

Considered: _____

WATER PERMIT NO. 5201-3

MAP No. same

Name of Applicant Ed L. Curry

Post Office Address PO Box 517, Elk Point SD 57025

Amount of Water Claimed 2.37 Total Acres 166.2

Source of Water Supply ground water - 1 well

Water to be used for irrigation County Union

About 4 miles SE of Elk Point

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received June 27, 1988 Fee \$250⁰⁰ Remarks _____

Corrected Application Received _____ Period of Annual Use Apr 1 - Nov 30

WATER QUALITY APPROVAL RECEIVED ✓ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES NO REMARKS _____

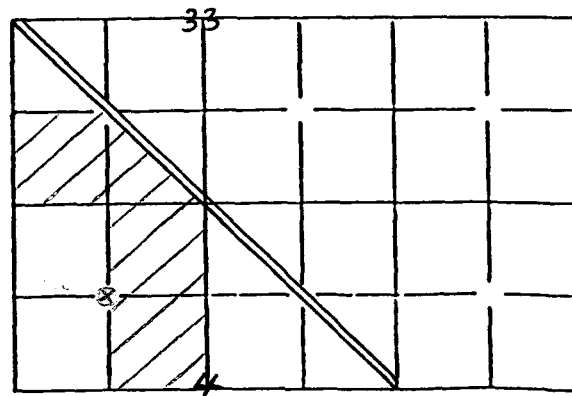
Diversion Point near center of NW 1/4 section 4-

T90N-R49W

Land to be Irrigated Lot B of Govt. Lot 1 and 2 of

NW 1/4 less Lot H-1 and H-2 section 4-T90N-

R49W; S 1/2 SW 1/4 section 33-T91N-R49W

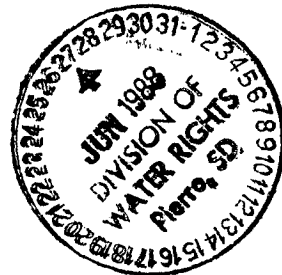


Well Log: Driller Wetmore Drilling Licensed YES NO

Depth of Well ~100 feet REMARKS _____

Type of Map aerial photo PREPARED BY L.F. DeSmet Reviewed and the Number

assigned on June 27, 1988 By Ron D. J. [Signature]

No. 5201-3Map No. same Water Division No. 10170101 Missouri R. District
Above for Office Use

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

Check one of the following:

New X Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Ed L. Curry Phone No. (605) 356-3366Post Office Address P.O. Box 517, Elk Point State South Dakota 57025
(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) Direct

3. Name of diversion work _____

4. Amount of water claimed (cubic feet per second) 2.37 CFS5. Source of water supply ground water 1 well6. Location of point of diversion near center of NW $\frac{1}{4}$ Section 4-T90N-R49WCounty Union7. Annual period or periods during which water is to be used Summer months April 1 - November 308. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 166.20

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.
Lot B - Govt. Lot 1 & 2 of	
NW $\frac{1}{4}$ West Lot H-1 and H-2	
Sect. 4 Twn. 90 N	
Range 49 West	95.5

Land Description	No. Acres Irr.
South $\frac{1}{2}$ of Southwest $\frac{1}{4}$ less	
11.78 acres of Sect. 33	
Township 91 N. & 49 West	70.7

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Leader-Courier
Elk Point, SD

12. Principal Features of the Proposed Water Supply System.

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

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

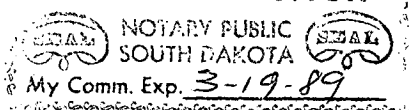
C. Works proposed to apply water to beneficial use.

Irrigation

Estimated Total Cost \$ _____

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)
)ss.
County of UNION)I, Ed L. Curry 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 Ed L. CurrySubscribed and sworn to before me this 24 day of June, 1988

BOBBIE L. LIVINGSTON

Bobbie L. Livingston
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. _____

(Applicant)

(Post Office Address)

(State)

With the following qualifications.

Date of first receipt of application _____, 19____

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application _____, 19____

Approved _____, 19____, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. _____

The Water Management Board hereby grants and issues this Water Right Permit No. _____ 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 _____, 19____
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____, 19____
3. The whole of said work is to be completed on or before _____, 19____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____, 19____
5. The water appropriated shall be used for the purpose of _____

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 _____ 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 _____, 19____; said water to be used during the following described annual period: _____

Witness my hand this _____ day of _____, 19____

THE WATER MANAGEMENT BOARD

By: _____
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

**SOUTH DAKOTA
WATER PERMIT FOR IRRIGATION**

Date of first receipt of application June 27, 1988

Date Soil/Water Compatibility Permit received April 4, 1977

Date of return to applicant for correction, amendments or changes required June 28, 1988

