

1. Considered 3/25 19 81
2. Name of Applicant CHESTER GREGG
3. Post Office Address STAR RT. 6, BX 32, HARROLD 57536
4. Amount of Water Claimed 2.28
5. Source of Water Supply MO. RIVER
6. Water to be used for IRR.
7. Acres to be irrigated 160 maximum acre feet _____
8. Water to be diverted and used in HUGHES County about 26 1/2 S. 3 1/2 E. 26 S HARROLD
9. PROOF OF PUBLICATION Received OK 24-11
Not Received _____

APPLICATION

Approved _____

Subject to _____

Not Approved _____

Action deferred _____

Priority Date Received 1/28/81 Application Complete yes ☒ no ☐ FEE 250⁰⁰
Remarks received 275⁰⁰ fee, returned 25⁰⁰

WATER
QUALITY

Date information and/or
fee or corrected Application received
Period of Annual use APRIL + OCTOBER

Received yes 3/5/81 no ☐ APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application yes no ☐ Remarks _____

Disapproved _____

Returned _____

Diversion Point _____

NE 4 SW 4 - 13-108-74

Lands to be irrigated _____

SW 4 24-108-74

Remarks _____

Driller _____

Licensed yes ☐ no ☐

Depth _____

~~WELL
LOG~~

Water Right No. _____

Page 2

MAP

Map No. 3868-3 Map located in Water Right ☒ Map file _____

Type of Map Aerial Prepared by C. Schlerking

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 3/25/81 B. J. & B. J.
(Signed)

PROTESTS

+++++
Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS

F.F. & C

OF LAW,

FINAL

DECISIONS

ETC.

Date _____
Final Decision, including F.F. & C of Law were adopted _____
Date _____
Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____

Remarks _____

No.

4653-3

Map No.

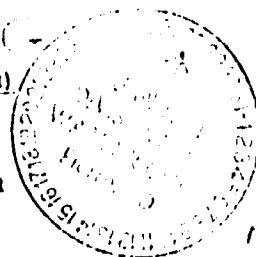
3868-3

Water Division No.

3

MISSOURI RIVER District

Above for Office Use



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

Check one of the following:

New XX Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Chester N. Gregg Phone No. 875-3217Post Office Address Star Route 6, Box 32, Harrold State South Dakota 57536
(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) contract3. Name of diversion work Double G Ranches Irrigation Project4. Amount of water claimed (cubic feet per second) 2.42 CES 2.28 MAXIMUM ALLOWABLE5. Source of water supply Missouri River6. Location of point of diversion 1) (for 160 acre portion) 1900' East and 1600' North of
the SW corner of Section 13, T108N-R74W, 2) (80 Acres-portion) 700' West and
400' South of the SE corner of Sec. 31, T108N-^{NE 1/4 13} R73W County ^{COVERED UNDER 4: 7-3} Hughes7. Annual period or periods during which water is to be used APRIL - OCTOBER irrigation season8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 240 160

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
<u>E 1/2 SW 1/4, Sec. 19, T108N-</u>	
<u>-R-73W</u>	<u>80</u>
<u>SW 1/4, Sec. 24, T108N-R74W</u>	<u>160</u>

Land Description	No. Acres Irr.

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 4 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Pierre Capitol Journal

12. Principal Features of the Proposed Water Supply System.

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

Centrifugal Pumps

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

Buried Pipeline

C. Works proposed to apply water to beneficial use.

Center Pivot Irrigation System

Estimated Total Cost \$ 90,000

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 Stanley) ss.I, Chester Gregg 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 [Signature]
Subscribed and sworn to before me this 28th day of January, 1981
[Signature]
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4653-3

CHESTER N. GREGG
(Applicant)

STAR RT #6, Box 32, HARROLD
(Post Office Address)

SOUTH DAKOTA 57536
(State)

With the following qualifications

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application JANUARY 29, 1981
Date of return to applicant for correction, amendments or changes required FEBRUARY 2, 1981
Date of receipt of corrected application MARCH 5, 1981
Approved MARCH 26, 1981, Recorded in Book 22 Page 94

