

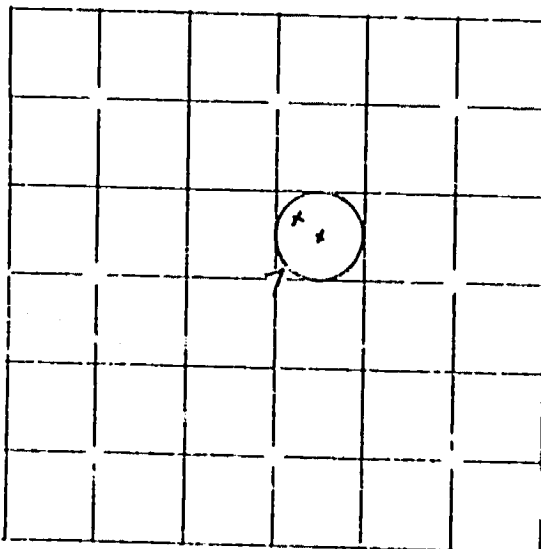
Water Right Number 4442-3

1. Considered NOVEMBER 27 19 79
2. Name of Applicant RONALD D. PICKARD
3. Post Office Address RR #3 - BROOKINGS, S.D. 57006
4. Amount of Water Claimed 2.2
5. Source of Water Supply 116' & 99' DEEP WELLS
6. Water to be used for IRRIGATION
7. Acres to be irrigated 156 maximum
acre feet
8. Water to be diverted and used in BROOKINGS County
about 1/4 mile EAST of BRUCE
9. Proof of Publication Received 10-29-79
Not received
10. Application Approved 11-27-79
Subject to WT
Not approved
Action deferred

Priority 8-30-79 Date Received 8-30-79 Application Complete yes no X
Date
Returned or additional information or fee requested 8-30-79 needed fee
Remarks

Date Information and/or
Fee or corrected Application received Sept 17, 1979

FEE Amount 250.00
(156 acres)



Diversion Location off on W/L
Approx Center NE 4 and
NW 4 NE 4, Section 7 - T11N -
R50W

Lands to be
Irrigated NE 4, Sec 7 - 111-50

Period of annual use April thru October

HAP Type of Map Aerial Photo Prepared by Wiersma RE
Map No. 3671-3 Map located in W/R X Map file

WELL LOG Received yes ☒ no ☐ Date of request _____

Remarks _____

Date Returned _____

Driller Grimshaw & Co. Licensed in SD yes ☒ no ☐

Depth and Formation 116' & 99' deep wells

WATER QUALITY

Date Received 9-7-79 Approved Conditional (circle one)

Date Disapproved _____ Reason _____

Date Disapproved Application returned _____

WI-1 Land Description - same as Application yes ☒ no ☐ Remarks _____

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on Nov. 27, 1979.

B. Westlund
(Signed)

This Application was unable to be completed - Reason _____

PROTESTS Letters/Petitions in file - yes ☐ no ☐ Remarks _____

STAFF RECOMMENDATIONS

BOARD ACTION

Date Approved _____ Qualifications _____

Deferred - Date _____ Reason _____

Denied - Date _____ Reason _____

REMARKS F.F. & C. OF LAW, FINAL DECISIONS, ETC.

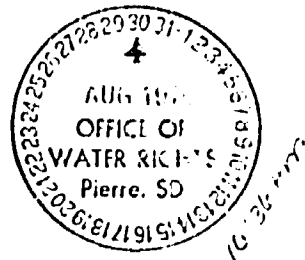
Date Final Decision, including F.F. & C of Law was adopted _____

Date Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____

Remarks _____

No. 4442-3Map No. 3671-3 Water Division No. 3 SIoux RIVER District

Above for Office Use



APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New X Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Ronald D. Pickard Phone No. _____Post Office Address RR 3 Brookings State South Dakota 57006
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor3. Name of diversion work Ronald D. Pickard Irrigation Project #14. Amount of water claimed (cubic feet per second) 2.25. Source of water supply 3 wells NE 1/46. Location of point of diversion Well #1 - 1880' N133°W; Well #2 - 2230' N112°W (NW 1/4)
both at South East Corner Sec 7 - 111-50County Brookings7. Annual period or periods during which water is to be used April through October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 156

