

1603-3

1. Considered 3-26, 1969
2. Name of Applicant CLARK COLONY
3. Post Office Address RAYMOND
4. Amount of water claimed 2.28
5. Source of water supply PRIVATE LAKE
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in CLARK county
about 4W 8S miles of RAYMOND
8. Proof of Publication
Received ✓
Not received
9. Application
Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No. 1603.3
 Water Division No. 3 JAMES RIVER District
 (Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Clark Colony Irrigation Association
 Postoffice address RAYMOND, County SPINK, State S. DAK.
 I. If a corporation Yes
 (a) Name of same Clark Colony Irrigation Association
 (b) Date and place of incorporation 1955
 (c) Amount of capital stock ✓
 (d) Amount paid in ✓
 (e) Names and addresses of directors Fred Waldner Joe Waldner
Fred Waldner Jr. Andy Waldner

(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)

(b) Cash on hand, \$ ✓ (c) Treasury stock, \$ ✓(d) Bonds to be issued, \$ ✓ (e) Other resources, \$ ✓

2. Name of diversion work Clark Colony Irrigation #1
 3. Amount of water claimed 2.38 cubic feet per second
 4. Source of water supply Pine Lake
 5. Location of point of diversion N.W. 7th NE 1/4 sec 8-115-57
or bank Clark County.
 6. Annual period or periods during which water is to be used 4-1 to 30-10
 7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Combination(a) Number of acres to be irrigated 160 acres.(b) Legal subdivisions to be irrigated NE 1/4 sec 8-115-57
 (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 Irrigation
 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 approx. center of NE 1/4 sec 8-115-57(d) Method of developing power water wheel

(e) Point where water will be returned to stream

MAP NO 1156-3

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (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.)

II. Dimensions of works.

(a) Dam: Height 12 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 filled 51.0 acre feet. Surface area at highwater mark 17 acres.

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

(c) * Head gate: Width feet; height feet;
 Material
 (d) Canal: Total length miles.

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 work years.
 11. Time required for complete application of water to the proposed beneficial use years.
 12. Choice of newspaper for publication of notice of intention to appropriate
Times & Herald

STATE OF SOUTH DAKOTA

County of Spink

ss.

I, Frank Waldman, Jr. of Spink County, South Dakota, 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

Frank Waldman, Jr.

Subscriber and sworn to before me this 25 day of July 1968

W. H. Wood
 (Notary Public (or other qualified officer.)

Register

AREA TO BE IRRIGATED BY LEGAL SUBDIVISION
160 ACRES NW 1/4, SECTION 8, T.115N, R.59W.

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE)
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF THE CLARK HUTTERITE
BRETHERN, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON AUG 13, 1968 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 13TH DAY OF AUGUST 1968.

Harlan W. Meyer
REGISTERED LAND SURVEYOR #495

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE)
SUBSCRIBED AND SWORN TO BEFORE ME THIS 13TH DAY
OF AUGUST 1968.

Carrie Johnson
NOTARY PUBLIC

MY COMMISSION EXPIRES MARCH 16, 1972

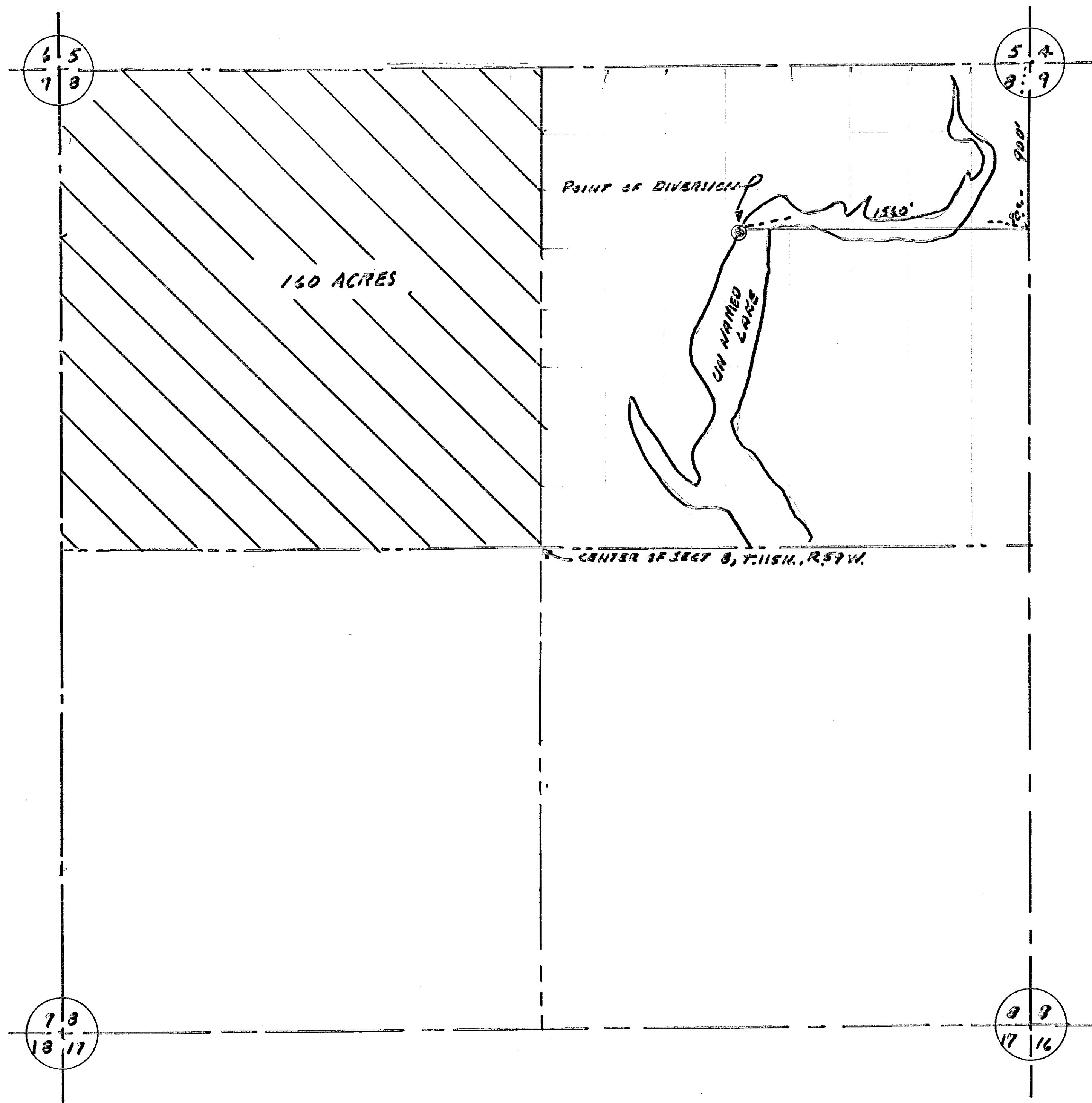
SCALE 1" = 400'

RECEIVED
AUG 15 1968
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

CLARK HUTTERITE BRETHERN IRRIGATION PROJECT NO 1
SHOWS AREA TO BE IRRIGATED & DIVERSION POINT
FOR PERMIT TO APPROPRIATE WATER

OWNER CLARK HUTTERITE BRETHERN
SURVEYOR HARLAN W. MEYER
AUGUST 26

MAP NO 1156-3 APPL NO 1603-3



AREA TO BE IRRIGATED BY LEGAL SUBDIVISION
160 ACRES NW 1/4, SECTION 8, T11S, R59W.

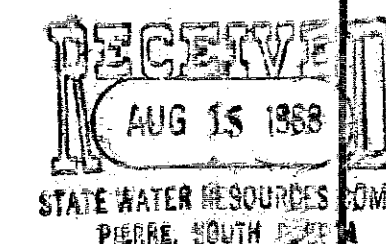
SURVEYOR'S CERTIFICATE

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 THE CLARK HUTTERITE
BRETHREN, I HAVE SHOWN THE LANDS REQUESTED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON AUG 13, 1968 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 13TH DAY OF AUGUST 1968.

STATE OF SOUTH DAKOTA) ss
COUNTY OF BEADLE) ss
SUBSCRIBED AND SWORN TO BEFORE ME THIS 13TH DAY
OF AUGUST 1968.
MY COMMISSION EXPIRES MARCH 10, 1972.

Harlan W. Meyer
REGISTERED LAND SURVEYOR #475
Conrad Johnson
NOTARY PUBLIC

SCALE 1" = 400'



CLARK HUTTERITE BRETHREN IRRIGATION PROJECT NO 1
SHOWS AREA TO BE IRRIGATED & DIVERSION POINT
FOR PERMIT TO APPROPRIATE WATER

OWNER CLARK HUTTERITE BRETHREN
SURVEYOR HARLAN W. MEYER
AUGUST 28

MAP NO 1156-3 (APPL NO 1603-3)

Remarks by State Water Resources Commission:

APPROVAL OF THIS PERMIT RECOGNIZES STORAGE
OF 51 ACRES FEET ANNUALLY

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, MAY 2, 1969

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a.m. upon the 8TH day of JULY, 1968

State Water Resources Commission

By:

[Signature]
for Chief Engineer, Executive Officer

Number of permit 1603-3

Date of first receipt of application JULY 8, 1968

Date of return to applicant for correction, amendments or changes required as follows: JULY 24, 1968

Date of receipt of corrected application JANUARY 9, 1969

Date from which applicant may claim right JANUARY 9, 1969

Approved MARCH 26, 1969, Recorded in Book 10 Page 342

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 SEPTEMBER 26, 1971.

2nd. The whole of said work is to be completed on or before MARCH 26, 1974

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

MARCH 26, 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 2.28 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 MARCH 26, 1974, said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 2ND day of MAY, 1969.

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued

JULY 1, 1974

Water License Issued

JULY 16, 1974

WATER LICENSE NO. 1603-3

(1) WHEREAS, On the 8th day of July A. D. 19 68
the Clark Colony
 made Water Right Application No. 1603-3 for a permit to use 2.28 cubic feet per second of the waters
 of a dry draw dam
 County of Clark, State of South Dakota, for irrigation
 _____ purposes and
 (2) WHEREAS, On the 2nd day of May A. D. 19 69
 Permit No. 1603-3, with a date of priority of January 9, 1969
 was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water
 supply system therein described on or before the 26th day of March A. D. 19 74 and for the
 application to beneficial use of said water on or before the 26th day of March A. D. 19 74

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to completion of the construction of the water supply system and is entitled to divert .18 cubic feet
 per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to the application of water to beneficial use of the following extent.

for irrigating 12 acres in the NE Corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T115N, R59W

(5) 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 the Clark Colony

_____ of Raymond, S.D.

the holder _____ and owner _____ of said permit No. 1603-3 a water right, dating from January 9, 1969

_____ to use of .18 cubic feet per second of the waters of a dry draw dam

in the County of Clark and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 260 feet South and 1560 feet West of the NE Corner, Section 8, T115N, R59W

and conduct to and upon 12 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T115N, R59W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1603-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 16th day of July A. D.
Nineteen Hundred and Seventy-four

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

Form 15.

Permit No. 1603-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Clark Colony

_____ the holder: _____ of
Permit No. 1603-3, issued upon Application No. 1603-3, bearing date of priority of January 9,
1969 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
a dry draw den County of Clark, State of South Dakota at _____
a point 960 ft. South and 1560' West of the NE Corner, Section 8, T115N, R59W
_____, for irrigation

purposes, has ■ 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.

Date July 16, 1974

By: WATER RIGHTS COMMISSION

DONALD DRISCOLL, Chief Engineer

T 102 N 45 2110

2411-3
2741-3

2439-3
2741-3

2439-3
2741-3
4145-3

4145-3
Boggs

Well
(Lump sum paid)
1103-3 and
2741-3
Well
4145-3

2439-3
2741-3

2439-3
2741-3

Well
2741-3

2439-3
2741-3

Combined map for

Clark Farmer Cooperative
Clark County

Scale 1" = 1320'

1" = 1320'

Map by J. J. McLaughlin
June 11-1979

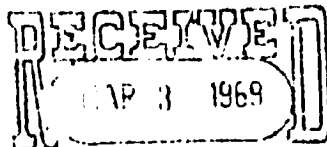
Permit # 1603-3

2741-3
2439-3
2741-3
4145-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA } ss.
County SPINKNorbert J. Miles being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the

The Times-Record a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theTown of Dalton County ofSpink and State of South Dakota; that the said notice was published in said newspaper on the following dates:Jan 30, 1969Feb 6, 1969Feb 13, 1969Feb 20, 1969in each and every issue of the full number thereof, the first publication being made on the 30 day of Jan1969, and the last publication on the 20 day ofFeb 1969, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication hewas Norbert J. Miles the printer and publisher of the said newspaper.Norbert J. MilesSubscribed and sworn to before me this 1st day of March A. D. 1969

STATE WATER RESOURCES COMMISSION

No. 1603-3
APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak.,
January 22, 1969.

Notice is hereby given that the Clark Colony whose post office address is Raymond, 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 2.23 cubic feet of water per second of time from a private lake through the Clark Colony No. 1, the point of diversion of which is to be located on the West bank of said lake in the SW 1/4 of the NE 1/4 of Section 8Twp. 116N Range 59W. Said water to be used for the purpose of providing irrigation on the following described land:

NW 1/4, Section 8, T116N, R59W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of March, 1969, 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
CommissionBy: Burton F. Jones
Water Rights SpecialistCC: Fred Waldner Jr., Secretary
Clark Colony
Raymond, S. Dak.

(Jan. 20, Feb. 6, 13, 20, 1969)

Notary Public George W. Clute County, S. D.

On or before
(First Publication February 27, 1969)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 22, 1969

Notice is hereby given that the Clark Colony whose postoffice address is Raymond 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 2.2E cubic feet of water per second of time from ~~the~~ a private lake through the Clark Colony #1, the point of diversion of which is to be located on the 21 west bank of said ~~stream~~ lake in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section E Twp. 115N Range 59W. Said water to be used for the purpose of providing irrigation on the following described land:

N $\frac{1}{4}$, Section 8, T115N, R59W

~~action~~ PUBLIC

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 26th day of March, 1969, 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.

cc: **Fred Waldner, Jr. Secretary**
Clark Colony
Raymond, S.D.

State Water Resources Commission

By:

~~Chief Engineer, Executive Officer~~
Burton F. Jones
Water Rights Specialist

COMMISSION

John M. Garhart, Spearfish
 Lester Blue, Parker
 Carl Cronin, Gettysburg
 Lauren S. Davis, Belle Fourche
 Milton E. Fischer, Minnehaha
 Richard Lommen, Harrisburg
 Clarence D. Mortenson, Hayes
 Dick Fisher, Cressbard

South Dakota

WATER RESOURCES COMMISSION

State Office Building

PIERRE, SOUTH DAKOTA 57501

PHONE
 224-5441 Ext. 300
 Area Code 605

October 29, 1968

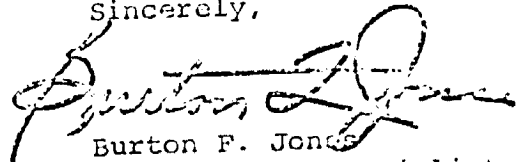
Mr. Fred Waldner, Jr., Secretary
 Clark Colony
 Raymond, South Dakota 57258

Dear Mr. Waldner:

On August 20, 1968, I wrote you indicating that we would have to have the storage capacity, size, etc., of the dam proposed in your water right application #1603-3.

To date we have not received this information. Until we do receive it, we can take no further action on your application.

Sincerely,

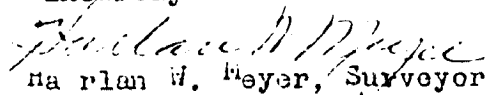


Burton F. Jones
 Water Rights Specialist

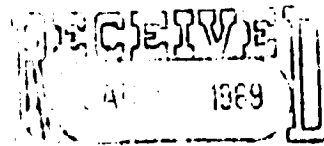
BFJ/bw

Mr. Jones: The size of the Storage capacity is approximately seventeen acres and water depth is about 3 feet. This is spring fed and if my calculations are right, the springs feed faster than the total amount of the request of the water right.

Sincerely



William W. Meyer, Surveyor



WATER RESOURCES COMMISSION

Permit No 1603-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

WATER RIGHTS COMMISSION

TO: Water ~~Resource~~ Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by CLARK
COLONY of RAYMOND holder.
of Permit No. 1603-3, hearing date of priority of JANUARY 9, 1969
authorizing the diversion of 2.25 cu. ft. per second of the waters of A PRIVATE LAKE
for IRRIGATION purposes, in CLARK County.

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

The Water Use System consists of,

A. Works used to divert the water:

STORAGE DAM WITH 51 ACRE FEET CAPACITY
FAIRBANKS-MORSE 6" PUMP - T4B90A2
POWERED BY FORD V-8 GASOLINE MOTOR

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

1860' OF 6" MAINLINE

C. Works used to apply water to beneficial use.

540' OF 6" GATED PIPE
1320' OF 4" SPRINKLER LINE WITH 18 #70 SPRINKLER
HEADS WITH 7/32 NOZZLES

The system is in the following condition: GOOD

The point of diversion is located A POINT 960'S & 1560' IN OF THE
NE CORNER, SECTION 8, T115N, R59W

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

Water has been put to beneficial use to the maximum extent as follows:

FOR IRRIGATING GARDEN AREA IN EXTREME
NE & NW, SECT. 2N 8, T115N, R59W

comprising a total of 12 acres of land.

APRIL 3, 1971
Phyllis [Signature]
(Signature)
WATER RIGHT SPECIALIST
WATER RIGHT COMMISSION

May 20, 1975

Donald C. Rusch
Raymond
South Dakota 57258

Dear Mr. Rusch:

Your phone call requests information regarding irrigation rights held by the Clark Colony.

Water License No. 1603-3 is held by the Clark Colony to irrigate 12 acres of garden in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, T115N, R59W from a storage reservoir of approximately 50 acresfeet.

They are in the process of making application for the remainder of the NE $\frac{1}{4}$ of Section 7.

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

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/bw

1603-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 23, 1996

Paul Waldner
Clark Colony
RR 2 Box 28
Raymond, SD 57258

Dear Mr. Waldner:

Thank you for the prompt return of your 1996 irrigation questionnaires. When reviewing them, I noticed that only one of the forms was completed. My question is did you irrigate under the remaining permits or was all irrigation included on one form?

The questionnaire you completed for Water Right No. 1603-3 reflected irrigation of 130 acres of corn during the months of July and August. The following is a brief summary of the acreage described in Water Right Nos. 1603-3, 2489-3 and 5812-3:

Water Right No.	No. of Acres	Legal Description
1603-3	12.00	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T115N, R59W
2489-3	264.00	NE $\frac{1}{4}$ Section 7 and NW $\frac{1}{4}$ Section 8, T115N, R59W
5812-3	262.00	SE $\frac{1}{4}$, Lots 3 & 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 7, T115N, R59W E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 12, T115N, R60W

Enclosed are the irrigation questionnaires you returned November 15th. Please review the above legal descriptions and complete the questionnaires accordingly. If you did not irrigate the land described under one or more of the water rights, please make a notation on the questionnaire.

I am enclosing a postage paid envelope for your reply. Please complete the forms and return them to our office by January 10, 1997. If you have any questions, please contact me.

Sincerely,

Genny McMath

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

encl

1603-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 14, 1998

1603-3
2489-3
5812-3

Paul Waldner
Clark Colony
41181 179th St
Raymond, SD 57258

Derr Mr. Waldner:

Thank you for calling about the land you purchased from Mr. Terrill and the legal description of water rights held by Clark Colony. The following is a listing of the water rights.

Water Right No.	No. of Acres	Source of Water	Description of Acres Irrigated
Clark Colony:			
1603-3	12	dry draw dam	NE 1/4 NE 1/4 Section 8, T115N, R59W
2489-3	264	ground water (one well)	NE 1/4 Section 7 & NW 1/4 Section 8, T115N, R59W
5812-3	262	ground water (two wells)	SE 1/4, Lots 3 & 4, E 1/4 SW 1/4 Section 7, T115N, R59W & E 1/2 SE 1/4 Section 12, T115N, R60W
Lloyd Terrill:			
1898-3	270	ground water (one well)	S 1/2 Section 7, T115N, R58W
1899-3	135	ground water (one well)	SW 1/4 Section 8, T115N, R58W

I am returning your 1998 irrigation questionnaires in the event any changes need to be made to them based on information in the above table. If you feel the forms are accurate as originally completed, make that notation on the forms. Please return the forms in the enclosed postage paid envelope as soon as possible.

I am enclosing partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change on Water Right Nos. 1898-3 and 1899-3. Please review the forms and complete as needed. Upon completion, please sign the forms in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (\$5.00 total).

If you have any questions concerning the water rights or completion of the enclosed forms, please get in touch with me.

Sincerely,

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

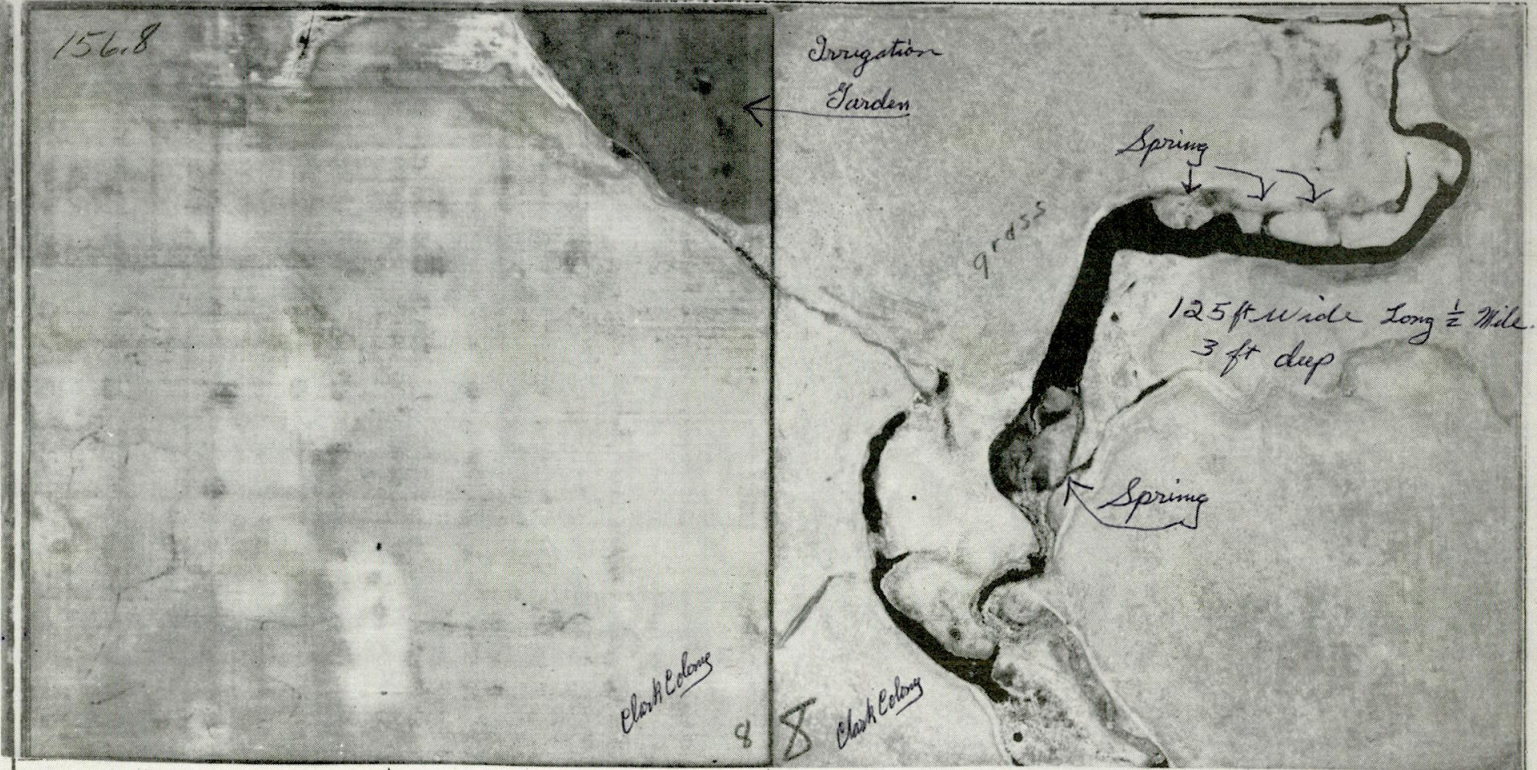
1967
Listed in Spink

8

FARM NO. NAME AND ADDRESS FARMLAND CROPLAND
156.8

OPERATOR
OWNER

Tract No. 9-12 8-M89
Farm No. _____
Operator Same
Owner Clark Hutterian Brethern



RECEIVED
JUL 23 1968
STATE WATER RESOURCES COMM
SOUTH DAKOTA

Legal Description N $\frac{1}{2}$ of 8-115-59 map # 1156-3 (w/R 1603-3)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2006

NOTICE

TO: CLARK COLONY, FRED WALDNER, 41181 179TH ST, RAYMOND, SD 57258 7400

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1603-3, 1898-3, 1899-3 & 2489-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5812-3 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5812-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1603-3, 1898-3, 1899-3 & 2489-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 1, 2006

Fred Waldner
Clark Colony
41181 179th St
Raymond SD 57258-7400

RE: 1603-3, 1898-3, 1899-3, 2489-3 & 5812-3

Dear Mr. Waldner:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 1603-3, 1898-3, 1899-3, 2489-3 and 5812-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov



July 8, 2014

1603-3

Paul Waldner
Clark Colony
41181 179th St
Raymond SD 57258

Dear Mr. Waldner:

I am contacting you in regard to the 2013 irrigation questionnaire for Water Right No. 1603-3. The water right authorizes diversion of water from a dry draw dam to irrigate a small garden in the NE ¼ NW ¼ Section 8, T115N, R59W.

On the form submitted last year, the box was checked that irrigation took place but nothing was completed on the back side of the form. I realize that the use of water may be minimal for this water right but it still needs to be reported.

I have tried numerous times to reach you by phone in an attempt to take care of this without having to re-mail it to you. Please take a few minutes and complete the back of the enclosed irrigation questionnaire and return it by July 15th. A postage paid envelope is enclosed for your use in returning the form.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures