

1. Considered 5-27 5-1 19 81
2. Name of Applicant RHODY BROS.
3. Post Office Address RR CASTLEWOOD 57223
4. Amount of Water Claimed 1.71
5. Source of Water Supply 85' WELL
6. Water to be used for IRR
7. Acres to be irrigated 120 maximum acre feet
8. Water to be diverted and used in HAMLIN County about 35.1 miles EAST of CASTLEWOOD
9. PROOF OF PUBLICATION Received 5-21-81

Not Received

Approved

5/27/81

Subject to

WI-1Q

Not Approved

Action deferred

APPLICATION

Was not advertised
will have to be re-advertised
for May 27th mtg

Priority Date

Received 3-4-81

Application Complete yes

no

FEE 225⁰⁰

Remarks

Date information and/or
fee or corrected Application receivedPeriod of Annual use APRIL - OCTOBERWATER
QUALITYReceived yes 4/10/81 no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes no Remarks

Disapproved

Returned

Diversion Point

SE⁴ SE⁴ Section 13 -T114N-R52W

Lands to be irrigated

SE⁴ 13-114-52.

					13
					11

WELL
LOG

Remarks

Driller Kaiser's Well Works

Licensed

no

Depth

85' deep

Water Right No. _____

MAP

Map No. 3893-3 Map located in Water Right X Map file _____

Type of Map Aerial Prepared by Co. Agent - De Bow

+++++

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 5-1-81 5-1-81

5-1-81

Betty Westlund
(Signed)

+++++

PROTESTS

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

REMARKS

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

F.F. & C

Date _____

OF LAW,

FINAL

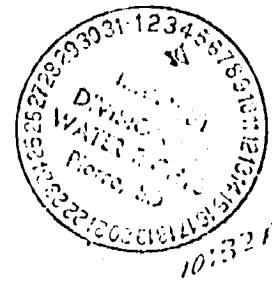
Final Decision mailed to parties and/or parties notified that Final Decision

DECISIONS

ETC.

was adopted _____

Remarks _____

No. 4682-3Map No. 3893-3 Water Division No. 3 BIG SIOUX District
Above for Office Use 10/17/2022

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

Check one of the following:

New ☒ Vested Right ☐ Future Use ☐Change in Diversion ☐ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant RHODY BROS. Phone No. 793-2404
 Post Office Address RR CASTLEWOOD State SD 57223
 (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 RHODY BROS. IRRIGATION PROJECT #24. Amount of water claimed (cubic feet per second) 1.71 CFS5. Source of water supply WELL6. Location of point of diversion 1200 FT N 45' W OF SE CORNER OF
SEC 13, T14N, R52WCounty HARDLIN7. Annual period or periods during which water is to be used APRIL - OCTOBER8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION9. For irrigation use, Total number of acres to be irrigated 120

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4, SE 1/4, SEC 13, T14N, R52W	33		
NE 1/4, " " " "	33		
SE 1/4, " " " "	32		
SW 1/4, " " " "	22		

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 — years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water ESTELLINE JOURNAL

12. Principal Features of the Proposed Water Supply System

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

TURBINE PUMP

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

BURIED PIPE LINE

C. Works proposed to apply water to beneficial use.

CENTER PIVOTEstimated Total Cost \$ 55,000

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, VIRLIN L. RHODY 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 L. Rhody Bros. Virlin RhodySubscribed and sworn to before me this 23 day of FEBRUARY, 1981
Carroll W. DeBor

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4682-3

RHODY Bros. RR CASTLEWOOD
(Applicant) (Post Office Address)
SOUTH DAKOTA 57223 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.

