

4336-3

1. Considered NOVEMBER 15, 1978
2. Name of Applicant HERMAN GRUHN
3. Post Office Address HITCHCOCK, SD 27-113-62
4. Amount of Water claimed 2.28
5. Source of Water supply 100' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in BEADLE County
about 12N 2 1/2 miles EAST of HURON
8. Proof of Publication
Received 1st 2-21-79
Not Received 2-21-79
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 4336-3Map No. 3542:3 Water Division No. 3 JAMES 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 HERMAN GRUHN
Postoffice address Rt 3 Hildreth, State S.D.
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 GRUHN IRRIGATION PROJECT
4. Amount of water claimed (cubic feet per second) 2.28
5. Source of water supply WELL
6. Location of point of diversion NE 1/4 of SE 1/4 of SEC. 27 T113-N62

County BEADLE

7. Annual period or periods during which water is to be used MAY to Oct INCLUSIVE
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 160 ACRES

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.
<u>SW 1/4 of 27-113-62</u>	<u>40</u>
<u>NE 1/4 of 27-113-62</u>	<u>40</u>
<u>SE 1/4 of 27-113-62</u>	<u>40</u>
<u>SW 1/4 of 27-113-62</u>	<u>40</u>

Land Description	No. Acres Irr.
<u>NE 1/4 of SW 1/4 of 27-113-62</u>	<u>40</u>
<u>SE 1/4 of SW 1/4 of 27-113-62</u>	<u>40</u>
<u>SW 1/4 of SW 1/4 of 27-113-62</u>	<u>40</u>
<u>NE 1/4 of SE 1/4 of 27-113-62</u>	<u>40</u>

(W 1/2 SE 1/4)

Attach sheet if more space is needed (E 1/2 SW 1/4)

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication DAILY PLAINSMAN
12. Principal Features of the Proposed Water Supply System.

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

WELL, PUMP

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

PIPE

C. Works proposed to apply water to beneficial use.

CENTER PIVOT

Estimated Total Cost \$ _____

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 BeadleI, Herman Gruhn, 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 20th day of October, 1978William H. Brown
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4336-3

HERMAN GRUHN
(Applicant)

RT. 3, HITCHCOCK
(Post Office Address)

SOUTH DAKOTA 57348 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.

11-5-77
SCL called in and
said first in line
of SE 1/4 - 1/2 NW
1/4 E 1/2 SE 1/4

See 0011
Dated 11-10-77
4541-3

Date of first receipt of application OCTOBER 23, 19 78

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

Date of receipt of corrected application NOVEMBER 2, 19 78

Approved JANUARY 31, 19 79, Recorded in Book 20 Page 169

WATER RIGHT PERMIT NO. 4336-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4336-3, 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 OCTOBER 23, 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 31, 19 79
3. The whole of said work is to be completed on or before JANUARY 31, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 31, 19 83
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 2.28 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 JANUARY 31, 19 83, said water to be used during the following described annual period: MAY - OCTOBER INCLUSIVE

Witness my hand this 26th day of FEBRUARY, 19 79

WATER RIGHTS COMMISSION

By: John H. Hinch
(Chief Engineer, Executive Officer)

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

IRRIGATION DRILLING CO.

HURON, SOUTH DAKOTA

PH. 977-4207

DRILLING REPORT

Location of Well: N 10 1/4, S. E. 1/4, Section 21, Township 11 S, Range 4 E

Well to be drilled for: HERMAN V. LUCHAN
(Name)

R13
(Address)

BENDLE
(County)

S.D.
(2120)

Date well drilling started _____ finished _____

Purpose of well 1051 WELL

(domestic, irrigation) industrial, other)

Depth _____ ft. Casing Diameter _____ inches

Slot Size _____ - Screen Size _____

Screen Depth: From _____ ft. to _____ ft.

Remarks:

NORTH

REPORT OF FINAL PUMPING TEST

Write Additional Times and Readings on Back of Page

Date _____

Elapsed Time From Start of Pumping		Water Level		Discharge
0 hr.	0 min.	ft.	in.	gals./hr.
hr.	min.	ft.	in.	
hr.	min.	ft.	in.	
hr.	min.	ft.	in.	
hr.	min.	ft.	in.	RECOVERY

[illegible]

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 100'
(2) Casing, Type Plastic Diameter 16" Thickness 1/4"
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type STAINLESS, Diameter 16", Length 24'
(4) Gravel Pack. Thickness 34 Gravel, Length of gravel pack 100'

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 0-20 Top soil mixed with clay
20-40 Sugar Sand
40-100 Gravel bearing water
100-110 Blue Clay

Depth to top of water bearing material 20'

Depth to bottom of water bearing material 100'

Thickness of water bearing material 60'

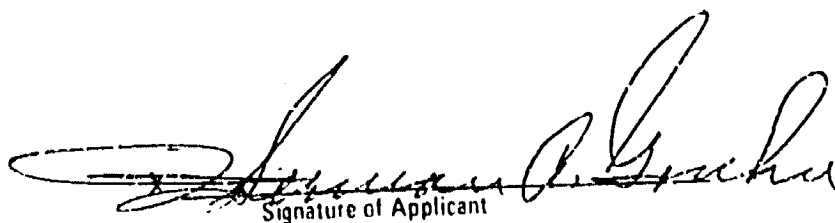
Depth to water (ground surface to water level) 15'

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

On same owner's property 20 rds. On property owned by others 20 rds.

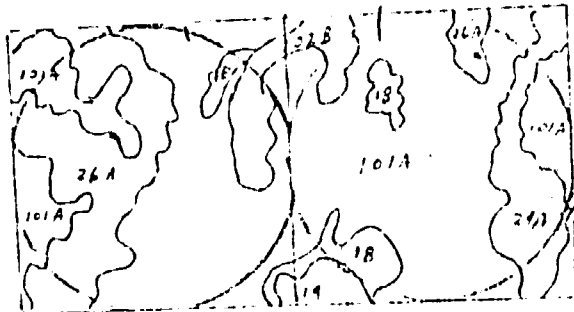
G. Water Storage Dams.

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.


Signature of Applicant

(CSOILS INFORMATION ON REVERSE SIDE)

received
WRC-11-2-78



S²-27-113-62

SOILS LEGEND FOR IRRIGATION

- 101A Houdek-Prosper loams, 0-2% slope
 102B Houdek-Prosper loams, 2-6% slope

These are deep, well drained soils that have loam or silt loam surface layers and loam or light clay loam subsoils. The underlying material is loam or clay loam glacial till. Available water capacity is high. Permeability is moderate in the upper part of the soil and moderately slow in the lower part. These soils are on uplands.

The use of center pivot irrigation systems on these soils will usually result in trafficability and runoff problems.

Generally, these soils are suitable for irrigation with low salinity and low sodium water. Water of medium salinity may be used when additional quantities of water are applied for leaching purposes. Use of higher hazard water will require additional internal drainage and the use of salt tolerant crops.

- 18 & 19 Letonka-Hoven silt loams, 0-2% slope

These are poorly or very poorly drained soils in closed depressions or broad flat areas. Some of the depressional soils have dense claypan subsoils and contain an excess amount of sodium. They are usually ponded during wet seasons and would become ponded under irrigation. Continuous move irrigation systems are likely to get stuck in these soils.

Many of these soils are near irrigable soils and small areas may be irrigated along with irrigable soils. These areas will cause traction problems for continuous move irrigation systems and farm implements. Crops are likely to drown out or be very restricted in growth because of poor aeration in the root zone or an excess amount of sodium.

Herman Gruhn Unit

26A Dudley-Stickney silt loams, 0-3% slope

29A Dudley-Tetonka silt loams, 0-2% slope

These soils are characterized by having dense compact subsoils. They contain an excessive amount of sodium. These soils are on broad flat areas usually characterized by small pits and mounds (micro-relief). Most areas are in native vegetation.

Many of these soils are near irrigable soils or are small areas that may be irrigated along with irrigable soils. These areas will cause severe traction problems for continuous move irrigation systems and farm implements. Poor stands are likely because of poor germination due to the high amount of sodium. Crop growth is very suppressed in these areas.

