

Considered: _____

WATER PERMIT NO. 5254-3

MAP No. same 356-3366

Name of Applicant Curry Seed Company

Post Office Address Box 517, 701N Walnut, Elk Point SD 57025

Amount of Water Claimed 1.71 Total Acres 120

Source of Water Supply ground water 1 well

Water to be used for irrigation County Union

About 1.0 miles E of Elk Point

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 1/25/89 Subject to _____

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

PRIORITY _____ Date Received Nov 15, 1988 Fee \$225.00 Remarks _____

11/15/88 _____

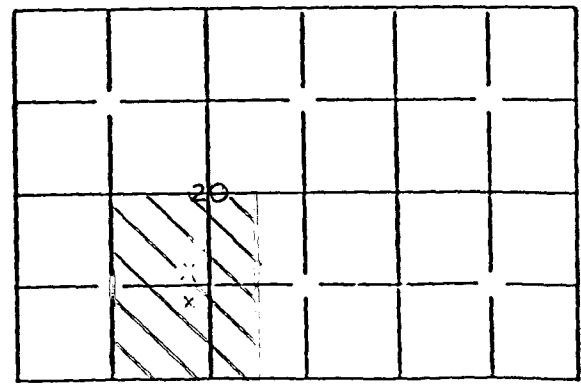
Corrected Application Received _____ Period of Annual Use Apr 1 - Sept 30

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

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point well : NE 1/4 SW 1/4 section 20 -
T91N - R49W

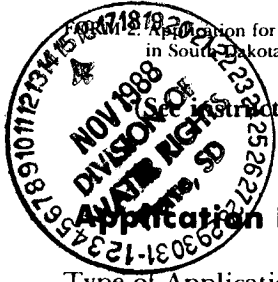
Land to be Irrigated E 1/2 SW 1/4, W 1/4 SE 1/4
section 20 - T91N - R49W



Well Log: Driller Wetmore Licensed YES ☒ NO ☐

Depth of Well 120 feet REMARKS _____

Type of Map aerial photo PREPARED BY Louie De Smet Reviewed and the Number assigned on December 13, 1988 By Ron Durrall

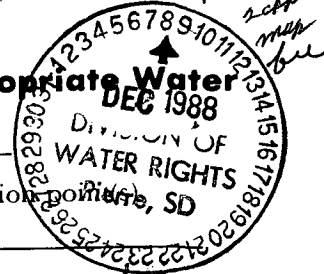


Application for irrigation (type or print)
in South Dakota

(Instructions)

No. 5254-3 Hydrologic Unit 10170101
Basin Missouri River
Newspaper Elk Point Leader - Courier, Box 310 (Thurs)

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352



Application For Soil/Water Compatibility Permit and Permit To Appropriately Use Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s) _____
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

1. Name of Applicant Curry Seed Co. Phone No. 605/356-3366
Post Office Address Box 517 701 N. Walnut Elk Point State South Dakota Zip Code 57025
(Street, RR or Box) (City)
2. Amount of water claimed (c.f.s) 1.71 Total acres irrigated 120 Acres
3. Source of Water supply Well
4. Location of point of diversion 975 ft from North Line 875' from The East Line Sec 20-91N-49 as shown on map
NE 1/4 SW 1/4 County UNION
5. Counties where water will be used Union
6. Annual period during which water is to be used April 1 - September 30
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
<u>E 1/2 SW 1/4 20-91N-49</u>	<u>30</u>
<u>W 1/2 NW 1/4 20-91N-49</u>	<u>20</u>
<u>NW 1/4 SE 1/4 20-91N-49</u>	<u>20</u>
<u>SW 1/4 SE 1/4 20-91N-49</u>	<u>20</u>

Land Description	No. Acres Irr.
<u>NE 1/4 SW 1/4 20-91-49</u>	<u>40</u>
<u>SE 1/4 SW 1/4 20-91-49</u>	<u>40</u>

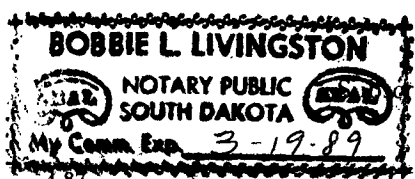
Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: Corn and Soybeans
10. Give a description of proposed project. (Attach sheet if more space is needed)
Well - PUMP and Center Pivot system

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of UNION)^{ss}

I, Curry Seed Co./WJC, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.



Signed Curry Seed Co. by WJC
Subscribed and sworn to before me this 14th day of November 1988
Bobbie L. Livingston
Notary Public

**SOUTH DAKOTA
WATER PERMIT FOR IRRIGATION**

Date of first receipt of application November 15, 1988

Date Soil/Water Compatibility Permit received January 21, 1989

Date of return to applicant for correction, amendments or changes required November 22, 1988

Date of receipt of corrected application December 8, 1988

The Water Management Board approved Water Permit Application No. 5254-3

on January 25, 1989 for Curry Seed Company

(Applicant)

Box 517, 701 Walnut

Elk Point

SD

57025

(Street, RR or Box)

(City)

(State)

(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. 5254-3 appropriates 1.71 cubic feet of water per second from one well (Missouri - Elk Point Aquifer) 120 feet deep to irrigate up to 120 acres. The well is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the acreage to be irrigated in the E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$; all in Section 20 T91N-R49W.
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 - September 30
3. The date from which applicant may claim the right is November 15, 1988
4. One-fifth of the construction is to be completed on or before July 15, 1991
5. All construction is to be completed on or before January 25, 1994
6. Water is to be put to beneficial use on or before January 25, 1998
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 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.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: *John H. Hatcher*

