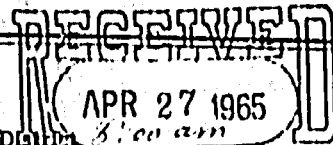


1. Considered 7-14, 1911
2. Name of Applicant W. H. W. W. W.
3. Post Office Address FRANKFORT
4. Amount of Water Claimed 300
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
- Acres to be irrigated 140
7. Water to be diverted and used in SPRING County about
65 1/2 Miles of FRANKFORT
8. Proof of Publication Received L
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1201-3
 Water Division No. 3 JAMES RIVER
 (Blanks to be Filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COMM
 PIERRE SOUTH DAKOTA

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

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Glenn Wint
 Postoffice address Frankfort, County Spink, State S. Dak.

- I. If a corporation
- (a) Name of same
 - (b) Date and place of incorporation
 - (c) Amount of capital stock
 - (d) Amount paid in
 - (e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

- II. Method of accomplishing the work and financial resources of the applicant:
- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
Contract
 - (b) Cash on hand, \$ Adequate
 - (c) Treasury stock, \$
 - (d) Bonds to be issued, \$
 - (e) Other resources, \$

2. Name of diversion work Glenn Wint Project No. 1

3. Amount of water claimed maximum allowed cubic feet per second one per 70 Acres

4. Source of water supply Ground Water

5. Location of point of diversion 20 rods south and 10 rods west of the center of section five
(5) 115-61 on bank Spink County.

6. Annual period or periods during which water is to be used Growing season

7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkling Irrigation

(a) Number of acres to be irrigated 110 acres.

(b) Legal subdivisions to be irrigated Acres on SW of 5 and NW of 6 115-61 (Note map)

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

- II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use
 Name any of the above uses claimed

(b) Amount of power to be generated horse power.
 Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAP No 825-3

REPRODUCTION REDUCTION 23-7

DATE MICROFILMED

SERIALS ACQUISITION

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$200.....
 (c) Fluming, \$..... (d) Canal earth, \$..... Rock, \$.....
 (e) Other structures \$..... Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

..... Pumping plant

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom feet; length at top feet; thickness at bottom feet; thickness at top feet; slope at front water face; slope at back face material used in construction

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width.....feet; heightfeet;
 Material

(d) Canal: Total lengthmiles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of workfive (5).....years.
 11. Time required for complete application of water to the proposed beneficial use four (4) years.
 12. Choice of newspaper for publication of notice of intention to appropriateRedfield Press.....
Redfield, S. Dak.

STATE OF SOUTH DAKOTA

County ofSpike.....

I,Elmer Vint....., being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

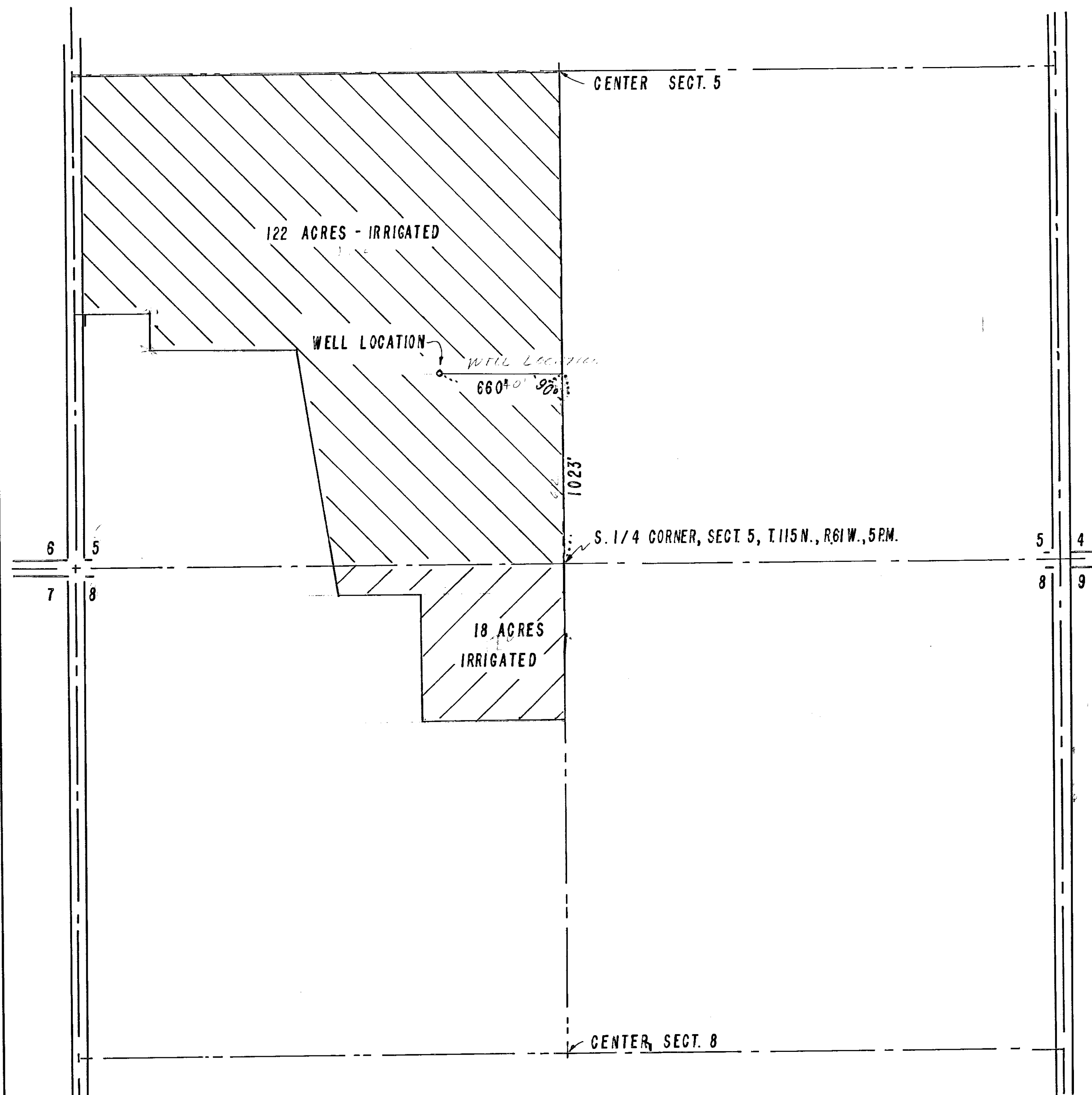
Signed[Signature].....