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.
NW 1/4 of NE 1/4 Sec 7 - 111-50	39
NE 1/4 " " " "	38
SW 1/4 " " " "	40
SE 1/4 " " " "	39

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use three years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Brookings Register

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. 2 wells with deepwell turbinesB. Works proposed to transport water to place of use Buried closed conduitC. Works proposed to apply water to beneficial use. Center Pivot irrigation machineEstimated Total Cost \$20,000

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

STATE OF SOUTH DAKOTA)

County of Brookings) ss.I, Ronald D. Pickard 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 Ronald D. PickardSubscribed and sworn to before me this 27 day of July, 1972

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 4442-3

RONALD D. PICKARD RR#3-BROOKINGS
(Applicant) (Post Office Address)
SOUTH DAKOTA 57006 With the following qualifications
(State)

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

Date of first receipt of application AUGUST 30, 1979
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application SEPTEMBER 17, 1979
 Approved NOVEMBER 27, 1979, Recorded in Book 21 Page 95
 WATER RIGHT PERMIT NO. 4442-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4442-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is AUGUST 30, 1979
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 27, 1982
3. The whole of said work is to be completed on or before NOVEMBER 27, 1984
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 27, 1987
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 2.2 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for 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 NOVEMBER 27, 1987; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 30th day of NOVEMBER, 1979

THE BOARD OF WATER MANAGEMENT

By: John H. H. H.
Chief Engineer, Water Rights

Certificate of Construction Issued October 22, 1980

Water License Issued October 22, 1980

GRIMSHAW DRILLING CO.

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

DRILLING
LOG

#1
Box 81
Chester S.D. 57016
484-2182

Name RONALD PICKARD Date 8-2-77

Address R.R. 3 Brookings

County BROOKINGS Sec. 11 Twp. 11 Range 50
N.E. 1/4 Sterling Township Middle

NO. FT.	DIA.	RATE	CASING	TOTAL
140'	4 3/4"	103.00	—	2420.00
				#1

BALANCE DUE:

#1 / 0 ft. to 2 ft. Topsoil
2 ft. to 4 ft. Sandy clay
4 ft. to 36 ft. Brown + grey clay
36 ft. to 38 ft. Sand
38 ft. to 92 ft. Blue clay
92 ft. to 82 ft. Blue Green clay
82 ft. to 94 ft. Brown Sand w/ some clay
94 ft. to 100 ft. Hard Blue clay
100 ft. to 116 ft. Medium to coarse grey sand + rock
116 ft. to 140 ft. Blue clay + shale
Middle 110' Quarrel

STATIC WATER LEVEL 26' ft.

Ray M. Webb
DRILLER

REMARKS: 28' of water bearing sand —
bottom 11' Real good — suggest 12'-1'
of 1.00 slot screen —

2

Box 71

Ches/ea S. D. 57014
489-2182 or 2927

Date 8-2-79

R.R. 3 Brookings

County Brookings Sec. 2 Twp. 111 Range 50

NE 44 Steepling Township

#2

BALANCE DUE:

#2

0 ft. to 3 ft.	Silty Tuff	ft. to	ft.
3 ft. to 6 ft.	Grey clay	ft. to	ft.
6 ft. to 10 ft.	Brown Grits	ft. to	ft.
10 ft. to 17 ft.	Brown & Grey clay	ft. to	ft.
17 ft. to 18 ft.	Boulders	ft. to	ft.
18 ft. to 82 ft.	Blue clay	ft. to	ft.
82 ft. to 99 ft.	Medium to coarse Grey sand	ft. to	ft.
99 ft. to 120 ft.	Blue clay + shale	ft. to	ft.