Chief Engineer

MAR 10 1989

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 120'
- 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 3/8 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 _____

WELL DRILLED BY:

WETMORE DRILLING (James Wetmore)
P. O. Box 577
Elk Point, SD 57025
Ph #605-356-3272

Capacity _____
meter _____

way Capacity _____
width _____

m _____

f Impoundment _____

_____ acre feet

Signature of Applicant _____

Drainage area above dam _____



Since 1935
CURRY
Seed Company

Ph. 605-356-3366
P.O. Box 517, Elk Point, SD 57025

November 14, 1988



S. Dak. Dept. of Water and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, S. D. 57501-3181

Attn: Ron Duvall

Dear Ron:

Please find enclosed an Application to appropriate water for irrigation on 95 acres of cropland near Elk Point.

If possible, we would like to have this reviewed at the next Board meeting. We do have a FAX machine at phone number 605-356-3300. We can then give the notice of publication to the Leader-Courier.

Anything that we can assist on the application, we would be glad to offer our assistance.

Thank you for your time and consideration. If a problem arises, please call collect at 605-356-3366.

Sincerely,

Bill Curry
Bill Curry

BC/an
encl. (3)



Department of Water & Natural Resources

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

773-3352

Water Rights Division

November 22, 1988

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



Dear Mr. Curry:

This is in response to the water permit application received from you on November 15, 1988.

The permit application is incomplete for the following reasons:

- ✓ (1) The description of the land to be irrigated does not correspond to that indicated on the enclosed map. The description and acreage of the land found on the map is:

E 1/2 SW 1/4	Sect. 20-T91N-R49W	-----80 ac
NW 1/4 SE 1/4	Sect. 20 " "	-----20 ac
SW 1/4 SE 1/4	Sect. 20 " "	-----20 ac

The total acreage would be 120 acres, not 95 acres as indicated on the enclosed application. Please indicate whether the map describes the correct acreage and make the proper changes on the application form. If the map is incorrect, please make any changes necessary on it and describe the acreage properly on the application form.

- ✓ (2) The amount of water claimed has been omitted on the enclosed application form. The maximum amount of water that can be claimed is 1 cubic foot per second (cfs) of water for each 70 acres irrigated. Using this figure, you could claim up to 1.71 cfs (approx. 765 gpm) for 120 acres. Please fill in the correct amount of water you want to claim on the enclosed application form.

- ✓ (3) The proper fee needs to be submitted with the application form. It is based on the number of acres to be irrigated (see #6 on the enclosed instruction sheet).

\$ 225.00
enclosed

- ✓ (4) A well log, signed by a South Dakota licensed well driller, needs to be submitted with the application (see #3 on the enclosed instruction sheet).



November 22, 1988
Ed Curry
Page 2

The Water Management Board cannot consider a water permit application until it is complete. Please clarify the acreage you wish to irrigate and the amount of water you are claiming and make the necessary changes on the map and/or the application form and return them, along with the proper fee and a signed well log to begin processing of your water permit application. Please note #7 on the enclosed instruction sheet, too. We forward a copy of complete water permit applications for irrigation to the Division of Conservation for soil/water compatibility approval. This approval must be received before the water permit application can be advertised for a public hearing. The next Conservation Commission meeting will be in January.

Should you have any questions, feel free to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Susan A. Bowar".

Susan A. Bowar
Natural Resources Engineer
Water Rights Division

enclosures



Since 1935
CURRY
Seed Company

Ph. 605-356-3366
P.O. Box 517, Elk Point, SD 57025

November 14, 1988

December 6, 1988

SD Dept. of Water and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Attn: Ron Duvall

Dear Ron:

Please find enclosed an Application to appropriate water for irrigation on 120 acres of cropland near Elk Point.

If possible, we would like to have this reviewed at the next Board meeting. We do have a FAX machine at phone number 605-356-3300. We can then give the notice of publication to the Leader-Courier.

Anything that we can assist you with on the application, we would be glad to offer our assistance.

Thank you for your time and consideration. If a problem arises, please call collect at 605-356-3366.

Sincerely,

Bill Curry
Bill Curry

WJC:bl
encl.

P.S. Second attempt at completing water permit for irrigation. Enclosed please find your letter and hopefully, I have answered your questions correctly. Thank you.



CONSERVATION COMMISSION MEETING

DATE: January 12, 1989

Page 1 - APPROVED WITH REQUIREMENTS

NAME:	Curry Seed Co.	WATER QUALITY:	88-0477
	c/o William J. Curry		
ADDRESS:	Box 517, 701 N Walnut	SALINITY:	1700
ADDRESS:	Elk Point, SD 57025	SAR:	1.24
		SODIUM:	17.81
COUNTY:	Union	ADJ SAR:	3.47

LEGAL DESCRIPTION: E1/2 SW1/4; W1/2 NW1/4; NW1/4 SE1/4; SW1/4 SE1/4;
all in Sec 20-91-49 = 120 acres.

APPLICATION #: 4311

TYPE OF IRRIGATION: Center pivot

WATER SOURCE: Ground

REQUIREMENTS:

The area mapped as Modale silt loam has a seasonal water table. Under irrigation, the water table may become perched and inhibit the leaching of salts. To insure adequate internal drainage, an artificial drainage system shall be installed, as deemed necessary.

MANAGEMENT RECOMMENDATIONS:

We recommend the use of a form of conservation tillage to conserve soil moisture and control erosion.

TYPE OF PERMIT GRANTED AND REASON:

The approved with requirements recommendation is based on the water quality and clay contents of the soil.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411533

Pierre, December 8, 1988, 19

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. <u>52543</u> to Appropriate Water, to construct works and to put water to beneficial use	225	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	225 00

By

Chief Engineer

JOHN HATCH (15)

Date _____

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4323

WR#

OWNERS NAME: Curry Seed Co./William J. Curry OWNERS ADDRESS: Box 517, 701 N Walnut

Elk Point, SD 57025

COUNTY LAND LOCATED IN: Union PHONE: 356-3366

LEGAL DESCRIPTION:



Well



Surface

1. LOCATION 975 ft from N line, 875ft from E line NE1/4 SW1/4 Sec. 20-T91N-R49W

Depth: _____

Legal Description	Acres	Legal Description	Acres
<u>NE1/4 SW1/4 Sec. 20-91-49</u>	<u>60</u>		

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

3. CROPS TO BE IRRIGATED: corn and soybeans

WATER QUALITY:

4. WATER SAMPLE NUMBER: 88-0477

7. ADJUSTED (SAR): 3.47

5. SALINITY (EC X 10⁶): 1700

8. PERCENT SODIUM: 17.81

6. SODIUM (SAR): 1.24

Requirements: The area mapped as Modale silt loam has a seasonal water table. Under irrigation, the water table may become perched and inhibit the leaching of salts. To insure adequate internal drainage, an artificial drainage system shall be installed, as deemed necessary.



☒ APPROVED ☒ REQUIREMENTS
☐ DISAPPROVED
☐ WAIVER

[Signature]
Director, Division of Conservation

1/20/89
Date

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

Owner's Address
of land to be irrigated

Francis Tracy
Elk Point, SD

RR 1

110 Acres

Robert Rehling
RR 1
Elk Point, SD

10 Acres

Please send water use
forms only to:

Curry Seed Co co-operators
Box 517

Elk Point, SD 57025

Land owners are retired farmers,
and do not farm the land.

883 21.1
T 972 164.2 252
114.2 T ⁹⁶³~~2374~~

5.8
T 2352

Tracy's

104.7 20
T 881
65A 875'

39.4 74.0 T 875
↑ North
Prepared by
L. E. De Smet
Union Co. Ext. Agt.
Nov-14-88
L. E. De Smet

2
103.5 T 967
46.7 252 T 877
74.0 T 918
119.5
Appl. No. 5254-3

10-85

Date _____

REPORT ON APPLICATION NO. 5254-3
CURRY SEED COMPANY
December 14, 1988

This application proposes to appropriate 1.71 cfs from 1 well approximately 120 feet deep to irrigate up to 120 acres. The well is located in the NE 1/4 SW 1/4 and the acreage to be irrigated in the E 1/2 SW 1/4, W 1/2 SE 1/4; all in Section 20, T91N, R49W in Union County.

Aquifer - Missouri-Elk Point (M-EP), previously called Missouri (M) Aquifer

The Missouri-Elk Point (M-EP) is an alluvium mantled outwash (sand and gravel) which is under water table conditions in this area. The M-EP Aquifer 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 Big Sioux and Missouri Rivers, the Big Sioux South Aquifer in Union County, the Lower Vermillion Missouri and M-EP Aquifer in Clay county. The aquifer thickness generally exceeds 100 feet. There are numerous high capacity wells in this area and the drillers report submitted with the application indicates the well is capable of producing 1500 gpm with 16 feet of drawdown (specific capacity = 94 gpm/ft of drawdown). This is a high specific capacity but it is not unusual for area wells.

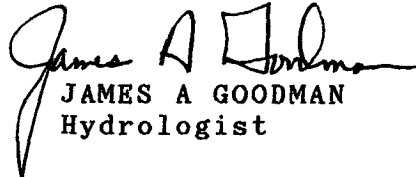
The Division of Water Rights monitors 26 observation wells in the M-EP Aquifer or Big Sioux-South Aquifer in Union County (Water Rights, 1988). Water levels in these wells respond seasonally to wet and dry climatic conditions. Pumping for irrigation is affecting water levels in the aquifer to some extent, however, the aquifer is sustaining withdrawals and recharge has occurred in excess of the demands upon the aquifer in the long term. Included with this report are hydrographs for observation wells UN-77M and UN-80E which are located about 1 mile north and 1 1/2 mile southeast of this application, respectively.

Review of Existing Water Rights

There are 215 irrigation permits in Union County from the M-EP Aquifer (Irrigation Report, 1987) with a reported water use of 9,082 acre feet of water in 1987. The Union County area is fairly intensively irrigated and well spacing has not been a problem because of aquifer thickness and permeability. Water level changes in the aquifer are not significant enough to adversely affect existing diversions.

Conclusions

1. There is water available from the M-EP Aquifer.
2. Interference will not be a problem. Water level fluctuations in the area do not indicate significant changes and interference will not adversely affect existing diversions.
3. The well is completed, tested and is constructed in accordance with SD Well Construction Standards.
4. The soil-water compatibility is not approved at this time.


