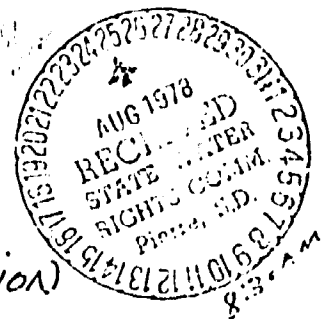


4345-3

1. Considered (JANUARY 31), 19 79
2. Name of Applicant LAURENCE GRATZ
3. Post Office Address ESTELLINE, SD. 26-113-51
4. Amount of Water claimed NO ADD'L
5. Source of Water supply 33' WELL - ADD DIVERSION ON 2146-3
6. Water to be used for IRRIGATION
Acres to be irrigated 132 (No add'l)
7. Water to be diverted and used in HAMLIN County
about 15 miles of ESTELLINE
8. Proof of Publication Received 1-5-79
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred 2-1-79

10. Remarks:

No. 4345-3
 Map No. 1540-3 Water Division No. 3 BIG SIOUX RIVER District 1
 (Blanks to be Filled by the Engineer for the W. R. C.)


APPLICATION FOR PERMIT FOR AN ADDITIONAL POINT OF DIVERSION PERMIT 2146-3 To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant (Laurence Gratz - owner) Herald Enterprise - operator
 Post office address Estelline, State S. Dak.
 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 Gratz Irrigation Project No. 2
4. Amount of water claimed (cubic feet per second) NO ADD'L
5. Source of water supply well
6. Location of point of diversion 180 feet west of 1390' 77 30° W of the S. E. corner of Section 26 - 113 - 51
 County HAMLIN
7. Annual period or periods during which water is to be used Mar - Oct
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 132

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 Sec 26	40	NE 1/4 of Sec 26	40
SE 1/4 of Sec 26	40	SE 1/4 of Sec 26	40
SW 1/4 of Sec 26	40	SW 1/4 of Sec 26	40
NW 1/4 of Sec 26	40	NW 1/4 of Sec 26	40

Attach sheet if more space is needed

132 ACRES

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 3 years
11. Choice of newspaper for Notice of Intent to Appropriate Water publication HERALD ENTERPRISE
70 Indian Reservation
HAYTI, SD
12. Principal Features of the Proposed Water Supply System.

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

turbine pump

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

8 inch plastic PVC pipe

C. Works proposed to apply water to beneficial use.

Electro-gator centrifugalEstimated Total Cost \$ 4500.00
 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 Hamlin
 I, Laurence Gratz, 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 Laurence Gratz
 Subscribed and sworn to before me this 23 day of August, 1978

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4345-3
LAURENCE GRATZ ESTELLINE
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57234 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.

Priority for this Permit No. 4345-3 is established under Permit No. 2146-3.

Date of first receipt of application AUGUST 25, 19 78
 Date of return to applicant for correction, amendments or changes required _____, 19 _____
 Date of receipt of corrected application _____, 19 _____
 Approved MARCH 28, 19 79, Recorded in Book 20 Page 232

WATER RIGHT PERMIT NO. 4345-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4345-3, 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 DECEMBER 22, 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 28, 19 81
3. The whole of said work is to be completed on or before MARCH 28, 19 84
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 28, 19 87
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed NO ADD'L 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 2 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 28, 19 87; said water to be used during the following described annual period: MARCH - OCTOBER

Witness my hand this 5th day of APRIL, 19 79

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued August 3, 19 81

Water License Issued August 3, 19 81

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

WELL CONSTRUCTION
Location of well: N.W. 1/4 N.W. 1/4 N.W. Section 26 Township 113 Range 51-1270

Well owner Lawrence Gault 4241 N. 1st St. S.
(Name) (Address)

Date well drilling completed 12-3-74 Purpose of well Domestic
(domestic, irrigation, municipal, industrial, other)

WELL LOG

[illegible]

Attach sheet if more space is needed

Depth to top of water producing aquifer 10' ft.

Depth to static water level 10' ft.

Name of producing aquifer (if known) _____

Total depth of drill hole 33 ft.

Depth to bottom of casing _____ ft.