Just E. of Stark Driv

ft. - 16 ft. -
Fanny M. Miller
 MILLER

REMARKS: 17' of good material -- similar
hole in middle. -- suggest 1/2' - 15'
of 100" slot screen --

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

D. Well Information

- (1) Drill Hole, Diameter 7 1/4", Depth Well H1 - 116'
(2) Casing, Type PVC, Diameter 16", Thickness 3/8"
(3) Screen, Type Perforated Steel, Diameter 16", Length 15'
(4) Gravel Pack, Thickness 4", Length of gravel pack 30'

E. Dugout Information or Estimates

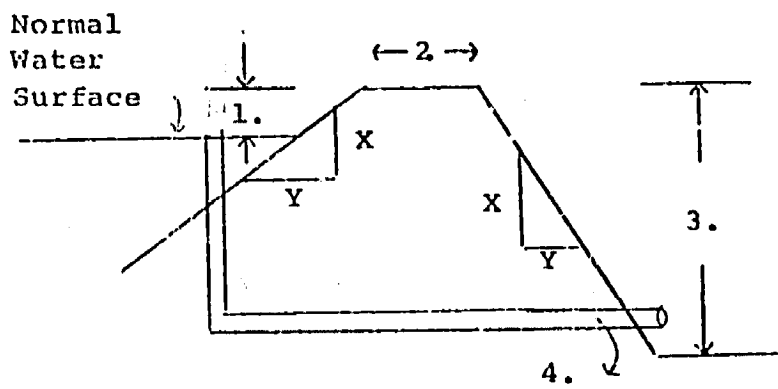
- (1) Surface dimensions, _____, Depth _____

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

- (1) Water Bearing Materials. (Attach a copy of test well log)
Depth to top of water bearing material Well H1 - 82'
Depth to bottom of water bearing material Well H2 - 89'
Depth to water (ground surface to water level) Well H2 - 23'
(2) Distance to nearest existing household or livestock watering well.
On same owner's property No Supply rds.
On property owned by others 2.30 rds.

G. Water Storage Dams

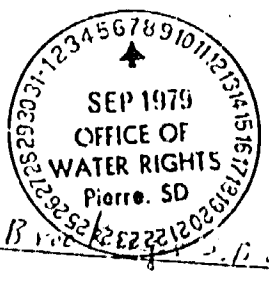
If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
2. Crest width _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
X to Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
Drainage area above dam _____

Donald P. Pickup
Signature Applicant

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



OWNERS NAME: Ronald D. Pickard OWNERS ADDRESS: Rt 1 Box 100
COUNTY LAND LOCATED IN: Beauregard PHONE: 643-4847
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, 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: (Show Legal Description to Nearest 10 Acres.)
WELL LOCATION OR DIVERSION POINT: NE 1/4 Sec 7-111-50

SURFACE WATER SOURCE _____
LOCATION OF AREA TO BE IRRIGATED: NE 1/4 Sec 7-111-50

INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)
TYPE OF IRRIGATION: (Show approximate acres under each type of system)

GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ CON _____ OTHER (Specify) _____
CROPS TO BE IRRIGATED Corn & Soybeans
SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LAND: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)
SAMPLE NUMBER: _____
SALINITY (EC X 10⁶) _____
SODIUM (SAR) _____ ADJUSTED (SAR) _____

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at 11:00 A.M. on Sept 3, 1979, at the following location: NE 1/4 Sec 7-111-50 (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.
I also 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 Beauregard 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.
I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
____ DAY OF _____, 19____
(NOTARY PUBLIC)

RECEIVED
SEP 04 1979
South Dakota
Division of Conservation

Ronald D. Pickard
APPLICANT'S SIGNATURE
Ronald D. Pickard
Director, Division of Conservation
☒ APPROVED
____ DISAPPROVED
____ CONDITIONALLY APPROVED

action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.
In all cases a WATER RIGHT must be obtained from the State Water Right Commission.