JAMES A 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.

Irrigation Reports, 1987, Irrigation Report by County (1987), DWNr, Division of Water Rights, Joe Foss Bldg., Pierre SD 57501.

Water Rights, 1988, Observation Wells in Union County, SD, DWNr, Division of Water Rights, Joe Foss Bldg, Pierre SD 57501.

OBSERVATION WELL WATER LEVELS

OBS_WELL	LOCATION	DATE	READING
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8:57 WEDNESDAY, DECEMBER 14, 1988 1

UN-77M	091N-49W-17CDD	12/14/77	-17.5
UN-77M	091N-49W-17CDD	02/09/78	-17.9
UN-77M	091N-49W-17CDD	03/15/78	-17.9
UN-77M	091N-49W-17CDD	05/08/78	-15.3
UN-77M	091N-49W-17CDD	05/23/78	-16.2
UN-77M	091N-49W-17CDD	06/05/78	-15.8
UN-77M	091N-49W-17CDD	06/20/78	-17.1
UN-77M	091N-49W-17CDD	07/05/78	-18.5
UN-77M	091N-49W-17CDD	07/21/78	-19.3
UN-77M	091N-49W-17CDD	08/08/78	-16.6
UN-77M	091N-49W-17CDD	08/30/78	-17.0
UN-77M	091N-49W-17CDD	09/22/78	-16.8
UN-77M	091N-49W-17CDD	10/11/78	-16.9
UN-77M	091N-49W-17CDD	10/31/78	-16.9
UN-77M	091N-49W-17CDD	12/05/78	-17.0
UN-77M	091N-49W-17CDD	04/10/79	-13.3
UN-77M	091N-49W-17CDD	05/08/79	-14.0
UN-77M	091N-49W-17CDD	06/05/79	-13.3
UN-77M	091N-49W-17CDD	06/21/79	-13.3
UN-77M	091N-49W-17CDD	07/04/79	-13.6
UN-77M	091N-49W-17CDD	07/18/79	-17.7
UN-77M	091N-49W-17CDD	07/31/79	-15.9
UN-77M	091N-49W-17CDD	08/15/79	-15.9
UN-77M	091N-49W-17CDD	08/30/79	-14.2
UN-77M	091N-49W-17CDD	09/19/79	-14.5
UN-77M	091N-49W-17CDD	10/17/79	-15.3
UN-77M	091N-49W-17CDD	11/14/79	-13.3
UN-77M	091N-49W-17CDD	01/15/80	-14.6
UN-77M	091N-49W-17CDD	03/12/80	-15.1
UN-77M	091N-49W-17CDD	04/23/80	-14.7
UN-77M	091N-49W-17CDD	05/30/80	-15.6
UN-77M	091N-49W-17CDD	06/11/80	-14.7
UN-77M	091N-49W-17CDD	06/25/80	-15.6
UN-77M	091N-49W-17CDD	07/09/80	-21.7
UN-77M	091N-49W-17CDD	07/23/80	-21.6
UN-77M	091N-49W-17CDD	08/05/80	-19.1
UN-77M	091N-49W-17CDD	08/21/80	-17.5
UN-77M	091N-49W-17CDD	09/03/80	-17.2
UN-77M	091N-49W-17CDD	09/16/80	-17.4
UN-77M	091N-49W-17CDD	10/22/80	-17.3
UN-77M	091N-49W-17CDD	03/05/81	-17.6
UN-77M	091N-49W-17CDD	03/24/81	-17.6
UN-77M	091N-49W-17CDD	05/05/81	-18.0
UN-77M	091N-49W-17CDD	05/02/81	-18.1
UN-77M	091N-49W-17CDD	06/24/81	-17.7
UN-77M	091N-49W-17CDD	07/07/81	-17.5
UN-77M	091N-49W-17CDD	07/21/81	-20.2
UN-77M	091N-49W-17CDD	07/29/81	-19.3
UN-77M	091N-49W-17CDD	08/11/81	-22.6
UN-77M	091N-49W-17CDD	08/26/81	-19.5
UN-77M	091N-49W-17CDD	09/16/81	-18.3
UN-77M	091N-49W-17CDD	10/28/81	-18.3
UN-77M	091N-49W-17CDD	12/09/81	-18.3
UN-77M	091N-49W-17CDD	03/01/82	-16.8
UN-77M	091N-49W-17CDD	05/04/82	-17.0

