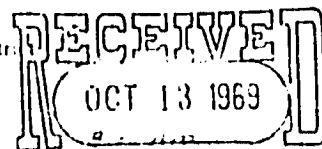


- 1701-3
1. Considered NOVEMBER 12, 1969
 2. Name of Applicant JEROME KLOCKER
 3. Post Office Address HOVEN
 4. Amount of water claimed 3.00
 5. Source of water supply GROUND WATER
 6. Water to be used for IRRIGATION
Acres to be irrigated 320.00
 7. Water to be diverted and used in WALWORTH county
about 2N-1 miles WEST of HOVEN
 8. Proof of Publication Received 11-12-69
Not Received _____
 9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
 10. Remarks:

No. 1701-3

Map No. 1229-3 Water Division No. 3 MISSOURI RIVER District
(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 Jerome Klockor
Postoffice address Hoven State South Dakota
If a corporation show date and place of incorporation _____

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

3. Name of diversion work Klockor Irrigation Project No. 1

4. Amount of water claimed (cubic feet per second) 3 cfs

5. Source of water supply well

6. Location of point of diversion XXXXXXXXXXXXXXXXXXXX100 ft South and 100 ft West of
the N. E. Corner of Section 28, T 121 N., R. 74 W., 5th P.M.

County Mission

7. Annual period or periods during which water is to be used April thru Oct.

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

9. For irrigation use, _____ Total number of acres to be irrigated 320

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.	Land Description	No. Acres Irr.
NW $\frac{1}{4}$ of Sect. 28, 121, 74	160		
NE $\frac{1}{4}$ of Sect. 28, 121, 74	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 5 years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Selby Record

12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)

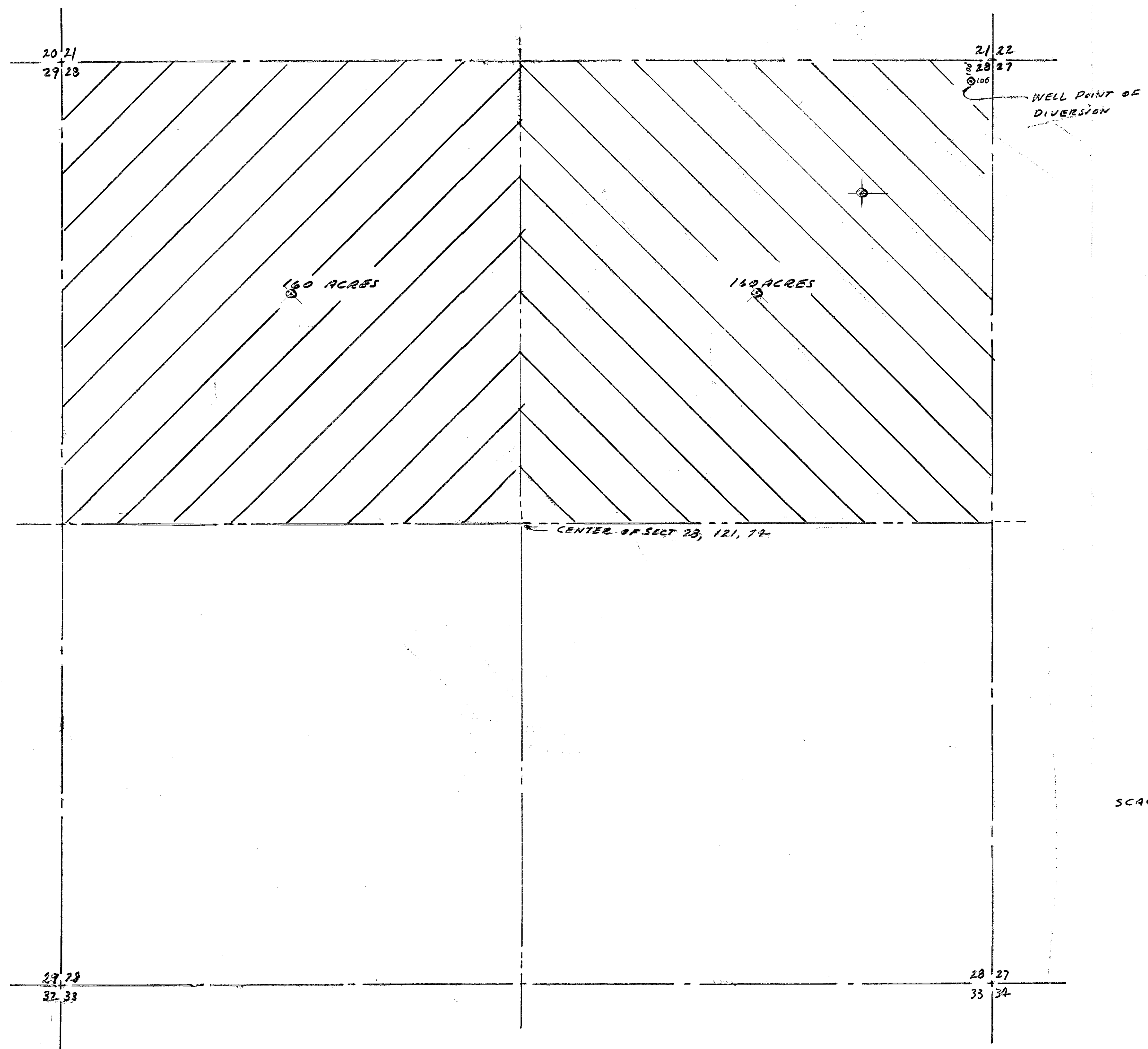
County of Potter) ss.