Subscribed and sworn to before me this24..... day ofApril..... 19.....65

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

MY COMMISSION EXPIRES
 OCT. 14, 1972



AREAS BY LEGAL SUBDIVISION

122 ACRES: S.W. 1/4, SECT. 5. } T.115N., R.61W., OF THE 5TH P.M.
 18 ACRES: N.W. 1/4, SECT 8.

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) ss
 COUNTY OF BEADLE) ss

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT, AT THE REQUEST OF GLENN WIPF, SOLE OWNER I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON MAY 4, 1965 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THERE OF.

WITNESS MY HAND AND SEAL THIS 4TH DAY OF MAY 1965.

Harlan W. Meyer
 REGISTERED LAND SURVEYOR

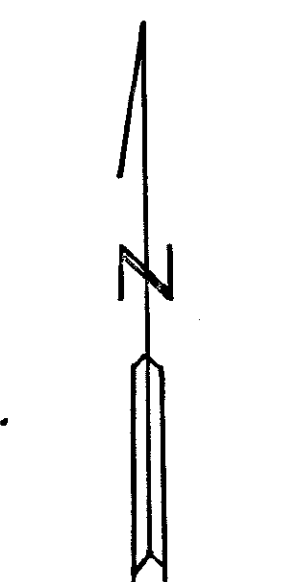
STATE OF SOUTH DAKOTA) ss
 COUNTY OF BEADLE) ss

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED HARLAN W. MEYER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

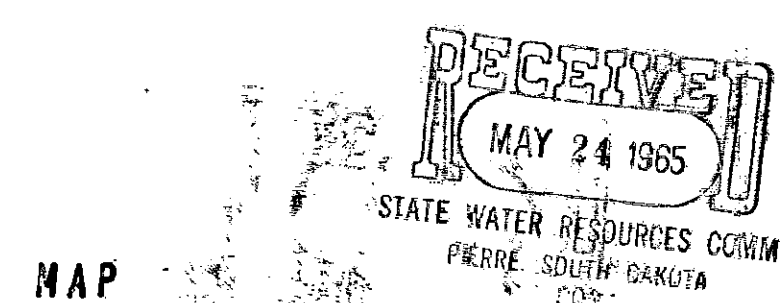
WITNESS MY HAND AND NOTARY SEAL THIS 4TH DAY OF MAY 1965.

Corrin Johnson
 NOTARY PUBLIC

MY COMMISSION EXPIRES March 10, 1972



SCALE 1" = 400'



SHOWING AREA & WELL LOCATION WHERE WATER WILL BE DIVERTED

GLENN WIPF OWNER

HARLAN W MEYER SURVEYOR

MAY 1965

MAP NO 825-3 (APPL NO 1201-3)

Remarks by State Water Resources Commission:

The well, granted under this Permit is located near domestic wells and other irrigation wells which may obtain water from the same aquifer. If the well covered by this Permit depletes the domestic supplies or interferes with prior water rights, restrictions, to the extent necessary, of the capacity of the well or periods of operation or other arrangements may be required to protect these water supplies.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, JULY 16, 1965

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
9 a.m. upon the 27TH day of APRIL, 1965

State Water Resources Commission

By:

Arthur Jones
for Chief Engineer, Executive Officer

Number of permit 1201-3

Date of first receipt of application APRIL 27, 1965

Date of return to applicant for correction, amendments or changes required as follows: MAY 3, 1965

Date of receipt of corrected application MAY 5, 1965

Date from which applicant may claim right APRIL 27, 1965

Approved JULY 14, 1965 Recorded in Book 9 Page 28

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 14, 1968

2nd. The whole of said work is to be completed on or before JULY 14, 1970

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

JULY 14, 1974

4th. The water appropriated shall be used for the purpose of IRRIGATION

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 2.00 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before JULY 14, 1974; said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 16TH day of JULY, 1965

State Water Resources Commission

By:

John Quinn
Chief Engineer, Executive Officer

Certificate of Construction issued OCTOBER 30, 1967

Water License issued OCTOBER 30, 1967

Remarks by the Applicant:

The map required with this application is being forwarded under separate cover by Marian V. Meyers of Huron, S. Dak.

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30 inches Depth 21 feet

Type of casing Steel
(wood, concrete, steel, etc.)

Size of casing ... 26 inch Thickness of casing 3/16 inch

Length of casing 23 feet If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Slotted

Size of perforated screen 16 inch 20 feet
(diameter) (length)

Thickness of gravel pack 6 inch length of gravel pack 23 feet

(c) Water Bearing Materials

Distance to water 21 feet Character of water bearing materials Coarse

..... sand and gravel

Thickness of water bearing material 43 feet

(d) Pump and Motor Undecided

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)

Name of pump Lane Bowler size 8 inch

Kind of motor Propane
(gasoline, electric, diesel, etc.)

Horsepower Name of Motor Undecided

(e) Complete well

(Estimated Capacity) 1400/1600 GPM at drawdown of Unknown Estimated cost 2000.

(f) Owner of land upon which well is located Glenn Melf
Name

..... Frankfort, S. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property 110 rods. On property owned by others 1 mile rods
(Domestic well) (Domestic well)

Permit No. 1201-3Water Division No. 3 JAMES RIVER District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Glenr Wipf

of Frankfort, County of Spink, and State of South Dakota, the holder of Permit No. 1201-3, issued upon Application No. 1201-3 bearing date of priority of April 27, 1965, authorizing the diversion of 2.00 cu. ft. per second of the waters of ground water County of Spink, State of South Dakota, at a point 98 rods S. and 40 rods W. of the center of Section 5, T115N, R61W, for irrigation purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit, that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.0 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: all in T115N, R61W

Section 5	SW $\frac{1}{4}$	122 Acres
-----------	------------------	-----------

Section 8	NE $\frac{1}{4}$ NW $\frac{1}{4}$	18 Acres
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Total	140 Acres
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Witness my hand this 30th day of October A. D. 1967

State Water Resources Commission

By

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. ~~1201-3~~ 1201-3

WHEREAS, On the 27th day of April A. D. 1965
Glenn Wipf
 of Frankfort County of Spink and State of
South Dakota duly made application (No. 1201-3) to us for a permit to use 2.0
 cubic feet per second of the waters of ground water
 County of Spink, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 16th day of July A. D. 1965
 Permit No. 1201-3 was issued to said applicant... for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 14th day of
July A. D. 1970 and for the application to beneficial use of said
 water on or before the 14th day of July A. D. 1974
 and,

WHEREAS, On the 16th day of October A. D. 1967
 the holder... of said permit duly made proof of the completion of adequate works for the diversion of 2.0
 cubic feet per second of said waters, as evidenced by our Certificate No. 1201-3
 dated October 30, 1967 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 2.0 cubic feet per second of water, with date of
 priority of April 27, 1965 and,

WHEREAS, On the 16th day of October A. D. 1967
 proof was duly made of the application to beneficial use of 2.0 cubic feet per second of said water;
for irrigation of 140 acres in portions of Sections 5 and 8, T115N, R61W.

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Glenn Wipf
of Frankfort the holder and owner of said permit No 1201-3
a water right, dating from April 27, 1965 to the use of 2.0
cubic feet per second of the waters of ground water
in the County of Spink and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at a point 98 rods S & 40 rods W.
of the Center of Section 5, T115N, R61W
and conducted to and upon portions of Sections 5 and 8, T115N, R61W, more
specifically described in the Certificate of Completion of Works.

for the purpose of Irrigation, subject to any limitations listed in the
Permit to Appropriate water, and

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 30th day of October A. D. Nineteen
Hundred and Sixty-seven

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

on or before
(First Publication June 17, 1965)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 2, 1965

Notice is hereby given that Glenn Wipf whose postoffice address is Frankfort S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.00 cubic feet of water per second of time from the ground water through the Glenn Wipf Project #1, the point of diversion of which is to be located on the SE 1/4 of the SW 1/4 of Section 5 portions of Twp. 115N Range 61W. Said water to be used for the purpose of providing irrigation on the following described land:
SW 1/4, Section 5 and NW 1/4, Section 8, T115N, R61W

~~And for~~ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 14th day of July, 1965 at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

CC: Mr. Harold Jones, Publisher
Redfield Press
Redfield, S. Dak.

PROOF OF PUBLICATION

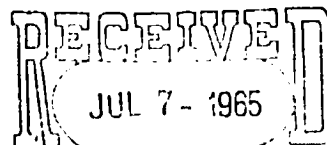
STATE OF SOUTH DAKOTA } ss.

County SpinkHarold D. Jones being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the -----
Redfield Press a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the
City of Redfield County of
Spink and State of South Dakota; that the said notice was published in said newspaper on the following dates:

June 10, 17, 24; July 1

in each and every issue of the full number thereof, the first publication being made on the 10th day of June 1965 and the last publication on the 1st day of July 1965, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was ----- publisher X of the said newspaper.

Harold D. JonesSubscribed and sworn to before me this 1st day of July A. D. 1965Notary Public Spink County, S. D.STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER

Office of
State Water Resources Commission
Pierre, South Dakota
June 3, 1965

NOTICE IS HEREBY GIVEN that Glenn Wipf, whose post office address is Frankfort, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a Permit to Appropriate for Beneficial Use 2.09 cubic feet of water per second of time from Ground Water through the Glenn Wipf Project number one, the point of diversion of which is to be located in the Southeast Quarter of the Southwest Quarter of Section Five, Township 115N, Range 61W. Said water is to be used for the purpose of providing irrigation on portions of the following described land: Southwest Quarter of Section Five and Northwest Quarter of Section Eight, T115N, R61W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the fourteenth day of July, 1965, at 2.00 p.m.

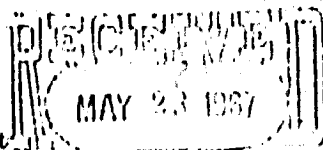
All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
By: BERTON E. BOWEN

Permit No. 1201-3.....

Water Division No. 3.....James River Water District



STATE WATER RESOURCES COMMISSION

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Frankfort, S. Dak. 57440.....

(Date) May 22, 1967.....

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____
 10_____, at _____ County of Spink _____ State of South Dakota,
 before _____ proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)
 of 2.00 _____ cubic feet per second of the waters of the state from ground water through the
 Glenn Wipf Project No. 1 _____ In accordance with the terms and conditions of Permit No. 1201-3 _____
 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

Glenn Wipf Frankfort, S. Dak. 57440

2. The use to which said water has been applied is irrigation

3. The amount applied to beneficial use is 2.00 cubic feet per second

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands ir-
 rigated) Acreage on SW 1/4 of Sec. 5 and NW 1/4 of Sec. 8 115-61

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

Glenn Wipf Project No. 1

6. The right to take the water from such works is based upon permit No. 1201-3

7. The source of supply from which such water is diverted is ground water

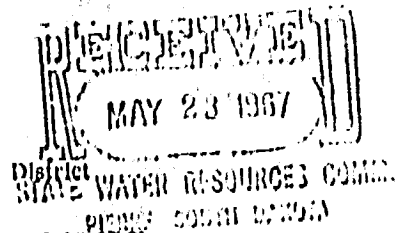
8. The date of priority which said user is prepared to establish is April 27, 1965

(Sign)

Permit No. 1201-3.

Water Division No. 3

Juran River Water District



NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of work.

(P. O.) Frankfort, S. Dak. 57100

(Date) May 23, 1967

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____
_____ 2.00 _____ cu. ft. per second of the waters of the state from ground water
through the _____ Glenn Wipf Project No. 1 _____
for _____ irrigation _____ purposes
_____ In accordance with the terms and con-
ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is _____ Glenn Wipf _____
2. The postoffice address of such person or the place of business of such corporation is _____ Frankfort, _____
County of _____ Spink _____ State of _____ South Dakota _____
3. The number of such permit is _____ 1201-3 _____ and the date set for the completion of such work is
_____ July 14, 1970 _____
4. Said water to be used for _____ irrigation _____ purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of
water which said works are capable of conducting to the place of intended use, in accordance with the plans ac-
companying the application for such permit, is _____ 2.00 _____ cubic feet per second.
6. The amount of land for which said water is available is _____ 140 _____ acres,
particularly described as follows: _____ Acreage on SW $\frac{1}{4}$ of Sec. 5 and NW $\frac{1}{4}$ of Sec. 8 115-61 _____

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

Permit No. 1201-3Water Division No. 3 JAMES RIVER District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that ~~in accordance with your letter of authorization dated~~

I have this day made a thorough examination of the diversion works constructed by

GLENN WIPE, of FRANKFORTSPINK County, South Dakota, holder of Permit No. 1201-3, issuedupon Application No. 1201-3, bearing date of priority of APRIL 27, 1965, authorizing thediversion of 2.2 cu. ft. per second of the waters of GROUND WATER for IRRIGATION

purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 93' WELL WITH LAYNE BOWLER 8" PUMP
POWERED BY FORD INDUSTRIAL ENGINE TYPE C5PG (PROPANE)
3330' OF 8" MAINLINE WITH SPACRE TRIMATIC
SYSTEM

and the system is in the following condition: EXCELLENTThe point of diversion is located AS SHOWN ON WIR MAP 825-3

The works are capable of diverting and conveying to the place of use 2.0 cu. ft. per second of water,
 which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are:

SW⁴ SECTION 5, T15N, R61W 132 ACRESNG⁴ NW⁴ SECTION 8, T15N, R61W 18 "TOTAL 140 ACREScomprising a total of 140 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 16TH day of OCTOBER, A. D. 1967

—SEAL—

Barton Jones
 Examining Engineer.

WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

W.R. 1201-3



Frankfort, S. Dak.
February 21, 1977

Water Resources Commission
State Office Building
Pierre, S. Dak. 57501

Dear Sirs:

My wife and I are the most disappointed people in this State, due to the action of an institution of our government. The Commission's decision at the permit hearing on Feb. 23 to approve an application #3392-3 over my objection is the case in point. The Commission's own staff showed no evidence, and which data I submitted to the Commission substantiated, there was no unappropriated water available. This action is in direct violation of Water Law 46-5-22, in my judgment. If it is not, on what grounds did the Commission defer application #3325-3? (Mr. Verilick's notion after consulting with Marvin Knecht about condition of aquifer water level.) Or even deferring all of Spink Co. for that matter? How can we have any confidence in a government that doesn't uphold the law and rights of an individual when he takes the prescribed avenues open to him to protect himself? In light of the Commission's foregoing action, what guarantee can you give me that you would enforce my right of priority, should I need to invoke it? No Gentlemen, this is another clear cut case of cow toying to the giants and running slip shod over the less significant.

I took the route of the lesser of two evils when forced upon me by my neighbor. He backed me into a corner by submitting the application #3392-3. I chose objecting to the application now, rather than trying to invoke my priority later, after he had spent the money to develop the project, and lo and behold the Commission even put up the fence, by approving it! So not only am I a jackass now, I'll be a bigger one later anyway. Thanks a lot. Maybe this was your intent, was it? If it was, you forgot that I still hold the ace, and it really doesn't matter anymore, about being a jackass.

Gentlemen, you are guilty of inconsistency in your actions and the evidence still shows, in my opinion, that by law application #3392-3 should be rejected. Please note my letter to Mr. Jones of May 3, 1976 almost ten months ago, when I indicated a problem developing, long before any controversy of the last hearing. (Also Senator Mary McClure's letter dated September 7, 1976 to Mr. Vern Futler).

I intend to pursue further my objections, if I have to, with the aid of legal assistance.

Yours truly,

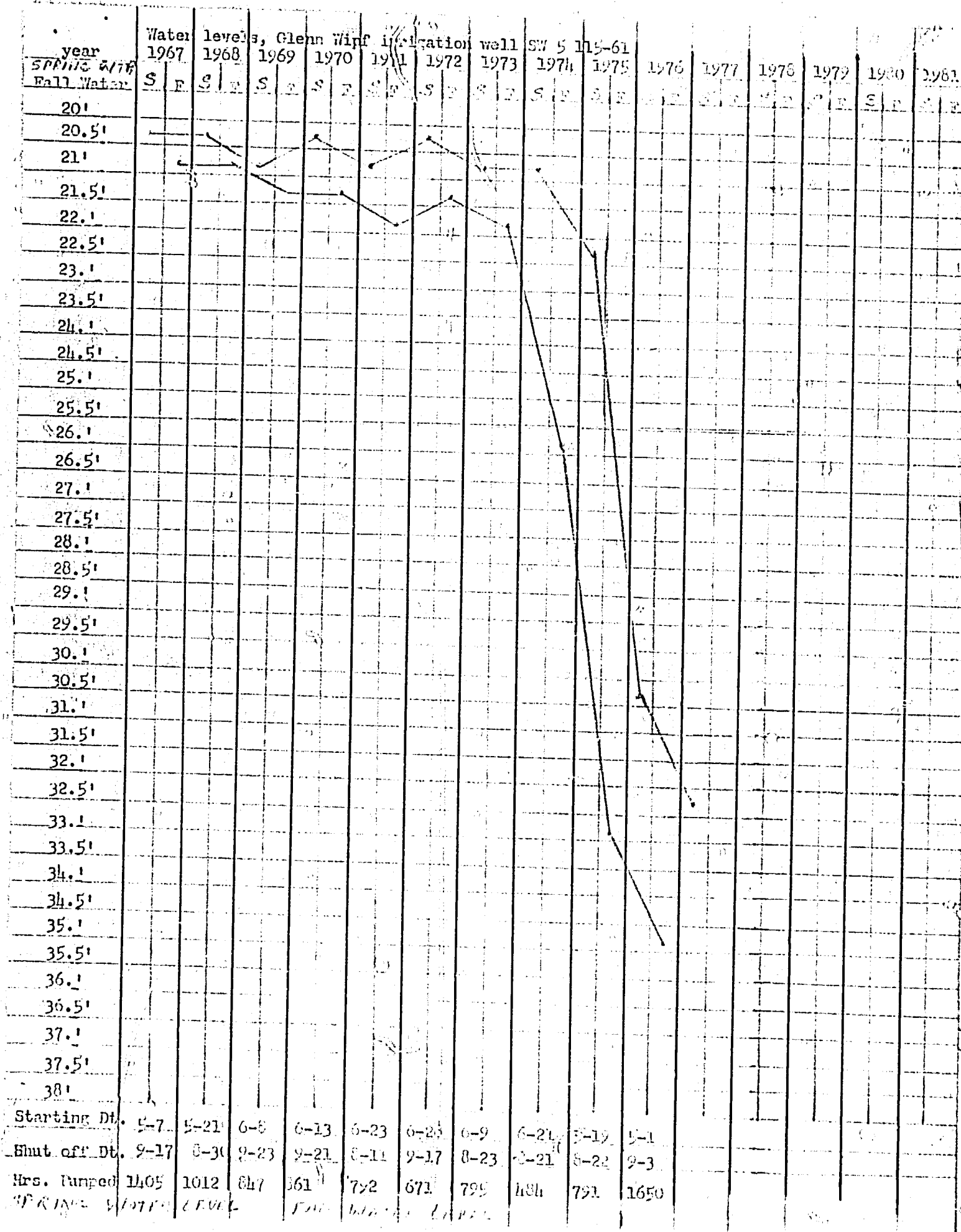
Glenn Wipf

CC Senator Mary McClure
Lt. Gov. Harvey Wollman

Irrigation Year	Starting date	Static water level	Pumping water level	Shutdown date	Static water level	Hours pumped
1967	May 7	20½-21'	48½'	Sept. 17	21'	1405
1968	May 21	20½-21'	48½'	Aug. 30	21'	1012
1969	June 8	21'	49'	Sept. 23	21-21½'	847
1970	June 13	20½-21'	49'	Sept. 21	21-21½'	861
1971	June 23	21'	49'	Aug. 11	21½-22'	792
1972	June 28	20½-21'	48½-49'	Sept. 17	21-21½'	671
1973	June 9	21'	49'	Aug. 23	21½-22'	795
1974	June 21	21'	49'	Aug. 21	26'	484
1975	May 19	22½-23'	51-51½'	Aug. 22	33'	791
1976	May 1	30 -31'	59½-60'	Sept. 3	35'	1650
1977	(February 13th reading)	32½'				

2000 20.0'
 2000 20.0'
 2000 20.0'

77



431

151C

71.4

39.30

11.5

71.1

56.1

7.4

30.4

32.8

115-61

151C

28.2

43.5

NC

8

112.2

431

151C

71.1

11.5

5

91.1

56.1

17.4



32.8

30.4

115-61

151C

28.2

43.5

NC

8

112.2

7.4



SW 1/4 6-115-61

NE 1/4 6-115-61

NW 1/4 5-115-61

NE 1/4 5-115-61

Diversion point

A.J. Wipf

App. # 3391-3
(1977)

Diversion point

A.J. Wipf

App. # 3392-3
(1977)

Center Sec 6
115-61

Center Sec 5
115-61

360.45 Rods

SW 1/4 5-115-61

361.74 Rods

185.16 Rods

98 Rods

W

Diversion point
Albert J. Wipf
Project # 1 (1967)

SW 1/4 6-115-61

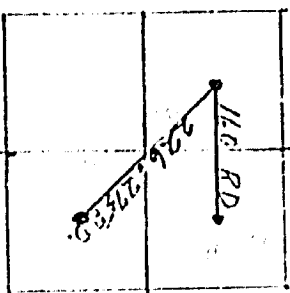
SE 1/4 6-115-61

Diversion point
Glen Wipf
Project # 1 (1967)

SE 1/4 5-115-61

E

Example of distances
of various well locations
within a section:



Center Sec 7 115-61

Center Sec 8 115-61

NW 1/4 8-115-61

NE 1/4 8-115-61

Spink County

OBSERVATION WELL

HSB-66E

Year	Spring	Summer	Fall	Year	Spring	Summer	Fall
------	--------	--------	------	------	--------	--------	------

1966		14.0	13.6				
1967	12.0	13.4	13.0				
1968	12.9	14.9	13.3				
1969	13.2	14.0	13.3				
1970	13.3	13.0	13.0				
1971	13.1	14.5	14.4				
1972	14.2	14.0					
1972	14.2	14.0	13.5				
1973	13.2	14.9	14.3				
1974	14.2	15.9	15.3				
1975		16.9	16.0				
1976	15.6	18.5	18.7				
1977	19.6 (Feb)						
	<u>-2.0</u>						
	17.6						

20' of head
34' to aquifer

14' when drilled



3392-3 & 1201-2

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

March 4, 1977

Glenn Wipf
Frankfort
South Dakota 57440

Dear Mr. Wipf:

This will acknowledge your letter concerning action taken by the Water Rights Commission February 23, 1977. Attached is a copy of a letter to Albert J. Wipf concerning his application No. 3392-3.

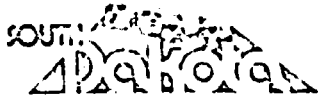
If the ground water levels in your area are being depleted, then with first priority your Water Right must be protected in accordance with State Statutes. As you are aware there is conflicting information on water levels in your area. Installation of observation wells in your area will allow us to make a determination on this matter.

very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw

cc: Lt. Gov. Harvey Wollman
Senator Mary McClure



3392-3
1201-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

March 4, 1977

Aibert J. Wipf
Frankfort
South Dakota 57440

Dear Mr. Wipf:

This letter is in regard to your Water Right Application No. 3392-3. As you know the Water Rights Commission approved one 100' deep well and 80 acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 5-T115N-R61W and deferred the balance of the application February 23, 1977. Mr. Glenn Wipf opposed your application.

Since the February meeting, the Commission Staff has again reviewed your application, information submitted by Glenn Wipf owner of Water Right No. 1201-3, and water level measurements in observation well HSB-66E located about 2 $\frac{1}{2}$ miles north of Glenn Wipf's irrigation well. The observation well levels are lower than normal indicating only dry weather conditions. Information Glenn Wipf has indicates a decline in the water levels in his irrigation well during the past two years.

Whether the levels measured in HSB-66E are representative of water levels in your area we do not know. The well log submitted with your application lists the static water level at 18 feet, while the water level measured by Glenn Wipf in his well about 1/2 mile away, February 13, 1977 was 32.5 feet. The static water level in his well prior to 1975 has been about 21 feet.

Until we can install and monitor observation wells in the immediate area, we cannot make a determination as to whether the water level in the aquifer has dropped or if the problem is in Glenn Wipf's well. It is our suggestion that the irrigation authorized by Water Right No. 3392-3 not be developed until a determination on this matter can be made.

Albert J. Wipf
March 4, 1977

Page 2.

Although you should use your own judgement in this matter, Glenn Wipf has the first priority in this area and the State Law requires that his priority be protected.

Please advise if you have any questions on this matter.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw

cc: Glenn Wipf, Frankfort, S.D. 57440

bcc: Lt. Gov. Harvey Wollman
Senator Mary McClure

Frankfort, S. Dak.
May 3, 1976

Mr. Furton F. Jones
S. Dak. Water Resources Commission
State Office Building
Pierre, S. Dak. 57501

Dear Sir:

Each year since 1967, the year I started irrigating from my aquifer well, I have taken a static water level measurement before I start each season. The level has always been between twenty one and twenty two feet from ground level, except this year, it was between thirty and thirty one feet. The nine to ten foot drop in the water level has me somewhat concerned.

I realize that this has been an unusual year in that we have not had any rain or even snow cover this past winter to recharge the aquifer, and quite possibly with normal conditions returning, the aquifer would recharge to its previous level.

By informing you of the present facts I trust you would use greater discretion in issuing new permits or to at least arouse some concern to go slow, until some evidence can be found that indicates the water level returning to previous levels.

Yours truly,

Glenn Wipf
Glenn Wipf
Frankfort, S. Dak. 57440



Frankfort, S. Dak.
January 7, 1978

Mr. Burton T. Jones
Water Rights Commission
Joe Foss Building
Pierre, S. Dak. 57501

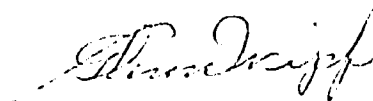
Subject: Tentative action on deferred
water right applications.

Dear Sir:

This letter is to reiterate, to the Commission, my objections to water right application # 3392-3 submitted by Albert J. Wipf Frankfort, S. Dak., in its entirety.

Until such point in time, that the aquifer supplying my irrigation well, proves its recharging capabilities, I object to this application because of its proximity to my project, and since I have experienced a profound decline of my water level, I fear the approval and subsequent development of application # 3392-3 could compound an already grave situation.
(Refer to S. Dak. Water Laws Chapter 46-5-23.)

Yours truly,



Glenn Wipf
Frankfort, S. Dak.
57440



Frankfort, S. Dak.
February 11, 1984

S. Dak. Department of Water & Natural Res.
Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, S. Dak. 57501

Dear Sirs:

We have sold our farm, so we wish to transfer our water license #1201-3, with priority date of April 27, 1965, to the new owner, Erent A. Decker, Frankfort, S. Dak. 57440.

Please send forms necessary, or whatever it takes to accomplish this.

Yours truly,

Glenn Wipf
Glenn Wipf

Glenn Wipf
RR 1, Box 60
Frankfort, S. Dak. 57440





Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Department of Water & Natural Resources

Division of Water Rights
605 773-3352

No. 1201-3

February 29, 1984

Brent A Decker
Frankfort,
South Dakota 57440

Dear Mr. Decker:

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

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

Please advise if you have any questions.

Sincerely,

KAREN SCHLAAK
Administrative Aide

enclosure

DWNR-820A-8/83

NO. 1201-3

NOTICE OF TRANSFER OF WATER PERMIT

To: Water Rights
Foss Building
Pierre, SD 57501

Date: 3-5-84

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

140 acres - SW $\frac{1}{4}$ Section 5; NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8; T115N, R61W

formerly owned by Glenn Wipf, Frankfort SD

has been transferred to Brent A Decker Frankfort SD 57440

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1201-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of Spink) ss.

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

Brent Decker
(Signed)

Subscribed and sworn to before me this 13th Day of March, 1984

Betty L. Boell
(Notary Public)



RECEIPT

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

No 4 9587

Pierre, March 16, 1984

RECEIVED OF Brent A. Decker, Frankfort, SD 57440

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 1201-3 _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (ms)

No. 1201-3

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352
March 16, 1984

Brent A Decker
Frankfort,
South Dakota 57440

Dear Mr. Decker:

Enclosed is receipt No. 4 9587 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1201-3.

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

Sincerely,

KARFN SCHLAAK
Administrative Aide

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

**SOUTH DAKOTA
WATER PERMIT NO. 1201A-3**

Date of first receipt of application December 10, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1201A-3 to Brent Decker, 1415 Idaho Ave SE, Huron SD 57350 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. 1201A-3 amends Water Right No. 1201-3 by transferring the irrigated acreage and point of diversion to other land. Water Right No. 1201-3 appropriates 2.0 cubic feet of water per second (cfs) from one well located in the SE 1/4 SW 1/4 Section 5 to irrigate 140 acres located in the SW 1/4 Section 5 and NE 1/4 NW 1/4 Section 8; all in T115N-R61W. This permit authorizes moving the irrigation system approximately 3 miles south with the well to be located in the approximate center of the SW 1/4 Section 20 to irrigate 122 acres located in the SW 1/4 Section 20; all in T115N-R61W. The diversion rate is limited to 1.74 cfs. The water source for this irrigation system is the Tulare:East James Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet annually 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 – October 31.
3. The date from which applicant may claim right is April 27, 1965 (established under No. 1201-3).
4. The date of approval of Permit No. 1201A-3 is March 11, 2013.
5. One-fifth of the construction is to be completed on or before September 11, 2015.
6. All construction is to be completed on or before March 11, 2018.
7. Water is to be put to beneficial use on or before March 11, 2022.
8. 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. The well authorized by Permit No. 1201A-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

(continued)

4. The well authorized by Water Right No. 1201-3 located in the SE ¼ SW ¼ Section 5, T115N, R61W may be temporarily abandoned by sealing the top of the casing with a watertight cap pursuant to Water Management Board Rule (ARSD 74:02:04:70.01). If this well is permanently abandoned it shall be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
5. Applicable portions of Water License No. 1201-3 issued October 30, 1967 are incorporated into this Permit and the abandoned/forfeited portion comprising 0.26 cfs and 18 acres are cancelled.

WATER MANAGEMENT BOARD

By: 
Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 26 2013

date

