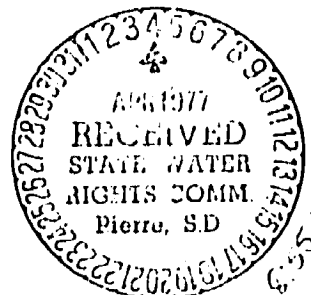


Water Right Number 3922-3

1. Considered 5.26, 19 77
2. Name of Applicant RICHARD J. DOUGHERTY
3. Post Office Address MAGNOLIA, MN
4. Amount of Water claimed 4.2
5. Source of Water supply 2-35' WELLS
6. Water to be used for IRRIGATION
- Acres to be irrigated 312
7. Water to be diverted and used in BROOKINGS County
about 11N, 5E miles 12 of BROOKINGS
8. Proof of Publication Received 12 5-20-77
- Not Received _____
- Approved _____
- Subject to _____
- Not Approved _____
- Action Deferred _____

10. Remarks:

No. 3922-3Map No. 3175-3 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)

Send material to
William J. Doherty, Agent
1148 North 11th
56158

1. Name of Applicant Richard J. Doherty & Co.
Postoffice address 1148 North 11th St. State Brookings, S.D. 57007

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor3. Name of diversion work Doherty Irrigation Project4. Amount of water claimed (cubic feet per second) 4.25. Source of water supply 2 wells

6. Location of point of diversion Well #1 - 1860' N 135° E at NW corner Sec 27-112-49
Well #2 - 1860' N 135° W at NW corner Sec 27-112-49

County Brookings7. Annual period or periods during which water is to be used April through October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, _____ Total number of acres to be irrigated 312

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 1/4 of NW 1/4 Sec 27-112-49	38	NE 1/4 of NE 1/4 Sec 27-112-49	39
NW 1/4 " " " "	39	SE 1/4 " " " "	38
SW 1/4 " " " "	39	SW 1/4 " " " "	40
SE 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 Daily Register

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. 2 wells with pump and pipelinesB. Works proposed to transport water to place of use. closed conduitC. Works proposed to apply water to beneficial use. center pivot irrigation machinesEstimated Total Cost \$16,000

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

STATE OF SOUTH DAKOTA

County of Brookings

I, William J. Doherty 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

Subscribed and sworn to before me this 31

Signed Richard J. Doherty
William J. Doherty (Agent)
day of March 1977
John J. Williams
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3922-3RICHARD J. DOUGHERTY
(Applicant)% WILLIAM J. DOHERTY, MA & NOLLS
(Post Office Address)MINNESOTA 56158
(State)

With the following modifications:

The irrigation wells 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 APRIL 4, 19 77
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application MAY 2, 19 77
 Approved MAY 25, 19 77, Recorded in Book 18 Page 319

WATER RIGHT PERMIT NO. 3922-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3922-3 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 APRIL 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 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 4.2 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 MAY 25, 19 85 said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 2ND day of AUGUST, 19 77

WATER RIGHTS COMMISSION

By:

John K. [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 26", Depth ~~75'~~ 85'
- (2) Casing, Type Steel, Diameter 14", Thickness 1/4"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Cont slot, Diameter 16", Length 20'
- (4) Gravel Pack, Thickness 5", Length of gravel pack _____

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 5' top soil; 5' to 35' yellow clay; 35' to 85' mixed gravel & sand with clay; lens 5' over 85' clay

Depth to top of water bearing material 35'

Depth to bottom of water bearing material 85'

Thickness of water bearing material 50'

Depth to water (ground surface to water level) 35'

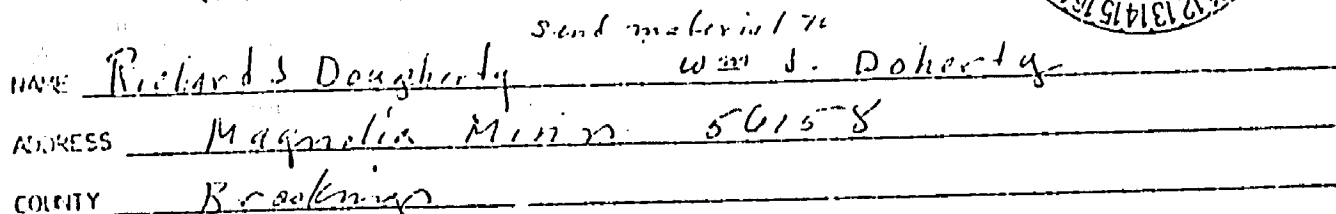
- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property well #1 - 110 fts. well #2 - 110 fts. On property owned by others well #1 - 90 fts. well #2 - 140 fts.

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.

Richard J. Dougherty
Signature of Applicant
By William J. Dougherty (agent)



1. WELL LOCATION Center of H² of Sec 27-112-49

2. LOCATION OF AREA TO BE IRRIGATED H² of Sec 27-112-49

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____

4. CROPS TO BE IRRIGATED Corn & alfalfa

5. SAMPLE NUMBER 77-525

6. SALINITY (EC X 10⁶) 640 (medium)

7. SODIUM (SAR) 0.15

8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

Richard J. Dougherty
By William J. Roberts (agent)
APPLICANT'S SIGNATURE

John S. Wilson
(TITLE OR SEAL)

APPROVED/DISAPPROVED

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

Submitted by: Richard J. Dougherty
 Address: Hamlet, IN 46158

Date Rec'd: March 31, 1977

Sample No. 77-525

Identification Well

W. Sec. 27, T 112N, R 49W

WATER ANALYSIS

Calcium (Ca)	45	ppm	2.25	me/l**
Magnesium (Mg)	26	ppm	2.13	me/l
Sodium (Na)	5	ppm	0.22	me/l
Potassium (K)	1	ppm	0.03	me/l
Sulfate (SO ₄)	86	ppm	1.79	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	198	ppm	3.25	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	162	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	640	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.15			
Sodium	4.75	% of cations		
Residual sodium carbonate	0.70	me/l		
pH	7.23			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 4.63 me/l
 Total anions 5.12 me/l

By: Shirley Mitten

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. 77-525

Amount Enclosed \$

Signed

April 22, 1977

Mr. Richard J. Dougherty
c/o Wm. J. Dougherty
Magnolia, IN 46158

Dear Mr. Dougherty:

Your water sample (Lab. No. 77-525) 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 WL-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

LOF:ckb

Enclosures

cc: State Conservation Commission

D. Pahl, Extension Service

P.S. The Lismore soils will not take water as rapidly as the others you have. Avoid saturation and water table rise!

Form 6 - Notice of Intent to Appropriate Water

No. 3922-3

Publish first publication, on or before May 12, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 7, 1977

Notice is hereby given that Richard J. Dougherty

whose post office address is Bachanan, Michigan, 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

4.2 cubic feet of water per second of time from the ground water through the

Dougherty, the point of diversion of which is to be located in the

corner of the NW 1/4 and center of the NE 1/4

of Section 27, Twp. 112N, Range 45E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N 1/2, Section 27, T112N, R45E

This application No. 3922-3 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

By:

BURTON F. JONES
Water Rights Specialist

BEJ/bw

cc: Richard J. Dougherty, % William J. Doherty, Magnolia, MN 56158

No. 3922-3

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:

May 12, 1977

May 19, 1977

(Signature)

Editor - General Manager
(Title)

5-19-77

(Date Signed)

Legal No. 81-May 12 and 19
NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
May 3, 1977
Notice is hereby given that Richard J. Dougherty whose post office address is Buchanan Michigan, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.2 cubic feet of water per second of time from ground water through the Dougherty No. 1 the points of diversion of which are to be located in the center of the NW 1/4 and center of the NE 1/4 of Section 27, T. 13p. 112N, Range 49W. Said water to be used for the purpose of providing irrigation on portions of the following described land: N 1/4, Section 27, T112N, R49W.
This application No. 3322-3 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
By: Burton F. Jones
Water Rights Specialist



 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 3922-3

September 28, 1983

Richard J Dougherty
Magnolia,
Minnesota 56158

Dear Mr. Dougherty:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 3922-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

KAREN SCHLAAR
Administrative Aide

NOTE: On form of payment, please include the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83

State of South Dakota
Water License No. 3922-3

(1) Richard J. Dougherty
of Magnolia, MN 56158
made Application No. 3922-3, April 4, 1977 for a water permit to appropriate
4.20 cubic feet per second of water from groundwater (two wells)
Brookings County, South Dakota for Irrigation purposes.
Permit No. 3922-3, with a priority date of April 4, 1977
was approved May 25, 1977 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before May 25, 1982 and for the application to beneficial use of said
water on or before May 25, 1985.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 2.56 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is Well #1 - 1857 feet N 137°E of NW
Corner (8B) Well #2 - 1980 feet N 134°W of NE Corner (AD), Section 27, T112N, R49W

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent. to irrigate the following land all in Section 27, T112N, R49W

NW $\frac{1}{4}$ NW $\frac{1}{4}$	28 Acres	(BB)
SW $\frac{1}{4}$ NW $\frac{1}{4}$	32 Acres	(9C)
SE $\frac{1}{4}$ NW $\frac{1}{4}$	32 Acres	(BD)
NE $\frac{1}{4}$ NE $\frac{1}{4}$	32 Acres	(AA)
NW $\frac{1}{4}$ NE $\frac{1}{4}$	32 Acres	(AD)
SW $\frac{1}{4}$ NE $\frac{1}{4}$	32 Acres	(AC)
SE $\frac{1}{4}$ NE $\frac{1}{4}$	32 Acres	(AD)
TOTAL	220 Acres	

(4) Pursuant to §46-5-30.1 Richard J. Dougherty

of Magnolia, MN 56153

the holder(s) and/or owner(s) of Water Permit No. 392203 is issued a license to appropriate water, the right to use 2.56 cubic feet per second of water from groundwater (two wells) with a priority date of April 4, 1977 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 3922-1 and subject to South Dakota State Law.

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

JOHN HATCH

January 18, 1984

Permit No. 3922-3Water Division 3- Big Sioux River Water District
10170202REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Richard J. Daugherty of Magnolia, MN 56158 holder of Permit No. 3922-3, bearing date of priority of 4 April, 1977 authorizing the diversion of 4.2 cu. ft. per second of the waters of groundwater for irrigation purposes, in Brookings County.

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

The Water Use System consists of,

A. Works used to divert the water:

2 wells (105 feet & 43 feet)

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

Wells located by pivot points

C. Works used to apply water to beneficial use.

2 center pivotsThe system is in the following condition: goodThe point of diversion is located #1 1957 feet N 137° E of NW corner
#2 1980 feet N 134° W of NE corner section 27 T112N R49WThe works are capable of diverting and conveying to the place of use 2.5 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:

<u>NENW - 0</u>	<u>NENE - 32</u>	<u>section 27 T112N R49W</u>
<u>NWNW - 28</u>	<u>NWNE - 32</u>	
<u>SWNW - 32</u>	<u>SWNE - 32</u>	
<u>SENW - 32</u>	<u>SENE - 32</u>	

comprising a total of 220 acres of land.Date 28 Sept 83Hal N. Selke
(Signature)

Richard Dougherty

LICENSE FOR PERMIT NUMBER 3922-3
west system

1. Legal location of wells: 1857 feet N 137° E of NW corner
section 27 T112N R49W

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells 1 Depth _____

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump a) make Western Land Reeller Motor a) make U.S. High Thrust
b) ~~model~~ series E8021 b) model no. R623205951 R8137418MM
c) size Hand BM 412 CM c) horsepower rating 50
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

service factor 1.15

3. Distribution lines:
a) size of lines 8"
b) type Aluminum
c) length ~20 Ft.

RPM 1765

3 Phase 60 Hz

230V 129.4 Amps

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

- i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) sideroll:

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

- b) towline:

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

5. System Type: c) center pivot

d) Gate Pipe

model 670
serial
1179C6496

1) make Reinke Electrogator

2) number of towers 7

3) distance between towers _____

4) overall length 1289ft

5) End gun (Y/N) Y

6) high or low pressure H

7) make & size of nozzles _____

8) PSI reading while system is running 75

9) GPM ~~700~~ 700

g) Gun

1) make _____

2) serial number _____

3) nozzle size _____

4) capacity (GPM) _____

5) PSI _____

6) hose size _____

7) hose length _____

e) Siphons

1) length _____

2) diameter _____

3) spacing of gates _____

1) number _____

2) size _____

f) Portable boom

1) make _____

2) serial number _____

3) nozzle size _____

4) capacity (GPM) _____

5) PSI _____

h) Hydromatic

1) make _____

2) model _____

3) serial number _____

4) length _____

5) nozzle size _____

6) spacing _____

7) PSI _____

8) capacity (GPM) _____

YES NO Check Items

X _____ 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

X _____ 2. Special Qualifications to permit being abided by.

X _____ 3. All Structures, wells and lands on map.

REMARKS:

Richard Dougherty

LICENSE FOR PERMIT NUMBER 3922-3
east system

1. Legal location of wells: 1980 feet N 134°W 2^d NE corner
of section 27 T112N R49W

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump a) make Western Land Roller Motor a) make US Electric High Thrust
b) ~~model~~ C78307 b) model no. _____
c) ~~size~~ Head 6M 810CM c) horsepower rating 50
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

Service factor 1.15
3 phase 60Hz 230V 124Amp
1765 RPM

3. Distribution lines:
a) size of lines 8"
b) type Steel
c) length 6'

4. Dam information:
a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

- i) Outlet tubes:
1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) sideroll:
1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____
b) towline:
1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

d) Gate Pipe

model 680
serial
67805220

- 1) make Rainke Electrogator
- 2) number of towers 8
- 3) distance between towers _____
- 4) overall length 1284'
- 5) End gun (Y/N) Y
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 80
- 9) GPM 450

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

e) Siphons

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

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

Y

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

Y

2. Special Qualifications to permit being abided by.

Y

3. All Structures, wells and lands on map.

REMARKS:

GRIMSHAW DRILLING CO.

DRILLING LOG

924 South Melrose
Sioux Falls, S.D. 57106
Phone 605-332-6974

Name Mr Dick Liberty Date May 26-78
Address WHITE
County _____ Sec. _____ Twp. _____ Range _____

NO. FT.	DIA.	RATE	CASING	TOTAL
105	16"	25.00	16"	2625.00
15'	16"			
92'	16"	13.50		1242.00

BALANCE DUE:

Gravel & Gads 185' ft. to ft.
Test Pumping 300.00 ft. to ft.
Tipsoil 59.75 ft. to ft.
Clay yellow ft. to ft.
Sand ft. to ft.
Clay yellow ft. to ft.
Clay blue ft. to ft.
Sand blue ft. to ft.
Clay blue ft. to ft.

STATIC WATER LEVEL _____ ft.

C W Grimshaw
DRILLER

REMARKS:

DRILLING LOG

Sloux Falls, S.D. 57106
Phone 605-332-6974

616-695-9716

Name Richard Doherty Date 10-15-79

Address White So. Dak.

County Brookings Sec. 27 Twp. 112 Range 49

NO. FT.	DIA.	RATE	COSTING	TOTAL
43	32"	300 ⁰⁰ /ft	Drilling	1290 ⁰⁰
10	16"	132 ⁰⁰ /ft	Screen	1320 ⁰⁰
34	16"	15 ⁰⁰ /ft	Casing	510 ⁰⁰
15.4 ton			GRAVEL PACK	150 ⁰⁰
			Development + Test Pumping	250 ⁰⁰
			4% GEL	140 ⁰⁰
BALANCE DUE:				3660 ⁰⁰

0 ft. to 2 ft. Topsoil ft. to ft.
 2 ft. to 5 ft. Yellow Clay ft. to ft.
 5 ft. to 20 ft. Yellow Clay SAND ft. to ft.
 20 ft. to 41 ft. Yellow Sand-Gravel to WATER BEARING
 41 ft. to 42 ft. Yellow Clay ft. to ft.
 42 ft. to 43 ft. Gray Clay ft. to ft.
 ft. to ft. ft. to ft.
 ft. to ft. ft. to ft.
 ft. to ft. ft. to ft.
 ft. to ft. ft. to ft.
 ft. to ft. ft. to ft.

STATIC WATER LEVEL 21 ft. Jay Van Lierc
 DRILLER

REMARKS: SCREEN - .080 slot Johnson
STAINLESS STEEL.

Test Pumping - 700 GPM - DRAWDOWN
 signed Jay Van Lierc To 34'

3678-3
3922-3
4347-3

WATER RIGHTS DIVISION
(605) 773-3352

January 10, 1984

Larry Wold
Chester, South Dakota 57016

RE: Well logs for wells drilled for Richard Dougherty, George Feldhus and
Leo Rennick

Dear Mr. Wold:

If you still have records of wells drilled by Grimshaw Drilling, logs are needed for wells drilled for the above mentioned people. I had spoke with you before concerning a log for George Feldhus of Arlington, but have not heard from you as to whether or not you had a log for it. Kaiser Well Drilling was contacted concerning Richard Dougherty of Magnolia, Minnesota, and they indicated Grimshaw had also drilled the wells for him.

Below are legal descriptions for the wells in question, (all are in Brookings County).

George Feldhus, Arlington, South Dakota

1 well - SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, T112N, R52W (1980 feet N 146°W of the NE Corner)

Richard Dougherty, Magnolia, Minnesota

2 wells - #1 - NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T112N, R49W (1857 feet N137°E of NW Corner)

#2 - SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, T112N, R49W (1980 feet N134°W of NE Corner)

Leo Rennick, White, South Dakota

1 well - NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, T112N, R49W (1980 feet N 47°W of SE Corner)

If you have any information as to the well construction for these wells or are able to obtain a copy of the actual well logs, please forward the information to this office as soon as possible. The water license is ready to be issued for their water permits, but cannot be done until this information is obtained.

Your assistance in this matter would be appreciated. If you have any questions, contact this office.

Sincerely,

Genny McMath
Water Resources Analyst

GM:ms

cc: George Feldhus Rt#3, Box 38 Arlington SD
Richard Dougherty, Magnolia, MN 56158
Leo Rennick, RR#1, Box 47, White, SD 57276

RECEIPT

Division of Water Rights

NO 4 9388

South Dakota Department of Water and Natural Resources

Pierre, November 2, 1983

RECEIVED OF Richard J. Dougherty, Magnolia, MN 56158

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. 3922-3

Fee for Filing Transfer Form _____

3 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

50 00

By John Hatch
Chief Engineer JOHN HATCH (ms)

No. 3922-3



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

January 18, 1984

Richard J. Dougherty
Magnolia, Minnesota 56158

Dear Mr. Dougherty:

Enclosed herewith is, Water License No. 3922-2. This 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,

A handwritten signature in cursive script, reading "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83
Transmittal of Water License

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

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

March 23, 1987

RICHARD J DOUGHERTY
MAGNOLIA, MN 56158

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

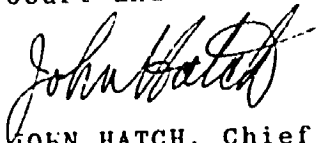
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 3922-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given 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 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, 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). 3922-3 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.



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

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



Department of Water & Natural Resources

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

April 13, 1987

3922-3

Richard J Dougherty
Magnolia, MN 56158

Dear Mr. Dougherty:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 3922-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

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

#3922-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Richard J. Dougherty

Magnolia, MN 56158

Dear Mr. Dougherty:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

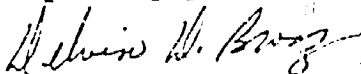


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division



3922-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 10, 1993

3922-3

Richard Dougherty
2090 W Bertrand Road
Niles, MI 49120

Dear Mr. Dougherty:

The 1993 irrigation questionnaire and chemigation form mailed to you October 18, 1993 were returned by the Post Office marked "Forwarding Order Expired". The Brookings County Register of Deeds has "Dougherty Family Association" listed as the owner of the land. I assume you are still the contact person concerning any irrigation done under Water Right No. 3922-3.

Enclosed are a 1993 irrigation questionnaire and chemigation report. Please complete the forms and return them to our office by January 30, 1994. The water right covers irrigation of land in the N 1/2 of Section 27, T112N, R49W.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resource Analyst
Water Rights Division
(605) 773-3352

enclosures

3922-3

Phone (507) 532-5120

Fax (507) 532-0293

NFM Northwestern Farm Management Company

1104 East College Drive

P.O. Box 494

Marshall, Minnesota 56258

Offices: Marshall - Prior Lake

January 25, 1994

Genny McMath
Natural Resource Analyst
Dept. of Environment and Natural Resources
523 East Capitol
Pierre, SD 57501-3181



Dear Genny:

Mr. Richard Dougherty forwarded to me the irrigation questionnaire and chemigation form for completion. In 1993, our company became involved with the management of this property and I would like to have you change your address records as shown on the irrigation questionnaire.

Enclosed is the completed irrigation questionnaire and the chemigation data for 1993. At the present time, we are not applying any fertilizer or chemicals through the irrigation system. In case we decide to add fertilizer or chemicals through these center pivot units, would you please send me any information you have in regard to the state law regulating this activity.

Thank you for your assistance with this. If you have any questions regarding anything, please do not hesitate to contact me.

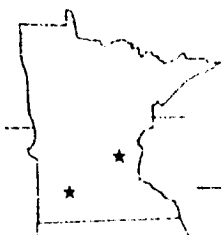
Sincerely,

Randall J. Sook

Randall J. Sook
Accredited Farm Manager

RJS/jg
Enc.

cc: Mr. Richard Dougherty



Accredited Farm Management

Real Estate Sales

Certified Appraisals



Accredited Farm Managers: American Society of Farm Managers and Rural Appraisers, and the Minnesota Association of Realtors

3922-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 1, 1994

3922-3

Randall J Sook
Northwestern Farm Management Company
1104 East College Drive
PO Box 494
Marshall, MN 56268-0494

Dear Mr. Sook:

Enclosed is a copy of Water Right No. 3922-3. The water right is currently listed in the name of Richard J Dougherty.

As we discussed, the water right will remain in Mr. Dougherty's name (unless he should notify us that he wishes it to be transferred to the Dougherty Family Associates). The yearly irrigation questionnaire will be directed to you, as the farm manager. The questionnaire is mailed out in October of each calendar year with a required return date around the middle of December.

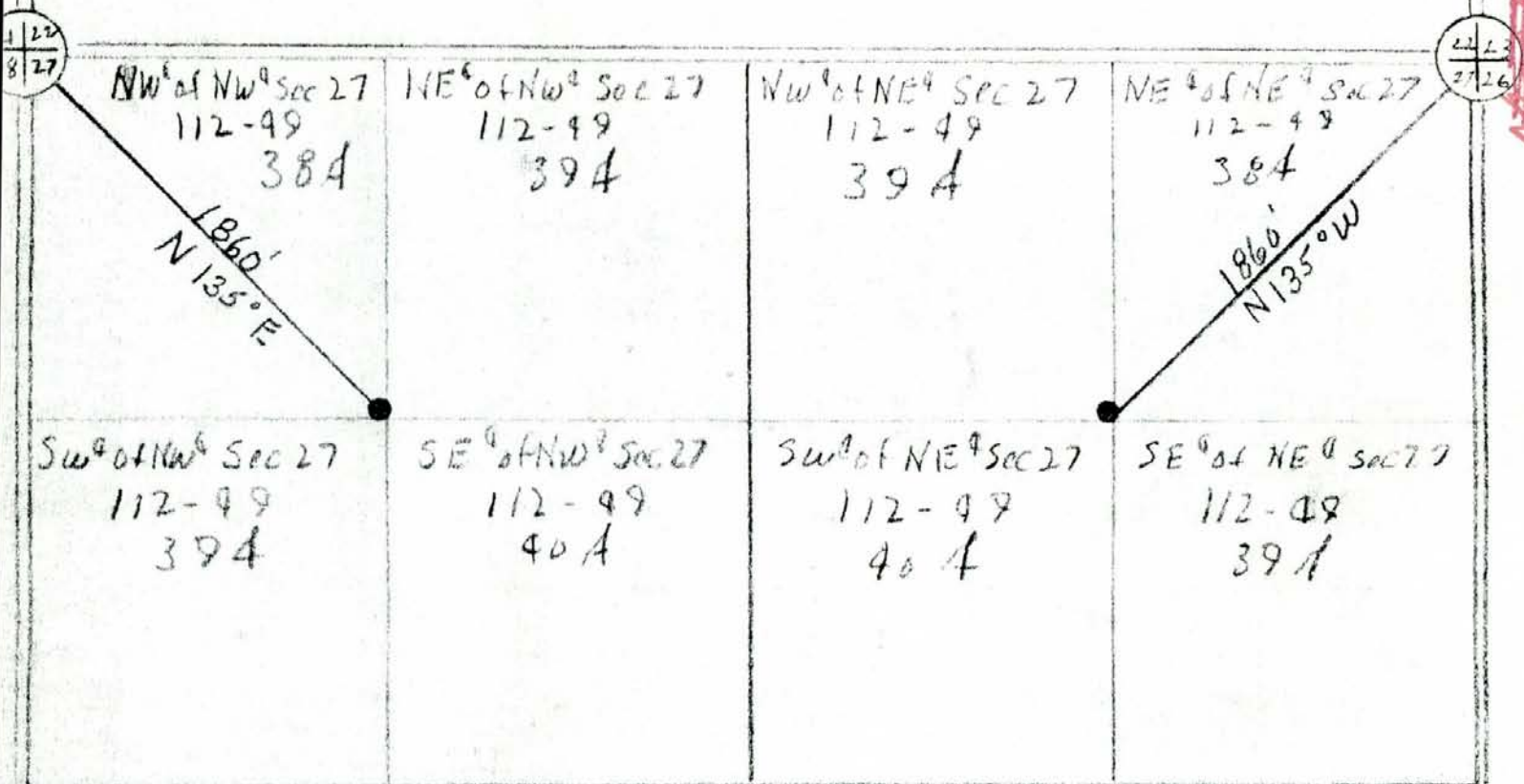
Also enclosed, is a copy of our chemigation rules. You may keep the rules and the copy of the water right for your records. If you have any questions, please contact me.

Sincerely,

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

enclosures

APR 1939 22-3



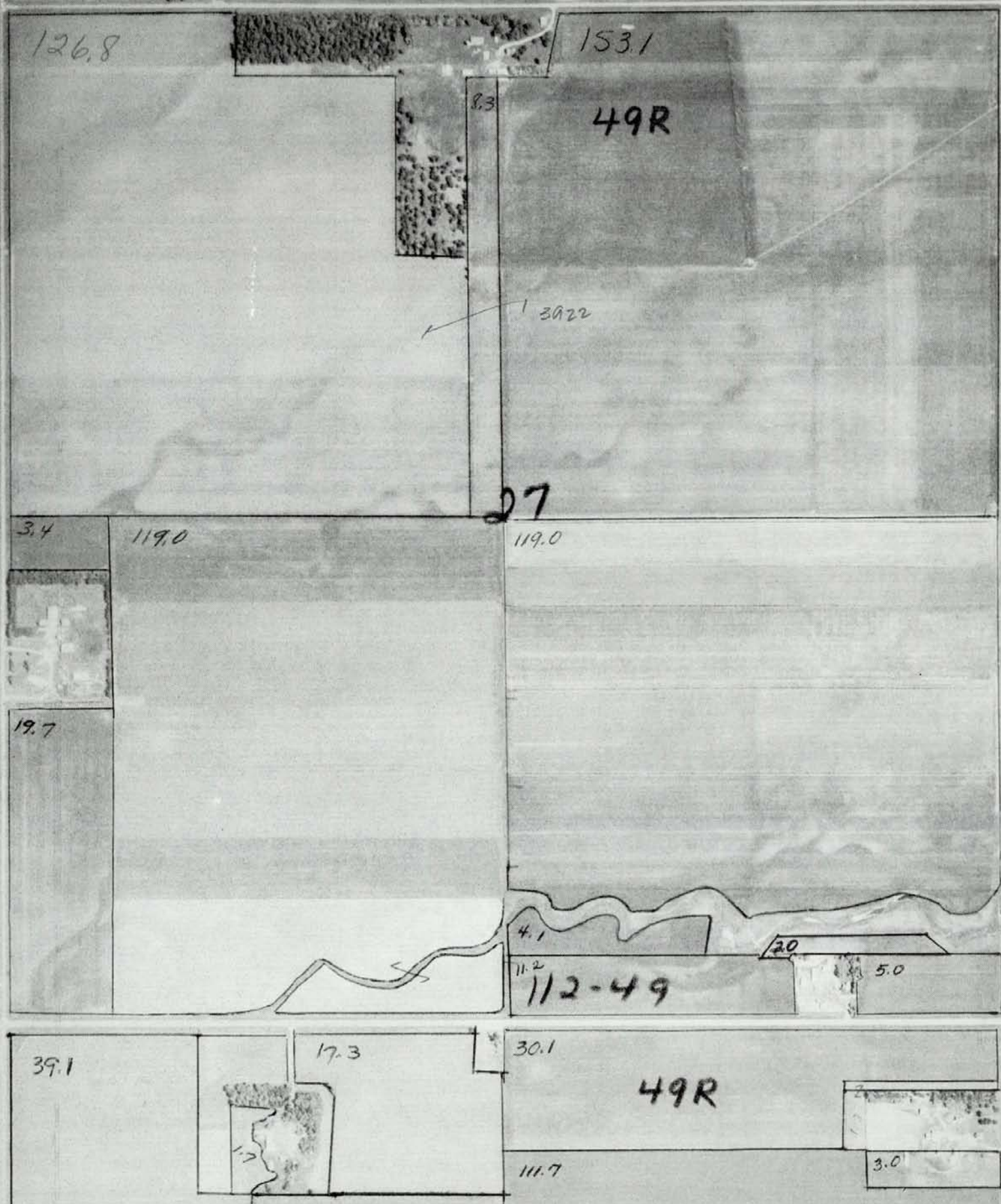
Richard J. Dougherty
Irrigation Project #1
1188 Rynearsen
Buchanan Michigan
99 107

Sent Material to
Wm J. Doherty - Agent
Magnolia Minn
56 158

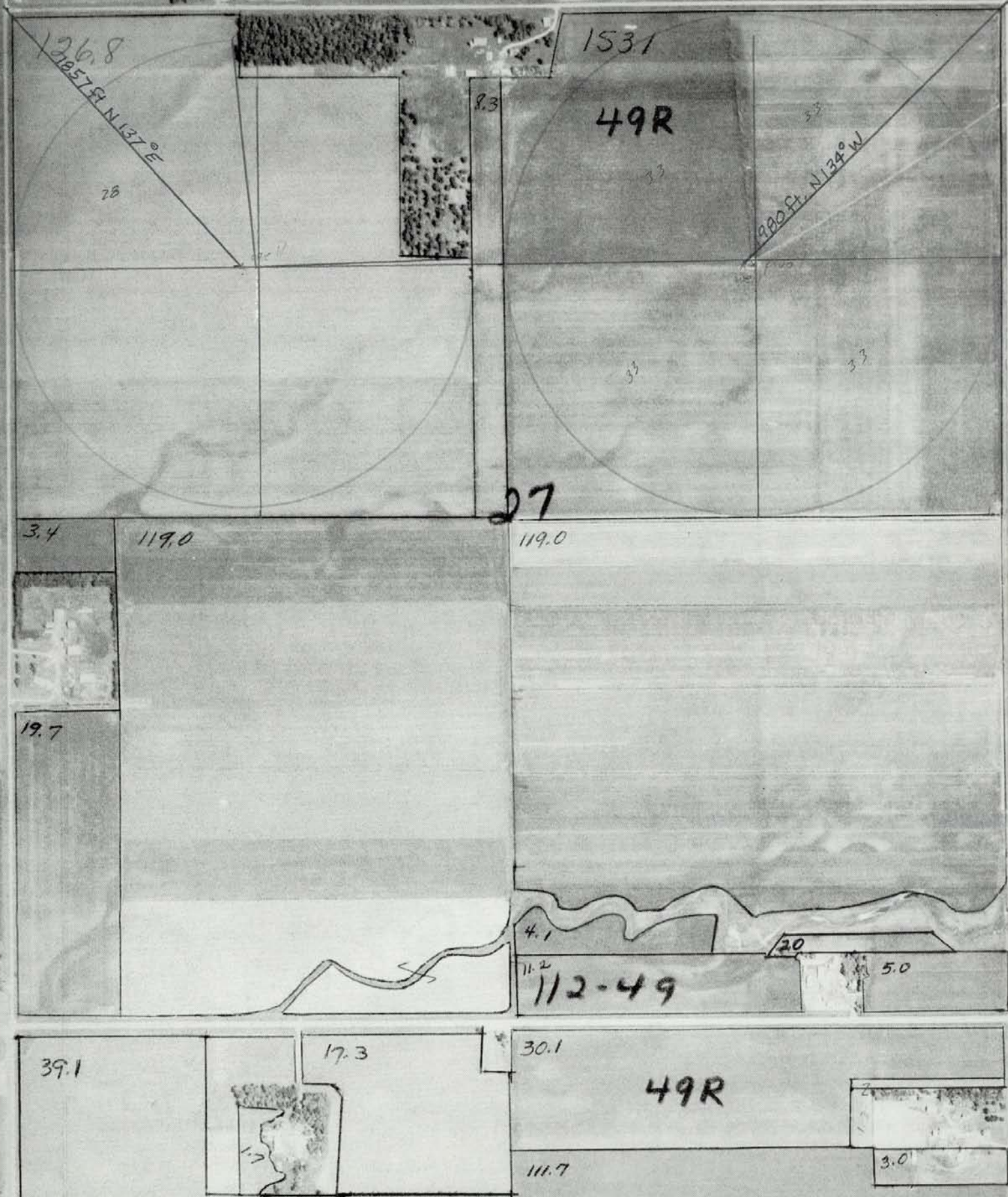
Land in Brookings County
water claimed - 4.2 cfs
scale - 8" = 1 Mile

3-31-77
John Lawrence

NOT TO SCALE



NOT TO SCALE ^{W.R. #} 3922-3





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: NORTHWESTERN FARM MGMT CO, MGR, RICHARD J DOUGHERTY, PO BOX 494,
MARSHALL, MN 56258 0494

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 3922-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2009**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3922-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pd>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

3922-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 5763
Status: **Delivered**

Your item was delivered at 9:41 AM on January 26, 2009 in MARSHALL, MN 56258. The item was signed for by S HANSEN.

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 5763

NORTHWESTERN FARM MGMT CO, MGR
RICHARD J DOUGHERTY
PO BOX 494
MARSHALL MN 56258 0494

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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Keep this receipt. For inquiries:
Access internet web site at
www.usps.com®
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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 10, 2009

3922-3

Richard J Dougherty
Northwestern Farm Mgmt Co, Mgr
PO Box 494
Marshall MN 56258-0494

Dear Mr. Dougherty:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 3922-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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



**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 20, 2009

3922-3

Northwestern Farm Management Co
301 S O'Connell St
Marshall MN 56258

RE: Water Right No. 3922-3, Richard Dougherty

Dear Sir:

Enclosed is a "Notice" dated October 16, 2009 concerning the 2009 irrigation questionnaire.

The notice was originally mailed to PO Box 494, Marshall MN. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

8061-3

AUG 10 2021

Dougherty Family Associates
% Dallas Mahoney
Northwestern Farm Management
301 S O'Connell St
Marshall MN 56258

Dear Mr. Mahoney:

Enclosed is Water License No. 8061-3. This is the final water right document completing the process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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.

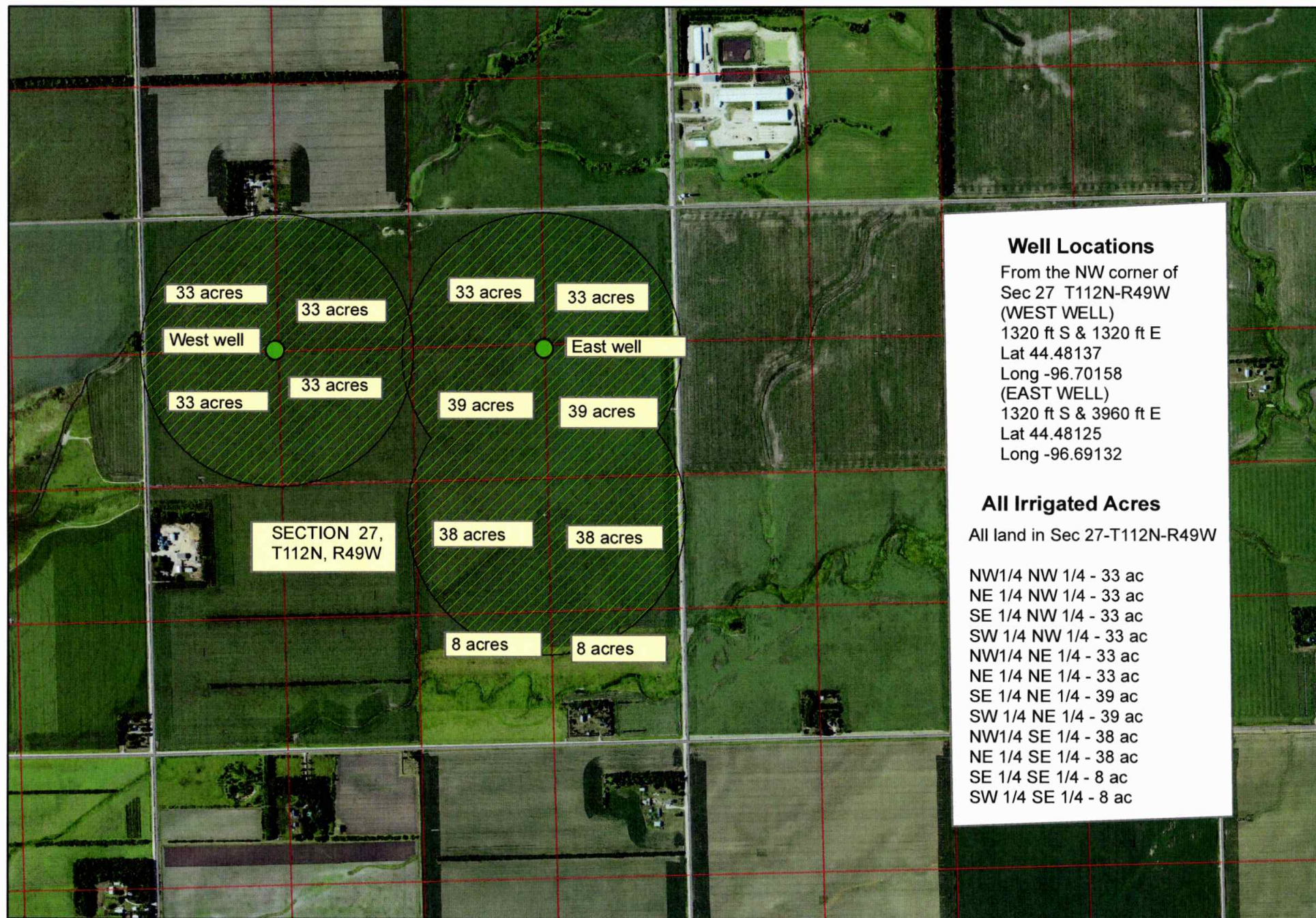
As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

Enclosures

Note: Upon licensing, the applicable portions of Water Right No. 3922-3 and Water Permit No. 7795-3 were incorporated into No. 8061-3.



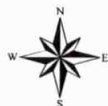
Well Locations

From the NW corner of
Sec 27 T112N-R49W
(WEST WELL)
1320 ft S & 1320 ft E
Lat 44.48137
Long -96.70158
(EAST WELL)
1320 ft S & 3960 ft E
Lat 44.48125
Long -96.69132

All Irrigated Acres

All land in Sec 27-T112N-R49W

NW1/4 NW 1/4 - 33 ac
NE 1/4 NW 1/4 - 33 ac
SE 1/4 NW 1/4 - 33 ac
SW 1/4 NW 1/4 - 33 ac
NW1/4 NE 1/4 - 33 ac
NE 1/4 NE 1/4 - 33 ac
SE 1/4 NE 1/4 - 39 ac
SW 1/4 NE 1/4 - 39 ac
NW1/4 SE 1/4 - 38 ac
NE 1/4 SE 1/4 - 38 ac
SE 1/4 SE 1/4 - 8 ac
SW 1/4 SE 1/4 - 8 ac



0 0.175 0.35 0.7 1.05 1.4 Miles



Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program