WATER RIGHT PERMIT NO. 4653-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4653-3 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 JANUARY 29, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 26, 1983
3. The whole of said work is to be completed on or before MARCH 26, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 26, 1990
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 3.42 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 MARCH 26, 1990, said water to be used during the following described annual period: IRRIGATION SEASON

Witness my hand this 20TH day of APRIL, 1981

THE WATER MANAGEMENT BOARD

By John Halach
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

CONSERVATION COMMISSION
WI#1 FORM
3/80

Office Use Only

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

OWNERS NAME: Chester R. Grogg OWNERS ADDRESS: Star Route 6, Box 32
Harrold, SD 57536
COUNTY LAND LOCATED IN: Hughes PHONE: 975-3217
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, If a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

- LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)
1. WELL LOCATION OR DIVERSION POINT: 1. (for 160 acre portion) 1900' E, and 1600' N of Sec. 11, T100N-R74W, 2. (for 80-acre portion) 700' E and 400' N of the SE corner of Sec. 31, T100N-R74W, Hughes County, SD.
 2. SURFACE WATER SOURCE: Missouri River
 3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See Instruction sheet)

Legal Description	Acres	Legal Description	Acres
~~SW 1/4, Sec. 24, T100N-R74W~~	~~80~~	~~already under permit delete it~~	
SW 1/4, Sec. 24, T100N-R74W	80		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____ (Specify) _____
5. CROPS TO BE IRRIGATED: Corn, alfalfa, oats
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LEGAL DESCRIPTION: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: Missouri River
8. SALINITY ($EC \times 10^6$): 529
9. SODIUM (SAR): 1.4
10. ADJUSTED (SAR): 2.6

RECEIVED

FEB 11 1991

South Dakota
Division of Conservation

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 instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 1991, at the following location: N/A (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 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 February, 1991

(NOTARY-PUBLIC)

IMPORTANT

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

APPLICANT'S SIGNATURE

Director, Division of Conservation

☒ APPROVED

☐ DISAPPROVED

☐ CONDITIONALLY APPROVED

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

No. 4653-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hughes) ss.

I, John H. Hipple hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Daily Capital Journal

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 Pierre

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

March 12, 1981 and

March 19, 1981.

John H. Hipple
(Signature)

Business Manager
(Title)

March 19, 1981
(Date Signed)

No. 5717-2 t dly Mar. 12-19
No. 4653-3
NOTICE OF HEARING
APPLICATION TO APPROPRIATE WATER

Notice is hereby given Chester N. Gregg whose post office address is Harrold, 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; 46-3-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from the Missouri River through the Double G. Ranches Irrigation Project, the point of diversion of which is to be located in the NE¼ SW¼ of Section 13, Twp. 108N, Range 74W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW¼, Section 24, T108N-R74W

This Application No. 4653-3 will be considered by the Water Management Board at the Holiday Inn, Sandy Shore Room, Watertown, South Dakota upon the 25th day of March, 1981 at 1:00 p.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 1-28 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 protected if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT
BOARD

BETTY WESTLUND
Water Rights Specialist

Received
3/24/81
SW

No. 4653-3

Publish first publication, on or before March 12, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 6, 1981

Notice is hereby given Chester H. Gregg whose post office

address is Harrold, 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, and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.23 cubic feet of

water per second of time from the Missouri River through the

Double G. Ranches Irrigation Project, the point XX of diversion of which is XXX to be located in the NE 1/4 SW 1/4

of Section 13, Twp. 108N, Range 74W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW 1/4, Section 24 - T108N - R74W

This Application No. 4653-3 will be considered by the Water Management Board at the Holiday Inn, Sandy Shore Room, Watertown, South Dakota upon the 25th day of March, 1981

at 1:00 P.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.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Chester H. Gregg
Harrold, SD 57536

BETTY WESTLUND
Water Rights Specialist

WNR-5066-7/79 Notice of Intent to Appropriate Water
SURFACE WATER

STATE OF SOUTH DAKOTA

DIRECT YOUR HERE

Bank Reconciliation

Do not use this space.

AGENCY VOUCHER No.	DATE
100	3/10/81

PAYEE
Chester Gregg
Star Route 6, Box 32
Harrold, SD 57530

DEPT. Water & Natural Resources
Water Rights Div.
Foss Bldg.
ADDRESS Pierre, SD 57501

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj.	Agency Coding	Amount	Contract No.
	11	1					1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL						22	

Warrant Number 811.56875
Auditor Cont. 152275
date paid -- 3/10/81

NOTE: Vendors invoice must be attached.

Invoice No.(s)	Date Delivered	QUAN.	DESCRIPTION OF SERVICE OR COMMODITY	UNIT PRICE	AMOUNT	MEMO
			Fund 290 refund for Water Rights application. Portion of lands were covered under another permit. Receipt #7983		25.00	
TOTAL					25.00	

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federally assisted programs.

John H. Smith
Claimant Signature

3-4-81
Date

AGENCY VERIFICATION

I hereby certify that this claim has been examined by me, and to the best of my knowledge and belief is in all things true and correct and the same is hereby approved.

John H. Smith
DIVISION APPROVAL

3-4-81
DATE

APPROVAL SIGNATURE

DATE

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

N^o 4 7983

PIERRE, February 13, 1981

RECEIVED OF Chester Gregg, Harrold, SD 57536

7 Star Route 6, Box 32
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 4653-3 (examination, processing, recording and filing)	275.00
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	275.00

#25.00 refunded

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer
JOHN HATCH / CH

E $\frac{1}{2}$ SW⁴ covered under
Souders Mint Farm.

Called Morris Irrigation
This is correct. Mr. Gregg
wants this transferred over
to his name later. Souders
is going to use land for
Mint farm. Has this
already planted. Mr. Gregg
changed his mind.

The SW⁴ is not covered and
has a different diversion.
Am also refunding Gregg \$25⁰⁰.

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

Post Office

Harrold S. Dak.

Date

Feb 6 - 1982

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 maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No.

2128.4653-3

Water Right Permit No. 4653-3 states that the diversion system is to be constructed by _____, and that the water is put to beneficial use by _____.

The diversion system was completed on May 20 1981. Applying the water to beneficial use was completed on June 1 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.

Chister Gregg
(Signature)
Harrold S. Dak.





Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501
March 22, 1983

Water Rights Division
605 773-3352

4653-3
Chester N. Gregg
St. Rt 6, Box 32
Harrold, SD 57336

Dear Sir:

Water Permit No. 4653-3 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosure

Water Rights Division - DWHR
Conversation or File Documentation

File No. 4653-3

NAME OF PERSON OR FILE: Chester Gregg

ADDRESS: _____ COUNTY Hughes

DATE: March 26, 1985 TELEPHONE _____

RE: error in cfs on permit

COMMENTS:

In reviewing the permit, it was discovered that the permit was written up for the wrong cfs amount. The permit should read 2.28 cfs instead of 3.42 cfs. The application was reduced from 3.42 cfs to 2.28 cfs at the time of advertising.

Upon licensing the permit, the cfs should be changed to reflect the correct amount.

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: Genny McMath

4653-3
2675-3

WATER RIGHTS DIVISION
(605) 773-3352

May 28, 1986

Monte Gregg
Box 35
Harrold, South Dakota 57536

Dear Mr. Gregg:

Please find enclosed two Notices of Transfer for Water Permit Nos. 2675-3 and 4653-3. The forms must be signed before a notary and returned to this office with a filing fee of \$2.50 each (total of \$5.00).

Upon receipt of the enclosed 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 Right of Water Permit to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc. 2

NO. 4653-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: June 21 - 1986

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

160 Acres - SW 1/4 Section 24, T108N R74W

formerly owned by Chester Gregg

has been transferred to Monte R. Gregg Hanna Rd S.D. Box 3
(please include complete mailing address)

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

Water Right Permit No. 4653-3 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 Hughes) ss.

I, Monte R. Gregg being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Monte R. Gregg
(Signed)

Subscribed and sworn to before me this 19th Day of June, 1986.

