

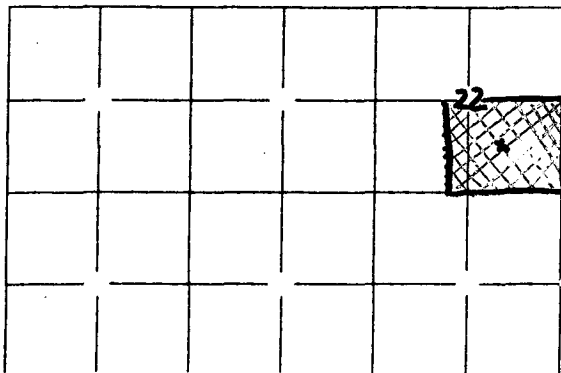
1. Considered: _____, 19____ Water Right No. 4958-3
2. Name of Applicant Louis B. Perry (James Davis Operator)
3. Post Office Address 4605 SW Fairview Blvd, Portland Oregon 97221
4. Amount of Water Claimed 2.70 maximum acre feet _____
5. Source of Water Supply Ground water-one 65' well (Parker - Centerville, Aquifer)
6. Water to be used for IRR acres to be irrigated 190
7. County Turner about 15, 3 miles EAST of PARKER
8. PROOF OF PUBLICATION: Received 6-8-83 ^(Bu 9/19/83) Not Received _____
APPLICATION: Approved 7-20-83 Subject to Well Interference, I.G.
Not Approved _____ Action Deferred _____

PRIORITY 3-30-83 Dated Received 3/30/83 Application complete-yes _____ no _____ FEE 275.00
Remarks James Davis, Parker, SD. operator

Corrected Application received _____ Period of Annual Use _____

WATER QUALITY Received yes 5/1/83 no _____ APPROVED/ CONDITIONAL (Circle one)
WI-1 Description same as application-yes no _____ Remarks _____

Disapproved _____ Returned _____



Diversion Point _____
NW 1/4 SE 1/4 22-99-53

Land to be irrigated _____
SE 1/4 And E 1/2 SW 1/4 22-99-53

WELL LOG Driller Ed Lacey Licensed - yes xx no _____
Depth 65' deep

Remarks _____

MAP Map No. 4958-3 Map located in Water Right X Map file _____
 Type of Map _____ aerial _____ Prepared by SCS Turner County

+++++

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

5/10/83

Betty Westlund
 (signed)

+++++

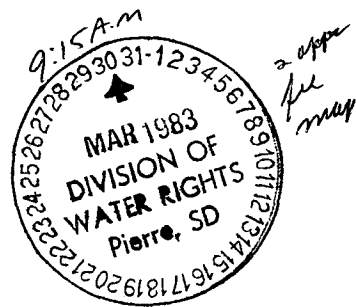
PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____

No. 4958-3

Map No. 4958-3 Water Division No. 3 VERMILLION RIVER District
Above for Office Use 10170102

Above for Office Use **10170102**



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

Check one of the following:

New x Vested Right Future Use

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Louis B. Perry Phone No. 503/248-2801 Office ✓

Post Office Address 4605 SW Fairview Blvd., Portland State Oregon ~~97204~~ 97221
(Street, RR, or Box) (Town) (Zip Code)

(Street, RR, or Box)

(Town)

(Zip Code)

If a corporation show date and place of incorporation

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

3. Name of diversion work Louis B. Perry Irrigation System #1

4. Amount of water claimed (cubic feet per second) 2.7

5. Source of water supply well

6. Location of point of diversion Approx. 95 rods W. and 80 rods N. of the SE corner of
Sec. 22-99-53

NW 22-99-53 County Turner

7. Annual period or periods during which water is to be used April - November

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation

9. For irrigation use, Total number of acres to be irrigated 190

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.
SE $\frac{1}{4}$ 22-99-53	160
E. 30 A of the SW $\frac{1}{4}$ 22-99-53	30

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 25 years. Additional time required to complete application of water to the proposed beneficial use 34 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water New Era, Parker SD

12. Principal Features of the Proposed Water Supply System.

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

Elec. Pump

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

Buried Pipeline to C. P.

C. Works proposed to apply water to beneficial use.

Center Pivot Sprinkler System

Estimated Total Cost \$ 75,000.00

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

OREGON
STATE OF ~~SOUTH DAKOTA~~)
~~XXXXXXXXXXXX~~) ss.
County of Multnomah)

I, Louis B. Perry 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 John D. [Signature]

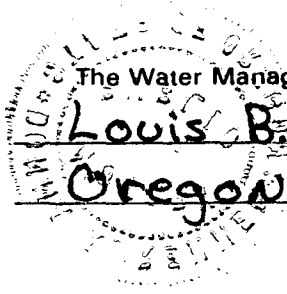
Subscribed and sworn to before me this 24 day of March, 1983

Ronald B. Lumsden

Notary Public (or other qualified officer)

My commission expires Jan. 22, 1986✓

WATER RIGHT APPLICATION APPROVAL



The Water Management Board hereby approves Water Right Application No.

4958-3

Louis B. Perry
(Applicant)

4605 SW Fairview Blvd, Portland
(Post Office Address)

Oregon
(State)

With the following qualifications.

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 30, 1983
Date of return to applicant for correction, amendments or changes required —, 19—
Date of receipt of corrected application —, 19—
Approved July 20, 1983, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 4958-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4958-3 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 30, 1983
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before January 20, 1983
3. The whole of said work is to be completed on or before July 20, 1988
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is July 20, 1992
5. The water appropriated shall be used for the purpose of irrigation

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 2.70 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 July 20, 1992; said water to be used during the following described annual period: April 1 thru November 30

Witness my hand this 2nd day of August, 1983

THE WATER MANAGEMENT BOARD

By: John Halch
Chief Engineer, Water Rights

Certificate of Construction Issued —, 19—

Water License Issued —, 19—

D. Well Information

- (1) Drill Hole, Diameter 18", Depth 65'
- (2) Casing, Type steel, Diameter 1 1/4", Thickness 3/8"
(wood, concrete, steel, etc.)
- (3) Screen, Type stainless steel, Diameter 1 1/4", Length 20'
- (4) Gravel Pack, Thickness 2", Length of gravel pack 60'

E. Dugout Information or Estimates

- (1) Surface dimensions, n/a, 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 6 ✓