Date of receipt of corrected application July 12, 1988

The Water Management Board approved Water Permit Application No. 5201-3

on July 27, 1988 for Ed L. Curry

(Applicant)

P.O. Box 517

(Street, RR or Box)

Elk Point

(City)

South Dakota

(State)

57025

(Zip Code)

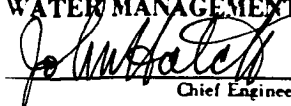
authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5201-3 appropriates 2.37 cubic feet of water per second from one well approximately 100 feet deep to irrigate 166.2 acres. The well is to be located near the center of the NW $\frac{1}{4}$ Section 4 and the land to be irrigated is in Lot B of Govt. Lots 1 and 2 of NW $\frac{1}{4}$ less Lots H-1 and H-2 Section 4; all in T90N-R49W; S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 33-T91N R49W. This replaces Water Permit No. 3854-3, which has been cancelled due to non construction
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - November 30
3. The date from which applicant may claim the right is June 27, 1988
4. One-fifth of the construction is to be completed on or before January 27, 1991
5. All construction is to be completed on or before July 27, 1993
6. Water is to be put to beneficial use on or before July 27, 1997
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
Chief Engineer

DEC 1 1988

Division of Water Rights
Dept. of Water and Natural Resources

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 24" Depth 135'
- b) Casing Type P V C Diameter 16" Thickness 1/2" wall
- c) Screen Type P V C slotted Diameter 16" Thickness 1/2" wall
- d) Gravel Pack Thickness 4" Length of Gravel Pack Screen 40' Gravel Pack 52'
- e) Depth to Top of Water Bearing Material 30'
- f) Depth to Water (ground surface to water level) 30'
- g) Distance to nearest existing domestic well:
 On applicants property 0 On property owned by others 3/4 MI

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

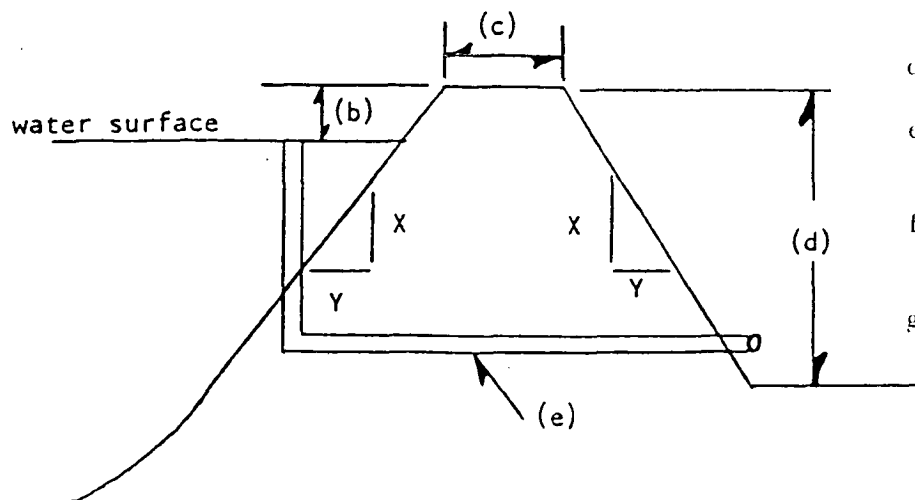
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30, Depth 100
- (2) Casing, Type Transite Diameter 16 Thickness 1 1/2"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
- Type Sawed slotted, Diameter 16, Length 39
- (4) Gravel Pack. Thickness 14, Length of gravel pack 50

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials Water bearing sand

Depth to top of water bearing material 35

Depth to bottom of water bearing material 100

Thickness of water bearing material 65

Depth to water (ground surface to water level) 18

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

On same owner's property 0 rds. On property owned by others 160 rds.

G. Water Storage Dams.

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

Ed. L. Curry

Signature of Applicant

012
March 22, 1977

Mr. Ed Curry
Box 517
Elk Point, SD 57025

Dear Mr. Curry:

Your water sample (Lab. No. 77-361) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

This water is marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

(1) It will be used no more than 3 times (preferably less) in any growing season.

(2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.

(3) Water applications will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.

(4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

P. Pahl, Extension Service

P.S. Apparently this is a particularly poorly drained phase of Lamoure clay. The outlook is not good. I would think very carefully before making the investment on this tract.

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME Ed Curry
ADDRESS Box 517 Elk Point So Dak 57025
COUNTY Union

LEGAL DESCRIPTION

1. WELL LOCATION SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 4 - 90 - 50
2. LOCATION OF AREA TO BE IRRIGATED E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 4 - 90 - 50
S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 33 - 91 - 49

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED Corn, oats, beans - alfalfa

WATER QUALITY

5. SAMPLE NUMBER 77-361
6. SALINITY (EC X 10⁶) 1179 (high)
7. SODIUM (SAR) 1.41 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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

Ed. L. Curry

APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
23rd DAY OF February 1977.

