

Water Right Number 3854-3

1. Considered 5.25, 1977

2. Name of Applicant LESLIE RAY

3. Post Office Address JAVA

4. Amount of Water claimed 2.0

5. Source of Water supply 5-30'-35' DEEP WELLS

6. Water to be used for IRRIGATION

Acres to be irrigated 260

7. Water to be diverted and used in CHAMBERLAIN County

about 75, 10E miles of MOUND CITY

8. Proof of Publication Received 5-20-77

Not Received \_\_\_\_\_

9. Application Approved \_\_\_\_\_

Subject to \_\_\_\_\_

Not Approved \_\_\_\_\_

Action Deferred \_\_\_\_\_

10. Remarks:

No. 3884-3Map No. 3143-3 Water Division No. 3 MISSOURI 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 LESLIE RAY  
Postoffice address JAVA, State S.D. 57452  
If a corporation show date and place of incorporation \_\_\_\_\_
2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT
3. Name of diversion work LES RAY IRRIGATION UNIT #1
4. Amount of water claimed (cubic feet per second) 2 cu. ft./sec.
5. Source of water supply IRRIGATION WELLS
6. Location of point of diversion NUMEROUS WELLS IN W $\frac{1}{2}$  OF W $\frac{1}{2}$  OF NW $\frac{1}{4}$  Sec. 23, T. 125 R. 75W  
County CAMPBELL
7. Annual period or periods during which water is to be used MAY 1 - NOV. 1
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 260

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. |
|-------------------------------------------------------|----------------|-------------------------------------------------------|----------------|
| NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ S. 23 - 125 - 75 | 40             | NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ S. 23 - 125 - 75 | 40             |
| NW $\frac{1}{4}$ OF " " " "                           | 40             | NW $\frac{1}{4}$ OF " " " "                           | 40             |
| SW $\frac{1}{4}$ OF " " " "                           | 25             | SW $\frac{1}{4}$ OF " " " "                           | 25             |
| SE $\frac{1}{4}$ OF " " " "                           | 25             | SE $\frac{1}{4}$ OF " " " "                           | 25             |

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 FOUR years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication ABERDEEN AMERICAN NEWS  
ABERDEEN, S.D. 57401
12. Principal Features of the Proposed Water Supply System.

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

IRRIGATION WELLSNOTE: (WATER IS FROM SAME AQUIFER AS PERMIT NO. 2524-3)

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

IRRIGATION PIPES

C. Works proposed to apply water to beneficial use.

CENTER PIVOT IRRIGATION SYSTEMEstimated Total Cost \$ 60,000.00Attachments: 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 CAMPBELLI, LESLIE RAY, 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

Leslie Ray

Subscribed and sworn to before me this

1st

day of

MARCH19 77Forrest Dale Register of Deeds  
Notary Public (or other qualified officer)

## WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3884-3LESLIE RAY

(Applicant)

JAVA

(Post Office Address)

SOUTH DAKOTA 57452

(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.

WELLS APPROVED UNDER THIS PERMIT SHALL BE SPACED SO THAT THERE IS AT LEAST 660' BETWEEN WELLS.

Date of first receipt of application MARCH 4, 19 77Date of return to applicant for correction, amendments or changes required       , 19       Date of receipt of corrected application       , 19       Approved MAY 25, 19 77, Recorded in Book 18 Page 281WATER RIGHT PERMIT NO. 3884-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3884-3 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 4, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 25, 19 79
3. The whole of said work is to be completed on or before MAY 25, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25, 19 86
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 2.0 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 25, 19 86; said water to be used during the following described annual period: MAY 1 - NOVEMBER 1

Witness my hand this 14<sup>TH</sup> day of JUNE, 19 77

WATER RIGHTS COMMISSION

By:

John H. [Signature]  
Chief Engineer, Executive Officer

Certificate of Construction Issued       , 19       Water License Issued       , 19

WELL LOG 30 FT. WELLS  
OAKE DRILLING  
MOBRIDGE, S. DAK.

4' WATER LEVEL

0-3' TOP SOIL

3'-9'

SILTY FINE  
SAND

9'-13'

FINE SAND

13'-18'

FINE-MED.  
SAND

18'-30'

COARSE SAND

Blue clay

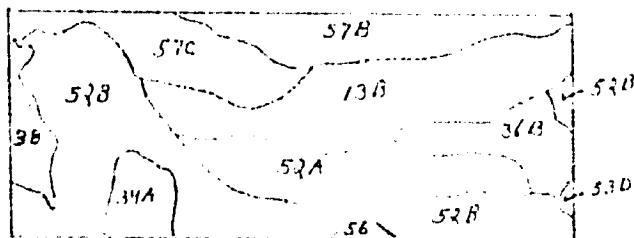
Leslie Rau



SEE PERMIT N° 2524-3

FOR WATER QUALITY DATA

LESLIE PAU  
V<sup>1</sup>/<sub>2</sub> SEC. 23-125-75



| MAPPING UNIT NAME            | SLOPE | CAPABILITY UNIT | INTAKE   |
|------------------------------|-------|-----------------|----------|
| 13B TALLY FINE SAND LOAM     | 3-6   | 111e8           | 1.5      |
| 34A BOWDLE LOAM              | 0-3   | 111s2           | 1.0      |
| 36B LEHR-WABER LOAMS         | 2-6   | 1Vs6 V1s4       | 2.0      |
| 38 x PARMELL SILTY CLAY LOAM | 0-1   | Vm4             | UNSUITED |
| 52B LEHR LOAM                | 3-6   | 1Vs6            | 2.0      |
| 53D x WABER-LEHR LOAMS       | 6-15  | V1e5            | UNSUITED |
| 56 x REGAN SILT LOAM         | 0-2   | Vm4             | UNSUITED |
| 57B WILLIAMS-BOWBELLS LOAMS  | 3-6   | 11e2            | 0.3      |
| 57C WILLIAMS-VIDA LOAMS      | 6-7   | 111e2           | 0.3      |

## INVENTORY & EVALUATION

☒ INDIVIDUAL  
☐ GROUP  
☐ UNIT OF GOVERNMENT

REQUESTED BY Leslie Ray LOCATION N<sup>2</sup> Sec 23-125-75

ASSISTED BY John Bechtold DATE 3-2-77

SITUATION: Operator requested feasibility for  
irrigation of soils on this tract

SUGGESTED SOLUTION (S): Most soils are suitable except:  
units marked in red. They are located  
outside of irrigation area and should present  
no problem.

Leslie Rau  
3-2-77

- 13F Tally Fine Sandy Loam 3-6% slope IIIe8  
Deep and moderately deep, moderately sandy soils on gently undulating (2 to 6%) uplands and eroded phases of these soils on nearly level (0 to 2%) uplands. They have a severe wind erosion hazard.
- 34A Powdle Loam 0-3% slope IIIs2  
Soils with 20 to 40 inches of loamy material over sand and gravel on nearly level (0 to 2%) uplands. The porous substrata limits water storage capacity and rooting depth. These soils have a moderate wind erosion hazard.
- 36F Lehr-Wabek loams 2-6% slope IVs6 VIsh  
Soils with 6 to 20 inches of loamy material over sand and gravel on nearly level to hilly (0 to 25%) slopes. The porous substrata limits rooting and water storage capacity. These soils are not suited for cultivation.
- X 38 Farnell silty clay loam 0-1% slope Vwh  
Very poorly drained and poorly drained loamy and clayey soils in depressions. These soils are ponded or have water tables at or near the surface. More than 50 percent of the vegetation is suitable for grazing.
- 52F Lehr loam 3-6% slope IVe6  
Soils with 10 to 20 inches of loamy material over sand and gravel on gently sloping (2 to 6%) uplands. The porous substrata limits rooting and water storage capacity. These soils have moderate wind and water erosion hazards.
- A 53D Wabek-Lehr loams 6-15% slope VIe5  
Moderately deep and shallow soils with 10 to 30 inches of loamy material over sand and gravel on sloping to hilly (6 to 25%) uplands. The porous substrata limits rooting and moisture storage capacity. These soils have severe water and wind erosion hazards. They are not suited for cultivation.
- V 56 Logan silt loam 0-2% slope Vwh  
Very poorly drained and poorly drained loamy and clayey soils in depressions. These soils are ponded or have water tables at or near the surface. More than 50 percent of the vegetation is suitable for grazing.
- 57F Williams-Fonbolls loams 3-6% slope IIe2  
Deep, loamy soils on gently undulating (2 to 6%) upland slopes. They have moderate wind and water erosion hazards.
- 57C Williams-Vida loams 1-9% slope IIle2  
Deep, loamy soils on undulating (6 to 9%) uplands and eroded soils on gently undulating (2 to 6%) uplands. They have moderate to severe water and moderate wind erosion hazards.