Casing Information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

24'6" x 14" x 1/4" Steel casing

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

10' x 14' x .80 Johnson Screen.

If a flowing well, flow of completed well _____ G.P.M.

Ed A. Lacey + Sons
Name of Drilling Contractor

(2) PUMP INSTALLATION

PUMP INSTALLATION
Company name and size of pump Peerless pumps HP

Type of pump turbine Capacity of installed pump _____ G.P.M.

Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Ed H. Lacey & Sons
Name of Pump Installation Contractor

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 14", Depth 33'
- (2) Casing, Type steel (wood, concrete, steel, etc), Diameter 14", Thickness 1/4"
- (3) Perforated Screen.
Type 80 Johnson screen, Diameter 14", Length 10'
- (4) Gravel Pack, Thickness 3", Length of gravel pack 15'

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 Topsoil is dirty sand
with coarse gravel and clay at
33' depth.

Depth to top of water bearing material 12'

Depth to bottom of water bearing material 33'

Thickness of water bearing material 10'

Depth to water (ground surface to water level) 10'

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

On same owner's property 80 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.

Lawrence J. Gratz
Signature of Applicant

Permit No. 4345-3

Water Diversion No. 3 Big Sioux River Water District

10170202

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Laurence Gratz

_____ the holder _____ of
Permit No. 4345-3, issued upon Application No. 4345-3, bearing date of priority of December 2, 1974
_____ authorizing the diversion of 1.66 cu. ft. per second of the waters of _____
groundwater (two wells) County of Hamlin, State of South Dakota at Well #1;
north 30° west, 1390 feet and Well #2, north 32° west, 1450 ft. both from the
SE Corner, Section 26 - T113N - R51W

_____, for _____ irrigation

_____, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.66 cu. ft. per second of water.

Date August 3, 1981


JOHN HETCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4345-3

(1) WHEREAS, On the 25th day of August A. D. 19 78

Laurence Gratz

made Water Right Application No. 4345-3 for a permit to use 3.1 cubic feet per second of the waters of groundwater (two wells)

County of Hamlin, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 28th day of March A. D. 19 79

Permit No. 4345-3, with a date of priority of December 2, 1974*

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 28 day of March A. D. 19 84 and for the application to beneficial use of said water on or before the 28 day of March A. D. 19 87

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.66 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate the following lands all in Section 26 - T113N - R51W

	Acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	9
SE $\frac{1}{4}$ SW $\frac{1}{4}$	9
NW $\frac{1}{4}$ SE $\frac{1}{4}$	38
NE $\frac{1}{4}$ SE $\frac{1}{4}$	19
SW $\frac{1}{4}$ SE $\frac{1}{4}$	38
SE $\frac{1}{4}$ SE $\frac{1}{4}$	19
Total	132 Acres

* The applicable portions of Permit No. 2146-3 have been incorporated into this Water License No. 4345-3.

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Laurence Gratz

_____ of _____

the holder _____ and owner _____ of said permit No. 4345-3 a water right, dating from December 2, 1974

_____ to use of 1.66 cubic feet per second of the waters

of groundwater (two wells)

in the County of Hamlin and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at _____

Well #1; north 30° west, 1390 feet and Well #2, north 32°

west, 1450 ft. both from the SE Corner, Section 26-T113N-R51W

and conducted to and upon _____

portions of lands all in Section 26-T113N-R51W, more fully
described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 4345-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of August A. D.
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

IRRIGATION SUPPLIES

- Berkeley Pumps
- E-Z Rain Machines
- Aluminum or Plastic Pipe
- Nelson Volume Guns
- Traveling Gun Hose
- Hygromatic Center Pivot
- Deep Well Turbine Pumps
- Hot Vulcanized Hose Repair
- Gravel Packed Irrigation Wells
- Test Boring

ED H. LACEY & SONS

Box 796

TRENT, SOUTH DAKOTA 57065

Phone (605) 428-5636 Ed (605) 428-5979 Jim



John,

Aug. 13, 1973

There have been questions brought up about the wells that Jim and I dug for Lawrence Gratz of Astelline. Jim dug two wells in '78 in the S $\frac{1}{2}$ of Section 26, Township 113, Range 51, Hamlin County. He had to dig two to get the gallons per minute that he needed to run a pivot because of the material that he encounter would not produce the water. So two wells were dug there under one permit.