Some of these soils have fine sandy loam surface layers and columnar structured sandy clay loam subsoils.

Herman Gruhn Unit

Soil Conservation Service
Beadle County

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57007

Submitted by: Herman Gruhn
 Address: Hitchcock, SD 57348

Date Rec'd: October 25, 1978
 Sample No. 78-978
 Identification Cell-
11, Sec. 27, T. 113N, R. 62W

WATER ANALYSIS

Calcium (Ca)	115	ppm*	5.75	me/l**
Magnesium (Mg)	69	ppm	5.66	me/l
Sodium (Na)	30	ppm	1.31	me/l
Potassium (K)	11	ppm	0.29	me/l
Sulfate (SO ₄)	400	ppm	8.32	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	17	ppm	0.48	me/l
Bicarbonate (HCO ₃)	229	ppm	3.76	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	188	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1147	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.55	Adjusted SAR	1.33	
Sodium	10.07	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.93			
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g.p.g.=grains per gallon

COMMENTS: Total cations 13.01 me/l
 Total anions 12.56 me/l

By: Shirley Hiltan

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. 78-978

Amount Enc. \$15

Signed _____

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6566

PIERRE, November 2, 19⁷⁸

RECEIVED OF Beul Walters, RR #1, Huron, SD 57360
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 4336-3 (examination, processing, recording and filing)	250	00
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		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	250	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH gy

F.P. 11-378 L.P. 11-1078

**NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER**
Pierre, South Dakota 57501
November 2, 1978

Notice is hereby given that Herman Gruhn whose post office address is Hitchcock, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-2-9 thru 46-2-11, 46-2-13, 46-5-1 thru 46-

5-5, 46-5-10 thru 46-5-22, 46-5-23, 46-6-3, 46-6-5, 46-6-8.1, 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 2.28 cubic feet of water per second of time from ground water (one well) through the Gruhn Irrigation Project, the point of diversion of which is to be located in the NE 1/4 SE 1/4 of Section 27, Twp. 113N Range 62W. Said water to be used for the purpose of providing irrigation on portions of the following described land: W 1/2 SE 1/4 and E 1/2 SW 1/4, Section 27, T113N, R62W.

This Application No. 4336-3 will be considered by the Water Rights Commission at SDEA Building, 411 East Capitol, Pierre, S.D. 57501 upon the 15th day of November, 1978 at 10 A.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 1-24 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION
BETTY WESTLUND

Water Rights Specialist I
No. 564 (adv.)
County of Deuel

Affidavit of Publication

OTA / ss.

I, Linda Schlotter do solemnly swear that I am the bookkeeper of the Daily Plainsman, printed and published at Huron, in the State of South Dakota, and that from my own personal knowledge and reference to the files of said publication the advertisement of notice of hearing on application to appropriate water was inserted in the Daily Plainsman in space of 6" legal advertising on dates as follows: Nov 3 & 10, 1978

for Herman Gruhn, Hitchcock, South Dakota 57348

Subscribed and sworn to before me this 20th day of February 19 79

(Seal)

9-21-33

[Signature]
Notary Public

My Commission Expires _____





Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-4212

February 27, 1979

Herman Gruhn
Rt. 3
Hitchcock, SD 57348

Dear Mr. Gruhn:

Enclosed herewith is your Water Right Permit No. 4336-3 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 4336-3.

Also enclosed is FORM 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Rights Commission when you have completed the system and/or have put the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a Water Right.