[Signature]
Notary Public, South Dakota
(TITLE OR SEAL)

[Signature]
APPROVED/ [Signature]

REPORT OF ANALYSIS
Water Quality Laboratory,
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Ed Curry
Address: Box 517
Elk Point, SD 57025

Date Rec'd: March 2, 1977
Sample No.: 77-361
Identification: Well-
NE1, Sec. 4, T 90N, R 50W

WATER ANALYSIS

Calcium (Ca)	123	ppm*	6.15	me/l**
Magnesium (Mg)	29	ppm	2.38	me/l
Sodium (Na)	69	ppm	3.00	me/l
Potassium (K)	7	ppm	0.18	me/l
Sulfate (SO ₄)	130	ppm	2.70	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.15	me/l
Bicarbonate (HCO ₃)	664	ppm	10.88	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	544	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1179	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.45	% of cations		
Sodium	25.61	me/l		
Residual sodium carbonate	2.35			
pH	7.27			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS:

Total cations	11.71	me/l
Total anions	13.73	me/l

By: Shirley Mittan

Service Performed

Amount Due

Irrigation analysis

\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-361

Amount Enclosed: _____

Signed: _____

10-85

Date 7-19-83

Appl. No. 5201-3

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411295

Pierre, June 28, 19 88

RECEIVED OF Curry Seed Co., PO Box 517, Elk Point, SD 57025

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 _____	250	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 _____		
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	250 00

By John Hatch
Chief Engineer

JOHN HATCH MS

Report on Application No. 5201-3
Ed L Curry
June 24, 1988

This application proposes to appropriate 2.37 cfs from a well approximately 100 feet deep to irrigate 166.2 acres. The well is to be located near the center of the NW 1/4 of Section 4, T90N, R49W and the land to be irrigated in Lot B of Govt. Lot 1 and Lot 2 of NW 1/4 less Lot H-1 and H-2, Section 4, T90N, R49W; S 1/2 SW 1/4 Section 33, T91N, R49W, all in Union County.

Aquifer - Missouri-Elk Point (M-EP)

The Missouri-Elk Point (M-EP) is an alluvium mantled glacial outwash (sand and gravel) which can either be under artesian or water table conditions in this area. Because the alluvium consists of sand, silts and clays it is also considered part of the M-EP aquifer even though the water levels may respond differently. The M-EP underlies 99,600 acres and contains an estimated 1.5 million acre-feet of recoverable water in Union County (Hedges, 1982). The aquifer is hydraulically connected to the M-EP and the Lower Vermillion-Missouri (LVM) aquifers in Clay County and the Big Sioux and Missouri Rivers.

The Division of Water Rights monitors 27 observation wells completed either into the alluvium or the M-EP aquifer in Union County. One of the wells UN-80E (Water Rights, 1988) is located about one mile north of this application and the water level data for this well is included with this report. Water levels trends in this area tend to mirror climatic conditions, that is, water levels rise during wet years and decline during dry years. There are numerous high capacity wells developed in Union County from the M-EP with specific capacities of 50-100 gpm/ft of drawdown (Well Files, 1988). Interference is not a problem because significant drawdowns do not extend very far from the producing well. Also the aquifer thickness is more than adequate to handle a few feet of drawdown.

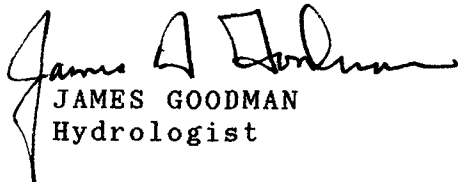
Review of Existing Water Permits

This area of Union County is fairly intensively irrigated. There are three existing irrigation permits within 1 mile of this proposed diversion point. There have been no water availability problems in this area.

Conclusions

1. Water is available for the M-EP Aquifer.
2. Interference is not expected to be a problem. Existing wells have a high specific capacity and significant drawdowns do not extend very far from the production wells. The hydrograph for UN-80E illustrates drawdowns are not significant.

3. Water level information from the observation well network indicates recharge to the aquifer is sufficient to sustain existing withdrawals.
4. No well log or test hole data was submitted with this application.
5. The well authorized by this permit must be constructed in accordance with South Dakota Well Construction Standards.


JAMES GOODMAN
Hydrologist

Bibliography

Hedges, L.S., Etal, 1982, Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River SD and Iowa, for US Army Corps of Engineers, DWNR, SDGS, Vermillion SD 57069.

Water Rights, 1988, Observation Well Data for UN-80E and Union County, DWNR, Division of Water Rights, Joe Foss Bldg, Pierre SD.

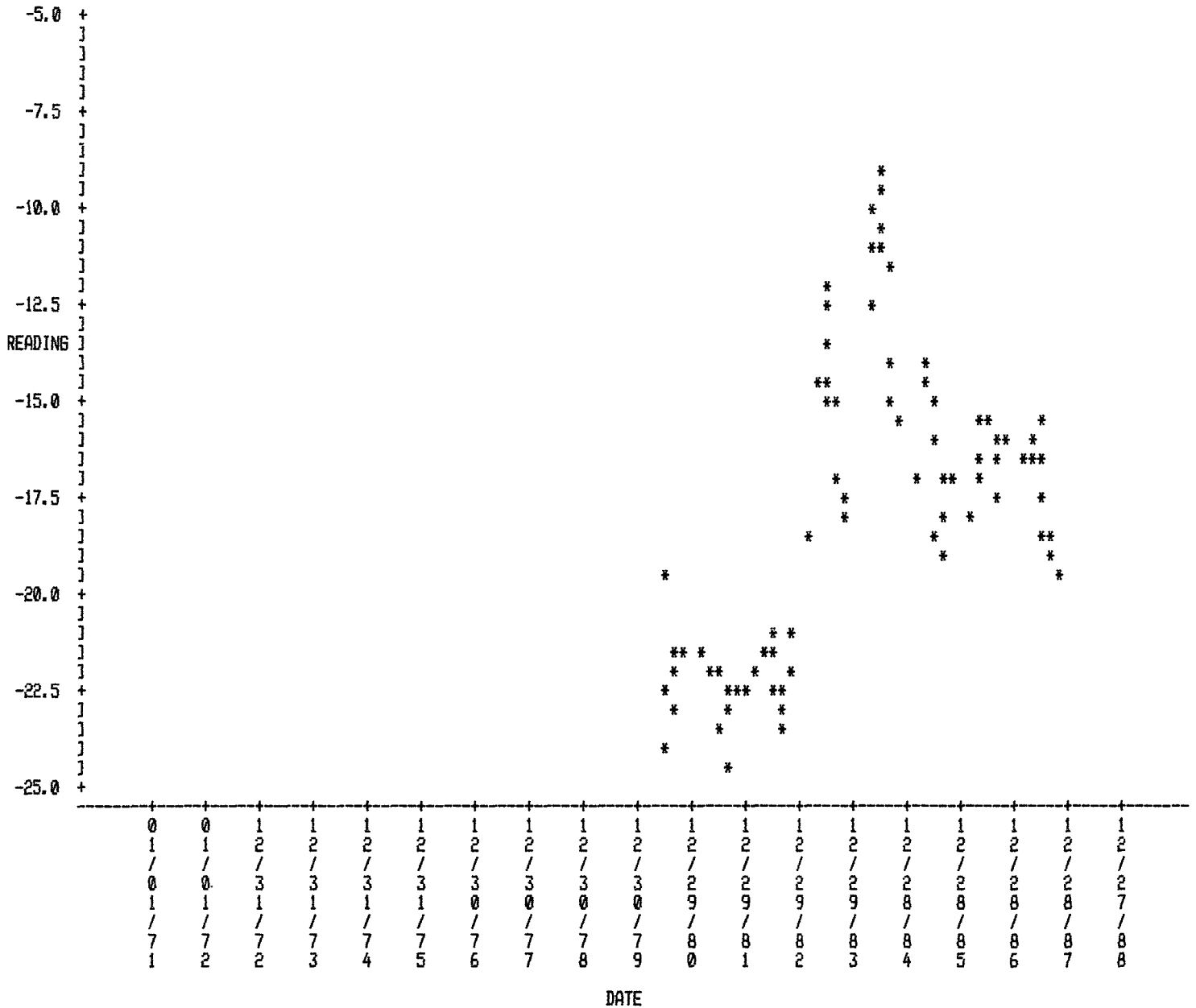
Well Files, 1988, Union County Drillers Logs, DWNR, Division of Water Rights, Joe Foss Building, Pierre SD 57501.