OBSERVATION WELL WATER LEVELS

OBS_WELL	LOCATION	DATE	READING
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8:57 WEDNESDAY, DECEMBER 14, 1988 2

UN-77M	091N-49W-17CDDD	05/31/82	-15.7
UN-77M	091N-49W-17CDDD	06/15/82	-16.1
UN-77M	091N-49W-17CDDD	06/28/82	-16.4
UN-77M	091N-49W-17CDDD	07/13/82	-16.8
UN-77M	091N-49W-17CDDD	07/26/82	-17.4
UN-77M	091N-49W-17CDDD	08/10/82	-19.6
UN-77M	091N-49W-17CDDD	08/22/82	-21.1
UN-77M	091N-49W-17CDDD	09/09/82	-17.9
UN-77M	091N-49W-17CDDD	10/06/82	-17.3
UN-77M	091N-49W-17CDDD	11/08/82	-15.9
UN-77M	091N-49W-17CDDD	03/02/83	-11.8
UN-77M	091N-49W-17CDDD	04/19/83	-7.9
UN-77M	091N-49W-17CDDD	05/18/83	-8.3
UN-77M	091N-49W-17CDDD	05/31/83	-10.1
UN-77M	091N-49W-17CDDD	06/14/83	-8.6
UN-77M	091N-49W-17CDDD	06/27/83	-6.9
UN-77M	091N-49W-17CDDD	07/13/83	-8.5
UN-77M	091N-49W-17CDDD	07/25/83	-9.4
UN-77M	091N-49W-17CDDD	08/09/83	-11.5
UN-77M	091N-49W-17CDDD	08/21/83	-14.4
UN-77M	091N-49W-17CDDD	09/13/83	-13.4
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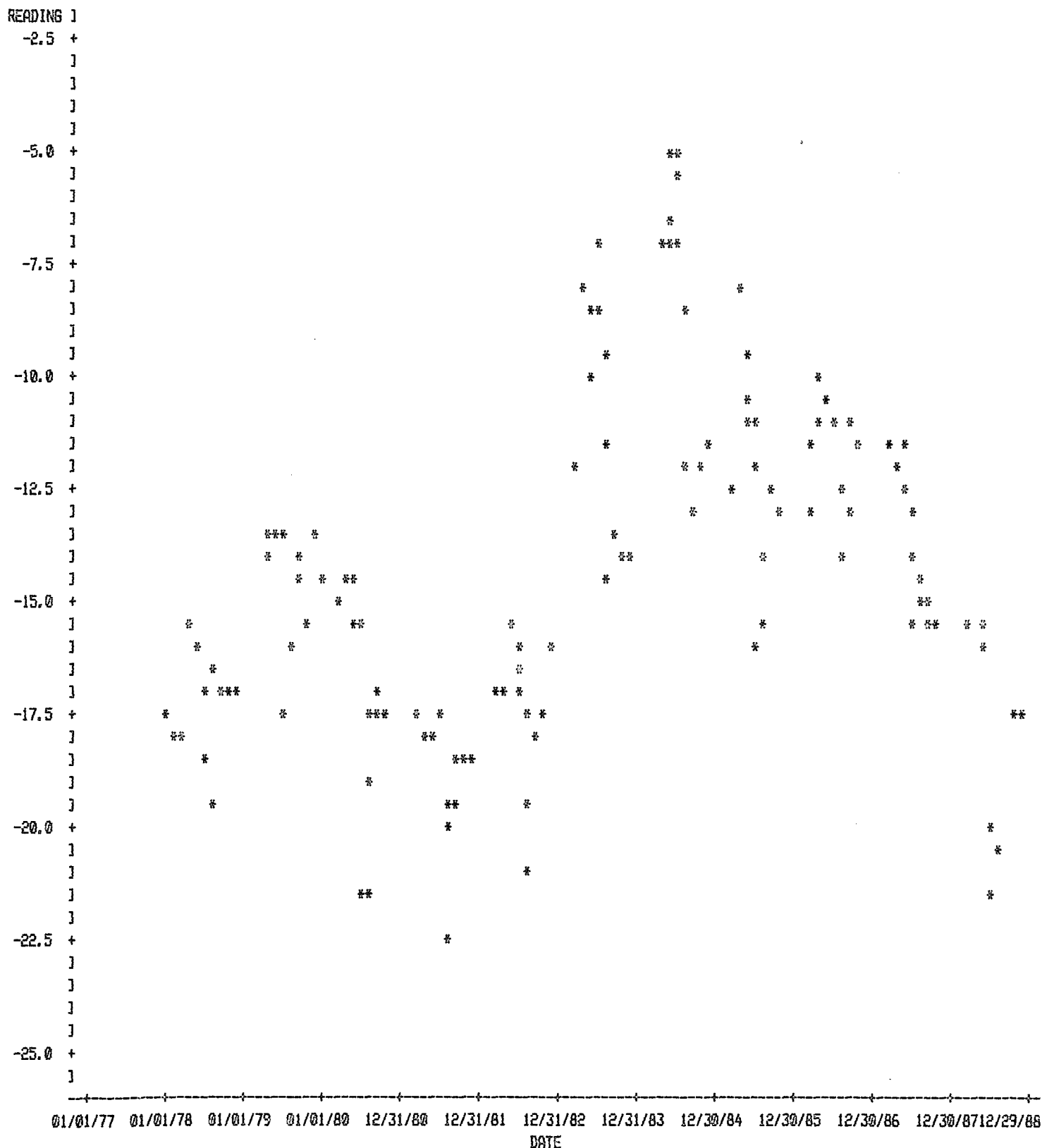
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8:57 WEDNESDAY, DECEMBER 14, 1988 4