Respectfully,
WATER RIGHTS COMMISSION

JOHN HATCH, Chief Engineer

JH:plh

Enclosures

*Hand to SCC
and would allow
E 1/4 of SW 1/4, W 1/2 SE 1/4.
27-113-62*

1981

PS Form 3811, Apr. 1978

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):
☐ Show to whom and date delivered.
☒ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery.
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 Herman Bruhn
 Rt #3
 Hitchcock SD 57348

3. ARTICLE DESCRIPTION.
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 003412

(Always obtain signature of addressee or agent)
 I have received the article described above.
 SIGNATURE ☒ Addressee ☐ Authorized Agent
 DATE OF DELIVERY 8/15/80
 POSTMARK HITCHCOCK SD AUG 15 1980
 5. ADDRESS (Complete only if requested)
 6. UNABLE TO DELIVER BECAUSE:

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆ GPO: 1978-272-182

No. 003412 43363

1PT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
 Herman Bruhn
 Rt #3
 Hitchcock SD 57348

POSTAGE \$

CONSULT POSTMASTER FOR FEES

OPTIONAL SERVICES	CERTIFIED FEE	\$
	SPECIAL DELIVERY	\$
	RESTRICTED DELIVERY	\$
	RETURN RECEIPT SERVICE	\$

SHOW TO WHOM AND DATE DELIVERED
 SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY
 SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY
 SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY

TOTAL POSTAGE AND FEES \$

POSTMARK OR DATE
 8-13-80

1st For. 3c, 10c, Apr. 1976

note: to Betty,
 need follow-up
 with certified
 mail return receipt
 in about 60 days
 JH

August 13, 1980

Herman Gruhn
Rt #3
Hitchcock SD 57348

RE: 4336-3

Dear Mr. Gruhn:

It is our understanding that you are presently irrigating the SE $\frac{1}{4}$ of Section 27, T113N, R62W. Your Water Permit No. 4336-3 is to irrigate the E $\frac{1}{4}$ of SW $\frac{1}{4}$ and W $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T113N, R62W. You do not have a water permit for the E $\frac{1}{4}$ SE $\frac{1}{4}$. If you plan on irrigating the E $\frac{1}{4}$ SE $\frac{1}{4}$ during the 1981 irrigation season a permit will be required.

Enclosed are our forms for you to make application for the E $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, T113N, R62W

If you have any questions, please contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:DW:kw

enclosure

cc: Wynn Sudtlegte
State Conservation Commission

STATE OF SOUTH DAKOTA

Do not use this space.

DIRECT VOUCHER

AGENCY VOUCHER No.	DATE
297-2	11/6/78

PAYEE

Herman Gurhn
Route 3
Hitchcock, SD 57348

DEPT.

DNRD - Water Rights
Foss Bldg.
Pierre, SD 57501

STABLE
HERE

AGENCY

ADDRESS

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj.	Agency Coding	Amount	Contract No.
040201	220	01	0100	0801		325.00	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL						325.00	

11-14-78
W#79087437
ac# 084599

NOTE: Vendors invoice must be attached.

Invoice No.(s)	Date Delivered	QUAN.	DESCRIPTION OF SERVICE OR COMMODITY	UNIT PRICE	AMOUNT	MEMO
			Return fee for water rights application. Incorrect fee for specified acreage. Receipt #4 6562 Paid for Paul Walters, Huron. WR#4336-3		325.00	
TOTAL					325.00	

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief is in all things true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to non-discrimination in Federally assisted programs.

Claimant Signature

JOHN HATCH, Director

Date

11-6-78

AGENCY VERIFICATION

I hereby certify that the within account is just and true, and that no part of same has been paid, and the same is hereby approved.

DIVISION APPROVAL

JOHN HATCH, Director
Division of Water Rights

APPROVAL SIGNATURE

DATE

11-6-78

AUTHORIZED AGENT

DATE

Publish first publication, on or before November 3, 1978 No. 4336-3

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 2, 1978

Notice is hereby given that GRUHN
Herman Gurhn whose post office

address is Hitchcock, 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 4.22 cubic feet of water per second of time from ground water (one well)

through the Gruhn Irrigation Project, the point of diversion of which is to be located in the NE 1/4 SE 1/4

of Section 27, Twp. 113N Range 62W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

W 1/2 SE 1/4 and E 1/2 SW 1/4, Section 27, T113N, R62W

This Application No. 4336-3 will be considered by the Water Rights Commission at SDEA Building
411 East Capitol, Pierre, SD 57501 upon the 15th day of November, 1978 at 10 A.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.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

BETTY WESTLUND
Water Rights Specialist

cc: GRUHN
Herman Gurhn
Hitchcock, SD 57348



No. 4336-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

November 17, 1978

Herman Gruhn
Rt #3
Hitchcock, SD 57348

Dear Mr. Gruhn:

The Water Rights Commission deferred action on your Application
No. 4336-3 at the November 15 & 16, 1978

Commission meeting, pending investigation by the Commission Staff.