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
UN-80E	091N-49W-338888 2	06/04/80	-19.5
UN-80E	091N-49W-338888 2	06/11/80	-19.4
UN-80E	091N-49W-338888 2	06/25/80	-19.7
UN-80E	091N-49W-338888 2	07/09/80	-22.6
UN-80E	091N-49W-338888 2	07/23/80	-23.9
UN-80E	091N-49W-338888 2	08/06/80	-23.2
UN-80E	091N-49W-338888 2	08/21/80	-21.9
UN-80E	091N-49W-338888 2	09/03/80	-21.6
UN-80E	091N-49W-338888 2	09/16/80	-21.6
UN-80E	091N-49W-338888 2	10/22/80	-21.4
UN-80E	091N-49W-338888 2	03/06/81	-21.7
UN-80E	091N-49W-338888 2	03/25/81	-21.7
UN-80E	091N-49W-338888 2	05/05/81	-22.1
UN-80E	091N-49W-338888 2	06/02/81	-22.1
UN-80E	091N-49W-338888 2	06/24/81	-21.9
UN-80E	091N-49W-338888 2	07/07/81	-21.8
UN-80E	091N-49W-338888 2	07/29/81	-23.6
UN-80E	091N-49W-338888 2	08/11/81	-24.3
UN-80E	091N-49W-338888 2	08/26/81	-23.1
UN-80E	091N-49W-338888 2	09/16/81	-22.6
UN-80E	091N-49W-338888 2	10/28/81	-22.3
UN-80E	091N-49W-338888 2	12/09/81	-22.3
UN-80E	091N-49W-338888 2	03/01/82	-21.8
UN-80E	091N-49W-338888 2	05/04/82	-21.5
UN-80E	091N-49W-338888 2	06/01/82	-20.9
UN-80E	091N-49W-338888 2	06/15/82	-21.0
UN-80E	091N-49W-338888 2	06/28/82	-21.1
UN-80E	091N-49W-338888 2	07/13/82	-21.5
UN-80E	091N-49W-338888 2	07/27/82	-22.5
UN-80E	091N-49W-338888 2	08/10/82	-23.2
UN-80E	091N-49W-338888 2	08/22/82	-23.5
UN-80E	091N-49W-338888 2	09/09/82	-22.5
UN-80E	091N-49W-338888 2	10/06/82	-21.9
UN-80E	091N-49W-338888 2	11/08/82	-21.1
UN-80E	091N-49W-338888 2	03/02/83	-18.7
UN-80E	091N-49W-338888 2	04/19/83	-14.6
UN-80E	091N-49W-338888 2	05/18/83	-14.6
UN-80E	091N-49W-338888 2	05/31/83	-14.8
UN-80E	091N-49W-338888 2	06/14/83	-14.7
UN-80E	091N-49W-338888 2	06/27/83	-12.2
UN-80E	091N-49W-338888 2	07/13/83	-12.4
UN-80E	091N-49W-338888 2	07/25/83	-13.6
UN-80E	091N-49W-338888 2	08/09/83	-15.1
UN-80E	091N-49W-338888 2	08/21/83	-17.2
UN-80E	091N-49W-338888 2	09/13/83	-17.1
UN-80E	091N-49W-338888 2	10/18/83	-17.6
UN-80E	091N-49W-338888 2	11/16/83	-17.8
UN-80E	091N-49W-338888 2	04/11/84	-12.6
UN-80E	091N-49W-338888 2	05/09/84	-9.9
UN-80E	091N-49W-338888 2	05/22/84	-10.9
UN-80E	091N-49W-338888 2	06/04/84	-11.1
UN-80E	091N-49W-338888 2	06/18/84	-9.4
UN-80E	091N-49W-338888 2	07/02/84	-8.9
UN-80E	091N-49W-338888 2	07/17/84	-10.6
UN-80E	091N-49W-338888 2	07/30/84	-11.7

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
UN-80E	091N-49W-33BBBB	2 08/13/84	-13.9
UN-80E	091N-49W-33BBBB	2 08/29/84	-14.9
UN-80E	091N-49W-33BBBB	2 10/02/84	-15.5
UN-80E	091N-49W-33BBBB	2 11/07/84	-15.3
UN-80E	091N-49W-33BBBB	2 03/19/85	-17.1
UN-80E	091N-49W-33BBBB	2 04/30/85	-13.9
UN-80E	091N-49W-33BBBB	2 05/20/85	-14.3
UN-80E	091N-49W-33BBBB	2 06/04/85	-14.9
UN-80E	091N-49W-33BBBB	2 06/11/85	-15.1
UN-80E	091N-49W-33BBBB	2 06/19/85	-16.0
UN-80E	091N-49W-33BBBB	2 07/03/85	-15.2
UN-80E	091N-49W-33BBBB	2 07/16/85	-18.6
UN-80E	091N-49W-33BBBB	2 07/30/85	-18.9
UN-80E	091N-49W-33BBBB	2 08/19/85	-18.0
UN-80E	091N-49W-33BBBB	2 09/18/85	-17.2
UN-80E	091N-49W-33BBBB	2 10/23/85	-17.1
UN-80E	091N-49W-33BBBB	2 03/20/86	-17.9
UN-80E	091N-49W-33BBBB	2 03/31/86	-16.8
UN-80E	091N-49W-33BBBB	2 04/15/86	-16.4
UN-80E	091N-49W-33BBBB	2 04/28/86	-15.6
UN-80E	091N-49W-33BBBB	2 05/26/86	-15.3
UN-80E	091N-49W-33BBBB	2 06/10/86	-15.3
UN-80E	091N-49W-33BBBB	2 06/24/86	-15.6
UN-80E	091N-49W-33BBBB	2 07/09/86	-15.6
UN-80E	091N-49W-33BBBB	2 07/29/86	-16.5
UN-80E	091N-49W-33BBBB	2 08/12/86	-17.5
UN-80E	091N-49W-33BBBB	2 08/27/86	-17.3
UN-80E	091N-49W-33BBBB	2 09/25/86	-16.2
UN-80E	091N-49W-33BBBB	2 10/22/86	-15.9
UN-80E	091N-49W-33BBBB	2 03/25/87	-16.4
UN-80E	091N-49W-33BBBB	2 05/05/87	-16.2
UN-80E	091N-49W-33BBBB	2 05/19/87	-16.4
UN-80E	091N-49W-33BBBB	2 06/03/87	-15.7
UN-80E	091N-49W-33BBBB	2 06/18/87	-16.7
UN-80E	091N-49W-33BBBB	2 07/01/87	-17.4
UN-80E	091N-49W-33BBBB	2 07/15/87	-18.4
UN-80E	091N-49W-33BBBB	2 07/31/87	-18.4
UN-80E	091N-49W-33BBBB	2 08/12/87	-18.9
UN-80E	091N-49W-33BBBB	2 08/25/87	-18.8
UN-80E	091N-49W-33BBBB	2 09/15/87	-19.1
UN-80E	091N-49W-33BBBB	2 10/28/87	-19.3

N= 96

PLOT OF READING*DATE SYMBOL USED IS *



NOTE: 19 OBS HIDDEN

UQS0009 - END OF DATA SET

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5201-3, Ed L. Curry

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5201-3, Ed L. Curry, Box 517, Elk Point SD 57025.

The Chief Engineer is recommending APPROVAL of Application No. 5201-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
June 24, 1988

Instruction to Newspaper - Publish first Notice on or before June 30, 1988 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5201-3 to Appropriate Water

Notice is given that Ed L. Curry, Box 517, Elk Point SD 57025 has filed an application for a water permit to appropriate 2.37 cubic feet of water per second from one well approximately 100 feet deep to irrigate 166.2 acres. The well is to be located near the center of the NW 1/4 Section 4-T90N-R49W and the land to be irrigated in Lot B of Govt. Lot 1 and 2 of NW 1/4 less Lot H-1 and H-2 Section 4-T90N-R49W; S 1/2 SW 1/4 Section 33-T91N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5201-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on July 27, 1988 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 15, 1988. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 15, 1988.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 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.

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

No. 5201-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

Lester E Emerson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the The Leader-Courier

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 Elk Point

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

June 30,
July 7

Lester E Emerson
(Signature)

Editor/Publisher
(Title)

July 7, 1988
(Date Signed)

Cost of Printing: 37.93



NOTICE OF HEARING ON
APPLICATION NO. 5201-3 TO
APPROPRIATE WATER

Notice is given that Ed L. Curry, Box 517, Elk Point, S. D. 57025 has filed an application for a water permit to appropriate 2.37 cubic feet of water per second from one well approximately 100 feet deep to irrigate 166.2 acres. The well is to be located near the center of the NW 1/4 Section 4-T90N-R49W and the land to be irrigated in Lot B of Govt. Lot 1 and 2 of NW 1/4 less Lot H-1 and H-2 Section 4-T90N-R49W; S 1/2 SW 1/4 Section 33-T91N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5201-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre, S. D. on July 27, 1988 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested persons that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 15, 1988. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, S. D. 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically

delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 15, 1988.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15, 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-35, 46-5-30.2, 46-5-30.4, 46-5-31; 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.

For the Water Management Board
Ron Duvall
Natural Resources Engineer
Pub. June 30, July 7.

Attention : David Curry
Curry Seed Co.
6/24/88 356 - 3366

This information with the exception of the letter addressed to Ed L. Curry needs to be delivered to the newspaper. The original of the letter and publication notice will be forwarded to you.

Ron Durvall

South Dakota Department of
Water & Natural Resources

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

June 28, 1988



Ed L. Curry
Curry Seed Company
Box 517
Elk Point SD 57025

Dear Mr. Curry:

This letter is in response to the water permit application received on June 27, 1988. The following information is needed to complete the application:

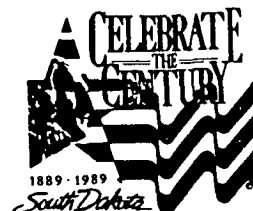
1. David Curry indicated the well is to be located near the center of the NE1/4 section 4-T90N-R49W. After reviewing my notes during a phone conversation with Bill Curry on June 17, 1988, I found the well has supposedly already been constructed. If the well has been constructed, then a driller's well log is needed if the log can be obtained. The (as-constructed) well information on the enclosed Form 2A also needs to be completed. If the well has not been constructed, then the proposed well construction needs to be submitted on the enclosed Form 2A. A test hole log will also be needed to complete the application if the well is yet to be constructed.
2. Enclosed for your information is a map outlining the acreage to be irrigated based on the map submitted with the original water permit which was not developed.

Water Permit Application No. 5201-3 can not be considered by the Water Management Board until the application is totally complete. Please complete and return the enclosed Form 2A (well information) with the well log and indicate if the well is existing or is to be drilled. Contact me if you have any questions.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.





Department of Water & Natural Resources

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

DEC 1 1989

Ed L. Curry
PO Box 517
Elk Point, South Dakota 57025

Dear Mr. Curry:

Enclosed is Water Permit No. 5201-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in Water Permit No. 5201-3.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

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.

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate December 6, 1988TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181FROM: Ed L. Curry P.O. Box 517 Elk Point
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5201-3.

Water Permit No. 5201-3 states that the diversion system is to be constructed by 7/27/93, and that the water it put to beneficial use by 7/27/97.

The diversion system was completed on 7/20/88.
Applying the water to beneficial use was completed on 7/20/88.

You may schedule an inspection so that the Water License may be issued.

William J. Curry for Elk
signature
Box 517
Elk Point SD



GREAT FACES. GREAT PLACES.

February 1, 1991

ED L CURRY
PO BOX 517
ELK POINT SD 570250517

DEPARTMENT OF WATER & NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit No(s) 5201-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 5201-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 5201-3 qualification:

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

The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

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

1. Suspend Permit No(s) 5201-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

ED L CURRY
PO BOX 517
ELK POINT SD 570250517

4. Article Number

P694057525

Type of Service:

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

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee

X *Brian Livingston*

6. Signature — Agent

X

7. Date of Delivery

FEB 4 1991

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



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 11, 1991

Curry Seed Company
Box 517
Elk Point, SD 57025

RE: Irrigation Questionnaires and/or Chemical Application Use
Data for Water Permit Nos. 237-3, 306-3, 324-3, 501-3, 1086-3,
1133-3, 1136-3, 1297-3, 1530-3, 2141-3, 2189-3, 2370-3, 2371-3,
2450-3, 2940-3, 3910-3, 4438-3, 4582-3, 4598-3, 5030-3, 5201-3,
and 5254-3

Dear Sir:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and/or chemical application use data for the above listed Water Permits. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

Permit No. 5201-3

Missouri 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 Ed L. Curry of Box 517 Elk Point, SD 57025 holder of Permit No. 5201-3, bearing the priority of June 27, 1988 authorizing the diversion of 2.37 cu. ft. per second and/or the storage of acre-feet of the waters of Missouri-Elk Point Aquifer for irrigation purposes, in Union County.

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

A. Works used to divert the water:

Section 4 - 1 well - 135' deep with 135' of 16" of plastic casing and 40 feet of 16" 100 slot PVC screen; Pump - Western Land Roller 3 stage pump 10" outlet 1000 GPM @ 80 psi; Motor - John Deere Model# 6359TF002 130 HP

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

Section 4 - 10' of 8" Galvanized steel

C. Works used to apply water to beneficial use:

Valley Center Pivot - 7 Towers, 1120' long with Toro End Gun and Rain Bird Nozzles High Pressure, 900 GPM

The system is in the following condition Good. The point of diversion is located ~100' North of the center of the NW1/4 Section 4 - T90N - R49W, Union County, SD. The works are capable of diverting and conveying to the place of use 2.00 cu. ft. per second of water and/or storing acre-feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in T90N - R49W: Section 4- Lot B of Govt. Lots 1&2 of NW1/4 Less Lots H-1 and H-2
66 acres

comprising a total of 66 acres of land and the license should be issued for 0.94 cfs and/or acre-feet of storage.

Application permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: None

Date 7-11-1991

Gregory C. Johnston
Natural Resources Engineer

LICENSE FOR PERMIT NUMBER 5201-3

1. Legal location of wells: ~100' north of the center of the NW1/4 Section 4 - T90N - R49W Union County, SD

Dams and Structures None

2. Well Information: Well Drilling Firm Wetmore Drilling

Completion Report? Yes X No No. of Wells 1 Depth(s) 135 feet

Casing a) diameter 16 inches Screen a) type 16" 100 slot PVC

b) length 135 feet b) length 40 feet

c) type Plastic Static Water Level 19 feet

Pump a) make Western Land Roller Motor a) make John Deere

b) model Unknown b) model no. 6359TF002

c) size 10" c) horsepower rating 130

d) capacity 1000 GPM d) serial no. Unknown

e) turbine pump - no. of stages 3

f) operating PSI 80

3. Distribution lines or canals

a) size 8 inches

b) type Galvanized steel

c) length 10 feet

4. Dam Information:

a) height to crest feet m) Outlet tubes:

b) height to primary spillway feet 1) diameter inches

c) height to secondary spillway feet 2) type

d) crest width feet 3) valved (Y/N)

e) crest length feet 4) valve type

4. Dam Information Continued:

- | | | |
|--------------------------------------|-------|---------------------------|
| f) spillway length | feet | 5) location on structure: |
| g) spillway width | feet | |
| h) approx. storage | AC-FT | n) Category of Dam |
| i) approx. storage to crest | AC-FT | |
| j) date constructed | | |
| k) inspection sheet completed? (Y/N) | | |
| l) name of contractor | | |

5. System Type a) sideroll:

- 1) length feet
- 2) diameter of pipe inches
- 3) make, model & number of sprinklers
- 4) spacing of sprinklers feet
- 5) nozzle size

c)gun:

- 1) make
- 2) nozzle size
- 3) capacity (GPM)

b) towline:

- 1) length feet
- 2) make, model & number of sprinklers
- 3) spacing of sprinklers
- 4) nozzle size

d) center pivot:

- 1) make Valley
- 2) number of towers 7
- 3) distance between towers

- | | | | | |
|----------------|--------|-------------------|-----------------|------|
| 4) hose size | inches | 4) overall length | <u>1160</u> | feet |
| 5) hose length | feet | 5) end gun (Y/N) | <u>Y (Toro)</u> | |

- | | |
|-------------------------------|-------------------------------------|
| e) gated pipe: | 6) high or low pressure <u>High</u> |
| 1) length feet | 7) make and size of nozzles: |
| 2) diameter inches | <u>Rain Bird</u> |
| 3) spacing of gates inches | 8) capacity (GPM) <u>900</u> |

5. System Type Continued:

- | | |
|-------------------|-----------------------|
| f) portable boom: | g) siphons: |
| 1) make | 1) size inches |
| 2) nozzle size | 2) number |
| 3) capacity (GPM) | |

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project

- | Yes | No | Check Items |
|------------|----------|---|
| <u>X</u> | | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit? |
| <u>X</u> | | 2. Special qualifications to permit being abided by? |
| <u>X</u> | | 3. All structures, wells and lands on map? |
| <u>X</u> | | 4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period? |
| | <u>X</u> | 5. Is chemigation used? |
| <u>N/A</u> | | 6. If yes, does equipment comply with chemigation rules? |

REMARKS:



GREAT FACES. GREAT PLACES.

July 24, 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

5201-3

Ed L Curry
Box 517
Elk Point, SD 57025

Dear Mr. Curry:

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. 5201-3, 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,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst
(605) 773-3352

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412778

Pierre, August 6, 19 91

RECEIVED OF Curry Seed Company, P.O. Box 517, Elk Point, SD 57025

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>5201-3</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 John Hatch (JH)
Chief Engineer

$\wedge N$

5201-3 Ed L. Curry
Prepared by Gregory C. Johnson
91-49 Natural Resources
Engineer, DENR

7/18/91

Total acreage = 66

24R

Lot B of G. 1855
Lots 1 & 2 of NW 1/4
Less Lots H-1 &
H-2 Sec 4-90-49
Well
66 acres

5201-3

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5201-3

(1) Ed L. Curry of P.O. Box 517, Elk Point, SD 57025 made Application No. 5201-3, June 27, 1988 for a water permit to appropriate 2.37 cubic feet of water per second from groundwater, Union County, South Dakota for irrigation purposes. Permit No. 5201-3 with a priority date of June 27, 1988 was approved July 27, 1988 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before July 27, 1993 and for the application to beneficial use of said water on or before July 27, 1997.

(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 0.94 cubic feet of water per second for beneficial use. The location of the diversion point is: approximately 100'N of the center of the NW 1/4 Section 4, T90N, R49W.

(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:

T90N, R49W, Section 4: Lot B of Government Lots 1 and 2 of the NW 1/4 Less Lots H-1 & H-2 - 66 Acres.

(4) Pursuant to Section 46-5-30.1 Ed L. Curry of P.O. Box 517, Elk Point, SD 57025 the holder(s) and/or owner(s) of Water Permit No. 5201-3 is issued a license to appropriate water, the right to use 0.94 cubic feet of water per second from groundwater (one well) with a priority date of June 27, 1988 from the location specified in (2) of this license. The water is 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. 5201-3 and subject to South Dakota State Law.


SEP 17 1991
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



GREAT FACES. GREAT PLACES.

SEP 17 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

5201-3

Ed L. Curry
P.O. Box 517
Elk Point, SD 57025

Dear Mr. Curry:

Enclosed is Water License No. 5201-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412778 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. 5201-3, 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,

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

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

enclosures