I, Jerome Klockor the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Jerome Klockor

Subscribed and sworn to before me this 9th day of Oct. 1969

[Signature]
Notary Public (or other qualified officer)



AREA BY LEGAL SUBDIVISION

160 ACRES - NW 1/4 SECT 28, T121N, R74W.
 160 ACRES - NE 1/4 SECT 28, T121N, R74W.
 320 ACRES TOTAL

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) ss
 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 JEROME KLOCKER,
 SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
 WITHIN HIS SURVEY BOUNDARIES ON OCT 1, 1969 FOR WHICH
 APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
 THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
 WITNESS MY HAND AND SEAL THIS 1ST DAY OF OCT 1969

Harlan W. Meyer
 REGISTERED LAND SURVEYOR #415

STATE OF SOUTH DAKOTA) ss
 COUNTY OF BEADLE)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 1ST DAY
 OF OCT. 1969

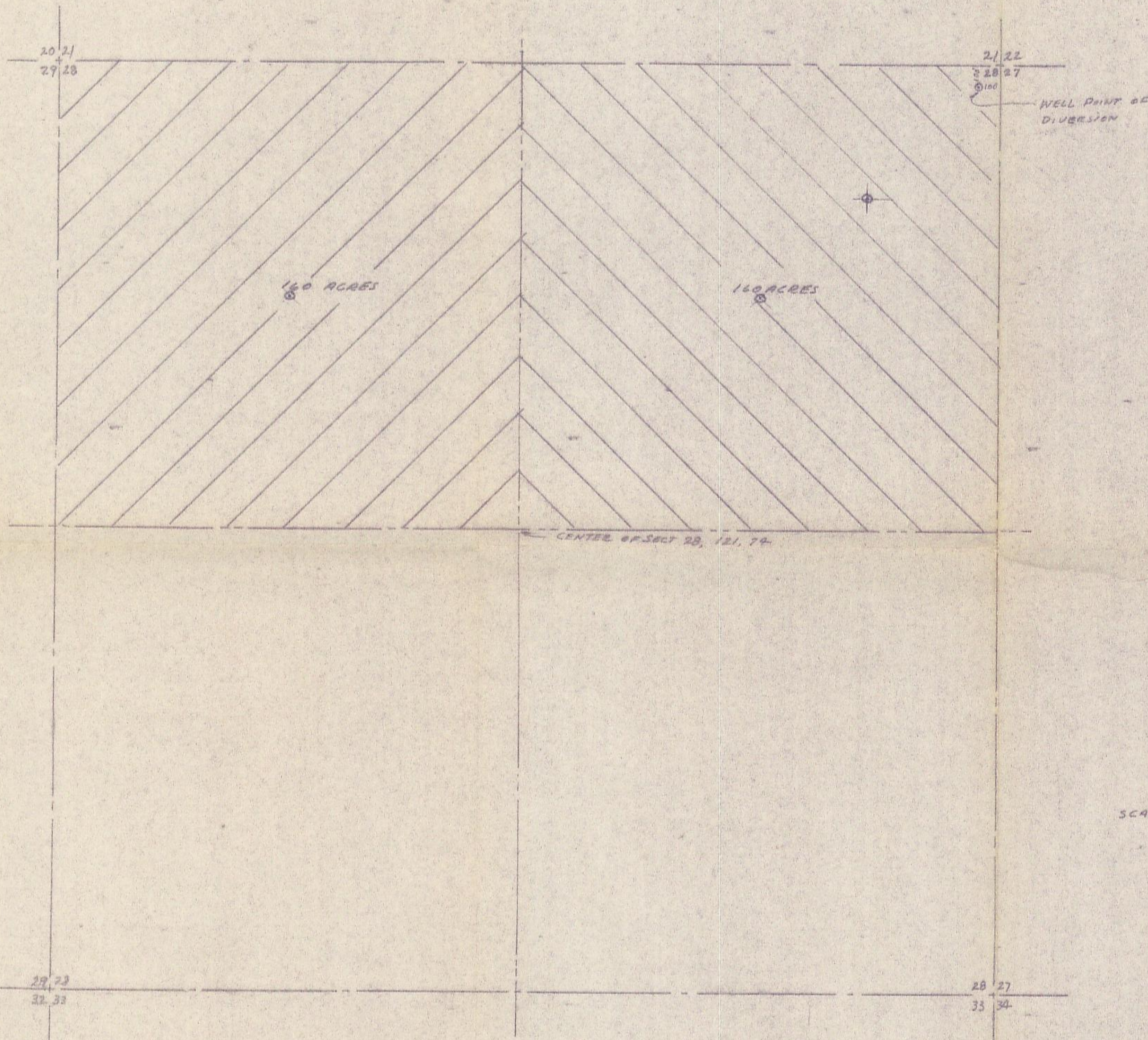
C. Lora Rans
 NOTARY PUBLIC

MY COMMISSION EXPIRES July 16, 1977

SCALE 1" = 400'

JEROME KLOCKER IRRIGATION PROJECT #1
 SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE
 WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE
 WATER

OWNER JEROME KLOCKER
 SURVEYOR HARLAN W. MEYER
 OCT. 1969



AREA BY LEGAL SUBDIVISION
 160 ACRES - NW 1/4 SECT 28, T121N, R74W
 160 ACRES - NE 1/4 SECT 28, T121N, R74W
 320 ACRES TOTAL

