubic feet of water per second of time from the Brink Bros., Inc. #2 through the

Brink Bros., Inc. #2, the point of diversion of which is to be located in the

of Section 30, Twp. 111N, Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:

SW 1/4, NE 1/4, SE 1/4, SW 1/4, Sec. 30, T112N-R52W

This application No. 3802-1 will be considered by the Water Rights Commission at their office at Pierre upon the 20th day of May, 19 77, at 11:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

**JAMES WINTERSTON
Water Rights Specialist**

BFJ/bw

cc: Brink Bros., Inc., Pierre, S. D. 57501

SOUTH DAKOTA Department of
Water & Natural Resources
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 (605) 773-3352

November 3, 1981

Brink Brothers
Ortley, SD 57256

Dear Sir:

Enclosed herewith are, Water License No. 2717-3A and Certificate of Construction.

Water License No. 2717-3A is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:bt

enclosures

Note: The applicable portions of Permits Nos. 2717-3 and 3802-3 have been incorporated into this Water License. ✓

WNR-817-7/79
Transmittal of Water License