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

Date of first receipt of application March 4, 19 81
Date of return to applicant for correction, amendments or changes required March 9, 19 81
Date of receipt of corrected application April 10, 19 81
Approved May 27, 19 81, Recorded in Book 22 Page 184

WATER RIGHT PERMIT NO. 4682-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4682-3 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 March 4, 19 81
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 27, 19 83
3. The whole of said work is to be completed on or before May 27, 19 86
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is May 27, 19 86
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 1.71 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 May 27, 19 86; said water to be used during the following described annual period: April - October

Witness my hand this 1st day of June, 19 81

THE WATER MANAGEMENT BOARD

By John Hatch
Chief Engineer, Water Rights
JOHN HATCH

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

Kaiser's Well Works De Smet, South Dakota 57231

IRRIGATION-TESTING-DRILLED-STOCK AND DOMESTIC
BORED WELLS Ph. 851-3744

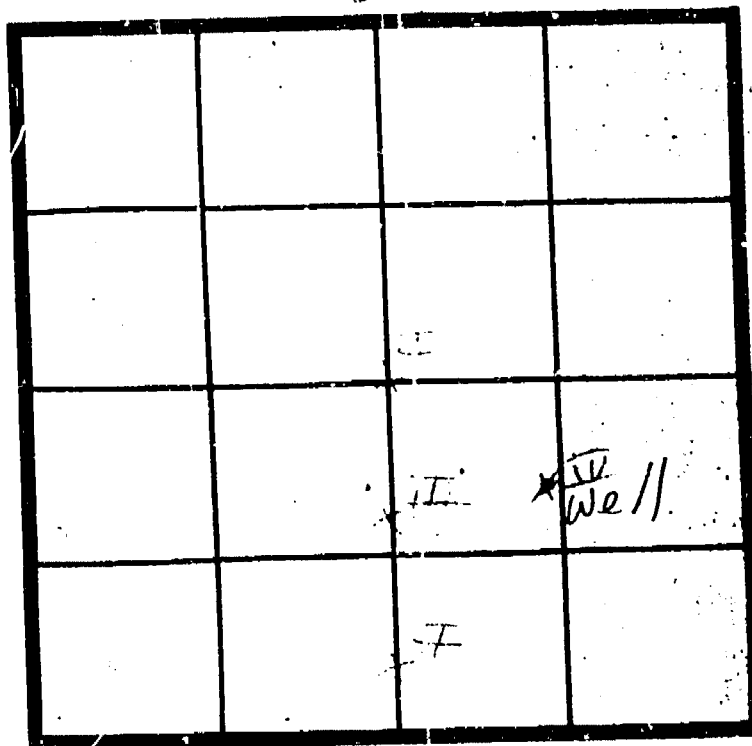
Name Orrin Rhoades

Location Phoby Bros

Township FLORENCE

Section 38-4 13

2-21-81



Test hole No. 11

Data

Topsoil	0 - 1
yellow clay	1 - 3
sand	3 - 16
yellow clay	16 - 22
gravel	22 - 31
blue clay	31 - 44
gravel	44 - 66
blue clay	66 - 80

Test hole No. 11

Data

Topsoil	0 - 1
yellow clay	1 - 2
sand	2 - 16
yellow clay	16 - 28
gravel	28 - 34
blue clay	34 - 46
gravel	46 - 85
blue clay	85 - 90
Water	1/2 ft

D Well Information

- (1) Drill Hole, Diameter 20 in., Depth 85 ft.
- (2) Casing, Type STEEL, Diameter 14 in., Thickness -
(wood, concrete, steel, etc.)
- (3) Screen, Type SPRINKLES, Diameter 14 in., Length 15 ft.
JOHNSON
- (4) Gravel Pack, Thickness 3 in., Length of gravel pack 20 ft.

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 46 ft.

Depth to bottom of water bearing material 85 ft.

Depth to water (ground surface to water level) 10 ft.