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

Submitted by: Don Hickman
 Address: Rt. 3
Brookings, SD 57006

Date Rec'd: August 22, 1979
 Sample No.: 79-546
 Identification: Well-100' East of stock dam
1/4 Sec. 7, T 111N, R 50W

WATER ANALYSIS

Calcium (Ca)	128	ppm*	6.40	me/l**
Magnesium (Mg)	43	ppm	3.54	me/l
Sodium (Na)	31	ppm	1.35	me/l
Potassium (K)	3	ppm	0.08	me/l
Sulfate (SO ₄)	69	ppm	1.44	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.07	me/l
Bicarbonate (HCO ₃)	537	ppm	3.80	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		me/l
Alkalinity (Methyl Orange)	440	ppm (as CaCO ₃)		g.p.g.***
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	932	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.60	Adjusted SAR	1.65	
Sodium	11.85	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.33			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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



COMMENTS: Total cations 11.37 me/l
 Total anions 10.31 me/l

By: Shirley L. Litten

Service Performed

Amount Due

Irrigation analysis

11.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 79-546

Amount Enclosed \$

Signed

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

Submitted by: Ron Nickerson
 Address: Rt. 3
Brookings, SD 57006

Date Rec'd: August 22, 1979
 Sample No.: 72-547
 Identification: Well-116
Middle Well, Sec. 7, T 111N, R 50W

WATER ANALYSIS

Calcium (Ca)	124	ppm*	6.20	me/l**
Magnesium (Mg)	50	ppm	4.13	me/l
Sodium (Na)	34	ppm	1.48	me/l
Potassium (K)	3	ppm	0.08	me/l
Sulfate (SO ₄)	70	ppm	1.46	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.07	me/l
Bicarbonate (HCO ₃)	527	ppm	8.64	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		me/l
Alkalinity (Methyl Orange)		ppm		me/l
Alkalinity (Phenolphthalein)	432	ppm (as CaCO ₃)		g.p.g.**
Electrical Conductivity	0	ppm (as CaCO ₃)		
Sodium Adsorption Ratio	913	micromhos per cm at 25° C.		
Sodium	0.65	Adjusted SAR	1.80	
Residual sodium carbonate	12.45	% of cations		
pH	0.00	me/l		
Others:	7.35			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 11.89 me/l
 Total anions 10.17 me/l

By: Shirley Nittan

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. 72-547

Amount Enclosed \$

Signed

APPROVED

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Ronald Rickard, Brookings

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 11A times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 11A inches of water.
3. ☒ Yes ☐ No Surface drainage for improvement on drainageway which is
4. ☐ Yes ☐ No Subsurface drainage suggested on Lisbon soils
5. ☐ Deep tillage (for the purpose of aiding movement of water through dense subsoils).

COMMENTS:

6. ☐ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application Pivot

GENERAL COMMENTS:

Basically, the N₂ of the NT₂ of 7-111-50, which includes the drainageways, has a much slower intake rate than the sandier soils on the S₂. In years of normal precipitation, you will not be in need of irrigating the N₂ as frequently as the S₂.

Any ponding problems on the drainageway should be corrected for best crop production, which may require grading and shaping the same as a grassed waterway.

Copy to applicant
Copy to Water Rights
Copy on File

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4442-3

(1) WHEREAS, On the 30th day of AUGUST A. D. 19 79
Ronald D. Pickard

made Water Right Application No. 4442-3 for a permit to use 2.2 cubic feet per second of the waters of groundwater (no well)

County of Brookings, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 27th day of November A. D. 19 79

Permit No. 4442-3, with a date of priority of AUGUST 30, 1979

was issued to said applicant, for the diversion of said water, and provide for the completion of construction of the water

supply system therein described on or before the 27th day of November A. D. 19 84 and for the

application to beneficial use of said water on or before the 27th day of November 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 1.78 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 a 136 acre circle in the NE 1/4, Section 7, T11N, R50W

(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 Ronald D. Fickard

_____ of Brookings SD
the holder _____ and owner _____ of said permit No. 4442-3 a water right, dating from August 30, 1979
_____ to use of 1.73 cubic feet per second of the waters
of groundwater (one well)
in the County of Brookings and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point north 133° west, 1520' from the
NW corner, Section 7, T11N, R50W

and conducted to and upon a 136 acre circle in the NE1/4, Section 7, T11N, R50W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 4442-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 22nd day of October A.D.
Nineteen Hundred and Eighty