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NOTE: 12 OBS HIDDEN

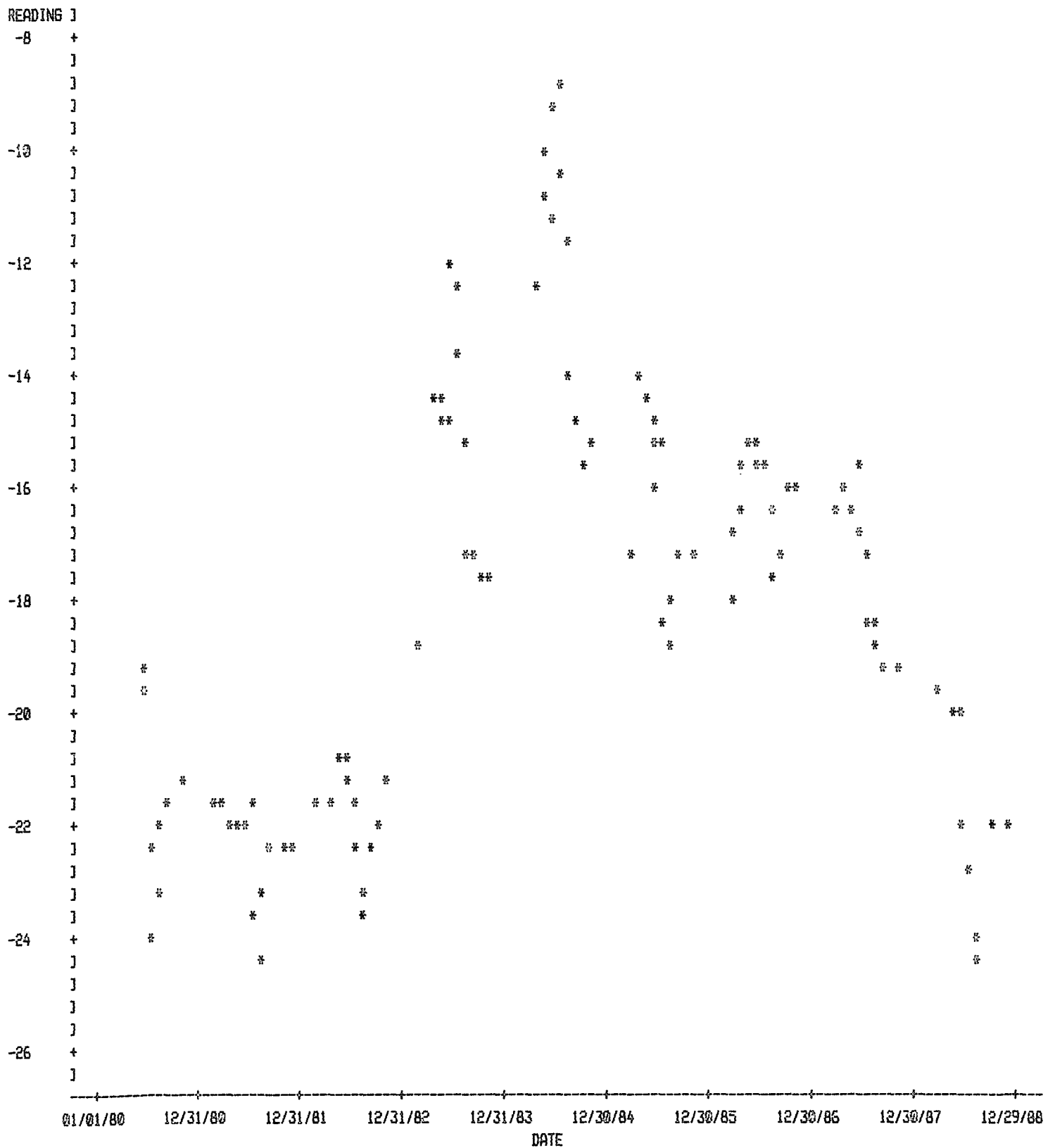
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NOTE: 4 OBS HIDDEN

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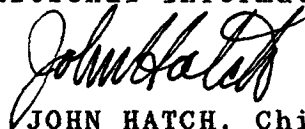
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5254-3, Curry Seed Company

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. 5254-3, Curry Seed Company, Box 517, Elk Point SD.

The Chief Engineer is recommending APPROVAL of Application No. 5254-3 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 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.
2. 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
December 15, 1988

NOTE: This recommendation was prepared prior to receiving formal approval of a Soil-Water Compatibility Application (SWCA) to avoid delaying Water Permit Application No. 5254-3 until the March 1 & 2, 1989 Water Management Board Meeting. The Department of Agriculture has advised that the Department will approve the required SWCA pursuant to SDCL 46-5-6.5. However, until the approval is reviewed by the Conservation Commission at its regular January 12, 1989 meeting based upon Commission policy to review all Department disapprovals or approvals of SWCA pursuant to SDCL 46-5-6.6, the Soil-Water Compatibility Permit will not be issued. If the Conservation Commission does not concur with the Department's approval, Application No. 5254-3 will be deleted from the January 25, 1989 agenda. Mr. Curry should know that his application is subject to removal from the January Water Management Board Meeting agenda.



