

Water Right Number 4406-3

1. Considered MARCH 28, 19 79
2. Name of Applicant WILFRED WIESE
3. Post Office Address TWIN BROOKS, SD. 10-120-50
4. Amount of water claimed NO ADD'L
5. Source of water supply 275' WELL ~~EXISTING~~ ON #3561-3
6. Water to be used for IRRIGATION
Acres to be irrigated 115 (ADDITIONAL)
7. Water to be diverted and used in GRANT County
about 1/2 mile 2 Miles SOUTH of MARVIN
8. Proof of Publication
Received 5-18-79
Not received _____
9. Application
Approved 5-24-79
Subject to WI & Milbank FC
Not approved _____
Action deferred _____
10. Remarks:

Map No. 3596-3 Water Division No. 3 WHETSTONE CREEK District 1
(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT to CHANGE DIVERSION POINT FROM 3561-3

To appropriate water within the State of South Dakota

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

1. Name of Applicant Wilfred Wiese - Twin Brooks Silo Mill
Postoffice address Twin Brooks R.R. 1, State South Dakota 57269
If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract + Direct Labor

3. Name of diversion work Wilfred Wiese Irrigation Project #1

4. Amount of water claimed (cubic feet per second) 3.85 in original permit # 3561-3 - No additional

5. Source of water supply well

6. Location of point of diversion change to 2620' N 150° W of NE corner Sec 10-120-50
bordered by 3561-3 - 1120' W of NE corner Sec 10-120-50
County Grant

7. Annual period or periods during which water is to be used April through October

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 44 + 115 = 159

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>N 1/2 of NW 1/4 Sec 10-120-50</u>	<u>2</u>	SW 1/4 of NW 1/4 Sec 10-120-50	39
<u>NE 1/4 of NW 1/4 Sec 10-120-50</u>	<u>40</u>	SE 1/4 of NW 1/4 Sec 10-120-50	39
		TOTAL	115 ACRES

Attach sheet if more space is needed

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 Mineral Paper

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. use well from permit # 3561-3

B. Works proposed to transport water to place of use. closed can line

C. Works proposed to apply water to beneficial use. center pivot irrigation machine

Estimated Total Cost \$29,000.00 additional

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 Grant

I, Wilfred Wiese, 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 Wilfred Wiese

Subscribed and sworn to before me this 1 day of March 1979

John W. Garrison
Notary Public (or other qualified officer)

*This is request to amend point of diversion and to add storage.
that land which is in SD which is marked addition may have been a
original request. I do not have that record
Q. Yes

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4406-3

WILFRED WIESE
(Applicant)

TWIN BROOKS
(Post Office Address)

SOUTH DAKOTA 57269
(State)

With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

The City of Milbank has priority rights to portions of this water under future use withdrawal permits, and this application is approved subject to these prior rights if or when the City develops the reserved water supply.

Date of first receipt of application MARCH 5 19 79
Date of return to applicant for correction, amendments or changes required _____ 19 ____
Date of receipt of corrected application W6 MAY 4 19 79
Approved MAY 24 19 79 Recorded in Book 22 Page 45

WATER RIGHT PERMIT NO. 4406-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4406-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MARCH 5 19 79
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 24 19 81
3. The whole of said work is to be completed on or before MAY 24 19 84
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 24 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, shall not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed NO ADDITIONAL 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 use served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MAY 24 19 88 said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 7th day of JUNE 19 79

WATER RIGHTS COMMISSION

By:

John H. H. H.
Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

CONSERVATION COMMISSION
FORM #1
6/77

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

IMPORTANT: Read Instructions Before Proceeding!!!

NAME Wilfred Wiese - Twin Brooks Silo/la Well

ADDRESS Twin Brooks RR#1 South Dakota - 57267

COUNTY DeWitt

In accordance with State Law (Section 1, SB-53), if a water right is granted with a conditional permit (Soil/Water compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receiving such water right.

LEGAL DESCRIPTION:

1. WELL LOCATION OR DIVERSION POINT Same as permit # 3561-3
2. LOCATION OF AREA TO BE IRRIGATED add part of plat # 120-5-2
1/2 sec 10, T12N, R10E, S20E, Sec 10, T12N, R10E, S20E

TYPE OF IRRIGATION:

3. GRAVITY ☐ TOWLINE ☐ CENTER PIVOT ☒ GON ☐
- OTHER (SPECIFY) ☐
4. CROPS TO BE IRRIGATED Silo/la & corn

WATER QUALITY: (To be completed by SDSU Water Quality Lab)

- | | |
|---------------------------------------|---------------------------------|
| 5. SAMPLE NUMBER | <u>76-1777</u> |
| 6. SALINITY (EC X 10 ³) | <u>16.27</u> |
| 7. SODIUM (SAR) | <u>2.71</u> Adjusted SAR = 7.33 |
| 8. RESIDUAL SODIUM CARBONATE (meq/l.) | <u>0.0</u> |

I do hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

SUBSCRIBED AND SWORN BEFORE ME THIS
1 DAY OF March, 1977.

John Lawrence
(TITLE OR SEAL)

Wilfred Wiese
APPLICANT'S SIGNATURE

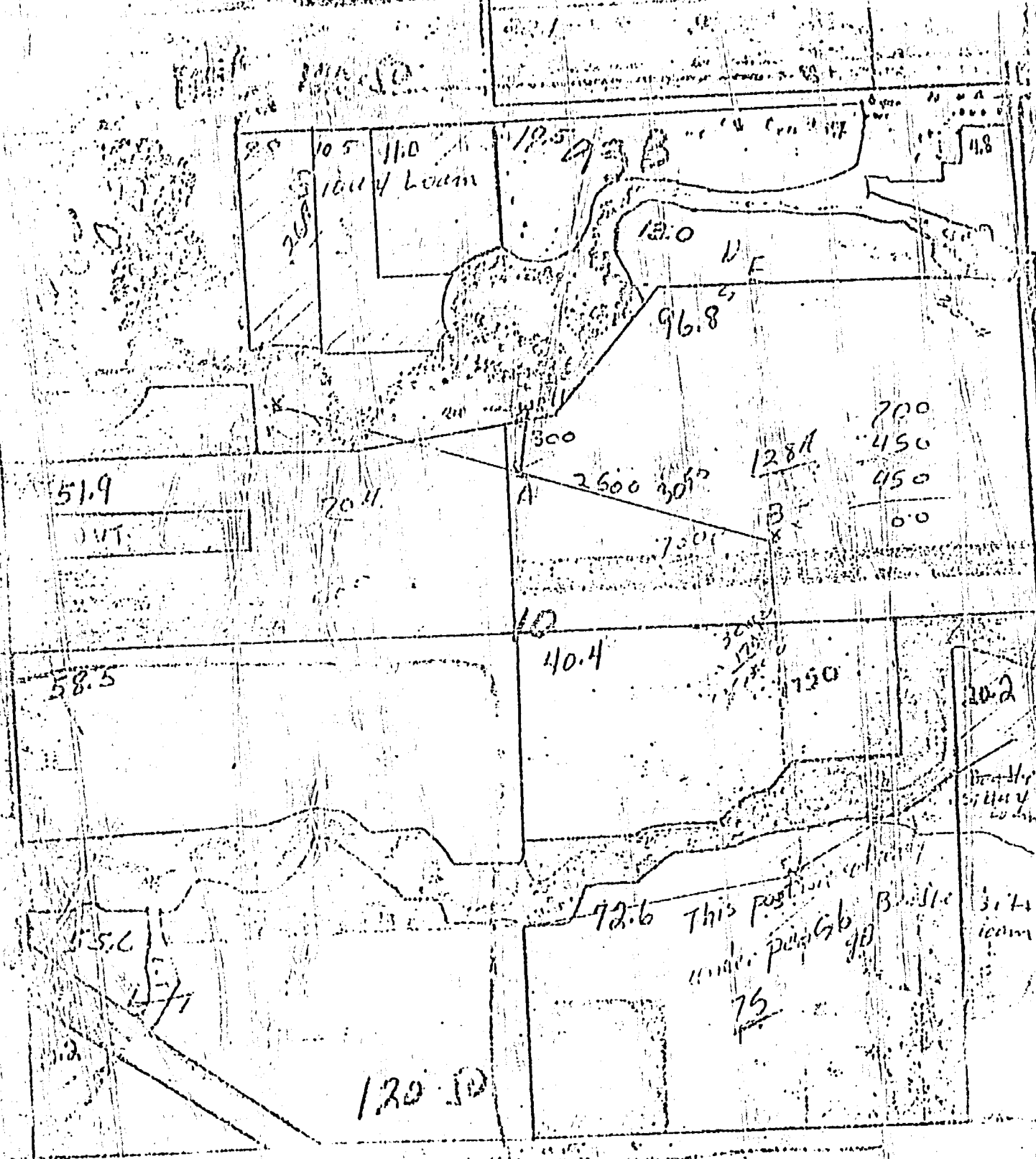
Al Huffaker
Approved

Disapproved

☒ Conditionally Approved

(SOILS INFORMATION ON REVERSE SIDE)

NOT TO SCALE



This position is under paragraph B. 314

REC-MGMT/FORM
12/77
d

Water Rights Copy

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Wilfred Wiene, Twin Brooks Alfalfa Mill, Twin Brooks, SD.

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

None

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 3-4 times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 2 - 4 inches of water.
3. ☒ Yes () No Surface drainage suggested on areas tending to pond water.
4. () Yes () No Subsurface drainage suggested on _____
5. ☒ Deep tillage (for the purpose of aiding movement of water through dense subsoils.
COMMENTS: you may benefit by occasional use under dried conditions in the fall on your heavier soils.
6. () Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application pivot .

GENERAL COMMENTS:

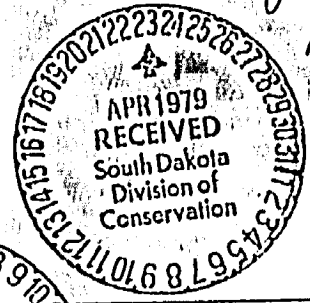
If you have been able to manage the Peever soils that you were irrigating under your previous permit, you should have no new problems in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 10.

The drains adjacent to the area in question do not extend far and therefore lands on the overflow range site will only occasionally be hindered.

Copy to applicant
Copy to Water Rights
Copy on File

CONSERVATION COMMISSION
FORM WI #1
6/77

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

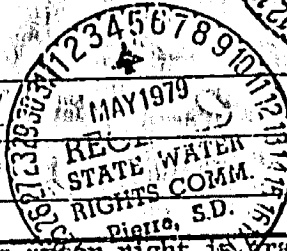


IMPORTANT: Read Instructions Before Proceeding!!!

NAME Will Sorensen

ADDRESS Twin Brooks S.D.

COUNTY Lincoln



In accordance with State Law (Section 1, SB-58), if a water right is granted with a conditional permit (Soil/Water compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION:

1. WELL LOCATION OR DIVERSION POINT Same as original permit water right 76-1179
2. LOCATION OF AREA TO BE IRRIGATED 1/4 Sec 9 of T24N R10W - 120-50

TYPE OF IRRIGATION:

3. GRAVITY W TOWLINE W CENTER PIVOT W GUN W
OTHER (SPECIFY) W
4. CROPS TO BE IRRIGATED corn and alfalfa

WATER QUALITY: (To be completed by SDSU Water Quality Lab)

- | | |
|---------------------------------------|------------------------------------|
| 5. SAMPLE NUMBER | <u>76-1179</u> |
| 6. SALINITY (EC X 10 ⁶) | <u>1604</u> |
| 7. SODIUM (SAR) | <u>2.71</u> Adj. SAR = <u>2.31</u> |
| 8. RESIDUAL SODIUM CARBONATE (meg/l.) | <u>0.0</u> |

I do hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

SUBSCRIBED AND SWORN BEFORE ME THIS
10 DAY OF June, 1979.

[Signature]
(TITLE OR SEAL)

Will Sorensen
APPLICANT'S SIGNATURE
[Signature]
Approved X
Disapproved
Conditionally Approved

(SOILS INFORMATION ON REVERSE SIDE)

Note: For 1979, the SAR value must be less than 10.0 for permanent irrigation.

CONDITIONAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Wilford Wiese, Twin Brooks, SD

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

NONE

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than _____ times during the irrigation season.
See Below
2. Each uninterrupted application (one rotation of center pivot) should be of at least _____ inches of water. **See Below**
3. (x) Yes () No Surface drainage suggested on any area that tends to pond water
4. () Yes () No Subsurface drainage suggested on _____
5. (x) Deep tillage (for the purpose of aiding movement of water through dense subsoils)
Occasional use in the fall after crop removal and when the soil is dry
COMMENTS: **enough for chisel-shank tillage to accomplish a shattering effect. for Peaver soils.**
6. () Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application pivot

GENERAL COMMENTS:

Rentill soils make up approximately one-half of the soils in the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ -10-120-50. These soils are located in the central part and will give you no particular management problems; however, the Peaver soils cannot take water at the same application rate and at the same frequency of application. This is particularly true of the Peaver soil of B and C slope toward the west side, where runoff is likely to occur.

If you intend to include most of your Peaver soils, you should choose a system with the slowest possible application rate.

In years of normal to excess rainfall, the Peaver soils may ^{beneficially} utilize little to no irrigation water.

Copy to applicant
Copy to Water Rights
Copy on File

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

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack. Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

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

*same as original
Sept 11 - 195' in*

Willard W. Wiersma
Signature of Applicant *W. Wiersma*

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 4406-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Grant) ss.

I, Clarence Justice hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Grant County Review

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 _____ Milbank _____

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

May 9, 1979

May 16, 1979

Clarence Justice
(Signature)
foreman
(Title)
5-17-79
(Date Signed)



NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Fierre, S. Dak. 57501

Notice is hereby given that
Wilfred Wiese whose post office
address is Twin Brooks, South
Dakota, has made an applica-
tion 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 ap-
propriate for beneficial use no
add'l cubic feet of water per
second of time from ground
water (one well) through the
Wiese Irrigation Project No. 1
to change, the point of diver-
sion of which is to be located in
the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and add acre-
age on an existing permit of
Section 10, Twp. 120 N, Range
50 W. Said water to be used for
the purpose of providing irriga-
tion on portions of the following
described land: N $\frac{1}{2}$ NW $\frac{1}{4}$ and
S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 10-T120N-
R50W.

This Application No. 4406-3
will be considered by the Water
Rights Commission at Howard
Johnson's Motel, 2211 Lacrosse,
Rapid City, SD 57701 upon the
24th day of May 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
Commission decision who de-
sires to present evidence or
cross-examine witnesses ac-
cording to SDCL 1-26 may no-
tify 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. Deci-
sions of the Commission may
be appealed to the Courts as
provided by law.

Water Rights Commission
Betty Westlund
Water Rights Specialist

May 9 May 16

No. 4406-3

Publish first publication, on or before May 10, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 18, 1979

Notice is hereby given that Wilfred Wiese whose post office address is Twin Brooks, 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 add'l~~ ^{change} cubic feet of water per second of time from ground water (one well) through the Wiese Irrigation Project #1 to ^{change} the point(s) of diversion of and add acreage on an existing permit which is(are) to be located in the SW 1 NE 1

of Section 10, Twp. 120 N, Range 50 W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N 1/2 NW 1/4 and S 1/2 SE 1/4, Section 10 - T120N - R50W

This Application No. 4406-3 will be considered by the Water Rights Commission at Howard Johnson's Motel,
2211 Lacrosse, Rapid City, SD 57701 upon the 24th day of May 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: Wilfred Wiese
Twin Brooks, SD 57269

[illegible]

John L. L. L.

MAP 3596-3 APC 106.3

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6860

March 13

79

PIERRE, _____, 19____

RECEIVED OF Twin Brooks Alfalfa Mill, Inc., Twin Brookd SD 57269

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. <u>41,06-3</u> (examination, processing, recording and filing) _____	225	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 filling _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	225	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH kjw

222-4910

oil ponds are covered by WC
except S²SE⁴ Sec 10-20-50

April 18, 1979

Called John Wrenna
and he said would
get in another WT-1 to
SCC for S²SE⁴

JBW

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Pierre, S.D.Date 2/11/82TO: 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 maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 4406-3 . 4715-3

Water Right Permit No. 11715-3 states that the diversion system is to be constructed by June 1981, and that the water is put to beneficial use by June 1981.

The diversion system was completed on June 1981. Applying the water to beneficial use was completed on June 1981.

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.

Russell C. Cline
(Signature)



February 16, 1982

4406-3
4715-3

Wieso Brothers
Twin Brooks, South Dakota 57269

Gentlemen:

This will acknowledge the receipt of your Irrigation questionnaires for Permit Nos. 4406-3 and 4715-3. You indicated on the data sheet pertaining to Permit No. 4406-3 there was an ownership change, - Wilfred Wieso to Wieso Brothers. Are both Permits, 4406-3 and 4715-3, to be transferred to Wieso Brothers or just Permit No. 4406-3?

Enclosed please find transfer forms for each Water Permit. Please check over, date, sign and have notarized before returning them to this Office with a \$2.50 filing fee for each one. If only one permit is to be transferred, submit that form and indicate the other permit is to be left in the current owner's name.

If you have any questions, please contact this Office.

Sincerely,

Genny Young
Water Rights Specialist
Water Rights Division

Enclosures

c21605gy.vr

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: April 5, 1982

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

115 acres - N 1/2 NW 1/4 Section 10, T120N, R50W

S 1/2 SE 1/4 Section 10, T120N, R50W

formerly owned by Wilfred Wiese, Twin Brooks SD

has been transferred to Wiese Brothers, Twin Brooks SD

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

Water Right Permit No. 4406-3 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 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)
) ss.
County of Grant)

I, Russell Wiese being first duly sworn on my oath despose 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.

WIESE BROTHERS

By Russell Wiese
Partner (Signed)

Subscribed and sworn to before me this 5th Day of April, 1982.

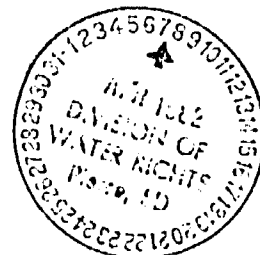
Sandra J. DelFauery
(Notary Public)
Grant County, South Dakota

My Commission expires: 6/9/84

SAVING & INVESTMENT
FARMERS FIDELITY & SECURITY CO.
NOTARY PUBLIC - SOUTH DAKOTA
My Commission Expires: 6/9/84

WNR-820-7/79

Notice of Transfer of Water Permit



April 14, 1982

Wiese Brothers
Twin Brooks, South Dakota 57369

4406-3

Gentlemen:

This letter will acknowledge the receipt of your transfer form for transferring water Permit No. 4405-3 from Wilfred Wiese to Wiese Brothers. However, as stated on the transfer form, a \$2.50 filing fee is needed before the transfer can be filed with this Office.

Please remit the \$2.50 filing fee at your earliest convenience. The Permit can then be transferred to Wiese Brothers.

Also, after July 1st, the Post Office will be requiring a box number or rural route notation be included on all letters. Please include this information when returning the fee.

If you have any questions, please contact this Office.

Sincerely,

Genny Young
Water Rights Specialist
Phone: (605) 775-3352

c41402gy.wr

RECEIPT

WATER RIGHTS COMMISSION

No 4 8812

State of South Dakota

April 20

82

PIERRE,

19

Wiese Brothers, Russell Wiese, Twin Brooks, SD 57269

RECEIVED OF

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		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for transferring #4406-3	2	50
Fee for (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By *Wm. H. Halden*
Chief Engineer, Executive Officer



Department of Water & Natural Resources

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

January 29, 1988

WILFRED WIESE
PO BOX 10
TWIN BROOKS, SD 57269

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s) 4406-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 4406-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

A handwritten signature in cursive script, appearing to read "John Hatch".

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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3101

February 9, 1988

4406-3

Wilfred Wiese
PO Box 10
Twin Brooks SD 57269

Dear Mr. Wiese:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 4406-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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



Department of Water & Natural Resources

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

3561-3
(4406-3)
4715-3

August 3, 1988

Wiese Brothers Farms
PO Box 10
Twin Brooks, SD 57269

Dear Sirs:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Permit Nos. 3561-3, 4406-3 and 4715-3. Please check over the forms and sign them in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (total of \$7.50). The water permits will then be transferred to your name.

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 us.

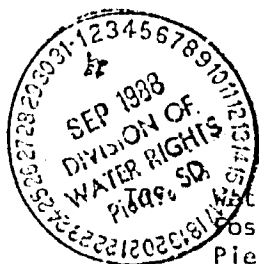
Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NO. 4406-3



NOTICE OF TRANSFER OF WATER PERMIT

Water Rights
Coss Building
Pierre, SD 57501

Date: August 30, 1988

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

115 acres - N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 10, T120N, R50W

formerly owned by Wiese Brothers

has been transferred to Wiese Brothers Farms, PO Box 10, Twin Brooks SD 57269

(please include complete mailing address)

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

Water Right Permit No. 4406-3 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 Grant) ss.

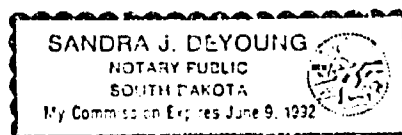
I, Russell Wiese being first duly sworn on my oath despose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

WIESE BROTHERS FARMS

By Russell Wiese
Partner (Signed)

Subscribed and sworn to before me this 30 Day of August, 1988.

Sandra J. DeYoung
(Notary Public)



WNR-820-9/83

Notice of Transfer of Water Permit

SOUTH DAKOTA
Department of
Water & Natural Resources

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

3561-3
4406-3
4715-3

September 1, 1988

Wiese Brothers Farms
%Russell Wiese, Partner
PO Box 10
Twin Brooks, SD 57269

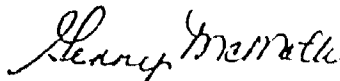
Dear Mr. Wiese:

This will acknowledge receipt of the "Notice of Transfer" forms you submitted for use in filing an ownership change on Water Permit Nos. 3561-3, 4406-3 and 4715-3. The forms were completed properly, however, they can not be filed for record in our office without the required \$2.50 filing fee for each (total of \$7.50).

Please remit the \$7.50 in filing fees as soon as possible. Upon receipt of the filing fees from you, the permits will be transferred to Wiese Brothers Farms.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst



RECEIPT

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

411897

Pierre, September 7, 1966

RECEIVED OF Wiese Bros. Farms, PO Box 10, Twin Brooks, SD 57269

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>permit No. 4406-3</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 Hatch
Chief Engineer JOHN HATCH (15)

3561-3
4406-3
4715-3

SOUTH Dakota Department of
Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

September 7, 1983

Wiese Brothers Farms
PO Box 10
Twin Brooks, South Dakota 57269

Dear Mr. Wiese:

Enclosed are receipt Nos. 411396, 411397 and 411398 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 3561-3, 4406-3 and 4715-3.

Our records now show Wiese Brothers Farms as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc. 3





Department of Water & Natural Resources

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

April 26, 1990

4406-3

Roger Wiese
Wiese Brothers Farms
PO Box 10
Twin Brooks, SD 57269

Dear Mr. Wiese:

Enclosed is the "Notice of Transfer" form you submitted for filing an ownership change on Water Permit No. 4406-3. The water permit is currently listed under Wiese Brothers Farms.

Water Permit No. 4406-3 was transferred in 1982 from Wilfred Wiese to Wiese Brothers. The permit was again transferred in 1988 from Wiese Brothers to Wiese Brothers Farms. Since the permit is listed the same as you indicated on the transfer form, no further transfer is necessary.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

South Dakota

4406-3

GREAT LACES. GREAT PLACES.

NOV 24 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

5482-3

Russell Wiese
Wiese Brothers Farms
RR 1, Box 36A
Twin Brooks, SD 57269-9801

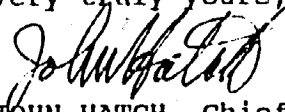
Dear Mr. Wiese:

Enclosed is Water License No. 5482-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413276 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. 5482-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,


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

enclosures

NOTE: The applicable portions of Water Permit Nos. 3561-3, 4406-3 and 4715-3 have been incorporated into this Water License No. 5482-3.

NOT TO SCALE

120.50

22.1

9.8 10.5 11.0
Addat (3-1-79)

19.5 93B

13.0

3150' 10W
96.8 N 12.5° W

2620' N 74.8° W

51.9

abandoned

3561-3

(original area)

New location

well

3561-3

10

40.4

3561-13

20.2

58.5 Wilfred Wiese
Twin Brooks
S. Dakota

55.6

out

10.2

120.50

72.6

Addat (3-1-79)

~~444444~~
~~444444~~
~~444444~~

Certified Parcel

John L. Wiese

MAR 3596-3 APPL 4406-3