SURVEYOR'S CERTIFICATE
 STATE OF SOUTH DAKOTA) ss
 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 JEROME KLOCKER,
 SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
 WITHIN HIS OWNERSHIP BOUNDARIES ON OCT 1, 1969 FOR WHICH
 APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
 THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
 WITNESS MY HAND AND SEAL THIS 1ST DAY OF OCT 1969
 Harlan W. Meyer
 REGISTERED LAND SURVEYOR #415
 STATE OF SOUTH DAKOTA) ss
 COUNTY OF BEADLE)
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 1ST DAY
 OF OCT. 1969
 C. L. R. R. R.
 NOTARY PUBLIC
 MY COMMISSION EXPIRES July 16, 1977

SCALE 1" = 400'

JEROME KLOCKER IRRIGATION PROJECT #1
 SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE
 WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE
 WATER
 OWNER JEROME KLOCKER
 SURVEYOR HARLAN W. MEYER
 OCT. 1969

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1701-3JEROME KLOCKER
(Applicant)HOVEN
(Post Office Address)SOUTH DAKOTA
(State) With the following modifications:

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application OCTOBER 13 19 69Date of return to applicant for correction, amendments or changes required — 19 —Date of receipt of corrected application — 19 —Approved NOVEMBER 12 19 69 Recorded in Book 11 Page 48WATER RIGHT PERMIT NO. 1701-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1701-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is OCTOBER 13 19 69
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 12 19 70-74
3. The whole of said work is to be completed on or before NOVEMBER 12 19 70-78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 12 19 74
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 3.00 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before NOVEMBER 12 19 74; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 14TH day of NOVEMBER 19 69

WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —Water License Issued — 19 —

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 2.5", Depth 48"
- (2) Casing, Type Steel (wood, concrete, steel, etc), Diameter 16" O.D. Thickness 2.19"
- (3) Perforated Screen.
Type Johnson Turbopac, Diameter 16", Length 15'
- (4) Gravel Pack. Thickness 6", Length of gravel pack 48'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials 0-275, 2-14 Clay,
14-48 Sand fine gravel

Depth to top of water bearing material 14'
Depth to bottom of water bearing material 45'
Thickness of water bearing material 34'
Depth to water (ground surface to water level) 12'

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

On same owner's property _____ rds. On property owned by others 80 rds.

G. Water Storage Dams.

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

Jerome Klockner
Signature of Applicant
Jerome Klockner

STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

D. 1701-3

Publish first publication, on or before October 16, 19 69.

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

October 13, 19 69

Notice is hereby given that Jerome Klocker
whose post office address is Hoven, 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
3.0 cubic feet of water per second of time from the ground water through the
Klocker Irrigation Project #1, the point of diversion of which is to be located in the

NE $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 28, Twp. 121N, Range 74W. Said water to be used for the purpose
of providing irrigation on the following described land:

N $\frac{1}{2}$, Section 28, T121N, R74W

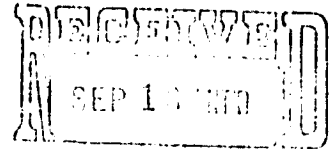
This application No. 1701-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 12th day of November, 19 69, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Jerome Klocker, Hoven, S.D.



STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR EXTENSION OF TIME

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

Date September 14, 1973

Dear Sirs:

In Water Right Permit No. 1701-3 it is specified that the water diversion system is to be completed by
November 12, 1970 and that the water is to be put to the limit of beneficial use by
November 12, 1974.

I hereby request that the date for completing the diversion system be extended to November 12
1974 and that the date for putting the water to the limit of beneficial use be extended to
November 12, 1978.

The extension of time for the completion of these works is requested for the following reasons:
Unable to complete system in the time requested

Enclosed herewith is a fee of \$1.00 to pay the cost of filing this request for extension of time.

(Signed)

Holder of Permit No. 1701-3

APPROVED:

WATER RESOURCES COMMISSION

By:

SOUTH DAKOTA

No. 1701-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 695/224-3151

March 16, 1977

Jerome Klocker
Hoven
South Dakota 57450

Dear Mr. Klocker:

Existing Water Rights, Deferred Applications, and Advertised Applications in the Hoven Area will be discussed and deferred or advertised applications will be considered by the Water Rights Commission during their March 23-24, 1977 meeting, at 9:00 A.M., March 24, 1977. Any comments concerning the attached Hoven Area Report or the applications can be presented at this hearing.

The Commission will be meeting in the South Dakota Education Association Auditorium, 411 E. Capitol, Pierre, S.D.

Please advise if you have any questions concerning the hearing.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

1701-3

1701-3
10-42-3

January 12, 1980

TO: People Interested in Hoven Area Water Supplies & Deferred Applications
FROM: John Hatch, Chief Engineer, Water Rights Division
SUBJECT: Review of Water Status and Reconsideration of Deferred Applications

The Water Management Board will reconsider deferred water permit applications in the Hoven Area in Potter & Walworth Counties at 8:30 am on January 29, 1981 at Meeting Room #1, Kneip Building, Church & Illinois, Pierre SD.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-3; 46-6-5; 46-6-6.1; 46-6-10; 46-6-3.1; 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13.

These applications were previously deferred by the Board pending staff investigation. A report on the deferred applications has been prepared by the Water Rights Staff and is enclosed.

After reconsideration of the deferred applications the Board can approve, conditionally approve, defer, or deny all or part of the Applications.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

You are also notified that SDCL 1-26 provides any interested party the opportunity to meet informally with the Water Rights Division Staff to discuss proposed recommendations by the staff to the Board prior to the scheduled hearing. If we do not hear from you, we will assume that the opportunity for an informal meeting is being waived and you wish to proceed directly to the hearing on the applications before the Board.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

Very truly yours,

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division

kw

enclosure

Equal Opportunity Employer



Department of Water & Natural Resources

Joe Foss Building Water Rights Division (605) 773-3352
Pierre, South Dakota 57501

March 18, 1981

Mr. Jerome Klocker
Hoven, SD 57450

Mr. Klocker:

RE: Water Rights 1701-3, 2106-3, 4531-3, 4540-3

This letter is in regard to a conversation with Gale Selken, Hydrologist, Division of Water Rights, and the number of authorized points of diversion (wells) in the NE $\frac{1}{4}$ Section 28, T12N, R74W.

Originally (November 12, 1969) an application numbered 1701-3 was approved for one point of diversion to irrigate the NE $\frac{1}{4}$ Section 28, T12N, R74W. An extension of time was granted in January, 1974 to extend the completion date to November 12, 1974 on Permit 1701-3.

Application 2106-3 was received August 19, 1971 for two additional points of diversion on Section 28. No water quality was received on the application, so no action could be taken.

Application 4531-3 was received June 24, 1980 for two additional points of diversion on Section 28. This application was assumed to replace 2106-3 which was never a complete application. Based on water availability, Application No. 4531-3 was denied by the Water Management Board.

Application 4540-3 was received September 16, 1980 and was for one point of diversion on Section 28 to irrigate the NE $\frac{1}{4}$ Section 28. This application was approved by the Water Management Board.

Therefore, the permits on Section 28 authorize the NE $\frac{1}{4}$ of Section 28 to be irrigated from two points of diversion; one well is located at a point 100 feet south and 100 feet west of the NE corner Section 28, T12N, R7E (approximately 48 feet deep) and one well is located at a point 1650 feet north, 131 feet west from the NE corner Section 28, T12N, R74W (approximately 136 feet deep).

Pumping from the additional two shallow wells diversion is not authorized; any pumping would be in violation of State Statutes.

If you have any questions, please contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/CMS/gy

Equal Opportunity Employer

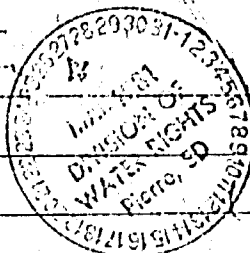
Job These Well

Date _____

Employee Bill Miller before July 1970

Time In _____

Time Out _____



Type of Work _____

T. Klocker

3790

89550

1000

1955.00

MATERIAL USED				COST	
4#1	Well	4 1/2'	Center	10'	
15 2	Well	4 1/2'	6" 48' wire	21'	37292-7-4
15 3	Well	4 1/2'	51' wire	21'	37292-4-574-10
1790'	6"	PVC		19' 6"	37292-V-574-10
1	6"	tu.		2/2	
3	- plastic	- steel		10	
3	- 6x4	plastic		32' 6"	pipe
1795'	steel				
			18	21	
			18	13	
			32	36	
20	19.6		21		
21	21.0		1		
4.6	4.6				
45.6	45.0		8	36	
			21	29	
			29	17	
Kaiser	21' 7"				
	20'				
	22' 3"				
Kaiser	21'				

Unit #2

THE FEDERAL LAND BANK () MAHA

FORM 2430 (Rev. 7-76)

SUPPLEMENTAL PUMP IRRIGATION REPORT

Applicant Blue Valley Dairy Farm FARM Office Paul C. Webb Loan No. _____
 Completed by: Rolla Webb Date 8-16-77

A. WATER RIGHTS (Complete section below showing water rights in all cases except for Nebraska irrigation wells where only well registration number need be given.)

Nebraska well registration No(s). _____

Source of supply well

(Stream, well, Reservoir)

County Washington Township 231 N. Range 74 W.

Subdivision	Section	Permit Number	Date of Priority	Acres With Water Right	Acres Adjudicated	Acres Irrigated
1. <u>NW 1/4</u>	<u>28</u>	<u>1701-3</u>	<u>10-13-67</u>	<u>320</u>		<u>264</u>
2.						
3.						
4.						
5.						
6.						

PUMPING FROM STREAM OR RESERVOIR

(Use B and appropriate lines in C, D, E, F, G, & H)

B. PUMP LOCATION: NW 1/4 Sec. 28 Twp. 121 Rge. 74

PUMPING FROM WELL(S)

(Use average data for all wells on security, if practical.)

Give locations by quarters or 40's.)