Department of Water & Natural Resources

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

December 20, 1988

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

Curry Seed Co.
Box 517
701 N Walnut
Elk Point SD 57025

Dear Sir:

Your Application No. 5254-3 for a permit to appropriate water for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the Elk Point Leader-Courier printed at Elk Point SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

December 20, 1988

Elk Point Leader-Courier
Box 310
Elk Point SD 57025

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5254-3 to be published twice. Please publish the first notice on or before December 29, 1988 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is the Curry Seed Company, Box 517, 701 N Walnut, Elk Point SD.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____



Instruction to Newspaper - Publish first Notice on or before December 29, 1988 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5254-3 to Appropriate Water

Notice is given that the Curry Seed Company, Box 517, 701 N Walnut, Elk Point SD 57025 has filed an application for a water permit to appropriate 1.71 cubic feet of water per second from one well (Missouri-Elk Point Aquifer) 120 feet deep to irrigate up to 120 acres. The well is located in the NE 1/4 SW 1/4 and the acreage to be irrigated in the E 1/2 SW 1/4, W 1/2 SE 1/4; all in Section 20-T91N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5254-3 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 at the Crossroads Hotel, Salon 1, 100 4th St SW, Huron SD on January 25, 1989 at 10:30 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 January 13, 1989. 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. If there are any petitions in opposition to Application No. 5254-3, the hearing will be delayed until the regular March 1, 1989 Board meeting. The meeting January 25, 1989 is a special Board meeting.

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 January 13, 1989.

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.

No. 5254-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, 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:

December 29, 1988

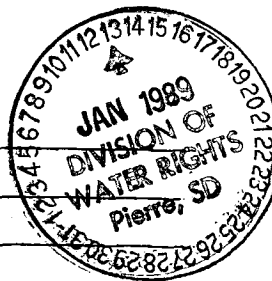
January 5, 1989

Lester E. Emerson
(Signature)

Editor/Publisher
(Title)

January 9, 1989
(Date Signed)

Cost of Printing: \$37.93



NOTICE OF HEARING
on Application No. 5254-3 to
Appropriate Water

Notice is given that the Curry Seed Company, Box 517, 701 N Walnut, Elk Point, S. D. 57025 has filed an application for a water permit to appropriate 1.71 cubic feet of water per second from one well (Missouri-Elk Point Aquifer) 120 feet deep to irrigate up to 120 acres. The well is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the acreage to be irrigated in the E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$; all in Section 20-T91N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5254-3 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 at the Crossroads Hotel, Salon 1, 100 4th St. SW, Huron, S. D. on January 25, 1989 at 10:30 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 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 January 13, 1989. 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. If there are any petitions in opposition to Application No. 5254-3, the hearing will be delayed until the regular March 1, 1989 Board meeting. The meeting January 25, 1989 is a special Board meeting.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. ~~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 petitioner. The request for a delay must be received by January 13, 1989.

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.
Pub. Dec. 29 and Jan. 5.



Department of Water & Natural Resources

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

MAR 10 1989

Bill Curry
Curry Seed Company
Box 517, 701 N. Walnut
Elk Point, SD 57025

Dear Mr. Curry:

Enclosed is Water Permit No. 5254-3 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. 5254-3.

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,

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

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

JH:mra

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.

Union

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date January 2, 1970

TO: Water Rights Division, DWRN
Joe Foss Building
Pierre SD 57501-3181

FROM: Curry Seed Co Box 517 Elk Point
name address city

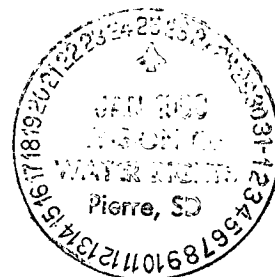
I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5254-3.

Water Permit No. 5254-3 states that the diversion system is to be constructed by January 25, 1994, and that the water it put to beneficial use by January 25, 1998.

The diversion system was completed on May 1, 1989.
Applying the water to beneficial use was completed on May 20, 1989.

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

William L. Curry
signature



South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

CURRY SEED COMPANY

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) 2371-3, 5254-3 and 1990 Irrigation Questionnaire Requirements

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2371-3, 5254-3. 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) 5254-3 qualification:

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

The hearing will also be to determine if Permit No(s) 2371-3 should be amended with the qualification to require the Questionnaire to be 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) 5254-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s) 2371-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office 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: Curry Seed Company PO Box 517 Elk Point SD 57025	4. Article Number P694 057 530 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
5. Signature — Addressee X <i>Bethie Livingston</i>	Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature — Agent X	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery FEB 4 1991	

PS Form 3811, Apr. 1989

★ U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

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. 5254-3

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 Curry Seed of Box 517 701 N.Walnut Elk Point, SD 57025 holder of Permit No. 5254-3, bearing the priority of November 15, 1988 authorizing the diversion of 1.71 cu. ft. per second and/or the storage of acre-feet of the waters of the 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 20 - 1 well -120' deep with 120' of 16" casing and 50' of 100 slot PVC screen;
3 stage Wellline pump - Model #MA-4630-89 12" outlet 800 GPM@ 60 psi; US Electric Motor
Model# 6229/SO4R322R157R 40HP

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

10 feet of 8" Galvanized steel pipe

C. Works used to apply water to beneficial use:

Center Pivot - Valley 600, 5 Towers 850' long w/ End Gun High pressure Rain Bird nozzles
750-800 GPM

The system is in the following condition Good. The point of diversion is located NE1/4 SW1/4 of Section 20 -975' south and 280 west of the center of Section 20 - T91N- R49W.