Annette M. [Signature]
(Notary Public)

RECEIPT

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

Pierre, July 27, 1985

RECEIVED OF Louie R. Gregg, Route 32, Box 35, Harrold, SD 57230
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>4653-3</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 Patch
Chief Engineer JOHN PATCH/MSD

No. 4653-3

2675-3

 **Department of
Water & Natural Resources**

Jon Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

June 30, 1986

Monte R. Gregg
Route #2, Box 35
Harrold, South Dakota 57536

Dear Mr. Gregg:

Enclosed ^{are} ~~is~~ receipt NoS. 410473 & 410474 in the amount of \$ 2.50 each which you paid for transfer of Water Right NoS. 4653-3 & 2675-3.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WNR-821-7/79
Receipt & Notice of filing of Transfer of Water Right



Department of Water & Natural Resources

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

April 2, 1986

Chester N. Gregg Estate
ST RT 2, Box 32
Harrold, SD 57536

NOTICE

Re: Violation of Water Permit No(s). 2675-3 and 4653-3 and 1985 Irrigation Questionnaire Requirements.

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 2675-3 and 4653-3. The request for the questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board of violation of Water Permit No(s). 2675-3 and 4653-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will also be to determine if Permit No(s). 4653-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:00 p.m., May 14, 1986, in Room 216, Joe Foss Building, Pierre, South Dakota.

The hearing(s) 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:

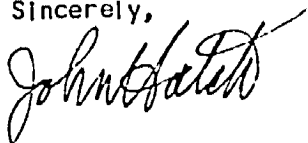
1. Suspend Permit No(s). 2675-3 and 4653-3 until either the 1985 Questionnaire is submitted or for the period of up to one year;
2. Amend Permits No(s). 4653-3 also held by Chester N. Gregg to require the Irrigation Water Use Questionnaire to be submitted each year;

Chester N. Gregg
April 2, 1936
Page 2

3. Postpone any action;
4. 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.

Sincerely,



John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

Note: If the questionnaire(s) are received in this office before the May 14th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

D32403KS. 2

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

May 16, 1986

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Chester N Gregg
St Rt 2, Box 32
Harrold SD 57536

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

*John Hatch
by Del Bray*

SUBJECT: One Year Suspension of Water Permit No(s). 4653-3
If the 1985 Irrigation Questionnaire Is Not Received By
June 1, 1986

Pursuant to the provisions of the notice dated April 2, 1986 and following the Hearing May 14, 1986, the Water Management Board ordered:

That Water Permit No(s). 4653-3 be suspended until December 31, 1986, unless the required 1985 Irrigation Water Use Questionnaire is received by June 1, 1986.

Suspension of a permit means water may not be pumped during the 1986 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

Equal Opportunity Employer

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 575 1-3181
May 26, 1986

Permit No. 4653-3

Chester Gregg Estate
%Monte Gregg
Box 35
Harrold SD 57536

Dear Mr. Gregg:

I am writing to acknowledge receipt of your 1985 Irrigation Questionnaire. A notice was sent to you May 16, 1986 regarding the Board action taken May 14, 1986 to suspend your permit(s) if the 1985 irrigation questionnaire was not received before June 1, 1986.

You may disregard the May 16 notice. With receipt of your 1985 questionnaire(s), your permit(s) will not be suspended.

If you have any questions, please contact us.

Very truly yours,

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

Equal Opportunity Employer



Department of Water & Natural Resources

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

March 23, 1987

MONTE R GREGG
ST RT 2 BOX 35
HARROLD, SD 57536

NOTICE

Re: Violation of Water Permit No(s). 2675-3, 4653-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 2675-3, 4653-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2675-3, 4653-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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. Suspend Permit No(s). 2675-3, 4653-3 until either the 1986 Questionnaire is submitted or for a period of up to one 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.

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

NOTE: If the questionnaire(s) is received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 15, 1987

2675-3
4653-3

Monte R Gregg
SR 2 Box 35
Harrold, SD 57536

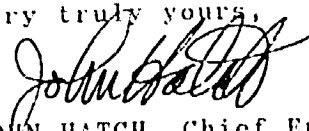
Dear Mr. Gregg:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 2675-3 and 4653-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,


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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

January 29, 1988

MONTE R GREGG
ST RT 2 BOX 35
HARROLD, SD 57536

NOTICE

Re: Violation of Water Permit No(s). 4653-3

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 4653-3. 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 permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4653-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

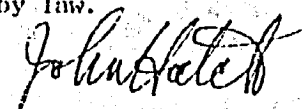
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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. Suspend Permit No(s). 4653-3 until either the 1987 Questionnaire is submitted or for a period of up to one 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.


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, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of Water & Natural Resources

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

February 4, 1988

4653-3

Monte Gregg
St Rt 2 Box 35
Harrold, SD 57536

Dear Mr. Gregg:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 4653-3 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.

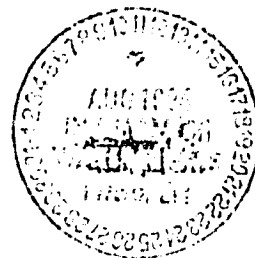
Very truly yours,

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

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

**BOWERS DISTILLERY, INC.**

Essential Oils

611 North VanBuren
Pierre, South Dakota 57501
Phone (605) 224-7987

August 9, 1994

Ron Duvall
Water Rights, DENR
523 E. Capital, Foss Bldg.
Pierre, SD 57501

Dear Ron:

This letter is a little on the late side. This spring we discussed filing a change in the Missouri River water diversion point for two pieces of ground. The sections of ground are noted under permits 2675-3 NE 1/4 and 4653-3 SW 1/4. They are owned by Monte Gregg and Terry Gregg. We have changed the diversion point for the west most quarter to our western pump site (pump site #1); however, everything is still in place to use the former diversion point. We have changed the diversion point for the eastern quarter to our middle pump site (pump site #2); however, everything is still in place to use the former diversion point. We are leasing these two pieces of ground for the next 15 years. The new diversion points will be used as the water source throughout the period of the lease.

Sincerely,

Kent A. Bowers, V. Pres.
Bowers Distillery, Inc.
605-224-6098



4653-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

MONTE & ROSE GREGG
22285 MINT RD
HARROLD SD 57536 7105

NOTICE

RE: Violation of Water Permit No(s) 2675-3 & 4653-3.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 2675-3 & 4653-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 2675-3 & 4653-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:30 am, March 3, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2675-3 & 4653-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing 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.

If the questionnaire(s) is(are) received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

Is your RETURN ~~addressed~~ indicated on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MONTE & ROSE GREGG
22285 MINT RD
HARROLD, SD 57536 71C5

4653-3

4a. Article Number

P757526309

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-9-95

5. Signature (Addressee)

Monte Gregg

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

U.S. GPO: 1993-252-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

4653-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: MONTE & ROSE GREGG, 22285 MINT RD, HARROLD, SD 57536 7105

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s). 2675-3 & 4653-3

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 2675-3 & 4653-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 2675-3 & 4653-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 2:30 pm, March 5, 1997 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2675-3 & 4653-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing 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.

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



4653-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 1997

2675-3

4653-3

Monte & Rose Gregg
22285 Mint Rd
Harrold, SD 57536-7105

Dear Mr. Gregg:

I am writing to acknowledge receipt of your 1996 irrigation question. You may disregard the February 4, 1997, Notice of Violation of Water Permit Nos. 2675-3 and 4653-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



4653-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: MONTE & ROSE GREGG, 22285 MINT RD, HARROLD, SD 57536 7105
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2675-3 & 4653-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2675-3 & 4653-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 1:30 pm, March 1, 2000 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2675-3 & 4653-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing 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.

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

4653-3

SENDER COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) <u>Galen Fitzhugh</u> B. Date of Delivery <u>1-18-0</u>	
1. Article Addressed to: MONTE & ROSE GREGG 22285 MINT RD HARROLD SD 57536 7105		C. Signature <u>X</u> <u>Galen Fitzhugh</u> ☒ Agent ☐ Addressee	
		D. Is delivery address different from item 1? ☐ Yes ☒ No If YES, enter delivery address below:	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	

2. Article Number (Copy from service label) Z 227 670 455



4653-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 19, 2000

2675-3
4653-3

Monte & Rose Gregg
22285 Mim Rd
Harrold, SD 57536-7105

Dear Mr. & Mrs. Gregg:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. I completed the forms for you based on our January 18th telephone conversation. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 2675-3 and 4653-3.

The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

August 16, 2000

4653-3

Monte Gregg
22285 Mint Rd
Harrold SD 57536

Dear Mr. Gregg:

On May 11, 2000 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 4653-3, was completed by Lynn Beck, a staff engineer with our program. The final water right document, the water license, can now be issued.

State law require that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee, we will complete processing the water license. The check or money order for the fee should be made payable to the "Water Rights Program". Enclosed is an invoice for that amount.

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program

enclosure

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416622

Pierre, September 7, 2000

RECEIVED OF The Double G Ranch, Monte Gregg, 22285 Mint Rd, Harrold SD 57536-7105
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. 4653-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

50 00

(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

Richard E. Eide

KS

Permit No. 4653-3
Missouri River - Water District

Other permit/license(s) associated with project: 4559-3

Contact Person & Address: Monte Gregg, owner, 22285 Mint Rd., Harrold, SD 57536 and Kent Bowers, Bowers Distillery, Inc., reater, 611 N VanBuren, Pierre, SD 57501.

Report Of Examination Of Works

On, May 11, 2000, I made a thorough examination of the water use system constructed by Monte Gregg of 22285 Mint Rd., Harrold, SD 57536 holder of Permit No. 4653-3, bearing the priority of January 29, 1981 authorizing the diversion of 3.42 cu. ft. per second of the waters of Missouri River for irrigation purposes, in Hughes County.

The system is in the following condition good. The points of diversion are located Bower's pump site #1 - 1530' S and 115' W of the NW cr. Section 36 (currently use Bower's pump site #1) with a longitude of -99.6871 and a latitude of 44.1156; Gregg's pump site #2 - 1600' N and 1900' E of the SW cr. Section 13 with a longitude of -99.6784 and a latitude of 44.1532; Gregg's pump site #3 - 1340' N and 3940' E of the SW cr. Section 13 with a longitude of -99.6710 and a latitude of 44.1528, all in T108N, R74W. The works are capable of diverting and conveying to the place of use 1.78 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 Section 24, T108N, R74W:

NE 1/4 SW 1/4 34 acres

NW 1/4 SW 1/4 34 acres

SW 1/4 SW 1/4 34 acres

SE 1/4 SW 1/4 34 acres

comprising a total of 136 acres of land and the license should be issued for 1.78 cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point Information:

Pump\ Motor: 1530' S and 115' W of the NW corner Section 36, T108N, R74W (currently use Bower's site #1).

- | | |
|--|-----------------------------------|
| 1) Pump Make <u>Cornell</u> | 2) Pump Model <u>4YB75-2</u> |
| 3) Capacity <u>800</u> GPM | 4) Motor Make <u>#</u> |
| 5) Motor Model No. <u>KC364TTDS7315BDW</u> | 6) Horsepower rating <u>75</u> hp |

Pump\ Motor: 1600' N and 1900' E of the SW corner Section 13, T108N, R74W (Monte Gregg's pump site)

- | | |
|-----------------------------|---|
| 1) Pump Make <u>Cornell</u> | 2) Pump Model # |
| 3) Capacity <u>800</u> GPM | 4) Motor Make <u>318 Chrysler propane</u> |
| 5) Motor Model No. # | 6) Horsepower rating <u>80</u> hp |

Pump\ Motor: 1340' N and 3940' E of the SW corner Section 13, T108N, R74W (Monte Gregg's pump site)

- | | |
|-----------------------------|---|
| 1) Pump Make <u>Cornell</u> | 2) Pump Model # |
| 3) Capacity <u>800</u> GPM | 4) Motor Make <u>318 Chrysler propane</u> |
| 5) Motor Model No. # | 6) Horsepower rating <u>80</u> hp |

Distribution System:

- | | | |
|--------------------|--------------------------|----------------------------|
| 1) Type <u>pvc</u> | 2) Size <u>24</u> inches | 3) Length <u>1530</u> feet |
| 1) Type <u>pvc</u> | 2) Size <u>16</u> inches | 3) Length <u>4570</u> feet |
| 1) Type <u>pvc</u> | 2) Size <u>10</u> inches | 3) Length <u>2500</u> feet |

System Type:

Center pivot:

- | | |
|------------------------------------|------------------------------------|
| 1) Make <u>Lockwood</u> | 2) Overall length <u>1320</u> feet |
| 3) Number of towers <u>7</u> | 4) End gun <u>yes</u> |
| 5) High or low pressure <u>low</u> | 6) Capacity <u>800</u> GPM |

Chemigation:

- 1) Does chemigate no

COMMENTS: The land under Water Right No. 4653-3 is leased by Bower's Distillery, Inc. until 2009.