No. 3884-3Publish first publication, on or before May 12, 1977NOTICE  
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 11, 1977Notice is hereby given that Leslie Rauwhose post office address is Java, 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 use2.0 cubic feet of water per second of time from the ground water through theLes Rau Unit, the point of diversion of which is to be located in theW 1/2 W 1/2 NW 1/4of Section 23, Twp. 125N, Range 75W. Said water to be used for the purpose of providing irrigation on the following described land:W 1/2, Section 23, T125N, R75WThis application No. 3884-3 will be considered by the Water Rights Commission at their office at Pierre upon the 25th day of May, 1977, at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERTON  
Water Rights Specialist

BEJ/bw

cc: Leslie Rau, Java, SD 57452

No. 3884-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Campbell ) ss.

I, William R. Bommersbach hereby  
certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the Prairie Picayune

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 Herreid

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

May 12, 1977

May 19, 1977

William R. Bommersbach  
(Signature)

Editor  
(Title)

May 19, 1977  
(Date Signed)

NOTICE  
INTENT TO APPROPRIATE  
WATER

Pierre, South Dakota 57501  
April 11, 1977

Notice is hereby given that  
Leslie Rau whose post office  
address is Java, 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 2.0 cubic feet of  
water per second of time from  
ground water through the Les  
Rau Unit No. 1, the point of di-  
version of which is to be located  
in the W $\frac{1}{4}$  W $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec-  
tion 23, Twp. 125N, Range 75W.  
Said water to be used for the  
purpose of providing irrigation  
on portions of the following de-  
scribed land:

11 $\frac{1}{4}$ , Section 23, T125N, R75W  
This application No. 3884-3  
will be considered by the Water  
Rights Commission at their of-  
fice at Pierre upon the 25th day  
of May, 1977, at 10:00 A.M. All  
interested persons may appear  
and be heard.

Water Rights Commission  
JAMES WINTERTON  
Water Rights Specialist  
(Publ. May 12 and 19, 1977)





3884-3

DEPARTMENT OF WATER & NATURAL RESOURCES

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3131

February 1, 1991

LESLIE RAU  
RR 2 BOX 24  
JAVA SD 57452

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2524-3, 3884-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 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 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre 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) 2524-3, 3884-3 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 February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV  
Water Rights Division  
605 773-3352

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

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

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

3. Article Addressed to:

LESLIE RAU  
RR 2 BOX 24  
JAVA SD 57452

4. Article Number

P 694 057 334

Type of Service:

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

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee

X *Leslie Rau*

6. Signature - Agent

X

7. Date of Delivery

*3-4-91* *[Signature]*

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

PS Form 3811, Apr. 1989

U.S.G.P.O. 1989-235-815

DOMESTIC RETURN RECEIPT



DEPARTMENT OF WATER & NATURAL RESOURCES  
Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

GREAT FACES. GREAT PLACES.

3884-3

February 12 1991

2524-3  
(3884-3)

Leslie. Rau  
RR #2 box 24  
Java, SD 57452

Dear Mr. Rau:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Permit Nos. 2524-3 and 3884-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV  
Water Rights Division

*South Dakota*

GREAT FACES. GREAT PLACES.

FEB 20 1992

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

3884A-2

Leslie Rau  
HCR Box 24  
Java, SD 57452

Dear Mr. Rau:

Enclosed is Water License No. 3884A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412866 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. 3884A-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

NOTE: The applicable portions of Water Permit No. 3884-3 are incorporated into this Water License No. 3884A-3.

all lands to be irrigated owned by Leslie Rau

245.2  
CROPLAND  
IRRIGATED

230B

NUM FROGS  
15  
10  
5  
0

POUGOUT

5.5

11

23

125-75

14.9

3.0  
~~85.6~~ 85.6

NOTE: all pipe will be underground. Wayne S Noble, D.C 9.0  
SCS, Herrell, S.D

MAP NO 3143-3 (APP NO 3884-3)

NOT TO SCALE