C. WELL LOCATION(S): _____ Sec. _____ Twp. _____ Rge. _____
3 _____ Sec. _____ Twp. _____ Rge. _____
 _____ Sec. _____ Twp. _____ Rge. _____
 _____ Sec. _____ Twp. _____ Rge. _____
 _____ Sec. _____ Twp. _____ Rge. _____

G. DISTRIBUTION SYSTEM(S)

Describe (serial No.) #1241766Electrication - Model 5E510' 12' 14' 16' 18' 20'

H. PUMP OPERATION (Usual conditions)

1. Discharge 1400 GPM
 2. Static water level 8 Feet
 3. Drawdown 27 Feet
 4. Present pumping lift 35 Feet
 5. Anticipated decline 10 Feet
 6. Sprinkler head 130 Feet
 7. Pipe friction head 26 Feet
 8. Total pumping head 281 Feet

1. Year(s) drilled 1974 (3 wells)
 2. Diam. & depth of hole 36" x 43' 4" 45' 4" 48"
 3. Casing length perforated 15' x 16" 4 18"
 4. Driller or Firm Edyta Boring
 5. Let's - 84'

D. PUMP(S): Year installed

1. Size and make 4" 46" Centurion
 2. Bowl setting 32 4 40 Feet
 3. Serial number(s) _____

E. POWER UNIT(S)

1. Year installed 1974
 2. Make and kind Century Elec.
 3. Rated horsepower & fuel type 75HP 4 Elec.
 4. Serial number(s) _____

F. DRIVE: Direct, geared, or belted Direct

I. NORMAL IRRIGATION REQUIREMENT

Crop	Acres	Inches Per Season	Acres-Feet
<u>corn</u>	<u>66</u>	<u>25</u>	<u>82</u>
<u>alfalfa</u>	<u>66</u>	<u>15</u>	<u>52</u>
<u>alfalfa</u>	<u>132</u>	<u>8</u>	<u>58</u>
			<u>192</u>

(Complete Sections J and K if necessary to support repayment projection.)

J. OPERATION COST

1. _____ acre-feet x _____ feet lift at _____ cents
 2. per acre-foot per foot lift equal _____

K. DEPRECIATION AND REPAIR COST

Item	Replacement Cost	Depr. Rate	Yearly Depr.	Repair Rate	Yearly Repair	Total Yearly Depr. & Repair	Rental
1. Well.....	\$ _____	<u>4</u>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
2. Pump.....	\$ _____	<u>5</u>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
3. Power.....	\$ _____	<u>1</u>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
4. _____	\$ _____	<u>1</u>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
5. _____	\$ _____	<u>1</u>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
6. _____	\$ _____	<u>1</u>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
7. _____	\$ _____	<u>1</u>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
8. Totals (Depr. & Repair).....	\$ _____		\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

L. TOTAL ANNUAL COSTS (Complete Section L if necessary to support repayment projection.)

Annual pumping costs (operation & repair).....total \$115,000, per acre \$ 42

PUMPING TEST DATA (Optional)

Well No. _____

_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet

Well No. _____

_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet

Well No. _____

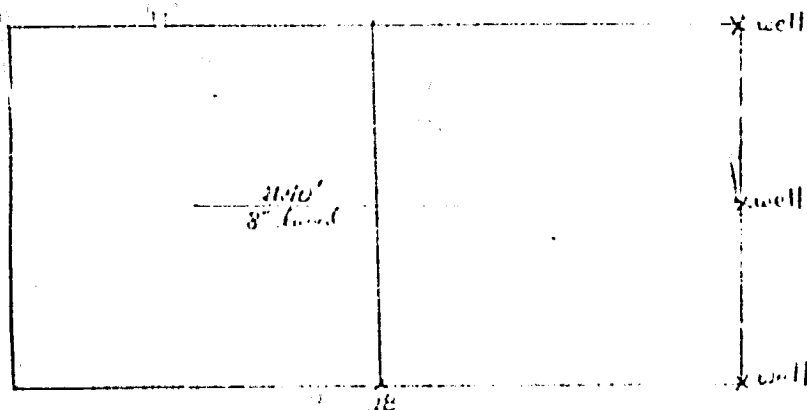
_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet

Well No. _____

_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet
_____	GPM @ _____	feet

REMARKS

Security consists of two quarters making use of one system with two pivot points. The primary circle is composed of 1/2 corn and 1/2 alfalfa. The off-season circle is all alfalfa. Two supplementary wells feed into the center well and then to the system. The unit is producing in the third season and the water supply has been adequate. Increased development in this area has created concern over the future dependability of this water supply. Therefore, the valuation has been reduced accordingly. A new well has been discovered at 115' and a permit has been applied for.



Division of Water Rights
605 773-3352

April 7, 1981

Jerome Klocker
Hoven,
South Dakota 57450

Dear Mr. Klocker:

This letter is in regard to the number of authorized points of diversion for permits on the N², Section 28, T121N, R74W.

Evidence presented by you (billing from well driller and Federal Land Bank forms) show that three shallow wells (43, 45 and 48 feet deep) were drilled before July, 1974.

The policy of the Water Rights Commission at that time (1974) was to license a water right for the number of wells which were installed not necessarily what was approved. It also appears that the intent of the original application (map shows 3 wells) was for 3 wells. Therefore permit 1701-3 will be licensed for three shallow points of diversion and for the portions of the N², Section 28 which are being irrigated.

In addition to permit 1701-3 you also have permit 4540-3 which is for one additional point of diversion to be approximately 136 feet deep. Permit 4540-3 will be licensed upon completion of the well.

Thank you for your time in helping to straighten this matter out. If you have any questions please contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:GS:kw

**South Dakota Department of
Water & Natural Resources**

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

November 21, 1986

1701-3

4540-3

Blue Valley Dairy
% Terry Klocker
Box 407
Hoven SD 57450

Dear Mr. Klocker:

Enclosed are Notice of Transfer of Water Permit forms. These forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 each (\$5.00).