While Bower's is leasing the land they will use Bower's pump site #1 which is covered under Water Right No. 4559-3. Gregg's pump site #2 and #3 are in place and operable.


Lynn Beck
Natural Resources Engineer
DENR, Water Rights Program

Aug 7, 2000
Date

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Monte Gregg

ADDRESS: 222785 Mint Rd., Harrold, SD 57536

DATE: August 9, 2000 COUNTY: Hughes TELEPHONE: (605) 875-3347

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- Developed water source same as permitted source and no additional water appropriated

Yes, Missouri River.

- If irrigation, no new land is irrigated

The 136 acres in the SW¼ Section 24, T108N, R74W are authorized by Permit No. 4653-3.

- Review of Existing Diversions

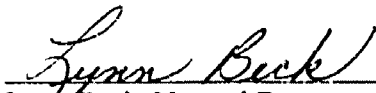
Bower's pump site #1 - 1530' S and 115' W of the NW corner Section 36, T108N, R74W (additional diversion point).

Gregg's pump site #2 - 1600' N and 1900' E of the SW corner Section 13, T108N, R74W.

Gregg's pump site #3 - 1340' N and 3940' E of the SW corner Section 13, T108N, R74W.

RECOMMENDED ACTION

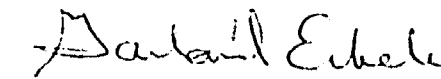
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Lynn Beck, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4653-3

(1) Monte Gregg, 22285 Mint Rd, Harrold SD 57536 made Application No. 4653-3, January 29, 1981 for a water permit to divert 3.42 cubic feet of water per second from the Missouri River, Hughes County, South Dakota for irrigation purposes. Permit No. 4653-3, with a priority date of January 29, 1981 was approved March 26, 1981 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 26, 1986 and for the application to beneficial use of said water on or before March 26, 1990.

An investigation conducted for licensing purposes found two additional diversion points from the Missouri River developed under Water Permit No. 4653-3. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the additional diversion points do not increase the potential for interference with existing water rights.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion points are:

- #1 – 1,530 feet south and 115 feet west of the northwest corner Section 36 (SE ¼ NE ¼ Sec 35);
- #2 – 1,600 feet north and 1,900 feet east of the southwest corner of Section 13 (NE ¼ SW ¼);
- #3 – 1,340 feet north and 3,940 feet east of the southwest corner of Section 13 (NW ¼ SE ¼); all in T108N-R74W.

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 24-T108N-R74W	NE ¼ SW ¼	34 acres
	NW ¼ SW ¼	34 acres
	SW ¼ SW ¼	34 acres
	SE ¼ SW ¼	34 acres
Total 136 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 Monte Gregg, 22285 Mint Rd, Harrold SD 57536 the holder and/or owner of Water Right No. 4653-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from the Missouri River with a priority date of January 29, 1981 from the locations specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Right No. 4653-3 and subject to South Dakota State Law.

Garland Erbele
GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 10 2000

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

OCT 10 2000

4653-3

Monte Gregg
22285 Mint Rd
Harrold SD 57536

Dear Mr. Gregg:

Enclosed is Water License No. 4653-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 4653-3 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

WATER APPROPRIATION MAP

SW 1/4 SEC. 24, T108N, R14W
CHESTER GREGG

(14129)

MISSOURI
L. FLOW
SHARPE
RIVER
(13)

POINT OF DIVERSION
#1

202.8

19.5

59.1

148-R

Section Line

189.6

1/4 Lines

CENTER SEC. 24

- DENOTES AREA TO BE
IRRIGATED
SW 1/4, SEC. 24, T108, R14
HUGHES COUNTY

24
STATE OF SOUTH DAKOTA)
COUNTY OF STANLEY)

34.8

I, M. James Oehlerking, Registered Professional Engineer No. 27122, in the State of South Dakota, do hereby certify that at the Request of CHESTER GREGG, owner, I have shown the lands proposed to be irrigated within the boundaries in JANUARY 19 81 for which application for appropriate water right is made and that this map is a true representation thereof.
Witness my hand and seal this 20th day of JANUARY 19 81.