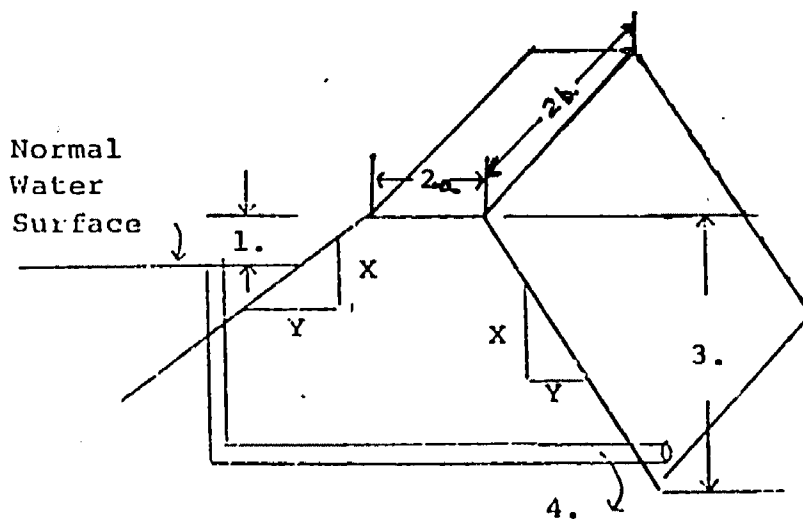
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 1200 ft. rds.

On property owned by others _____ rds.

G Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, 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 _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
 - Pipe diameter _____
 - Spillway width _____
- X & Y slope:
 - Upstream _____
 - Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

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

4682-3

OWNERS NAME: RHODY BROS.

OWNERS ADDRESS: RR

COUNTY LAND LOCATED IN: HAMLIN PHONE: 793-2404

CASTLEWOOD, SD
57223

TENANT'S NAME AND ADDRESS: (If Other Than Owner) N.A.

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.)

1. WELL LOCATION OR DIVERSION POINT: NW 1/4, SE 1/4, SEC 13, T114N, R52W

2. SURFACE WATER SOURCE

3. LOCATION OF AREA TO BE IRRIGATED: SE 1/4, SEC. 13, T114N, R52W

4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show approximate acres under each type of system)

5. GRAVITY TOWLINE CENTER PIVOT ✓ GUN OTHER (Specify)

6. CROPS TO BE IRRIGATED CORN

7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 11/14
LAND:
IN WHAT NAME:

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

8. SAMPLE NUMBER: 81-164

9. SALINITY (EC X 10⁶) 722

10. SODIUM (SAR) 0.61 ADJUSTED (SAR) 1.13 1.04

RECEIVED

MAR 13 1981

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 back) were followed, and that the sample was taken at A.M./P.M., on FEB. 22, 1981, at the following location: SEE ITEM #1

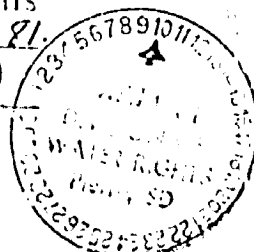
 (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

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 HAMLIN 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 FEBRUARY, 1981

Clayton W. R. B. M.
(NOTARY PUBLIC)



Rhody Bros. Arthur Rhody
APPLICANT'S SIGNATURE

Director, Division of Conservation

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

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 RIGHT must be obtained from the State Water Rights Commission.

4682-3

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Rhody Bros.

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED



RECOMMENDED MANAGEMENT:

You should periodically apply extra quantities of water that will promote leaching of salts in your soils. This may best be done in the fall.

No. 4682-3

Publish first publication, on or before May 14, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 8, 1981

Notice is hereby given that Rhody Brothers whose post office

address is Castlewold, 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 1.71 cubic feet of water per second of time from ground water

(one well) through the Rhody Bros. Irr. Project #2, the point ~~of~~ of diversion of which is ~~(was)~~ to be located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 13, Twp. 114N, Range 52W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE $\frac{1}{4}$, Section 13, T114N, R52W

This Application No. 4662-3 will be considered by the Water Management Board at Meeting Room #1, Knelp Building
Church & Illinois, Pierre, SD upon the 27th day of May, 1981

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.

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

cc: Rhody Brothers
RR
Castlewold, SD 57223

~~XXXXXXXXXXXX~~ BURTON F JONES
Water Rights Specialist

No. 46-82-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hawley) ss.

I, M. R. Hausman hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Estlin 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 Estlin
County of Hawley and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

May 7, 1981

May 14, 1981

[Signature]
(Signature)

[Signature]
(Title)

5/17/81
(Date Signed)

Cost of Printing: 66.00, 81.00

of 100 copies at 1.30 per copy

plus 5.00 for mailing

total \$112.00

NOTICE OF HEARING ON AP-
PLICATION TO APPROPRIATE
WATER

Pierre, South Dakota 57501
April 10, 1981

Notice is hereby given that Rho-
dy Bros. whose post office ad-
dress is Castlewood, South Dakota
has made an application in ac-
cordance 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, 46-6-13,
46-6-14 and Board Rules ARSD
52:01:01:01 thru 52:01:01:13, for a
permit to appropriate for bene-
ficial use 1.71 cubic feet of water
per second of time from ground-
water (one well) through the Rho-
dy Bros. Irr. Project #2, the
point) of diversion of this is
(to be located in the SE 1/4 of
of Section 13, Twp. 114N, Range
52W. Said water to be used for
the purpose of providing irri-
gation on portions of the follow-
ing described land: SE 1/4, Sec-
tion 13-T114N-R52W

This Application No. 4682-3 will
be considered by the Water Man-
agement Board at the Civil De-
fense Room State Capitol Build-
ing, Pierre, SD 57501 upon the
27 day of May, 1981 at 10a.m. The
Board is authorized to make a de-
termination 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 ex-
ercised 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 con-
tact the Water Rights Division
DWNH, 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

Publ. M/7-14

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8032

Randall J. Rhody,

PIERRE,

March 4, 1991

Rhody Bros., RR, Castlewood, SD 57223

RECEIVED OF

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

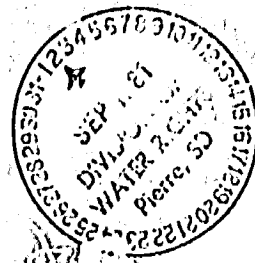
Fee for Application for Permit to Appropriate Water No. 4632-3 (examination, processing, recording and filing) -----	225.00
Fee for inspecting Construction, and issuing Cert. of Construction No. -----	
Fee for inspecting Beneficial Use, and issuing Water License No. -----	
Fee for issuing Location Certificate-Dry Draw, No. -----	
Fee for 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	225.00

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer

JOHN HATCH / [Signature]



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

Post Office Castlewood, S.D.

Date 8-23-81

TO: Water Rights Commission
Jo. 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. 4187-2.

Water Right Permit No. 4682-1 states that the diversion system is to be constructed by (well) ground water, and that the water is put to beneficial use by irrigation.

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

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.

Rhody Bros. Walter Rhody
(Signature)

**SOUTH Dakota Department of
Water & Natural Resources**
Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (305) 773-3352

4682-3

September 2, 1981

Rhody Bros.
Castlewood,
South Dakota 57223

Dear Sirs:
Your Notice of Completion of Works and/or Application of
Water to Beneficial Use under Water Right Permit No. 4682-3

date August 23, 1981 was received September 2, 1981.

We will endeavor to schedule an inspection of your project
as soon as possible. However, because of prior work
commitments there may be a considerable interval of time.

You have thus far complied with all of the requirements and
the intervening time between your notifying this office and the
performance of the inspection will not affect the completing
of your Water Right.

Should you have future questions, please feel free to contact
this office.

Sincerely,

KAREN WERNSMANN
Administrative Secretary

NOTE: Enclosed please find your check No. 1124 in the amount of \$50.
You will be notified after your permit has been inspected to
submit this fee.

Equal Opportunity Employer



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

March 22, 1983

Water Rights Division
605 773-3352

4682-3
Rhody Brothers
RR
Castlewood SD 57223

Dear Sir:

Water Permit No. 4682-3 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 that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

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

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

Water Rights Division
605 773-3352

March 7, 1984

N O T I C E

Dear Sir:

The Water Management Board has directed that all owners of Water Permits, not in compliance with the Permit qualification:

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

be notified of this requirement.

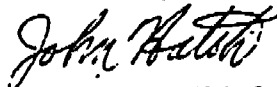
Our records show we have not received the 1983 Irrigation Questionnaire for your Permit. The Questionnaire was requested:

- 1) November, 1983 initial request
- 2) December, 1983 followup request

Owners of water permits not in compliance with the Irrigation Questionnaire qualification are being given until April 2, 1984 to submit the 1983 questionnaire. The Board will consider disciplinary action including possible suspension of the permit on April 25, 1984 at 10:30 am in Room 216, Joe Foss Building, 523 E Capitol, Pierre, SD for all permits without questionnaires returned by April 2.

Another questionnaire is enclosed. Please advise if there are any questions or if you believe our records are not correct.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

Equal Opportunity Employer

**Dakota Department of
Water & Natural Resources**

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

Water Rights Division
605 773-3352

March 14, 1984

2061-3
2578-3
2579-3
3888-3
4440-3
4682-3

Rhody Brothers
Rt 2, Box 117
Castlewood SD 57223

Dear Sirs:

This letter will acknowledge receipt of and thank you for the return of your 1983 Irrigation Questionnaires. A notice was sent to you March 7, 1984 regarding the Irrigation Questionnaire submittal violation of Permit No. 4682-3 and the date hearings are to be held before the Water Management Board to determine any action to be taken concerning this violation. Notice was also sent concerning possible Board action to amend Water Permit Nos. 2061-3, 2578-3, 2579-3 (Virgil Rhody), 3888-3 (V Rhody & Todd Woertink), and 4440-3 (Rhody Brothers) if the questionnaires were not submitted. Our records now show that you have returned these 1983 Irrigation Questionnaires and are no longer in violation.

Please disregard the notices sent to you dated March 7, 1984. 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

JH:GM:ks

Equal Opportunity Employer



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4682-3

March 3, 1987

Rhody Brothers
RR 2, Box 117
Castlewood, South Dakota 57223

Dear Sir:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 4682-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

NCTE: On check or money order, please indicate the number of the water permit.
This insures proper handling of the fee.

RECEIPT

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

410768

Pierre, March 6, 1957

RECEIVED OF Verlin L. Rhody, RR 2, Box 117, Castlewood, SD 57223

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. <u>4682-3</u>	50	00
Fee for Filing Transfer Form _____		
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	50	00

By [Signature]
Chief Engineer JOHN HATCH (S)

LICENSE FOR PERMIT NUMBER 1682005 Bohdy

1. Legal location of wells: 100-110-100

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____

Depth _____

Casing a) diameter _____

b) length _____

c) type _____

Screen a) type _____

b) length _____

Static Water Level _____

Pump

a) make Vortexline

b) model 37972503

c) size _____

d) capacity 400 GPH

e) turbine pump

no. of stages _____

Motor

a) make Turn. Dice on tubercles

b) model no. 1685HR4A28

c) horsepower rating 59

d) motor efficiency rating _____

3. Distribution lines:

a) size of lines 8"

b) type PVC

c) length 700

4. Dam Information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valved (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make Valley
- 2) number of towers 7
- 3) distance between towers 200
- 4) overall length 1200
- 5) End gun (Y/N) Y
- 6) high or low pressure 1
- 7) make & size of nozzles ?
- 8) PSI reading while system is running 4.5
- 9) GPM 200

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphon:

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES NO Check Items

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
2. Special Qualifications to permit being abided by.
3. All Structures, wells and lands on map.

REMARKS:

Permit No. 4682-2

Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Rhody
Brothers RR 2 Box 117 of Castleton, S.D. 57223 holder of
 Permit No. 4682-3, bearing the priority of March 4 1981 authorizing
 the diversion of 1.71 cu. ft. per second of the waters of groundwater
 for irrigation purposes in Hamlin County.

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

A. Works used to divert the water:

Pump: Vextline, 800 Gpm output

* Motor: Twin Disc - 5 HP

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

8" PVC, approx. 700 ft. long.

C. Works used to apply water to beneficial use:

Center Pivot: Valley, 1320 ft. long 7 furrows 800 Gpm output.

The system is in the following condition GoodThe point of diversion is located Well: 850 ft. W. 900 ft. N. from SE corner sec. 13, T114N-R52WThe works are capable of diverting and conveying to the place of use 1.78cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: All in sec. 13, T114N-R52WNW 1/4 SE 1/4 34.5 Ac.NE 1/4 SE 1/4 35.5SE 1/4 SE 1/4 32.0SW 1/4 SE 1/4 23comprising a total of 125 acres of land and the license should be issued for 1.71 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: no well log available Date 8/27/86MDH

(signature)

* Portable motor, if used being used for WA # 4140-3

State of South Dakota
Water License No. 4682-3

(1) Rhody Brothers
of RR 2, Box 117, Castlewood, South Dakota 57223
made Application No. 4682-3, March 4, 1981 for a water permit to appropriate
1.71 cubic feet per second of water from groundwater (one well)
Hamlin County, South Dakota for irrigation purposes.
Permit No. 4682-3, with a priority date of March 4, 1981
was approved May 27, 1981 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before May 27, 1986 and for the application to beneficial use of said
water on or before May 27, 1986.

and

(2) It is certified that the application 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 1.71 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 850'W and 900'N from the SE Corner
of Section 13, T114N, R52W

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following lands all in T114N-R52W

<u>Section 13</u>	<u>NW$\frac{1}{4}$SE$\frac{1}{4}$</u>	<u>34.5 Acres</u>
	<u>NE$\frac{1}{4}$SE$\frac{1}{4}$</u>	<u>35.5 Acres</u>
	<u>SE$\frac{1}{4}$SE$\frac{1}{4}$</u>	<u>32.0 Acres</u>
	<u>SW$\frac{1}{4}$SE$\frac{1}{4}$</u>	<u>23.0 Acres</u>
	<u>TOTAL</u>	<u>125.0 ACRES</u>

(4) Pursuant to §46-5-30.1 Rhody Brothers
of RR 2, Box 117, Castlewood, South Dakota 57223
the holder(s) and/or owner(s) of Water Permit No. 4682-3 is issued a license to appropriate water, the right to use
1.71 cubic feet per second of water from groundwater (one well) with a priority date
of March 4, 1981 from the location 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 Permit No. 4682-3 and subject
to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources
NOV 2 1987

JOHN HATCH

No. 4682-3



Department of Water & Natural Resources

Joa Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

NOV 2 1987

Verlin Rhody
Rhody Brothers
RR 2, Box 117
Castlewood, South Dakota 57223

Dear Mr. Rhody:

Enclosed herewith is, Water License No. 4682-3. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83
Transmittal of Water License

44410-3
4683-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Rhody Brothers
RR 2, Box 117
Castlewood, SD 57223

Dear Sirs:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

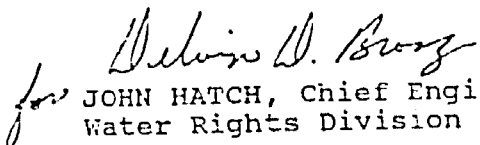


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


for JOHN HATCH, Chief Engineer
Water Rights Division



February 16, 1994

RHODY BROTHERS
RR #2 BOX 117
CASTLEWOOD SD 57223

4682-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit No(s) 4440-3, 4682-3 and 1993 Irrigation
Questionnaire Requirements

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 4440-3, 4682-3. The request for the Questionnaires was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 4440-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4682-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, 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) 4682-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4440-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before April 1, 1994, 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 ADDRESS complete 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.

3. Article Addressed to:

RHODY BROTHERS
RR #2 BOX 117
CASTLEWOOD SD 57223

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S.G.P.O. : 1992-337-530

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

1. ☒ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 837-692582

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-17-94

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

Rt 2 Box 116
Castleton SD 57223

Thank you for using Return Receipt Service.

DOMESTIC RETURN RECEIPT



4682-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1994

Virgil Rhody
Rhody Brothers
RR #2 Box 117
Castlewood, SD 57223

RE: Irrigation Questionnaires for Water Permit Nos. 2578-3, 2579-3, 3888-3, 4440-3 and
4682-3

Dear Mr. Rhody:

I am writing to acknowledge receipt of your 1993 irrigation questionnaires. You may disregard the February 16, 1994, Notice of Violation of Water Permits and the 1993 Irrigation Questionnaire Requirements.

The questionnaires were 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 Division
(605) 773-3352



9682-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 30, 1999

Clarice Rhody
RR 2 Box 117
Castlewood, SD 57223

RE: Water Right Nos. 2061-3, 2578-3, 2579-3, 4440-3 & 4682-3

Dear Mrs. Rhody:

Thank you for sending in your 1999 irrigation questionnaires. In response to your questions on how to transfer the water rights, I am enclosing partially completed "Notice of Transfer of Ownership" forms for use filing ownership changes.

You are correct about Water Right No. 2579-3 needing to be transferred to your name. Please review the enclosed form pertaining to No. 2579-3 and complete as needed. The form will need to be signed in the presence of a notary public and returned to our office with a required filing fee of \$2.50. The check or money order can be made payable to the "Water Rights Program."

The remaining water rights will need to be transferred after the land is sold on December 4th. The process is the same for transferring the water rights to new owners. They will need to complete the transfer of ownership form and return it along with a filing fee of \$2.50 (for each water right). You can go ahead and give the forms to the new owner(s) once the land is sold. They are responsible for signing the forms and following up on the transfers.

Thank you for getting in touch with me regarding the ownership changes. If I can answer any questions for you about the water rights or completion of the transfer forms, please let me know.

Sincerely,

Genny 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. 4682-3

Date: 5/28/00

A circular ink stamp from the "WATER RIGHTS PROGRAM" in "Pierre, SD". The date "APR 2000" is stamped across the center. A star symbol is positioned above the date. The outer ring of the stamp contains a sequence of numbers: 28293031-123456789011213141516171819202122232425262728.

1\We request that Water Right No. 4682-3

formerly owned by: **Rhody Brothers**

be transferred to: (name & address) Frank H. Hansen 3208 E Evergreen Blvd
Van. Wa 98661 Telephone No. 218 573 3818

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

125 acres in the SE ¼ Section 13, T114N, R52W

I/We understand that the validity of Water Right No. 4682-3 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.

STATE OF SOUTH DAKOTA)
)
County of _____)

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.

(Signed) _____

Subscribed and sworn to before me this 27 day of July, 1978

James M. O'Connell, Esq.
(Notary Public)

History Public, South Carolina, State at Large
My Commission Expires Nov. 22, 2008

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

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416461

Pierre, _____ April 3, 2000

RECEIVED OF Randy H. Hanson, 2208 E. Evergreen Blvd., Vancouver, WA 98661
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. _____

Fee for Filing Transfer Form Water Right No. 4682-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By Harold Erickson
Chief Engineer



768-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 6, 2000

2578-3

4440-3

4682-3

Randy H Hanson
2208 E Evergreen Blvd
Vancouver, WA 98661

Dear Mr. Hanson:

Thank you for following up on the ownership changes for Water Right Nos. 2578-3, 4440-3 and 4682-3. The transfers have been completed and the water rights are now listed in your name.

Enclosed are your Receipt Nos. 416459, 416460 and 416461 in the amount \$2.50 each. I am sending a copy of the receipts and the transfer forms to Les Hanson for his files. It is my understanding that he operates the systems for you.

If you have any questions concerning the transfers or the water rights, please get in touch with me.

Sincerely,

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

enclosures

c: Les Hanson

NOT TO SCALE

4682-3

8.2

213.0

RHODY BROS.

IRRIGATION PROJECT
CASTLEWOOD, S.D.

204.8
103.0

67.5

#2

7.5

141.1

CR

FEB 27, 1981

Carroll W. DeBow

144.9

114.52

IRRIGATED AREA SE 1/4, SEC 13,
T14N, R52W
ACRES IRRIGATED
120ac
WATER CLAIMED 1.71 cfs

WELL
1200
1000
900

35.5

155.5

17.4

17.2

Map # 3893-3

Appl 4682-3