Upon receipt of the enclosed forms and the \$5.00 filing fees the permits will be transferred to your 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.

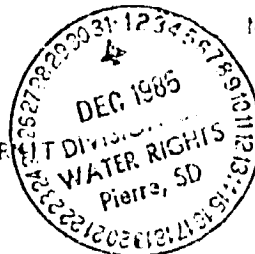
Sincerely,

Karen Schlaak

KAREN SCHLAACK
Senior Secretary

enclosure

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

320 acres - N½ Section 28, T121N, R74W

formerly owned by Jerome Klocker

has been transferred to Blue Valley Dairy, & Terry Klocker, President, Box 407, Hoven
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1701-3 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 Pierre) ss.

I, Terry Klocker being first duly sworn on my oath despose 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.

Terry Klocker
(Signed)

Subscribed and sworn to before me this 30th Day of December, 1986.

James Horvath
(Notary Public)

*My Commission Expires
September 6, 1993*

WATER RIGHTS DIVISION
(605) 773-3352

January 2, 1987

Blue Valley Dairy Farms, Inc.
c/o Terry Klocker, President
Box 407
Hoven, South Dakota 57450

Dear Mr. Klocker:

This letter will acknowledge receipt of the "Notice of Transfer" forms you submitted for Water Permit Nos. 1701-3 and 4540-3. Although we have received the proper forms, the transfers can not be processed without the required filing fees.

The fee for filing a transfer is \$2.50 each. Please remit a total of \$5.00 as soon as possible. Upon receipt of the \$5.00, Water Permit Nos. 1701-3 and 4540-3 will be transferred to Blue Valley Dairy.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

Gll:ms

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, January 3, 1937

RECEIVED OF Blue Valley Dairy Farms, Inc, c/o Terry Klockner, Box 407, Hoven, SD 57450
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 <u>1701-7</u>	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 (15)



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

January 12, 1987

Blue Valley Dairy Farms, Inc.
c/o Terry Klocker
Box 407
Hoven, South Dakota 57450

Dear Sir:

Enclosed is receipt Nos 410695 & 410696 in the amount of \$ 2.50 each, which you paid for transfer of Water Right Nos. 1701-3 and 4540-3.

Our records now show ^{Blue Valley Dairy} ~~you~~ as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.2

 **Department of
Water & Natural Resources**

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

1701-3

January 29, 1988

BLUE VALLEY DIARY -Terry Klocker
BOX 407
HOVEN, SD 57450

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

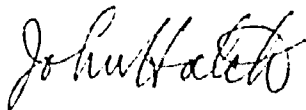
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1701-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, 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(s), the Water Management Board can:

1. Amend Permit No(s). 1701-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.



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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

February 29, 1988

1701-3
4540-3

Blue Valley Dairy
Box 407
Hoven SD 57450

Dear Sir:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 1701-3, 4540-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

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



Department of Water & Natural Resources

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

February 8, 1989

TERRY KLOCKER, PRESIDENT
BLUE VALLEY DAIRY
BOX 407
HOVEN, SD 57450

NOTICE

RE: Violation of Water Permit No(s). 4540-3 and 1988 Irrigation Questionnaire Requirements

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4540-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board has directed that owners of water permits who have not submitted the 1988 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). 4540-3 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. 1701-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

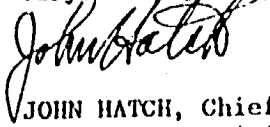
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 4540-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 1701-3 also held by BLUE VALLEY DAIRY to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

If the questionnaire is received in this office before the March 1st 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,



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





Department of Water & Natural Resources

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

#1701-3
#4540-3

February 17, 1989

Terry Klocker
Blue Valley Dairy
Box 407
Hoven, SD 57450

Dear Mr. Klocker:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



February 17, 1989
Klocker
page 2

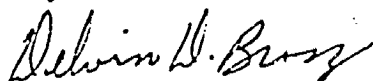
Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified.

If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


for JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

February 24, 1989

1701-3
4540-3

Terry Klocker
Blue Valley Dairy
Box 407
Hoven, SD 57450

Dear Mr. Klocker:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 1701-3 and 4540-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaires your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division



1701-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

T KLOCKER- BLUE VALLEY DAIRY
BOX 407
HOVEN SD 57450

NOTICE

RE: Violation of Water Permit Nos 1701-3, 4540-3 and 1991 Irrigation
Questionnaire Requirements

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit Nos 1701-3, 4540-3. The request for the Questionnaires was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1701-3 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) 4540-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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 SDCL 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) 4540-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1701-3 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 March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 19, 1992

(1701-3)
4540-3

Terry Klocker
Blue Valley Dairy
Box 407
Hoven, SD 57450

Dear Mr. Klocker:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 1701-3 and 4540-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

T KLOCKER- BLUE VALLEY DAIRY
BOX 407
HOVEN, SD 57450

4a. Article Number

8906 557615

4b. Service Type

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

7. Date of Delivery

1-29-92

5. Signature (Addressee)

T. Klocker

6. Signature (Agent)

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



1701-3

January 29, 1993

NOTICE

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

TO: T KLOCKER- BLUE VALLEY DAIRY
BOX 407
HOVEN SD 57450

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 1701-3, 4540-3 and 1992 Irrigation Questionnaire Requirements

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1701-3, 4540-3. The request for the Questionnaires was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1701-3 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) 4540-3 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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 SDCL 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) 4540-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1701-3 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaires are received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Is your RETURN led on the reverse side? SENDER: • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: <u>1701-3</u> T KLOCKER- BLUE VALLEY DAIRY BOX 407 HOVEN SD 57450		4a. Article Number <u>P 906 560037</u> 4b. (Service Type) ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise	
5. Signature (Addressee) <i>T Klocker</i> 6. Signature (Agent)		7. Date of Delivery <u>1-30-93</u> 8. Addressee's Address (Only if requested and fee is paid)	
PS Form 3811, December 1991 ☆ U.S. (I.P.O.): 1992-307-531 DOMESTIC RETURN RECEIPT			

Thank you for using Return Receipt Service.