The works are capable of diverting and conveying to the place of use 1.78 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 T91N-R49W: Section 20 - NE1/4 SW1/4 =27 acres; SE1/4 SW1/4 =21 acres; NW1/4 SE1/4 =14 acres; SW1/4S E1/4 =9 acres

comprising a total of 71 acres of land and the license should be issued for 1.01 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 5254-3

1. Legal location of wells: NE1/4 SW1/4 of Section 20 ~975'south and 280'west of the center of Section 20 - T91N - R49W Union County, SD

Dams and Structures none

2. Well Information: Well Drilling Firm Wetmore

Completion Report? Yes X No No. of Wells 1 Depth(s) 120 feet

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

b) length 120 feet b) length 50 feet

c) type Plastic Static Water Level 30 feet

Pump a) make Wellline

Motor a) make US Electric

b) model MA -4630-89

b) model no. 6229/SO4R322R157R

c) size 12"

c) horsepower rating 40

d) capacity 800 GPM

d) serial no. unknown

e) turbine pump - no. of stages 3

f) operating PSI 60

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)
- 4) hose size inches
- 5) hose length feet

e) gated pipe:

- 1) length feet

b) towline:

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

d) center pivot:

- 1) make Valley 600
- 2) number of towers 5
- 3) distance between towers
- 4) overall length 850 feet
- 5) end gun (Y/N) Y
- 6) high or low pressure High
- 7) make and size of nozzles:

2) diameter inches

Rain Bird

3) spacing of gates inches

8) capacity (GPM) 750-800

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>		
----------	--	--

<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:

$$\frac{1}{2}$$

Curry Seed Co.

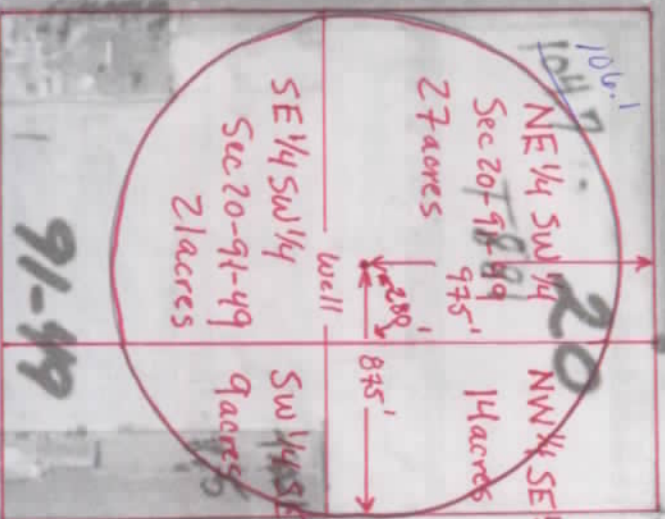
T-963

114.2

Prepared by: Gregory C. Johnston
Gregory C. Johnston
Natural Resources Engineer
DENV
7/18/91

7/18/91

Total acreage = 71.0
acres



No.
5254-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

July 26, 1991

5254-3

Bill Curry
Curry Seed Company
PO 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. 5254-3, 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,

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

412779

Pierre, August 6, 1991

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>5254-3</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
Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5254-3

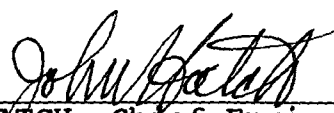
(1) Curry Seed Company of P.O. Box 517, Elk Point, SD 57025 made Application No. 5254-3, November 15, 1988 for a water permit to appropriate 1.71 cubic feet of water per second from groundwater (one well), Union County, South Dakota for irrigation purposes. Permit No. 5254-3 with a priority date of November 15, 1988 was approved January 25, 1989 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before January 25, 1994 and for the application to beneficial use of said water on or before January 25, 1998.

(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 1.01 cubic feet of water per second for beneficial use. The location of the diversion point is: approxiamtely 975'S and 280'W of the center of Section 20, T91N, R49W (NE 1/4 SW 1/4).

(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:

T91N, R49W Section 20	NE 1/4 SW 1/4	27 Acres
	SE 1/4 SW 1/4	21 Acres
	NW 1/4 SE 1/4	14 Acres
	SW 1/4 SE 1/4	9 Acres
	Total-----	71 Acres

(4) Pursuant to Section 46-5-30.1 Curry Seed Company of P.O. Box 517, Elk Point, SD 57025 the holder(s) and/or owner(s) of Water Permit No. 5254-3 is issued a license to appropriate water, the right to use 1.01 cubic feet of water per second from groundwater (one well) with a priority date of November 15, 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. 5254-3 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.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 17 1991

5254-3

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

Dear Sirs:

Enclosed is Water License No. 5254-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412779 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

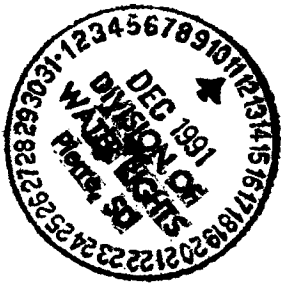
For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5254-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or 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

enclosures



December 6, 1991

Water Rights Division
 Pierre, SD

Please note that the questionnaires are filled to the best of our ability. The irrigated land was fertilized by a planter, planter and sidedress. The planter sprays 28% N, the planter bands on starter and the sidedress is a knife injection band of 28% N.

The herbicides are sprayed pre-plant by the planter and post-emerge by a high-boy sprayer. The insecticides are applied by a high-boy sprayer or by a commercial ~~trial~~ Applicator.

Genny, if more information is needed, please note on future questionnaires. The chemigation question was answered the best I know. At some time, but not immediate future, we may be interested in chemigation.

Thank you and Merry Christmas

Bill Curry