I dug a well in '77 in the SW $\frac{1}{4}$ -NW $\frac{1}{4}$ -SW $\frac{1}{4}$, Section 19, Township 113, Range 50-60, Deuel County. He needed more gallons per minute, so I called and asked you about a siphon well, and you told me it would be all right to dig. So that is why he has two wells there and never went through the expense of advertising and paying for a permit.

I would appreciate it if you could help the man out.

Thank-you

Mile Lacey

7/11/73
1540-3
2146-3

- I Sand
- II Yellow
- III COARSE GRAVEL
- IV PART COARSE GRAVEL
- V CLAY
- VI SANDY FINE OR FINE CLAY
- VII FINE SAND

	DEPTH TO BOTTOM OF TEST	DEPTH TO FINE CLAY	DEPTH TO COARSE GRAVEL	DEPTH TO SAND
1.	24	15	11	
2.	22	21	15	
3.	32	32	17	18
4.	110	32	15	17
5.	23	20	15	5
6.	15	27	13	12
7.	32	27	15	12
8.	32	27	15	12
9.	32	27	15	12
10.	110	25	16	12
11.	34	27	15	12
12.	31	32	22	10
13.	36	30	23	11
14.	35	33	22	11
15.	35	21	20	11
16.	35	33	22	11
17.	35	27	15	12

OR 2nd well
 180 ft west
 of 1st well
 wrong
 description
 see map 1544-3

1544-3

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

Submitted by: Harold Bantgen
 Address: Estelline, South Dakota
57234

Date Rec'd: January 11, 1974
 Sample No. 74-008
 Identification Well-
SE1, Sec. 26, T 113N, R 51W

WATER ANALYSIS

Calcium (Ca)	67	ppm*	3.35	me/l**
Magnesium (Mg)	28	ppm	2.30	me/l
Sodium (Na)	6.3	ppm	0.27	me/l
Potassium (K)	2.4	ppm	0.06	me/l
Sulfate (SO ₄)	57	ppm	1.19	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	293	ppm	4.80	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)	240	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	625	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.16			
Sodium	4.51	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.31			
Others:				

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

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

COMMENTS: Total cations 5.98 me/l
 Total anions 6.07 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6577

PIERRE, November 29, 1923

RECEIVED OF Lawrence Gratz, Estelline, SD 57234
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 4345-3 (examination, processing, recording and filing)	150	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	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH p1h

No. 4345-3

Publish first publication, on or before December 29, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 29, 1978

Notice is hereby given that Lawrence Gratz whose post office address is Estellina, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 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, 46-6-3.1, 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 no additional cubic feet of water per second of time from groundwater to add an additional on an existing permit (one well) through the Gratz Irrigation Project #2, XXX point(s) of diversion of which is (XXX) to be located in the SE 1/4 SE 1/4

of Section 26, Twp. 113N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4, Section 26-T113N-R51W.

This Application No. 4345-3 will be considered by the Water Rights Commission at the SDEA Auditorium, 411 E. Capitol, Pierre, SD upon the 31st day of January, 1979

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: Lawrence Gratz, Estellina, SD 57234

No. 4345-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hamlin) ss.

I, Glenn R. Andersen hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Herald Enterprise

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Town of Hayti

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

December 28, 1978

January 4, 1979

Glenn R. Andersen
(Signature)

Publisher
(Title)

Jan 4, 1979
(Date Signed)

NOTICE OF HEARING

NOTICE OF HEARING ON
APPLICATION TO APPRO-
PRIATE WATER
Pierre, South Dakota 57501
November 29, 1978

Notice is hereby given that
Lawrence Gratz whose post of-
fice address is Estelline, South
Dakota, has made an application
in accordance with the provi-
sions of SDCL 46-1-1 thru 46-1-9,
46-1-14; 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, 46-6-3.1, 46-6-5, 46-
6-6.1, 46-6-10, 46-6-14 and Com-
mission Rules ARSD 52:01:01
thru 52:01:01:13, for a permit
to appropriate for beneficial use
no additional cubic feet of water
per second of time from ground-
water (one well) through the
Gratz Irrigation Project #2,
to add an additional point of
diversion on an existing permit
of which is to be located in
the SE1/4 SE1/4 of Section 26,
Twp. 113N, Range 51W. Said
water to be used for the pur-
pose of providing irrigation on
portions of the following de-
scribed land:

SW/2-Section 26-T113N-R51W,
This Application No. 4345-3
will be considered by the Water
Rights Commission at the SDEA
Auditorium, 411 E. Capitol,
Pierre, S.D. upon the 31st day
of January, 1979, at 10 A.M.
The Commission is authorized
to make a determination on
this application at the hearing.
All interested persons may ap-
pear and be heard. Any person
who may be affected by a Com-
mission decision who desires
to present evidence or cross-
examine witnesses accord-
ing to
SDCL 1-26 may notify the Com-
mission in writing prior to the
hearing or orally at the hear-
ing.

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 hear-
ing. Decisions of the Commis-
sion may be appealed to the
Courts as provided by law.
WATER RIGHTS COMMISSION
/s/ Betty Westlund
Water Rights Specialist 52-1



4342-3
4345-3

February 5, 1979

Mr. Lawrence Gratz
Estelline, SD 57234

Dear Mr. Gratz:

This is to inform you that your application Nos. 4342-3 and 4345-3 were deferred by the Water Rights Commission at their February 1, 1979 meeting.

If you have any questions feel free to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bt

43-463



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773 3151

March 14, 1979

TO: Holders of Deferred Applications in Brookings, Hamlin and Deuel Counties
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred water right applications in Brookings, Hamlin and Deuel Counties at 1:45 p.m. on March 28, 1979, at the Community Room of the Pierre City Hall, 222 East Dakota Ave, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-14; 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; 46-6-3.1; 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 in 1977 and 1978, pending Staff investigation. Data from the computer model are not complete at this time, the Commission Staff may recommend deferral on some of the applications until this data is obtained.

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

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 cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw

Form 10.

3397-3
No. 4342-3

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Laurence Gratz
Post Office Estelline, S. Dak. 57234
Date August 1, 1979

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

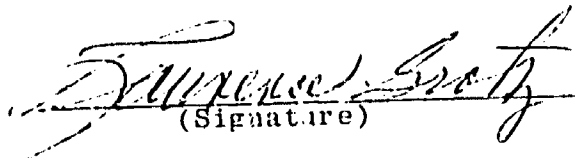
Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3397-3.

Water Right Permit No. 4342-3 states that the diversion system is to be constructed by 9-28-81, 19 and that the water is to be put to beneficial use by 3-28-, 1984.

The diversion system was completed on May 1, 1979.
Applying the water to beneficial use was completed on 5-1, 1979.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.


(Signature)

Permit No. 4345-3Water Division 3 Big Sioux River Water DistrictREPORT 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 LAURENCE
GRATZ of ESTELLINE holder
of Permit No. 4345-3, bearing date of priority of DECEMBER 2, 1974 *
authorizing the diversion of 3.1 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in HAMLIN County.

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

The Water Use System consists of, WELL #1 - 32' DEEP WITH 12" STEEL CASING
WITH 10' SS SCREEN. PEERLESS 8" PUMP #G104198
POWERED BY 40 HP GE ELECTRIC MOTOR AT 1750 RPM

A. Works used to divert the water:

WELL #2 - 38' DEEP WITH 14" STEEL CASING WITH 10' OF JOHNSON
SS SCREEN, PEERLESS 8" PUMP #G104199, POWERED BY
30 HP GE ELECTRIC MOTOR AT 1760 RPM

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

1200' OF 8" BURIED PVC PIPE TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

ELECTROGATOR 80 CENTER PIVOT SYSTEM WITH
NEILSON #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located #1 - N 30° W, 1390' & #2 - N 32° W, 1450', BOTH FROM
THE SE CORNER, SECTION 26, T113N, R51W

The works are capable of diverting and conveying to the place of use 1.66 (750 GPM)
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 SEC. 26, T113N, R51W

<u>NE⁴SW⁴</u>	<u>9 ACRES</u>	<u>SW⁴SE⁴</u>	<u>38 ACRES</u>
<u>SE⁴SW⁴</u>	<u>9 "</u>	<u>SE⁴SE⁴</u>	<u>19 "</u>
<u>NW⁴SE⁴</u>	<u>38 "</u>		
<u>NE⁴SE⁴</u>	<u>19 "</u>		

comprising a total of 132 acres of land.

* THE APPLICABLE PORTIONS OF PERMIT NO 2146-3
HAVE BEEN INCORPORATED INTO THIS WATER LICENSE
NO 4345-3.

Date JUNE 23, 1981
Burton Jones
(Signature)

2 in
DD
Sec 26

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8375

PIERRE, July 9, 1901

RECEIVED OF Laurence Gratz, Estelline, SD 57234

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. 4345-3	50	00
Fee for Inspecting Beneficial Use, and issuing Water License No. 4345-3		
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	50	00

WATER RIGHTS COMMISSION

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

No. 4345-3



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

August 6, 1981

Laurence Gratz
Estelline, SD 57234

Dear Mr. Gratz:

Enclosed herewith are, Water License No. 4345-3 and Certificate of Construction.

Water License No. 4345-3 is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: bt

enclosures

NOTE: The applicable portions of Permit No. 2146-3 have been incorporated into this Water License No. 4345-3

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 10, 1990

4345-3

Jerald A Peterson
RR #2 Box 140
Bruce, SD 57220

Dear Mr. Peterson:

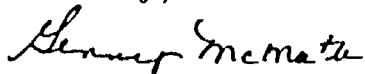
Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 4345-3. The water right is currently listed in the name of Laurence Gratz.

Please check over the form and sign in the presence of a notary public. Upon completion, return the form 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.

If you have any questions, please contact me.

Sincerely,



Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

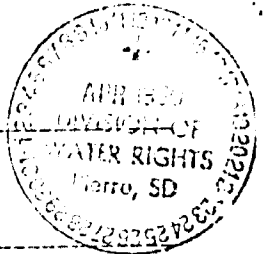
NOTICE OF TRANSFER OF OWNERSHIP

No. 4345-3

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

Date:

4-11-90



I/We request that Water Permit/Right No. 4345-3

formerly owned by: Laurence Gratz

be transferred to: (name & address) Jerald A Peterson
RR Box 140, Bruce SD 57220 (telephone No.) 873-2636

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

132 acres - E $\frac{1}{2}$ SW $\frac{1}{2}$ and SE $\frac{1}{2}$ Section 26, T113N, R51W

I/We understand that the validity of Water ~~Permit~~/Right No. 4345-3 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 Brookings)

I/We Jerald A. Peterson 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.

Jerald A. Peterson
(Signed)

Subscribed and sworn to before me this 11th day of April, 1990.

Paul Kroeger
(Notary Public)

My Commission Expires August 31, 1991

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

Pierre, April 13, 1979

RECEIVED OF Jerald A. Peterson, RR #2 Box 146, Bruce, SD 57231
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. _____	2	50
Fee for Filing Transfer Form <u>Water Right No. 4346-1</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

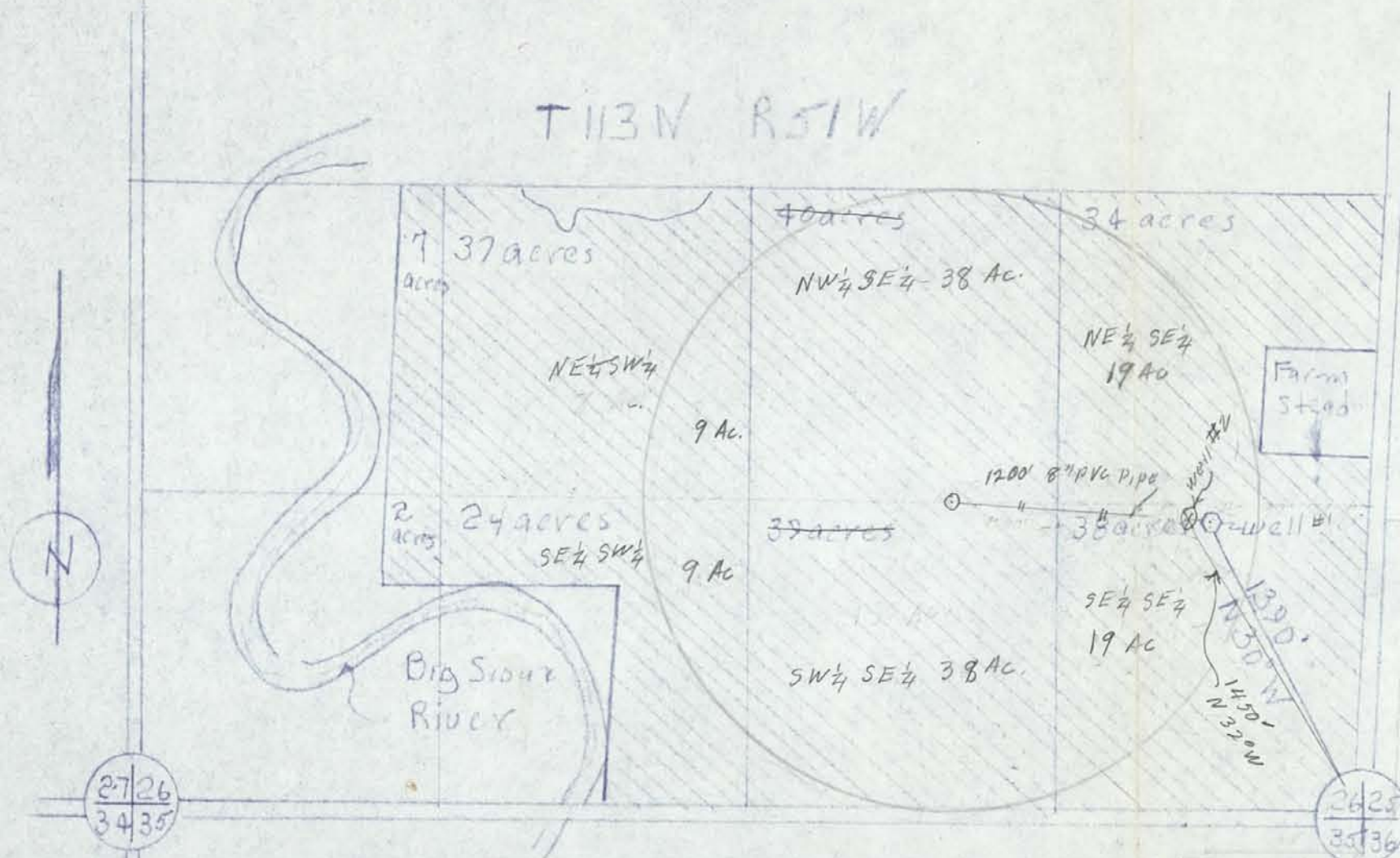
By [Signature]
Chief Engineer

LAURENCE GRATZ

Irrigation Project # 1
Estelline South Dakota
Hamlin County

Land owned by
Laurence Gratz
Application for Permit made by
Harold Lantgen - Lessee
Estelline, S. Dakota

Water claimed - 3.1 cfs



Cross hatch indicates
Irrigated area

Point of Diversion

1390' N 30° W of the
S.E. corner of Sec 26
113-51

Scale 8" = 1 Mile

Land Description	Acres Irrigated
NW 1/4 of SW 1/4 Sec 26 - 113-51	7
NE 1/4 of SW 1/4 Sec 26	37 9
SW 1/4 of SW 1/4 Sec 26	2
SE 1/4 of SW 1/4 Sec 26	24 9
NW 1/4 of SE 1/4 Sec 26	40 38
NE 1/4 of SE 1/4 Sec 26	34 19
SW 1/4 of SE 1/4 Sec 26	39 38
SE 1/4 of SE 1/4 Sec 26	38 19
Total Acres	221

Surveyor's Certificate

I, John L. Wiersma, do hereby certify that
this map identifies a reasonably accurate
record of the land of:

Laurence Gratz
Estelline, South Dakota Hamlin County
Drawn by S.L.W. 11-22-74
John L. Wiersma PE # 1416
Brookings, South Dakota