1701-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3181

February 22, 1993

1701-3

4540-3

Terry Klocker
Blue Valley Dairy
Box 407
Hoven, SD 57450

Dear Mr. Klocker:

I am writing to acknowledge receipt of your 1992 irrigation questionnaires for Water Right Nos. 1701-3 and 4540-3. You may disregard the January 29, 1993, Notice of Violation of Water Permit and of the Requirement to Submit the 1992 Irrigation Questionnaire.

The questionnaires were received in our office prior to the Water Management Board meeting, your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

Permit No. 1701-3

1701-3

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 Terry Klocker of 237 6th Ave., Hoven, SD 57450 holder of Permit No. 1701-3, bearing the priority of October 13, 1969 authorizing the diversion of 3 cu. ft. per second of the waters of Hoven North Aquifer for irrigation purposes, in ~~Potter~~ ^{Walworth} County.

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

A. Works used to divert the water:

Well #1 - 37' deep with 22' of 16" pvc casing, 10' of 16" pvc screen and 5' of 16"stainless steel screen; Morse pump with a capacity of 900 gpm; Franklin motor rated at 75 hp.Well #2 - 48' deep with 16" pvc casing and 16" stainless steel screen; Submersible pumpand Franklin submersible motor rated at 7.5 hp.Well #3 - 48' deep with 23' of 18" casing and 15' of screen; submersible pump and Franklinsubmersible motor rated at 7.5 hp.

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

1703' of 6" pvc and 2790' of 8" pvc.

C. Works used to apply water to beneficial use:

Electrogater center pivot 1260' long, 8 towers and end gun, high pressure system, 900 gpm capacity.Electrogater center pivot 1260' long, 10 tower and end gun, high pressure system, 900 gpm capacity.

The system is in the following condition good. The point of diversion is located Well #1 - 1320' S and 1270' W; Well #2 - 530' S and 660' W; Well #3 - 100' S and 100' W all of the NE corner of Sec. 28, T121N, R74W. The works are capable of diverting and conveying to

the place of use 2 cu. ft. per second of water which is to be used for irrigation. Wa
has been put to beneficial use to the maximum extent as follows:

Sec. 28, T121N, R74W

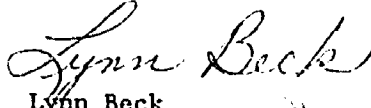
<u>NW1/4 NW1/4</u>	<u>31.5 acres</u>	<u>NW1/4 NE1/4</u>	<u>31.5 acres</u>
<u>NE1/4</u>	"	<u>NE1/4</u>	"
<u>SW1/4</u>	"	<u>SW1/4</u>	"
<u>SE1/4</u>	"	<u>SE1/4</u>	"

comprising a total of 252 acres of land and the license should be issued for 2 cfs

Application permit qualifications have been complied with Y Yes No

Exceptions to compliance are: none

Date 10-7-92



Lynn Beck
Natural Resources Engineer III
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NUMBER 1701-3

DATE 10-7-92

Other permit(s) associated with the project

DIVERSION POINT LEGAL LOCATION: Well #1 - 1320' S and 1270' W of the NE corner of Sec. 28-121-

WELL INFORMATION: Well Drilling Firm Dakota Boring Co. replacement well, drilled 7-23-88.

No. of Walls Depth(s) 37

- a) Casing: 1) diameter 16 inches
2) length 22 feet
3) type pvc
- b) Screen: 1) type pvc; stainless steel
2) length 10; 5 feet
3) make Morse
- c) Pump 1) make Morse
2) model
3) size inches
4) capacity 900 GPM
5) turbine pump - No. of stages
6) operating pressure PSI
- d) Static Water Level 10 feet
- e) Motor: 1) make Franklin
2) model No.
3) horsepower rating 75 hp

DIVERSION POINT LEGAL LOCATION: Well #2 - 530' S and 660' W of the NE corner of Sec. 28-121-74

WELL INFORMATION: Well Drilling Firm Dakota Boring Co. replacement well, drilled 8-13-79.

No. of Wells Depth(s) 48

- a) Casing: 1) diameter 16 inches
2) length feet
3) type pvc
- b) Screen: 1) type stainless steel
2) length feet
3) make submersible
- c) Pump 1) make submersible
2) model
3) size inches
4) capacity GPM
5) turbine pump - No. of stages
6) operating pressure PSI
- d) Static Water Level 14 feet
- e) Motor: 1) make Franklin Submer.
2) model No.
3) horsepower rating 7.5 hp

DIVERSION POINT LEGAL LOCATION: Well #3 - 100' S and 100' W of the NE corner of Sec. 28-121-74

WELL INFORMATION: Well Drilling Firm Vergil Worm original well drilled before July 1974.