M. James Oehlerking
Registered Engineer
108-74

~~MAD 8868-3~~ APPLN 4653-3

WATER APPROPRIATION MAP

E 1/2, SW 1/4, SEC. 19, T108N, R73W
CHESTER GREGG



108-73



DENOTES AREA
TO BE
IRRIGATED

E 1/2, SW 1/4, SEC. 19,
T108N, R73W,
HUGHES COUNTY

*Under Permit # 4559-3
will transfer to later*

STATE OF SOUTH DAKOTA) ss
COUNTY OF STANLEY)

I, M. JAMES OEHLECKING, REGISTERED
PROFESSIONAL ENGINEER No. 2722, IN
THE STATE OF SOUTH DAKOTA, DO HERE-
BY CERTIFY THAT AT THE REQUEST
OF CHESTER GREGG, owner, I
HAVE SHOWN THE LANDS PROPOSED TO
BE IRRIGATED WITHIN THE BOUNDARIES
IN JANUARY 1981 FOR WHICH
APPLICATION FOR APPROPRIATIVE
WATER RIGHT IS MADE AND THAT
THIS MAP IS A TRUE REPRESENT-
ATION THEREOF.
WITNESS MY HAND AND SEAL THIS
20th DAY OF JANUARY 1981.

M. James Oehleking
REGISTERED ENGINEER

CENTER OF
SEC. 31

31

31.1

58.3

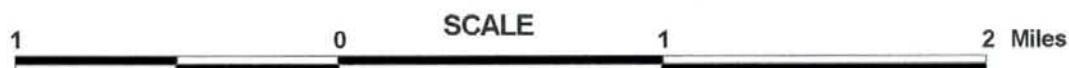
108-73 POINT OF
DIVERSION
#2

Missouri
River
Flow
→

WATER RIGHT NO. 4653-3



TOTAL ACRES = 136



Lynn Beck
Lynn Beck
Natural Resources Engineer
DENR, Water Rights Program
August 7, 2000





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 22, 2010

4653-3

Kent Bowers
Bowers Distillery Inc
207 Lakeside Lane
Pierre SD 57501

Dear Mr. Bowers:

In response to the 2010 irrigation questionnaire you submitted for Water Right No. 4653-3, I am forwarding you a "Notice of Transfer of Ownership" form to use for filing an ownership change. The water right is currently listed in the name of Monte Gregg.

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 \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath".

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

enclosures

RECEIVED

JAN 25 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4653-3

Date: _____

I/We request that Water Right No. 4653-3

formerly owned by: Monte Gregg

be transferred to: (name & address) Bowers Distillery Inc

PO Box 338, Pierre SD 57501

Telephone No.

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

136 acres - SW 1/4 Section 24, T108n, R74W

I/We understand that the validity of Water Right No. 4653-3 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 Fifty Dollars (\$50.00) 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 Bowers Distillery, Inc., the new owner, certify that the above information is true and correct.

[Signature]
(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 1/25, 2011

RECEIVED OF Bowers Distillery Inc PO Box 338 Pierre SD 57501

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	50 00	
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>4653-3</u>		
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	50 00

No.

04878

By

Garland Erbe

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2011

4653-3

Kent Bowers
Bowers Distillery Inc
PO Box 338
Pierre SD 57501 0338

Dear Mr. Bowers:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for Water Right No. 4653-3. The transfer has been completed. The water right formerly held by Monte Gregg is now listed in the name of Bowers Distillery Inc.

Enclosed for your records is Receipt No. 04878 in the amount of \$50.00.

If I can answer any questions for you, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath".

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

enclosure