By: John Hatch
WATER MANAGEMENT BOARD
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 4442-3

Water Diversion No. 3 Sioux River Water District
10170202

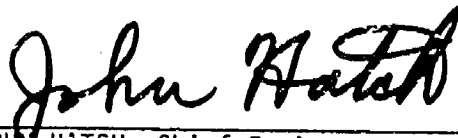
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Ronald D. Pickard

_____ the holder _____ of
Permit No. 4442-3, issued upon Application No. 4442-3, bearing date of priority of August 20,
1979 authorizing the diversion of 2.2 cu. ft. per second of the waters of _____
groundwater (one well) County of Brookings, State of South Dakota at _____
a point north 133° west, 1520' from the NW corner, Section 7, T111N, R50W
_____, for irrigation

purposes, 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 1.78 cu. ft. per second of water.

Date October 22, 1980



JOHN HATCH, Chief Engineer
Water Rights Division

Affidavit of Publication

State of South Dakota

County of Brookings

ss

Dennis E. Hoandars

of said county, being first duly sworn, on oath, says: That he is one of the editors of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that he has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year next prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed in the office maintained at said place of publication; and that the

Legal No. 462

50 lines x .367

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit "A," and is made a part

of this affidavit, was published in said newspaper for Two

successive weeks, to-wit:

October 22	1979	19
October 29	1979	19
	19	19
	19	19
	19	19

That the full amount of the fee charged for the publication of said Exhibit "A" inures to the sole benefit of the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Eighteen dollars and thirty-five cents

Dollars

Dennis E. Hoandars

Subscribed and sworn to before me this 29th day of

October, 1979

E. Pappas

Notary Public in and for the County of Brookings, South Dakota.

My Commission expires September 6, 1980

Exhibit "A"

Legal No. 462, Oct. 22, 29 H.S.
NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
October 16, 1979

Notice is hereby given that Ronald D. Pickard whose post office address is Brookings, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-3-1 thru 46-3-8; 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 Board Rules ARSD 53:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from groundwater (two wells) through the Pickard Irrigation Proj. No 1; the point(s) of diversion of which (are) to be located in the approximate center of the NE 1/4 & 1 NW 1/4 NE 1/4 of Section 7, Twp. 111N, Range 50W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE 1/4, Section 7, T111N, R50W

This Application No. 442-3 will be considered by the Water Management Board in Meeting Room No. 1, Knelp Building, Church & Illinois, Pierre SD upon the 27th day of November, 1979, at 10 A.M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board 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 Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD
Betty Westlund
Water Rights Specialist



No. 4442-3

Publish first publication, on or before

November 2, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

Notice is hereby given that Ronald D. Pickard

October 16, 1979

whose post office

address is Brookings, 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 Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from groundwater

(two wells) through the Pickard Irrigation Proj. #1, the point(s) of diversion of which xx(are) to be located in the approximate center of the NE 1/4 and NW 1/4 NE 1/4

of Section 7, Twp. 111N, Range 50W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 7, T111N, R50W

This Application No. 4442-3 will be considered by the Water Management Board xx in Meeting Room #1, Knelp Building, Church & Illinois, Pierre SD

upon the 27th day of November, 1979

at 10 A. .M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board 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 Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

Betty Westlund
Water Rights Specialist

BW:kw

cc: Ronald D. Pickard

RR #3

Brookings SD 57006

FORM 6 - Notice of Intent to Appropriate Water
GROUNDWATER

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7042

PIERRE, September 17, 1979

RECEIVED OF Ronald Pickard, RR #3, Brookings SD 57006

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

Fee for Application for Permit to Appropriate Water No. 442-3 (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 kw