Depth to bottom of water bearing material 65 ✓

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

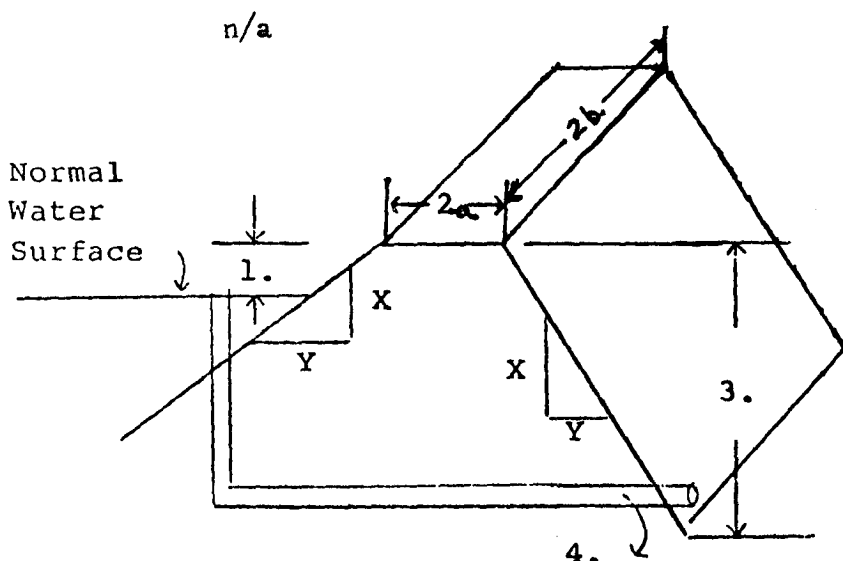
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 100 rds. (Bldgs. removed and old well will not be used)

On property owned by others 130 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

Louis B. Perry ✓
Signature of Applicant

Invoice

ED H. LACEY & SONS

P. O. Box 799

TRENT, SO. DAK. 57063

Phone 605-428-5288

Number

DATE

CUSTOMER'S
ORDER NO.

SHIP TO

Sold To

Elton Budahl

4512 Tomar Rd

Sioux Falls, So. Dak. 57101

Louis Perry

SOLD BY

CASH

TO GO

CARRIED

OR ACC

PAID BY C.D.

QUANTITY

Payment for drilling 65' irrigation test
hole on SE 1/4 30-99-53 of Louis Perry

65' Test hole on Lewis Perry property
Travel

0-1 Topsoil
1-6 Rusty Gravel
6-45 Good Gravel
45-50 Sand
50-65 Good Gravel
65 - Blue clay

5'-static

Trust A/C Name

Louis Perry Agency

Trust A/C #

507606 910

Property #

608000635

ICL PC

Trans

Tax 760

Check #

186442

Authorized

E. Budahl

TERMS: Net Cash 30 Days — 1% Service Charge Per Month on Accounts 30 Days Past Due.

All claims and returned goods must be accompanied by this bill.



47-113

Made in U.S.A.

DEC 03 PAID

DUPLICATE

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

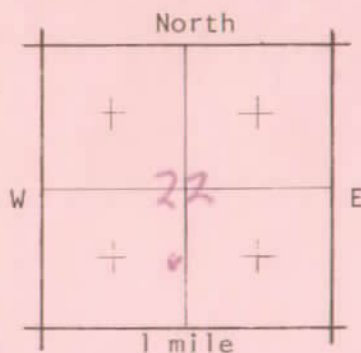
8

Location SW 1/4 SE 1/4 Sec 22 Twp 99.1 Rg 53-W

County

TURNER

Please mark well location with an "X"

Well Completion Date 9-2-85

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock
Method of Drilling: Hydraulically driven pipe casing

WELL CONSTRUCTION:

Diameter of hole 20 inches Depth 42 feetCasing: ☒ Steel ☐ Plastic ☐ OtherSpecify 14" x 1/4" wall
 Pipe Weight 14 lb/ft Diameter 14 inches From +1 feet To 32 feet
 _____ lb/ft _____ inches _____ feet _____ feet
Was a well screen used? ☒ Yes ☐ No

If Not Specify _____

Screen Type 304 SS Slot Size .080Length 10 Diameter 12"Was Casing left open end? ☐ Yes ☒ NoWas a Packer or seal used? ☐ Yes ☐ No

If so what material? _____

Was well gravel packed? ☒ Yes ☐ NoWas well grouted? ☐ Yes ☒ No

Describe grouting procedure _____

To what depth? _____ Feet

What was grouting material? _____

If cement, how many sacks? _____

Location of packer(s) and screen or perforated pipe _____

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☐ No

If so how and with what material? _____

Well Owner:

Name Richard PerryAddress 2437 Lariat Meadows DriveWell Log: Eugene, Ore Depth 9740'

Formation	From	To
<u>Topsoil</u>	<u>0</u>	<u>1</u>
<u>Medium sand</u>	<u>1</u>	<u>38</u>
<u>COARSE GRAVEL/Rocks</u>	<u>38</u>	<u>42</u>
<u>CLAY</u>	<u>42'</u>	

STATIC WATER LEVEL 4' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? _____

WELL TEST DATA:

☒ Pumped☐ Bailed Describe: _____☐ Other _____

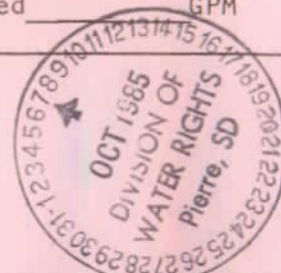
Pumping Level Below Land Surface

15 ft. After 6 Hrs. pumped 1100 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

Remarks:

This well was drilled under license # 111

and this report is true and accurate.

Lacey Well Drilling
 Drilling Firm Signed by James Lacey
10-3-85
 Date

OPERATOR
OWNER

FARM NO. NAME AND ADDRESS FARMLAND CROPLAND
190 134

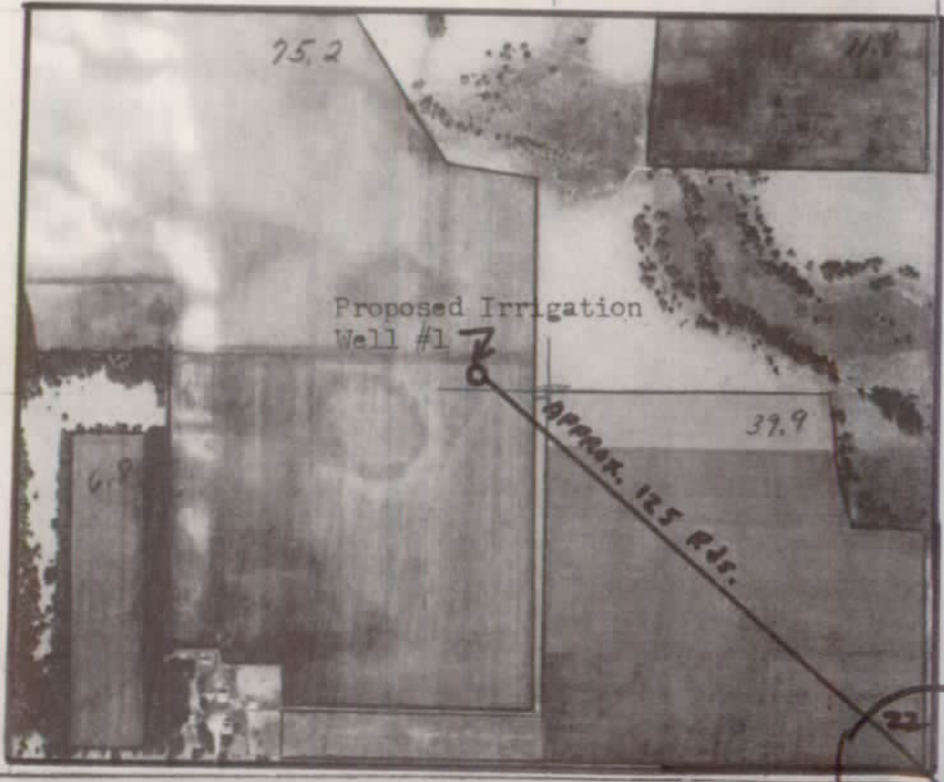
Tract No. 13-90
Farm No. 13-90
Operator *James J. Davis*
Owner Julia Stoddard Perry

Louis B. Perry System #1
Owner: Louis B. Perry, Portland, Oregon
Opr. : James J. Davis, Parker, S. D. 57053

Area to be irrigated:

The SE $\frac{1}{4}$ 22-99-53 - 160 ac. more or less
& E. 30 A. of the SW $\frac{1}{4}$ 22-99-53 - total 190 ac. more or less

By *JWR*

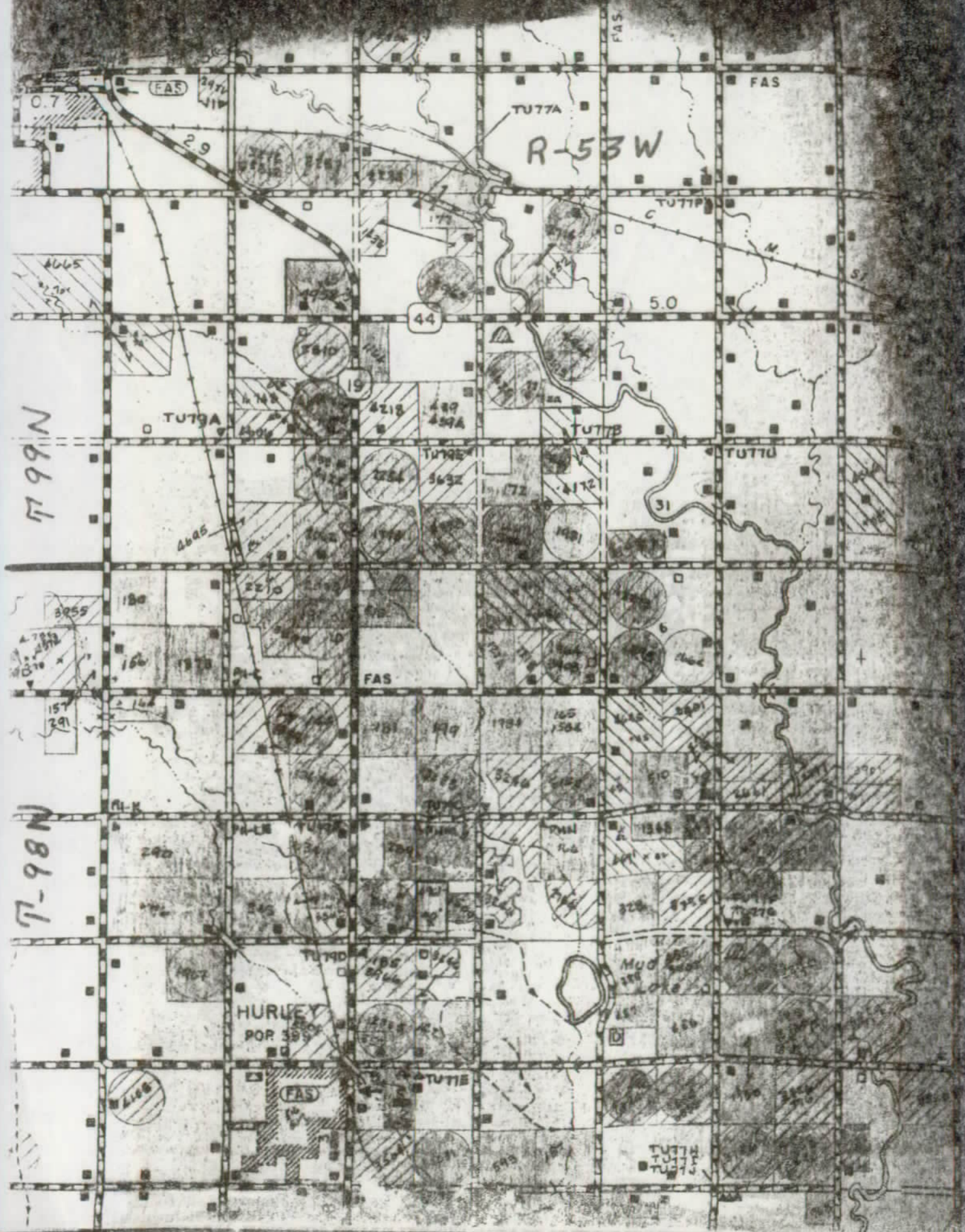


Legal Description

SE $\frac{1}{4}$ -22 and E. 30A. SW $\frac{1}{4}$ -22-99-53

MAP & APPL # 4958-3

22
23
27
28



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9217

(for Louis B. Perry, Portland, OR) PIERRE, March 30, 1983

RECEIVED OF First Northwestern Trust Co., of South Dakota, 101 N. Phillips Ave., PO Box 1950

the following amount in fees for services rendered as provided for by law: Sioux Falls, SD 57117-1950

Fee for Application for Permit to Appropriate Water No. <u>4158-3</u> (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 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		

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322

Pierre, South Dakota 57501

Phone 605/773-3258

April 4, 1983

James Davis
Parker,
South Dakota 57053

Dear Mr. Davis:

In reviewing your soil and water compatibility application for the SE $\frac{1}{4}$ 22-99-53 (160 acres) and SW $\frac{1}{4}$ 22-99-53 (30 acres) = 190 acres, the irrigation staff is recommending a Conditional Approval of your application to the State Conservation Commission at their May 5, 1983, meeting. The Conditional recommendation is based on the salt load of the water and the areas mapped Baltic (Ba), Tetonka (Te), and Worthing (Wo) soils.

RESTRICTIONS

The areas mapped as Baltic (Ba), Tetonka (Te) and Worthing (Wo) soils are poorly drained causing a trafficability hazard, drowning out of crops, and salt leaching problems. Adequate internal and surface drainage must be provided for these areas.

The drainage way in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ 22-99-53 shall be kept in permanent vegetation.

MANAGEMENT RECOMMENDATIONS:

We suggest the use of conservation tillage, leaving crop residue on the surface to conserve moisture and control erosion. Contour farming is another practice that may be beneficial in managing these factors.

We suggest that your water management contain practices which will assist in the leaching of salts. This may require irrigation after crop removal to maximize late fall and spring moisture for salt movement in the soils.

If you have any questions concerning your application, please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Director

JS/ah

SD 22 99 53 }
S.C.



SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

Office Use Only

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Louis B. Perry

OWNERS ADDRESS: 4605 S.W. Fairview Blvd

Portland, Oregon 97207

COUNTY LAND LOCATED IN: Turner

PHONE: 503-248-2801

TENANT'S NAME AND ADDRESS: James J. Davis

Parker, S. D. 57053

(297-3743)

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: Approx. in the center of the SE 1/4 22-99-53

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: n/a

Legal Description	Acres	Legal Description	Acres
SE 1/4 and E. 30A of the			
SE 1/4 22 and E. 30A of the SW 1/4 22-99-53	190		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED none

LEGAL DESCRIPTION: _____

IN WHAT NAME: _____

4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify) _____

6. CROPS TO BE IRRIGATED: corn, soybeans, alfalfa

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

7. WATER SAMPLE NUMBER: 83-0078

8. SALINITY (EC X 10⁶): 2.220

9. SODIUM (SAR): 0.53

10. ADJUSTED (SAR): 1.49 (1.4)

I hereby certify that I personally obtained or that I personally observed that 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 9 a.m./p.m., on 3/8, 19 83, at the following location: SE 1/4 section 22 by (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

9th DAY OF March, 19 83.

Christy Johnson
(NOTARY PUBLIC)

James J. Davis
APPLICANT'S SIGNATURE

John W. Tjell
Director, Division of Conservation

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 Board of Water Management, Foss Building, Pierre.

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED



CONDITIONAL APPROVALAPPL. #4025

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: James Davis
LEGAL DESCRIPTION: SE $\frac{1}{4}$ 22-99-53 (180 acres) and SW $\frac{1}{4}$ 22-99-53 (30 acres)
= 190 acres.

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:



THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

The areas mapped as Baltic (Ba), Tetonka (Te) and Worthing (Wo) soils are poorly drained causing a trafficability hazard, drowning out of crops, and salt leaching problems. Adequate internal and surface drainage must be provided for these areas.

The drainage way in the NE $\frac{1}{4}$ -SE $\frac{1}{4}$ 22-99-53 shall be kept in permanent vegetation.

RECOMMENDED MANAGEMENT:

We suggest the use of conservation tillage, leaving crop residue on the surface to conserve moisture and control erosion. Contour farming is another practice that may be beneficial in managing these factors.

We suggest that your water management contain practices which will assist in the leaching of salts. This may require irrigation after crop removal to maximize late fall and spring moisture for salt movement in the soils.

John M. Fife
SIGNATURE

5-5-83
DATE

Report of Water Permit
Application No. 4958-3
Louis B. Perry
May 24, 1983

Application 4958-3 proposes to irrigate 190 acres in the SE $\frac{1}{4}$ and SW $\frac{1}{4}$, Section 22, T99N, R53W from one 65 foot well withdrawing 2.7 cubic feet per second of groundwater from the Parker-Centerville Aquifer. The Parker-Centerville Aquifer has a surface area of 38,300 acres and contains 114,900 acre feet of recoverable water in storage (Hedges, Burch, Illes Evaluation of Ground-Water Resources, 1983). The Water Management Board has issued 115 permits to appropriate up to 49051 acre feet of water to irrigate 16,922 acres of land. Water usage is as follows:

<u>Year</u>	<u>Acre Ft. Used (Reported)</u>	<u>% of total recoverable</u>
1979	7388	6
1980	7474	7
1981	9319	8

Appropriated Water:

$$49051 \text{ Acre feet} \div 114,900 \text{ Acre Feet} = \underline{43\%}$$

Water Rights presently monitors 22 observation wells. A review of observation well records show that the water levels are at an all time high. The records also show seasonal fluctuations of the water level due to pumping and precipitation.

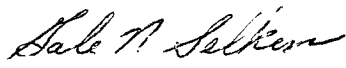
Although the appropriated water is at 43% of the estimated storage, this writer after reviewing well logs, cross-section, test hole data and observation well records is of the opinion that the estimated storage is very conservative and that unappropriated water is available for this application. The aquifer is under water table conditions at the applicant's well site so the direct affects on existing permits will be minimal.

Conclusions:

1. Unappropriated water is available
2. Observation wells are being monitored in the Parker-Centerville Aquifer.

Recommendations:

The Staff recommends that application 4958-3 be approved with the well interference and irrigation questionnaire qualifications.


Gale N. Selken, PE
Hydrologist

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT APPLICATION

No. 4958-3, Louis B Perry

Pursuant to Section 4, House Bill 1002, 1983 Legislature, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4958-3, Louis B Perry, 4605 SW Fairview Blvd, Portland, Oregon.

The Chief Engineer is recommending APPROVAL of Application No. 4958-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) that the proposed diversion can be developed without unlawful impairment of existing rights, 3) that the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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.

The attached report is a part of this recommendation.



JOHN HATCH, Chief Engineer
May 26, 1983

Instructions to Newspaper - Publish first publication of following Notice on or before
June 1, 1983 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE of HEARING on Application No. 4958-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

4605 SW

Notice is hereby given that Louis B. Perry whose mailing address is Fairview Bl
Portland, Oregon/97221, ~~South Dakota~~ has made an application pursuant to the provisions of
SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-14, Section 13 of HB 1001 enacted by 1983 Legis-
lature; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, Section 32 of HB 1001; 46-5-1 thru 46-5-8, 46-5-10,
thru 46-5-16, 46-5-24, 46-5-25, 46-5-31, Sections 38, 47, 59 & 67 of HB 1001, Sections 1, 4,
5, 6, 11, 12, 13, 16, 18, 19 & 21 of HB 1002; (~~ground~~) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10,
46-6-13, 46-6-14; (~~future use~~) 46-5-38 thru 46-5-40, Section 71 of HB 1001; (~~transfer lands~~)
46-5-33 thru 46-5-35; (~~10,000 AFA~~) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01
thru 74:02:01:15; (~~future use~~) 74:02:01:24 thru 74:02:01:26; (~~10,000 AFA~~) 74:02:01:15:02
thru 74:02:01:15:05; (several of the preceeding SDCL Sections are amended by HB 1001 & 1002
of 1983 Legislature) for a permit to appropriate 2.70 cubic feet per second from groundwater,
one well 65' deep (Parker-Centerville Aquifer) the point of diversion to be located in the
NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Twp. 99N, Range 53 W. Said water to be used for the purpose of
providing irrigation on 190 acres in the SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 22-T99N-R53W

Pursuant to Section 4 of HB 1002 the Chief Engineer of the Water Rights Division recommends
approval of Application No. 4958-3 because 1) unappropriated water is available, 2) will
be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the
public interest.

This application will be considered by the Water Management Board at ~~Webster~~, Community Room.
Basement, Day County Courthouse/ Webster, South Dakota upon the 19th day of July, 1983 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the
Board is authorized to make a determination on this application after it reaches a con-
clusion based upon facts presented at the public hearing. Any interested person who may
be affected by a Board decision and who intends to participate in the hearing before the
Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a
written petition with the Chief Engineer and the Applicant by July 8, 1983.
The petition may be informal, but it must include a statement describing the petitioner's
interest in the application, the reason for the petitioner's opposition to or support of
the application, and the signature and mailing address of the petitioner or his legal counsel
if legal counsel is obtained. The applicant need not file a petition. The time of the
hearing will be automatically extended for at least twenty days upon written request of the
applicant or any person who has filed a petition to oppose or support the application. The
request for extension must be filed with the Chief Engineer by July 8, 1983.

This hearing is an adversary proceeding. The applicant or any person, after filing a
petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on
this application or to assure access to the hearing by the handicapped can contact the
Water Right Division, DWNr, Joe Foss Bldg., Pierre SD (605 773-3352) for assistance
prior to the hearing date.

Affidavit of Publication

STATE OF SOUTH DAKOTA)
COUNTY OF TURNER) ss.

EARL BORMANN

of said County and State, being duly sworn, on his oath says:
THE NEW ERA is a weekly newspaper of general circulation, printed and published in Parker, in Turner County and State of South Dakota by Earl J. Bormann, and has been such a newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that is has a bonafide circulation of more than 200 copies weekly, that it has been published within said county of Turner in the English language for more than fifty-two successive weeks next prior to the publication of the notice hereinafter mentioned, and has been printed during said period and at the present time, in whole or in part in an office maintained at the said place of publication; and that I, the undersigned, am

Owner--Publisher

of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all facts stated in this affidavit; that the advertisement headed Notice of HEARING on Application No.

4958-3 To Appropriate Water

a printed copy of which is hereto attached, was printed and published in the said newspaper for two times; that said notice was published in the issues of said newspaper on the dates as follows, to-wit:

The first publication being made on Thursday, June 2nd, 1983;
the second publication on Thursday, June 9th, 1983;
the third publication on _____, 19____;
the fourth publication on _____, 19____;
the fifth publication on _____, 19____;
the sixth publication on _____, 19____;
and the last publication on _____, 19____;

that \$ 37.37, the full amount of the fee charged for publication of the annexed notice, insures solely to the benefit of the publishers of the said newspaper; that no arrangements or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Earl Bormann

Subscribed and sworn to before me this 9th
day of June, 1983

Harry J. Munkvold

Notary Public, Turner County, South Dakota.

HARRY J. MUNKVOLD
Notary Public, Turner County, S.D.
My Commission Expires: March 30, 1990

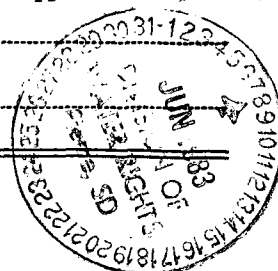
NOTICE OF HEARING ON APPLICATION NO. 4958-3 TO APPROPRIATE WATER

Notice is hereby given that Louis B. Perry, whose mailing address is 4605 SW Fairview Blvd., Portland, Oregon 97221, has made an application pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-14, Section 13 of HB 1001 enacted by 1983 Legislature; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, Section 32 of HB 1001; 46-5-1 thru 46-5-8, 46-5-10, thru 46-5-16, 46-5-24, 46-5-25, 46-5-31, Sections 38, 47, 59 & 67 of HB 1001, Sections 1, 4, 5, 6, 11, 12, 13, 16, 18, 19 & 21 of HB 1002; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (several of the preceeding SDCL Sections are amended by HB 1001 & 1002 of 1983 Legislature) for a permit to appropriate 2.70 cubic feet per second from groundwater one well 65' deep (Parker-Centerville Aquifer) the point of diversion to be located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Twp. 99N, Range 53 W. Said water to be used for the purpose of providing irrigation on 190 acres in the SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 22-T99N-R53W.

Pursuant to Section 4 of HB 1002 the Chief Engineer of the Water Rights Division recommends approval of Application No. 4958-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Community Room Basement, Day County Courthouse, Webster, South Dakota, upon the 19th day of July, 1983 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with the Chief Engineer and Applicant by July 8, 1983. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the applica-



PRINTER'S AFFIDAVIT OF
PUBLICATION

IN _____ COURT

STATE OF SOUTH DAKOTA)

) ss.

COUNTY OF TURNER)

Filed in the _____

on the

_____ day of _____, 19_____

Attorney for _____

Publication Fee - - - - - \$_____

Notary Fee - - - - - \$_____

Total - - - - - \$_____

Received Payment:

tion, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by July 8, 1983.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Right Division, DWNR, Joe Foss Bldg., Pierre, S.D. (605 773-3352) for assistance prior to the hearing date.

(2tc10 — June 2 & 9, 1983)



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

August 3, 1983

Louis B. Perry
4605 SW Fairview Blvd
Portland, Oregon 97221

Dear Mr. Perry:

Enclosed herewith is your Water Permit No. 4958-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 4958-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83

Water Rights Division - DWNR
Conversation or File Documentation

File No. 4958-3

NAME OF PERSON OR FILE: Louis B Perry

ADDRESS: 4605 SW Fairview Blvd, Portland, OR COUNTY Turner

DATE: May 8, 1984 TELEPHONE 503-223-3586

RE: irrigation questionnaire submission

COMMENTS:

I called Mr. Perry to see if they had received any of the notices concerning
submission of the 1983 irrigation questionnaire. His wife said they had not.

I explained to her that they were mis-sent to 4958 SW Fairview.

I also explained to her the Board's recent action to suspend the permit for
not returning the irrigation questionnaire. Since they had not received any of
the notices due to improper address, the permit would not be suspended for the
1984 irrigation season.

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: Benny McMath

4605 S. W. Fairview Boulevard
Portland, OR 97221
November 22, 1985

South Dakota Department of
Water & Natural Resources
Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Gentlemen:

I am in receipt of your Notice to Submit Irrigation
Questionnaire. It was addressed to me as follows:

Louis B. Perry 4958-3 TU/VR
4605 S. W. Fairvie
Portland
OR 97221

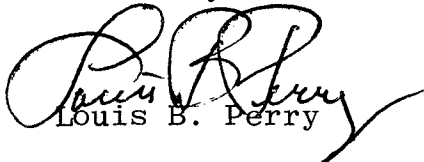
The address should be changed on your records to
4605 S. W. Fairview Boulevard--not Fairvie.

The property to which the irrigation questionnaire applies
has been sold to the following person:

Dr. Richard S. Perry
2433 Lariat Meadows
Eugene, OR 97401

I have sent your questionnaire on to him for completion. It
is my assumption that he will respond. You can reach him
at the above address, if this is necessary.

Sincerely


Louis B. Perry

cc: Richard S. Perry





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4958-3

November 22, 1985

Richard S. Perry
2433 Lariat Meadows Dr.
Eugene, Oregon 97401

Dear Mr. Perry:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

NOTE: Also enclosed is a Form 10 to report completion of works.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: November 27, 1985

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

190 acres - SE $\frac{1}{4}$, E 30 acres of SW $\frac{1}{4}$ Section 22, T99N, R53W

formerly owned by Louis B. Perry
Vera T. Perry and (Tenants in Common)
has been transferred to Richard S. Perry, 2433 Lariat Meadows Dr., Eugene, Oregon 97401
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 4958-3 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~~ ^{OREGON})
) ss.
County of Lane)

We, Richard S. and Vera T. Perry being first duly sworn on ~~my~~ ^{our} oath depose and say:
That ~~my~~ ^{our} relation to the above described undertaking is that of Owner, that ~~I~~ ^{we} have read
the above foregoing statement, and ~~I~~ ^{we} know of ~~my~~ ^{our} own personal knowledge that the information herein stated is true.

Richard S. Perry
Richard S. Perry (Signed)
Vera T. Perry
Vera T. Perry

Subscribed and sworn to before me this 27th Day of November, 1985.



Jan Lindsay
(Notary Public)
My commission expires: 12/25/88



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

December 11, 1985

Richard S. & Vera T. Perry
2433 Lariat Meadows Drive
Eugene, Oregon 97401

Dear Mr. & Mrs. Perry:

Enclosed is receipt No. 4 10248 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 4958-3.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

RECEIPT

Division of Water Rights

No 4 10248

South Dakota Department of Water and Natural Resources

Pierre, December 3, 1985

RECEIVED OF Richard S. & Vera T. Perry, 2433 Lariat Meadows Dr., Eugene, OR 97401

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 495803	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH 



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

Post Office 2433 Lariat Meadows Dr.
Eugene, Oregon 97401

Date February 23, 1986

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

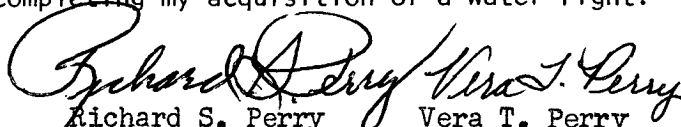
Dear Sirs:

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.

4958-3.

Water Right Permit No. 4958-3 states that the diversion system is to be constructed by Louis B. Perry, and that the water is put to beneficial use by Louis B. Perry. Water Rights ownership was transferred to Richard S. and Vera T. Perry Tenants in Common December 11, 1985. The diversion system was completed on November 1, 1985. Applying the water to beneficial use was completed on February 23, 1986. Construction was by contract paid for by Richard S. Perry.

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.


Richard S. Perry Vera T. Perry
(Signature)

*Don't change to original
is that actual well is 45' deep instead
of 65'*



Department of Water & Natural Resources

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

February 17, 1989

Vera T. & Richard S. Perry
2433 Lariat Mdw
Eugene, OR 97401

Dear Mr. and Mrs. Perry:

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;

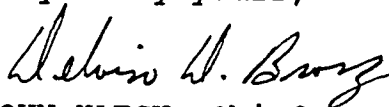


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4958-3

Date: 3-11-93



I/We request that Water ~~Permit~~/Right No. 4958-3

formerly owned by: Richard & Vera Perry

be transferred to: (name & address) Donald & Coryll Weeg

4504 West 12 Sioux Falls S.D. (Telephone No) 3381249

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

S, E 1/4 plus 30 acres in the SW 1/4 - 22-99-53
Turner Co. S.D.

I/We understand that the validity of Water ~~Permit~~/Right No. 4958-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Turner)

I/We Donald Weeg 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.

Donald Weeg
(Signed)

Subscribed and sworn to before me this 18th day of March, 19 93.

[Signature]
(Notary Public)
My Commission Expires 10/5/97

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.

- Real Estate
- Personal Property
- Appraisals

GOEMAN AUCTION & REAL ESTATE SERVICE, Inc.

Jeff and Sally Goeman, Owners/Operators
RR 1, Box 7 — Lennox, SD 57039

Telephone:
Jeff—647-2495
Sally—647-2495
Pavilion—647-2809



PURCHASERS SETTLEMENT STATEMENT

PURCHASERS: DONALD D. & CORYILL K. WEEG, a husband & wife

ADDRESS: SIOUX FALLS, S.D.

SELLERS: RICHARD & VERA PERRY, Eugene, Oregon

PURCHASE OF: The SE 1/4 plus 30 acres in the SW 1/4, 22-99-53
Turner Co., S.D.

SALE PRICE: \$770 per acre x 181 acres \$139,370.00

10% DOWNPAYMENT (taken 1-26-93) \$-13,937.00

BALANCE DUE \$125,433.00

AQUISITION EXPENSES

RECORDING FEE	\$5.00	TURNER CO. REG. OF DEEDS
TITLE WORK	\$0.00	PURCHASER PAID OWN TITLE SEARCH
		ATTORNEY: D. DUNCAN, PARKER, S.D.
TOTAL EXPENSES	\$5.00	

REAL ESTATE TAXES: All real estate tax paid by Seller through
12-31-92.

TOTAL EXPENSES OF AQUISITION \$ 5.00

NET DUE FROM PURCHASER \$125,438.00

DATE: 3-8-93 BY: Jeff Goeman

ACCEPTED BY: X Don Weeg



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 24, 1993

No. 4958-3

Donald and Coryill Weeg
4504 West 12th St.
Sioux Falls, SD 57107

Dear Mr. and Ms. Weeg:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 4958-3.

Our records now show you as the owner of Water Permit No. 4958-3.

Sincerely,

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

enclosure

RECEIPT

413687

Division of Water Rights

South Dakota Department of Environment and Natural Resources

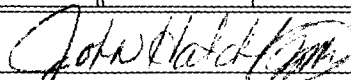
Pierre, _____ March 22 _____, 19 93

RECEIVED OF Don Weeg, 4504 W 12th St, Sioux Falls, SD 57107

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 <u>Water Permit No. 4958-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By 
Chief Engineer

Permit No. 4958-3

Vermillion River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Donald and Coryill Weeg of 4504 West 12th St. Sioux Falls, SD 57107 holder of Permit No. 4958-3, bearing the priority of March 30, 1983 authorizing the diversion of 2.70 cu. ft. per second of the waters of Parker-Centerville Aquifer for irrigation purposes, in Turner County.

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

A. Works used to divert the water:

One well - 42' deep with 32' of 14" steel casing and 10' of 12" type 304 ss screen, Valley pump, Model No. 10 HHE.4A, 10", 4 stages, 700 GPM @ 35 PSI, Fairbanks-Morse Motor, 40 HP

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

30' of 10" aluminum pipe

C. Works used to apply water to beneficial use:

Zimmatic Model No. 307410 9 tower center pivot system, 1300' long with end gun, high pressure, 650 GPM

The system is in the following condition good. The point of diversion is located 1749'W and 1386'N of the SE corner of Section 22-T99N-R53W. The works are capable of diverting and conveying to the place of use 1.44 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 22-T99N-R52W:

NE1/4 SW1/4 = 10 acres

SE1/4 SW1/4 = 9 acres

NW1/4 SE1/4 = 22 acres

SW1/4 SE1/4 = 37 acres

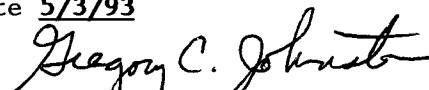
NE1/4 SE1/4 = 2 acres

SE1/4 SE1/4 = 21 acres

comprising a total of 101 acres of land and the license should be issued for 1.44 cfs.

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: None Date 5/3/93


Gregory C. Johnston
Natural Resources Engineer II
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NUMBER 4958-3

DATE 5/3/93

Other permit(s) associated with the project None

DIVERSION POINT LEGAL LOCATION: 1749'W and 1386'N of the SE corner of Section 22-T99N-R53W

WELL INFORMATION: Well Drilling Firm Lacey Well Drilling

No. of Wells 1 Depth(s) 42

a) Casing: 1) diameter 14" inches

2) length 32 feet

3) type steel

d) Static Water Level 4 feet

e) Motor:

1) make Fairbanks-Morse

2) model No. unknown

3) horsepower rating 40 hp

b) Screen: 1) type 12" 304 Stainless steel

2) length 10 feet

1) make Valley

2) model 10 HHE.4A

3) size 10 inches

4) capacity 700 GPM

5) turbine pump - No. of stages 4

6) operating pressure 35 PSI

DISTRIBUTION LINES OR CANALS:

a) type Aluminum

b) size 10 inches

c) length 30 feet

System Type:

e) Center pivot:

1) make Zimmatic

2) overall length 1300 feet

3) number of towers 9

4) distance between towers 145 feet

5) end gun Y (Y/N)

6) high or low pressure High

7) capacity 650 GPM

CHEMIGATION EQUIPMENT:

a) does chemigate N (Y/N)

PERMIT QUALIFICATIONS AND REGULATIONS:

a) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y (Y/N)

b) Special qualifications to permit being abided by Y (Y/N)

c) All structures, wells and lands on map Y (Y/N)

d) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y (Y/N)

NOT TO SCALE



T-1875
NO. 4958-3

DON WEEG

Drawn by: Gregory C. Johnston

Gregory C. Johnston
Natural Resources Engineer II
Water Rights Division, DENR

6/8/93

15.3
↑ N
1"=660'

All in Section 22-T99N-R53W:

NE¹/₄ SW¹/₄ = 10 acres

SE¹/₄ SW¹/₄ = 9 acres

NW¹/₄ SE¹/₄ = 22 acres

SW¹/₄ SE¹/₄ = 37 acres

NE¹/₄ SE¹/₄ = 2 acres

SE¹/₄ SE¹/₄ = 21 acres

Total = 101 acres

NE¹/₄ SW¹/₄ = 10 acres

NW¹/₄ SE¹/₄ = 22 acres

SE¹/₄ SW¹/₄ = 9 acres

SW¹/₄ SE¹/₄ = 37 acres

SE¹/₄ SE¹/₄ = 21 acres

Well

Center Pivot

4958-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 7, 1993

4958-3

Donald and Coryill Weeg
4504 West 12th St.
Sioux Falls, SD 57107

Dear Mr. and Ms. Weeg:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 4958-3, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

Sincerely,

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

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 30, 1993

SECOND NOTICE

Permit No: 4958-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Donald and Coryill Weeg
4504 West 12th St.
Sioux Falls, SD 57107

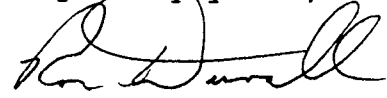
Dear Mr. and Ms. Weeg:

On July 7, 1993, you were notified the final inspection fee of \$50.00 is due before Water License No. 4958-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,


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

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
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

4958-3

Donald and Coryill Weeg
4504 West 12th St.
Sioux Falls, SD 57107

4a. Article Number

P 318 052 613

4b. Service Type

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

7. Date of Delivery

10/2/93

5. Signature (Addressee)

Coryill Weeg

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

6. Signature (Agent)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 15 1993

4958-3

Donald and Coryill Weeg
4504 W. 12th
Sioux Falls, SD 57107

Dear Mr. and Ms. Weeg:

Enclosed is Water License No. 4958-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413909 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4958-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

gm
enclosures

RECEIPT

413909

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, October 7, 19 93

RECEIVED OF Coryill Weeg, 4504 W. 12th St, Sioux Falls, SD 57107

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. <u>4958-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4958-3

(1) Louis B Perry, of Portland, Oregon made Application No. 4958-3, March 30, 1983 for a water permit to appropriate 2.70 cubic feet of water per second from groundwater (one well), Turner County, South Dakota for irrigation purposes. Permit No. 4958-3, with a priority date of March 30, 1983 was approved July 20, 1983 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 20, 1988 and for the application to beneficial use of said water on or before July 20, 1992.

Transfers filed with Water Permit No. 4958-3 are as follows:

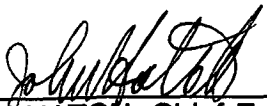
December 3, 1985, Louis B Perry to Vera T and Richard S Perry (Tenants in Common)
March 22, 1993, Vera T and Richard S Perry to Donald and Coryll Weeg

(2) It is certified that the applicant 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 1.44 cubic feet of water per second for beneficial use. The location of the diversion point is 1749'W and 1386'N of the SE corner of Section 22, T99N, R53W (NW¼SE¼).

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

T99N, R53W Section 22	NE¼ SW¼	10 acres
	SE¼ SW¼	9 acres
	NW¼ SE¼	22 acres
	SW¼ SE¼	37 acres
	NE¼ SE¼	2 acres
	SE¼ SE¼	21 acres
	Total	101 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Donald and Coryll Weeg of 4504 W 12th, Sioux Falls, SD 57107 the holders and/or owners of Water Permit No. 4958-3 are issued a license to appropriate water, the right to use 1.44 cubic feet of water per second from groundwater (one well) with a priority date of March 30, 1983 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. 4958-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

OCT 15 1993

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 1, 1996

Don Weeg
4504 W 12th
Sioux Falls, SD 57107

Dear Mr. Weeg:

Thank you for your telephone call of November 1st. As you requested, the following is a list of your water permits and water rights which includes the legal descriptions of acres authorized for irrigation:

No.	Acres - Legal Description	County
No. 2230-3	136 acres - NE $\frac{1}{4}$ Sec 20, T98N, R52W	Turner
No. 2479-3	258 acres - S $\frac{1}{2}$ Sec 2, T113N, R51W	Hamlin
No. 3541-3	228 acres - NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 17 & SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 18, 98N, 52W	Turner
No. 4342-3	120 acres - SW $\frac{1}{4}$ Sec 19, T113N, R50W	Deuel
No. 5374-3	160 acres - E $\frac{1}{2}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec 1, T113N, R51W	Hamlin
No. 439-3A	127 acres - SE $\frac{1}{4}$ Sec 26, T99N, R53W	Turner
No. 4341-3	62 acres - N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 9, T99N, R53W	Turner
No. 4958-3	101 acres - SE $\frac{1}{4}$ & E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 22, T99N, R53W	Turner

If you have any questions concerning the above information or with completion of your irrigation questionnaires, please contact me.

Sincerely,

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

RECEIVED

MAR - 2 2011

WATER RIGHTS
PROGRAM

2-25-2011

GENNY McMAH. .

I recently talked to you about sending the irrigation questionnaire to the farmers that I now rent the land too. Enclosed Below are the names, addresses, and well permit # and Location.

WAYNE BOSSMAN
422 E 2nd ST.

PARKER, S.D. 57053

- 1) # 439-3A 127 acres SE $\frac{1}{4}$ -26 T99N R53W-Turner
- 2) # 4341-3 62 acres N $\frac{1}{2}$ SW $\frac{1}{4}$ S-9 T99N R53W-Turner
- 3) # 4958-3 101 acres SE $\frac{1}{4}$ +E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 22-99-53-Turner

Wayne farms these 3 farms.

Richard LOUNSBERRY
28667 459 Avenue
DAVIS, S.D 57021

- 1) # 969-3 284 acres N $\frac{1}{2}$ S9-T97-R52 TURNER.
~~the~~ Richard Farms this farm.

Genny, thanks for sending the questionnaire to them. You may contact me at 605-338-1249 if you have any questions.

Thank you,
Don Wieg.

NOTICE OF TRANSFER OF OWNERSHIP

Mail to: PMB 2020
DENR – Water Rights Program
523 E. Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 4958-3

Date: 3-2-16

I/We request that Water Right/Permit No. 4958-3 formerly owned by:

Donald and Coryill Weeg be transferred to:

New Owner Name: Weeg Family Farms, LLLP
Address: 26857 469th Avenue
City, State, Zip: Sioux Falls, SD 57106 Telephone No. (605) 335-1104

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

The Southeast Quarter (SE1/4) except Lot H-1 and the East Thirty (30) acres of the
Southwest Quarter (SW1/4), all in Section Twenty-six (26), Township Ninety-nine (99)
North, Range Fifty-three (53) West of the 5th P.M., Turner County, South Dakota.

☒ I understand that the validity of Water Permit No. 4958-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Donald D. Weeg, as President of Weeg Trailer Park, Inc., the General Partner of Weeg Family Farms, LLLP, the new owner, certify that the above information is true and correct.

WEEG FAMILY FARMS, LLLP

General Partner:

WEEG TRAILER PARK, INC.

RECEIVED
MAR 07 2016
WATER RIGHTS
PROGRAM

By Donald D Weeg
Donald D. Weeg, President

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/7, 20 16

RECEIVED OF Woods, Fuller, Shultz & Smith PO Box 5027 Sioux Falls SD 57117

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>4958-3</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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **07779**

By *Jeanne Goodman*
Chief Engineer



4958-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 10, 2016

Donald D Weeg, President
Weeg Family Farms LLLP
26857 469th Ave
Sioux Falls SD 57106

RE: Water Right Nos. 439-3A, 969-3, 4122-3, 4341-3, 4694-3, 4958-3 and 6075-3

Dear Mr. Weeg:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted by Woods Fuller Law Firm on your behalf.

The ownership changes have been completed. The above listed water rights are now listed in the name of "**Weeg Family Farms LLLP**". The receipts for the filing fees are being forwarded with a copy of this letter to Woods, Fuller, Shultz and Smith PC.

If you have any questions, please let me know.

Sincerely,

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

c: Nicole J Peterson, Woods Fuller Shultz & Smith PC w/Receipts

4958-3

3-18-16

Please send all correspondence
that is sent from your office to
this address instead of the former

Donald D. Weeg

Weeg Family Farms LLLP New address

4504 W 12th

Sioux Falls S DAK

57107

RECEIVED

MAR 21 2016

WATER RIGHTS
PROGRAM

Weeg Family Farms LLLP

Farmer

26857 469th Ave

Sioux Falls S DAK 57106

Thank you for your time doing
this change.

Don Weeg

4504 W 12th

Sioux Falls S DAK

57107

605 (359 1612)