If you have any questions, feel free to contact this Office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

January 16, 1979

TO: Holders of Deferred Applications in Certain Aquifers in Spink,
Hand and Beadle Counties

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred water right applications proposing diversions from the Tulare, Hitchcock, and East James aquifers in Spink, Hand and Beadle counties at 4:00 p.m., January 31, 1979 at the South Dakota Education Association Building, 411 E. Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted 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.

These applications were deferred by the Water Rights Commission during 1977 and 1978, pending Staff investigation.

After reconsideration of the deferred applications, the Commission can approve, defer, or deny all or part of these applications.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the courts as provided by law.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, somewhat stylized script. The first name "John" is clearly legible, and the last name "Hatch" is written in a more fluid, connected style.

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/gy



Department of Water & Natural Resources

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

September 2, 1987

Maxine C Gruhn
RR #4 Box 102
Huron, SD 57350

Dear Ms. Gruhn:

The inspection of your water use system as developed under Water Permit Nos. 4336-3 and 4547-3 has been completed. The final water right document, the water license, can now be issued.

Upon licensing, Water Permit No. 4336-3 will be incorporated into Water Permit No. 4547-3 and one license will be issued. Before Water License No. 4547-3 can be issued, both permits must be transferred to your name. Currently, they are listed in the name of Herman Gruhn.

Enclosed are partially completed transfer forms. Please check the forms over, sign and have them notarized. A \$2.50 filing fee is required for each transfer (total of \$5.00)

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, Water License No. 4547-3 will be issued and forwarded to you. South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid.

Please return the completed transfer forms and a total of \$55.00 (\$5.00 for the transfers and \$50.00 for the license) to our office as soon as possible. If you have any questions, please contact us.

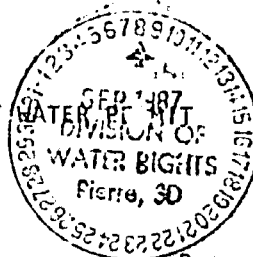
Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3362

encl

NO. 4336-3

NOTICE OF TRANSFER OF



TO: Water Rights
Foss Building
Pierre, SD 57501

8 SEP 4 1987

Date: _____

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

W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 27, T113N, R62W

formerly owned by Herman Gruhn

has been transferred to Maxine Gruhn, RR 4, Box 102A, Huron SD 57350

(please include complete mailing address)

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

Water Right Permit No. 4336-3 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 Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Baddeley) ss.

I, Maxine C. Gruhn 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.

Maxine C. Gruhn
(Signed)

Subscribed and sworn to before me this 4th Day of September, 19 87

R. J. [Signature]
(Notary Public)

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

410981

Pierre, _____ September 2, 19 87

RECEIVED OF Maxine Gruhn, RR 4, Box 102A, Huron, SD 57350

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>4336-3</u>		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	2	50

By John Hatch
Chief Engineer JOHN HATCH (35)



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

September 10, 1987

Maxine Gruhn
RR 4, Box 102A
Huron, South Dakota 57350

Dear Ms. Gruhn:

Enclosed are Receipt Nos. 410980 and 410981 which you paid for transfer and licensing of Water Permit Nos. (4336-3) and 4547-3. The permits are now listed in your name.

Water License No. 4547-3 will be processed and sent to you at a later date. If you have any questions, please contact us.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

No. 4547-3



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

NOV 3 1987

Maxine C. Gruhn
4755 Oakwood Place
Riverside, California 92506

Dear Mrs. Gruhn:

Enclosed herewith is, Water License No. 4547-3. 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, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

Applicable portions of Water Permit No. 4336-3 have been incorporated into this Water License No. 4547-3.

WNR-817 3/83

Transmittal of Water License