NOT TO SCALE

98.2

Ronald D. Pickard
Irrigation Project #1
Brookings, Ark

17.3

68.3

51.8

Well #2

Well #1

Area to be irrigated
water claimed 2.2

111-50

Aug 29-1979
C. L. L. L. L.
John & Wilma

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7733

PIERRE, October 17, 1980

RECEIVED OF Ronald D. Pickard, RFD 3, Box 65, Brookings, SD 57006

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. 4412-3	50.	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 4442-3		
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 *[Signature]*
Chief Engineer, Executive Officer
JOHN HATCH / (b)

Permit No. 4442-3Water 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 RONALD D. PICKARD of BROOKINGS holder of Permit No. 4442-3, bearing date of priority of AUGUST 30, 1979 authorizing the diversion of 2.2 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in BROOKINGS County.

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

The Water Use System consists of,

A. Works used to divert the water:

116' DEEP WELL WITH 16" STEEL CASING 15' JOHNSON SCREEN
WESTERN LAND ROLLER 8" PUMP TYPE 8M 5-12CH
POWERED BY 60HP U.S. ELECTRIC MOTOR TYPE R1)

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

250' OF 8" BURIED PLASTIC LINE TO CENTER OF
PLOT

C. Works used to apply water to beneficial use.

ELECTROGATOR 8 TOWER CENTER PLOT - MODEL 670
SERIAL # 127906547 - 1289' LONG WITH #100 END GUN

The system is in the following condition: NEW

The point of diversion is located N 133° W, 1520' FROM THE NW CORNER,
SECTION 7, T11N, R50W

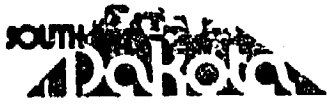
The works are capable of diverting and conveying to the place of use 1.18 (800 GPM)
cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

FOR IRRIGATING A 136 ACRE CIRCLE IN THE
NE⁴, SECTION 7, T11N, R50W

comprising a total of 136 acres of land.Date OCTOBER 1, 1980

Burton Jones
(Signature)



Department of Water & Natural Resources

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

August 8, 1986

2687-3

4250-3

4442-3

Mike McCann
PO Box 78
Brookings SD 57006

Dear Mr. McCann:

Enclosed are copies of Water Right Nos. 2687-3 and 4442-3 and Water Permit No. 4250-3, listed in the name of Pickard Farms and Ronald D. Pickard. According to a telephone conversation with your office August 8, these water rights are going to be transferred to Prudential Insurance Company.

Enclosed are partially completed transfer forms. These forms should be dated, signed in the presence of a notary public and returned to our office with a filing fee of \$2.50 each (total \$7.50). Upon receipt of the completed forms and the filing fees, the permits will 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 I can answer any questions for you, please advise.

Sincerely,

GENNY MCMATH
Natural Resources Analyst

GM:ks

enclosure

Water Rights Division - DWR
Conversation or File Documentation

File No. 2687-3

4250-3

4442-3

NAME OF PERSON OR FILE: Mike McCann, Attorney

ADDRESS: Brookings, SD

COUNTY

DATE: January 21, 1987

TELEPHONE 692-6163

RE: status of transfers for above permits

COMMENTS:

I called Mr. McCann to find out the status of the transfers for Water Permit Nos. 2687-3, 4250-3 and 4442-3. He requested forms in August, 1986 to transfer the permits from Pickard Farms to Prudential Insurance Company.

Spoke with Diane who is working with Mr. McCann on the files; she stated they realized the forms were to be filed with us, they were awaiting the

sale. She stated the lands were being foreclosed upon and it may be awhile before the actual transfers are filed.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Penny Math



Department of Water & Natural Resources

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

July 13, 1989

4442-3

Farmers Home Administration
Suite 103A
22nd Avenue
Brookings, SD 57006

Dear Sirs:

I am writing in reference to Water Right No. 4442-3, currently listed in the name of Ronald G Pickard. The Water Right authorizes irrigation of 136 acres in the NE 1/4 Section 7, T111N, R50W. I checked with the Brookings County Assessor's Office and they indicated FmHA now owned the land.

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 4442-3. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



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

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

October 13, 1989

- This Reverted to
FORMER OWNER -
Ronald D. Pickard
2713 Ash
Hays, KS 67601

NOTICE TO SUBMIT IRRIGATION QUESTIONNAIRE

4442-J
FARMERS HOME AGEN, MGR
22ND AVENUE
BROOKINGS
SD 57006

The 1989 Irrigation Water Use Questionnaire(s) and a postage paid return envelope are enclosed. Water Management Board Rules or water permit qualifications require the Irrigation Questionnaire(s) to be submitted each year. Please complete the enclosed questionnaire(s) as accurately as possible and return by December 15, 1989.

If you have multiple permits, you may receive more than one questionnaire. If you are unable to complete the questionnaire for each water permit or water right, complete one and return all questionnaires. Make any necessary corrections to your mailing address. If you no longer own the land irrigated under a water permit or water right include the new owner's name and mailing address on the bottom of the questionnaire(s).

A new South Dakota law allows landowners to place land in a federal acreage reserve or production quota program, not irrigate and not have the water right or permit forfeited for nonuse if the water source is not fully appropriated. Please indicate on the questionnaire if the land is in such a program.

A WATER RIGHT OR PERMIT CAN BE SUSPENDED FOR UP TO ONE YEAR IF THE IRRIGATION QUESTIONNAIRE IS NOT RETURNED.

If you have any questions, need assistance in completing the questionnaire or would like a summary of the South Dakota water law and water rights information, please contact Genny McMath or Del Brosz at 605 773-3352.

For the Water Management Board
John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

enclosures



4442-3

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON: Kelly w/Brookings County Assessor's Office

COUNTY: Brookings

DATE: September 11, 1997

TELEPHONE: 605 696-8220

RE: ownership of Water Right No. 4442-3, Ron Pickard

COMMENTS:

Water Right No. 4442-3 authorizes irrigation of 136 acres in the NE $\frac{1}{4}$ Section 7, T111N, R50W. The Assessor has the following ownership records:

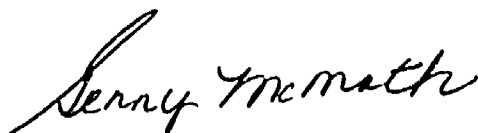
The quarter section has been divided as described below:

N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 7: LeRoy VandeWeerd
46739 204th St
Bruce, SD 57220

S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 7: John A VandeWeerd ***this is the wrong John VandeWeerd
46833 205th St
Bruce, SD 57220

September 24, 1997: John VandeWeerd called and said he was the wrong John. His cousin John owns the land with LeRoy VandeWeerd. Call him at (712) 752-8390. LeRoy's # is 627-5141.

October 7, 1997: I called LeRoy VandeWeerd in follow-up to my September 18th letter to him requesting the water right be transferred. He first wanted the water right divided to reflect separate ownership and then decided to go with leaving the water right as is with both their names listed as owners. He said he would complete the transfer form and get it mailed in.



Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 18, 1997

4442-3

LeRoy VandeWeerd
46739 204th St
Bruce, SD 57220

John A VandeWeerd
46833 205th St
Bruce, SD 57220

Dear Sirs:

I am contacting you in regard to ownership of land described in Water Right No. 4442-3. The water right is currently listed in the name of Ronald Pickard. It is my understanding from talking with the Assessor's Office in Brookings County that you now own the land described in the water right.

The water right (copy enclosed) authorizes diversion of 1.78 cubic feet of water per second from one well to irrigate 136 acres in the NE $\frac{1}{4}$ Section 7, T111N, R50W. Since ownership of the land has changed, the water right should be transferred, assuming the land is still irrigated.

The transfer can be accomplished in one of two ways. If the system is still operated as "one system", you can have both of your names listed on the water right, or if you prefer the water right may be split to reflect separate ownership. If the water right is split, nothing is lost it is merely divided into two numbers.

I am enclosing a "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right No. 4442-3. Please review the form and complete as needed. The form must be signed in the presence of a notary and then returned to our office with a required filing fee of \$2.50. If you chose to have both names on the permit, only one form and filing fee are required. If you would like the water right split to reflect separate ownership, a completed transfer form and fee will be required from each of you.

Thank you in advance for your help and if I can answer any questions for you, please give me a call.

Sincerely,

Geny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. _____

Date: Oct 7 1997

I/We request that Water Permit/Right No. 4442-3

formerly owned by: Ronald D. Richard

be transferred to: (name & address) LeRoy G. Vande Weerd and John ARLEN
Vande Weerd Telephone No. 605-627-3141

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

NE 1/4 Section 7, T111N, R50W

I/We understand that the validity of Water Permit/Right No. 4442-3 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 with the Water Rights Program, 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 _____ 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.

LeRoy G. Vande Weerd
(Signed)

Subscribed and sworn to before me this 7th day of OCTOBER, 1997.

[Signature]
(Notary Public)

MY COMMISSION EXPIRES 9-6-2001

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 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

415487

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

Pierre, _____ October 8, 19 97

RECEIVED OF LeRoy G. and John Arlen VandeKeerd, 46739 - 204th St., Bruce, SD 57220
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct 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. 4442-3</u>		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch (Signature)
Chief Engineer

4442-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PERRI, SOUTH DAKOTA 57501 3181

November 19, 1997

No. 4442-3

LeRoy G. and John Arlen VandeWeerd
46739 - 204th St.
Bruce, SD 57220

Dear Sirs:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 4442-3.

Our records now show you as the owner of Water Right No. 4442-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 2, 2004

4442-3

LeRoy G Vande Weerd
46739 204th St
Bruce SD 57220

Dear Mr. Vande Weerd:

Thank you for the prompt return of your 2004 irrigation questionnaire.

On the form, you made a notation concerning the ownership of the water right. In order to change the name on the water right to just your name and remove John Arlen Vander Weerd, you will need to file a "Notice of Transfer of Ownership".

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If I have misunderstood your intent as far as ownership, please give me a call. Thank you in advance for your help.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED
NOV 05 2004
WATER RIGHTS
PROGRAM

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 4442-3

Date: 11-3-04

I/We request that Water Right No. 4442-3

formerly owned by: LeRoy G and John Arlen Vande Weerd

be transferred to: (name & address) LeRoy G Vande Weerd, 46739 204th St, Bruce SD 57220

Telephone No. 605 627-5141

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

136 acres - NE ¼ Section 7, T111N, R50W

I/We understand that the validity of Water Right No. 4442-3 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 with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We LeRoy G Vande Weerd, the new owner, certify that the above information is true and correct.

LeRoy G. Vande Weerd
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a 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

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 5, 20 04

RECEIVED OF Van Weerd Farms, 46739 204th St, Bruce SD 57220-5809

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
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. <u>4442-3</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

00000000

By

Darland Albrecht

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 9, 2004

4442-3

LeRoy G Vande Weerd
46739 204th St
Bruce SD 57220

Dear Mr. Vande Weerd:

Thank you for following up on the ownership change for Water Right No. 4442-3. The transfer has been completed. The water right formerly listed in the names of LeRoy G and John Arlen Vande Weerd is now listed solely in your name.

Enclosed is your Receipt No. 001456 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

NO. 10

Ronald D. Pickard

17.3

68.3

98.2

Ronald D. Pickard
Irrigation Project #1
Brookings S. Dak.

Well #2

51.8

Well #1

2230'
N 112°W
880'
N 133°W
1520'

116.0

Area to be irrigated - NE 1/4
water claimed - 2.2 cfs

111-50

17.7

Aug 29-1979
Certificate of completion
John L. Wilson

~~APPL 9442-3~~ APPL 9442-3

NOT TO SCALE 4442-3





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 20, 2010

2702A-3

4442-3

Leroy G VandeWeerd
46736 204th St
Bruce SD 57220-5809

Dear Mr. VandeWeerd:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaire.

The notice was originally mailed to 46739 204th St, Bruce SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures