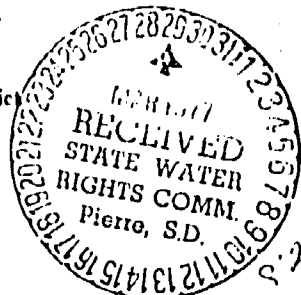


Water Right Number 4214-3

1. Considered MARCH 28, 1978
2. Name of Applicant DOROTHY GOLDEN
3. Post Office Address SIoux FALLS, S.D.
4. Amount of water claimed .9
5. Source of water supply 110' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 64.0
7. Water to be diverted and used in CLAY County
about 9 Miles WEST of VERMILLION
8. Proof of Publication
Received 2-17-78
Not received _____
Approved _____
Subject to _____
Not approved _____
Action deferred _____
9. Application
10. Remarks:

Map No. 3436-3 Water Division No. 3 VERMILION RIVER District MISSOURI

(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriately Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Dorothy Golden
 Postoffice address 217 West 23rd Street Sioux Falls, South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) employment of others
3. Name of diversion work irrigation
4. Amount of water claimed (cubic feet per second) 0.9 Cubic Feet per second.
5. Source of water supply cased well (EXISTING)
6. Location of point of diversion S 17° 41' E, 295 FEET FROM THE N 1/4 CORNER, SECTION 15, T92N, R53W
N 1/4 NE 1/4
- County CLAY
7. Annual period or periods during which water is to be used June July August September each year
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) _____
9. For irrigation use. Total number of acres to be irrigated 64

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.
<u>SW 1/4 NE 1/4 10-92-53</u>	<u>64</u>		
<u>and North 25 Acres of 10-92-53</u>			
<u>NW 1/4 SE 1/4 10-92-53</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system _____ years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Vermilion Plain Talk Vermilion South Dakota
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source.
Cased Deep well & pump.
P
- B. Works proposed to transport water to place of use.
Pump & underground pipe.
- C. Works proposed to apply water to beneficial use.
center pivot

Estimated Total Cost \$ 15,000

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 Minnehaha)

I, Dorothy Golden 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 Dorothy GoldenSubscribed and sworn to before me this 25 day of Nov, 1927

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4214-3 *Mickling*
~~DOROTHY GOLDEN~~ *M. to C. Gilbertson* 217 W 22ND ST SIOUX FALLS
 (Applicant) 57094 (Post Office Address)
SOUTH DAKOTA 57105 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.

Date of first receipt of application MARCH 29, 19 77
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application JANUARY 26, 19 78
 Approved MARCH 29, 19 78, Recorded in Book 19 Page 309

WATER RIGHT PERMIT NO. 4214-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4214-3 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 JANUARY 26, 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPT. 29, 19 78
3. The whole of said work is to be completed on or before MARCH 29, 19 79
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 29, 19 80
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 .9 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 29, 19 80; said water to be used during the following described annual period: JUNE - SEPTEMBER

Witness my hand this 6TH day of APRIL, 19 78

WATER RIGHTS COMMISSION

By:

John H. Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water Licence Issued _____, 19 ____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 10'
- (2) Casing, Type Concrete (wood, concrete, steel, etc) Diameter 30" Thickness 2"
- (3) Perforated Screen.
Type Concrete, Diameter 30", Length 20'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 90'

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 Top Soil 0-2 ft clay 2-15 ft
Sand w/ clay layers 15-80 ft Sand + Gravel 80-110 ft.

Depth to top of water bearing material 90 ft

Depth to bottom of water bearing material 110 ft

Thickness of water bearing material _____

Depth to water (ground surface to water level) 16

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

On same owner's property _____ rds. On property owned by others 160 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.

M Dorothy Gorden
Signature of Applicant

Publish first publication, on or before February 10, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 2, 1978

Notice is hereby given that Dorothy Golden whose post office

address is Sloux Falls, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .9 cubic feet of water per second of time from ~~groundwater~~ ^{EXISTING} ~~(and well)~~

through the Golden Irrigation Project, the point of diversion of which is to be located in the NW 1 NE 1

of Section 15, Twp. 92N, Range 83W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW 1 NE 1 and NW 1 SE 1 Section 10, T92N, R53W

This Application No. 4214-3 will be considered by the Water Rights Commission at The Guest House, Watertown ~~XXXXXX~~ South Dakota upon the 28th day of March, 1978 at 10A. M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

NOTE: The final proof of publication must be received before the ~~Commission~~ hearing date for the commission to take action.

WATER RIGHTS COMMISSION

Petty Westlund
Water Rights Specialist

cc: Dorothy Golden
117 W 23rd St.,
Sloux Falls SD 57105

No. 4214-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Clay) ss.

I, Lam Jettstad

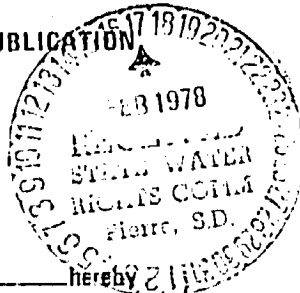
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Vermillion Plain Talk

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

Feb. 9, 1978
Feb. 16, 1978

Mary Etta Brace
(Signature)
Notary Public
(Title)
Feb. 16, 1978
(Date Signed)



Notice of Hearing

on Application to
Appropriate Water
Pierre, South Dakota 57501
February 2, 1978

Notice is hereby given that
Dorothy Golden, whose post office
address is Sioux Falls, South
Dakota, has made an application in
accordance with the provisions of
SDCL 46-1-1 thru 46-1-8; 46-2-9
thru 46-2-11, 46-2-13; 46-5-1 thru
46-5-8, 46-5-10 thru 46-5-22, 46-
5-41, 46-6-3, 46-6-5, 46-6-8.1,
46-6-10, 46-6-14 and Commission
Rules ARSD 62:01:01:01 thru
62:01:01:13, for a permit to ap-
propriate for beneficial use .9
cubic feet of water per second of
time from groundwater (existing
well) through the Golden Irrigation
Project, the point of diversion of
which is to be located in the
NW1/4 NE1/4 of Section 15, Twp.
92N, Range 53W. Said water to be
used for the purpose of providing
irrigation on portions of the
following described land: SW1/4
NE1/4 and NW1/4 SE1/4, Sec. 10,
T82N, R53W.

This Application No. 4214-3 will
be considered by the Water Rights
Commission at the Guest House,
Watertown, South Dakota, upon
the 28th day of March, 1978 at 10
a.m. The Commission is authorized
to make a determination on this
application at the hearing. All in-
terested persons may appear and
be heard. Any person who may be
affected by a Commission decision
who desires to present evidence
or cross-examine witnesses ac-
cording to SDCL 1-26 may notify
the Commission in writing prior to
the hearing or orally at the

No. 4214-3

Date 2-12-1978

TO: Water Rights Commission
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

We are in receipt of your letter of 2-2-1978 enclosing Notice of Proposed
Appropriation of Water, as proposed in Application No. 4214-3, which was first published in our issue of
Feb. 9, 1978.
Enclosed is a copy of this first publication.

Sincerely,

Mary Etta Brace

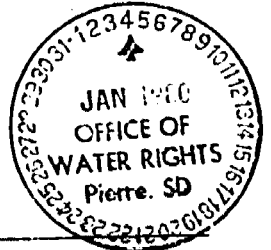
FORM 20

NO. 4214-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____



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

SW $\frac{1}{4}$ NE $\frac{1}{4}$, N 25 acres of NW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 10, T92N, R53W

formerly owned by Dorothy Golden, 217 W 23rd Street, Sioux Falls, SD

has been transferred to Milo C Gilbertson, Meckling, SD 57044

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4214-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of the Board of Water Management 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.

STATE OF SOUTH DAKOTA)
County of Clay) ss.

I, _____ 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.

Milo C. Gilbertson
(Signed)

Subscribed and sworn to before me this 17th Day of Dec, 1979.

Gail C. Brown
(Notary Public)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7205

PIERRE, January 4, 1980

RECEIVED OF Allo C Gilbertsen, Mecklin, SD 57044
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for inspecting Construction, and issuing Cert. of Construction No.....	
Fee for inspecting Beneficial Use, and issuing Water License No.....	
Fee for issuing Location Certificate-Dry Draw, No.....	
Fee for filing <u>transfer of water right No. 214-3</u>	2 50
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for	
(any other work as provided by law)	
TOTAL	2 50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (97)

Si
I have purchased land owned by Dorothy Dahlen. The sec 19 NE 1/4 and the
3/4 of NW 1/4 of SE 1/4 10-92-53, which has a water permit. I
was wondering if I should transfer the permit to my name.
I have not developed irrigation on it as yet.

4214

Thank You
Mildred S. Johnston
McKinn



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/773-3151

Dear Sir:

This is to remind you that the South Dakota Water Rights Commission has not yet received your estimate of the 1978 irrigation use. An additional data sheet is enclosed in case that you have mislaid the original data sheet sent to you.

If you did not irrigate in 1978, this also should be indicated on the enclosed data sheet, to be returned to this office. The information you can furnish is important. It is satisfactory to estimate, if you have not kept records and you can send the information in other form than shown on the data sheets.

For your information, a water right can be cancelled for non-development or non-use of the water. A permit owner has up to 2½ years to complete 1/5 of the project; a permit can be cancelled following 2½ years, if there is no development. For ground water, 1/5 of the project is usually considered to be construction of the well. A permit owner has up to five years to complete construction of the project and up to an additional four year to place the water to beneficial use.

A water right can also be cancelled after the initial development period, if the water is not used for a period of three years, if water is available. Submission of the irrigation questionnaire does establish a record of water use in the event there is any question on water use.

If you have already submitted your 1978 irrigation questionnaire thank you for your cooperation and please disregard this notice.

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw

enclosure

CONSERVATION
COMMISSION
FORM WI #1

(ENG-SD-12, Rev. 3)
Attachment "D"

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)

appl.
See
3-29-77

NAME Dorothy Golden

ADDRESS 217 West 23rd Street Sioux Falls, South Dakota 57105

COUNTY Clay

LEGAL DESCRIPTION

1. WELL LOCATION 224 rods N 10 degrees E of NE corner of Sec 15-22-52, permit no. 430-3
2. LOCATION OF AREA TO BE IRRIGATED Sub 1B, 10-22-53 & north 25 acres of the NW 1/4 Sec 10-22-53

TYPE OF IRRIGATION

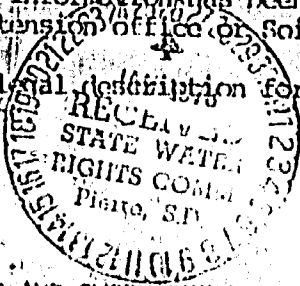
3. GRAVITY TOWLINE CENTER PIVOT GUN
4. CROPS TO BE IRRIGATED corn, hay, beans

WATER QUALITY

5. SAMPLE NUMBER 77-511
6. SALINITY (EC x 10⁶) 10.97 (high)
7. SODIUM (SAR) 1.33 (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 Clay County Soil 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.



Dorothy Golden
APPLICANT'S SIGNATURE

Alfred J. Hoff

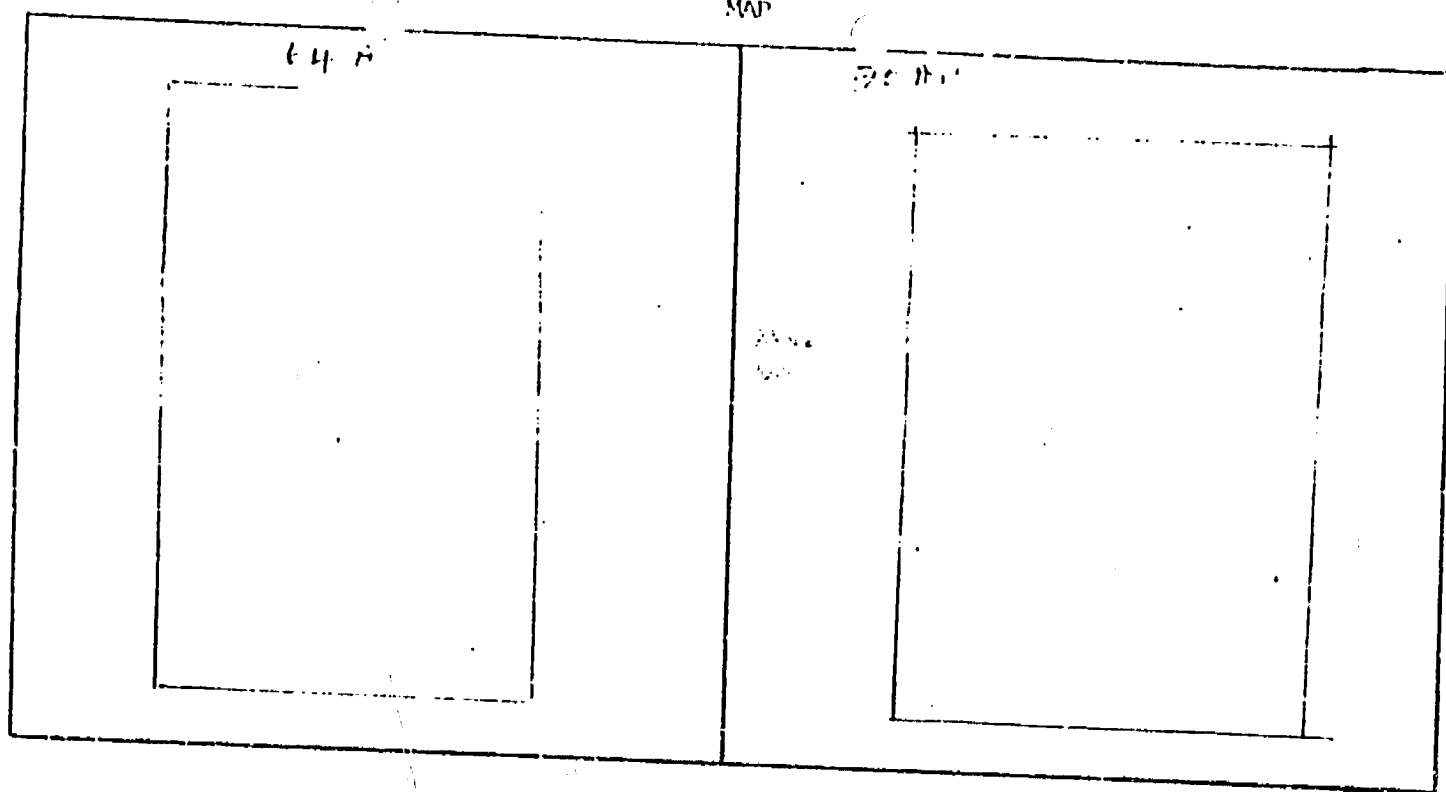
Conditional

CRITICED AND SWORN BEFORE ME THIS
21 DAY OF April 1977.

[Signature]
(TITLE OR SEAL)

9-6-81

MAP



NARRATIVE

see soils report.



Soils

50
1-0 Blencoe silty clay loam - Publication Number 200 Intake family 0.1 inches per hour
Blencoe silty clay loam, level, has developed in moderately fine-textured (silty clay loam), alluvial (water deposited) sediments, over medium-textured (loams and silt loams), calcareous (11%), alluvial sediments. The Blencoe soils occur on the Missouri River floodplains, and are moderately well-drained to somewhat poorly drained.

57
1-0 Onawa silty clay - Publication Number 100 Intake family 0.1 inches per hr.
Onawa silty clay, level, has developed in light-colored, calcareous (11%) fine-textured (clay and silty clay), recent slack water sediments that have been deposited over deep, older, moderately coarse-textured (sandy loam) sediments. The Onawa soils occur on level first bottoms (the lowest land level along streams or rivers) of the Missouri River. The natural surface drainage of this unit is usually poor; however, the internal drainage is moderate.

5% Blencoe 0.24 .12 - .14
24.30 .12 - .14 .17 - .20
20.40 .16 - .20 .20 - .22

Acidic 200

95% Onawa 0.7 .16 - .22 .17 - .19
3.0 7.23 .06 - .12 .12 - .14
54, 54, 11 23.60 .12 - .20 .10 - .12

Surface drainage
Dry climate

.13
3.4
5.2
2.6
3.12

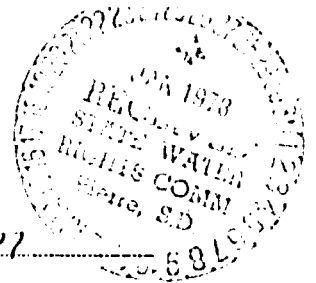
Length

2110 1.56
7.5 1.0

Co-
2110 7.5
1.0 1.0



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



Submitted by: Forrest Golden
 Address: 217 W. 23rd St.
Sioux Falls, SD 57105

Date Rec'd: 7/19/77
 Sample No. 77-211
 Identification Well
Sec. 15, T 9N, R 53W

WATER ANALYSIS

Calcium (Ca)	152	ppm*	7.60	me/l**
Magnesium (Mg)	58	ppm	4.72	me/l
Sodium (Na)	76	ppm	3.31	me/l
Potassium (K)	7	ppm	0.33	me/l
Sulfate (SO ₄)	350	ppm	7.48	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.35	me/l
Bicarbonate (HCO ₃)	525	ppm	8.60	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)	430	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1097	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.33			
Sodium	20.93	% of cations		
Residual sodium carbonate	0.60	me/l		
pH	7.62			

Others:

*ppm=parts per million
 **me/l=millequivalents per liter

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

COMMENTS: Total cations 15.81 me/l
 Total anions 16.23 me/l

By: Stanley Litten

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-211

Amount Enclosed \$

Signed

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4214-3

November 7, 1988

Milo C. Gilbertson
RR 1 Box 86
Meckling, South Dakota 57044

Dear Mr. Gilbertson:

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. 4214-3 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,

Haxine Stirling
Secretary

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83

LICENSE FOR PERMIT NUMBER

430-3 (Previously licensed in 1957, to be incorporated w/424-3)

~~424-3~~ 424-3

1. Legal location of wells: old well previously used under Permit #430-3, now licensed, now well drilled 640 feet away from old well in 1976
The new well is located at a point 610 feet south and 630 feet East of the NW 1/4 corner of Section 15, T42N R53W
dams & structures:

2. Well Information: Well Drilling Firm

No. of wells 2

12 feet

Casing: a) diameter 30 inch
b) length 92 feet
c) type Concrete

Screen: a) type Concrete
b) length 30 feet
Static Water Level 16 feet

Pump: a) make Fairbanks Morse
b) model Serial #N3A28C7628X
c) size 8 inch PTO, 11M
d) capacity max at 750 GPM
e) turbine pump
no. of stages 4

Motor: a) make GM Diesel, 4 cylinder
b) model no. _____
c) horsepower rating 75
d) motor efficiency rating _____

3. Distribution lines:

a) size of lines 6 inch
b) type PVC, Aluminum
c) length 1830 feet, 3590 feet

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 (2)

1) make Hydraulic, Water Drive

2) number of towers _____

3) distance between towers _____

4) overall length 610 feet

5) End gun (Y/N) Y

6) high or low pressure High

7) make & size of nozzles _____

8) PSI reading while system is running _____

9) GPM 750 (only one center pivot system runs at a time)

d) Gate Pipe

1) length _____

2) diameter _____

3) spacing of gates _____

e) Siphons

1) number _____

2) size _____

f) Portable boom

1) make _____

2) serial number _____

3) nozzle size _____

4) capacity (GPM) _____

5) PSI _____

g) Gun

1) make _____

2) serial number _____

3) nozzle size _____

4) capacity (GPM) _____

5) PSI _____

6) hose size _____

7) hose length _____

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

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.

☒

REMARKS:

Incorporate Permit #s 430-3 and 4214-3, Same source of water and diversion point. Permit # 430-3 previously licensed in 1957 for 129 acres but knew only irrigating 108 acres.

x430-3
Permit No. 4214-3

Vermillion River Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

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

I have this day made a thorough examination of the water use system constructed by Milo C. Gilbertson
 of RR1 Box 88 Mockingbird SD 57644 holder of
 Permit No. 4214-3, bearing the priority of March 11, 1957
January 26, 1978 19____ authorizing
 the diversion of 4.71 cu. ft. per second of the waters of Groundwater (or e. well)
 for irrigation purposes, in Clay County.

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

- A. Works used to divert the water:
 2 wells, well log not available from well driller -
 Oil diesel motor, 4 cylinder, 75 HP
 Fairbanks Morse Pump, Serial # N3A26C74284, 8 inch P/C, size 11 in, operated at 750 GPM
- B. Works used to transport water to place of use:
 1830 Feet 6 inch PVC pipe
 3580 Feet 6 inch Aluminum pipe
- C. Works used to apply water to beneficial use:
 2 center pivots, Hydraulic Water Drive, moveable

The system is in the following condition Good
 The point of diversion is located at a point 610 Feet south and 630 Feet east of the
NW 1/4 corner of Section 15, T92N, R53W
 The works are capable of diverting and conveying to the place of use 1.27
 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 T92N R53W
4214-3
35 acres NE 1/4 NW 1/4 section 15 28 acres NW 1/4 SE 1/4 section 10
33 acres NW 1/4 NE 1/4 section 15 32 acres SW 1/4 NE 1/4 section 10
32 acres SW 1/4 SE 1/4 section 10
9 acres S 1/2 NW 1/4 SE 1/4 section 10

comprising a total of 169 acres of land and the license should be issued for 7.67 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are:

Incorporate permits 4430-3 & 4214-3

Date August 13, 1987

Daniel D. Brown
 signature

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4214-3

(1) Milo C. Gilbertson of RR #1, Box 88, Meckling, South Dakota, 57044 made Application No. 4214-3, March 29, 1977 for a water permit to appropriate 0.90 cubic feet of water per second from groundwater (an existing well authorized under Water Right No. 430-3), Clay County, South Dakota for irrigation purposes. Permit No. 4214-3 with a priority date of January 26, 1978 was approved March 29, 1978 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before March 29, 1979 and for the application to beneficial use of said water on or before March 29, 1980.

The applicable portions of Water Right No. 430-3 have been incorporated into this Water License No. 4214-3. The priority dates, as they pertain to the land irrigated, are described in (3) of this License.

(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 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is: 610 feet south and 630 feet east of the NW1/4 corner of Section 15, T92N, R53W. (NW1/4 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:

Priority date: March 11, 1957 (Water Right No. 430-3):

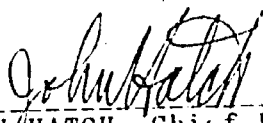
T92N, R53W, Section 15	NE1/4 NW1/4	35 acres
	NW1/4 NE1/4	33 acres
Section 10	SW1/4 SE1/4	32 acres
	S1/2 NW1/4 SE1/4	9 acres

Priority Date: January 26, 1978 (Water Permit No. 4214-3):

T92N, R53W, Section 10	NW1/4 SE1/4	28 acres
	SW1/4 NE1/4	32 acres

Total 169 acres

(4) Pursuant to Section 46-5-30.1 Milo C. Gilbertson of RR #1, Box 88, Meckling, SD 57044 the holder(s) and/or owner(s) of incorporated No. 4214-3 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from groundwater (one well) with priority dates of March 11, 1957 and January 26, 1978 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 Incorporated No. 4214-3 and subject to South Dakota State Law.



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

SEP 14 1989

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411510

Pierre, November 29, 1988, 19

RECEIVED OF Hilo Gilbertson, RR 1, Box 88, Meckling, SD 57044

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 Work, confirming beneficial use and issuing Water License No. <u>4214-3</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 John Hatch
Chief Engineer JOHN HATCH (ms)

 **Department of
Water & Natural Resources**

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

SEP 14 1989

Milo C. Gilbertson
PR #1, Box 88
Meckling, SD 57044

Dear Mr. Gilbertson:

Enclosed is Water License No. 4214-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 411519 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. 4214-3, 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 Right No. 430-3 have been incorporated into this Water License No. 4214-3.



SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 21, 1990

4214-3

Duane Olson
Box 81
Meckling, SD 57044

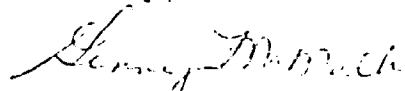
Dear Mr. Olson:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 4214-3. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50.

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.

I have also enclosed a copy of Water Right No. 4214-3. You may keep this copy for your records. If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure

 **Department of
Water & Natural Resources**

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

March 2, 1990

4214-3

D A Olson & Sons
Box 81
Meckling, SD 57044

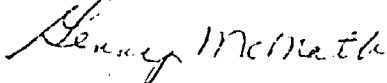
Dear Mr. Olson:

Enclosed is the "Notice of Transfer" form you submitted for filing an ownership change with Water Right No. 4214-3. The form needs to be signed by you instead of Mr. Gilbertson.

I have enclosed an additional "Notice of Transfer". Please sign in the presence of a notary and return the form to our office. An additional filing fee is not necessary.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

No. 4214-3

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: _____



I/We request that Water Permit/Right No. 4214-3

formerly owned by: Milo Gilbertson, RR #1 Box 88, Meckling, SD 57044

be transferred to: (name & address) D.A. Olson & Sons

Box 81, Meckling, SD 57044

(telephone No.) 605 267-4121

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

169 acres - NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, portions of the SE $\frac{1}{4}$ Sec 10 and SW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 10, all in T32N, R53W

I/We understand that the validity of Water Permit/Right No. 4214-3 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 at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Way)

I/We We 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 that I know of my own personal knowledge that the information herein stated is true.

Dane A. Olson
(Signed)

Subscribed and sworn to before me this 9th day of March, 19 90.

Way Commission
2-21-91

Daniel Schindler
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412114

Pierre, _____ March 2, 1990

RECEIVED OF D.A. Olson, Box 81, Heckline, SD 57044-6081

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>Water Right No. 4214-3</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 H. H. H. H.
Chief Engineer

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 2, 1990

No. 4214-3

D. A. Olson & Sons
Box 81
Meckling SD 57044

Dear Sirs:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 4214-3.

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

Sincerely,


KAREN SCHLAAK
Senior Secretary
Water Rights Division
605 773-3352

enclosure

(6-44)

PERMIT # 4214-3

water Permit
#4214-3

November 9, 1987 DSB.
Prepared by David Brown,
Natural Resources Engineer

39.4
T-1050

(6-198)
10 m 222

116.8
T-487

(8-26)

4214-3

Permit # 430-3

was 129 acres ¹⁹⁵⁷ licensed
- now 109 acres _{in 1957}

Water Permit
430-3

Water
Right Abn.
4214-3

LAND USE MAP

Clay County Conservation District
 Owner Dorothy Holden
 County Clay State S. Dak
 Approx. scale 8" per mile
 Prepared by U.S. Department of Ag.
 Soil Conservation Service