No. of Wells Depth(s) 48

- a) Casing:
- 1) diameter: 18 inches
 - 2) length 23 feet
 - 3) type _____
- b) Screen:
- 1) type _____
 - 2) length 15 feet.
 - c) Pump
 - 1) make submersible
 - 2) model _____
 - 3) size 6 inches
- d) Static Water Level 8 feet
- e) Motor:

- 1) make Franklin
- 2) model No.
- 3) horsepower rating 7.5 hp

- 4) capacity GPM
- 5) turbine pump - No. of stages
- 6) operating pressure PSI

DISTRIBUTION LINES OR CANALS:

- | | | |
|--------------------|-------------------------|----------------------------|
| a) type <u>pvc</u> | b) size <u>6</u> inches | c) length <u>1703</u> feet |
| a) type <u>pvc</u> | b) size <u>8</u> inches | c) length <u>2790</u> feet |

SYSTEM TYPE:

- 1) Center pivot: NW 1/4 Sec. 28-121-74
 - 1) make Electroqater
 - 2) overall length 1260 feet
 - 3) number of towers 8
 - 4) distance between towers feet
 - 5) end gun Y (Y/N)
 - 6) high or low pressure high
 - 7) capacity 900 GPM
- 2) Center pivot: NE 1/4 Sec. 28-121-74
 - 1) make Electroqater
 - 2) overall length 1260 feet
 - 3) number of towers 10
 - 4) distance between towers feet
 - 5) end gun Y (Y/N)
 - 6) high or low pressure high
 - 7) capacity 900 GPM

CHEMIGATION EQUIPMENT:

- | | |
|---|--|
| b) main line check valve <u>Y</u> (Y/N) | a) does chemigate <u>Y</u> (Y/N) |
| d) low pressure drain <u>N</u> (Y/N) | c) inspection port/air relief <u>Y</u> (Y/N) |
| f) interlock type <u>electric</u> | e) discharge is 20' from source <u>N</u> (Y/N) |
| h) injection check valve <u>Y</u> (Y/N) | g) injection pump type <u>piston</u> |
| | i) injection line check valve or positive displacement pump <u>Y</u> (Y/N) |
| j) all chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules <u>N</u> (Y/N) | |
| k) comments : <u>Needs to provide a low pressure drain and discharge 20' from the source.</u> | |
- Chemigates the NW 1/4 of Sec. 28-121-74.

PERMIT QUALIFICATIONS AND REGULATIONS:

- a) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y (Y/N)
- b) Special qualifications to permit being abided by Y (Y/N)
- c) All structures, wells and lands on map Y (Y/N)
- d) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y (Y/N)

PLEASE FILL OUT AND RETURN
BEFORE DECEMBER 17, 1993

OCTOBER 1993 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE

1701-3

Telephone No. 248 8392

100 WELLS DRIVE
SIOUX FALLS, SD 57101

1. SURFACE WATER _____ GROUNDWATER X
2. Did you irrigate during 1993? Yes X No _____
(if no, please include reason(s) in comment section)
3. Number of acres irrigated in 1993 124
4. Has your system been constructed? Yes _____ No X
5. Are chemicals, including fertilizer, applied through your irrigation system? Yes _____ No X



Type of Power	No. of acres irrigated
1. Electric	<u>✓</u>
2. Gravity	_____
3. Gasoline	_____
4. Nat. Gas pipeline	_____
5. Diesel	_____
6. Propane	_____
7. Other	_____
Type of System	
1. Hand moved sprinklers	_____
2. Portable booms	_____
3. Center pivots (# of)	<u>1</u>
4. Gated pipes	_____
5. Sidewheels	_____
6. Towlines	_____
7. Big gun	_____
8. Siphons	_____
9. Flood	_____
10. Other	_____

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated & Estimated Water Use			
				Crop	Acres	Water Used	Water Used
April							
May	<u>16</u>	<u>24</u>	<u>900</u>	<u>ALFALFA</u>	<u>124</u>		
June	<u>8</u>	<u>24</u>	<u>900</u>				
July	<u>12</u>	<u>24</u>	<u>900</u>				
August	<u>14</u>	<u>21</u>	<u>900</u>				
Sept.							
Oct.							
Other Months							

COMMENTS:

Owner or address change, if any:

Complete & return to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
(605) 773 3559



1701-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501 3181

July 12, 1993

1701-3

Terry Klocker
237 6th Ave.
Hoven, SD 57450

Dear Mr. Klocker:

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. 1701-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

Sincerely,

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

enclosure

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

NOTE: During the October, 1992 inspection of your water use system, it was noted that your chemigation equipment did not comply with Water Management Board Rules 74:02:09:07 (dealing with automatic low pressure drains). Prior to using your chemigation equipment, you will need to comply with the Board Rules which require a low pressure drain with discharge 20 feet from your water source. Enclosed is a copy of Board Rules 74:02:09:07 for your review (see highlighted area).



1701-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 30, 1993

SECOND NOTICE

Permit No: 1701-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Terry Klocker
237 6th Ave.
Hoven, SD 57450

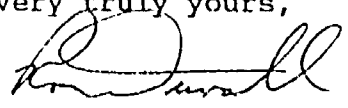
Dear Mr. Klocker:

On July 12, 1993, you were notified the final inspection fee of \$50.00 is due before Water License No. 1701-3 can be issued. As of this date, the fee has not been received.

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

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

Very truly yours,


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

NOTE: During the October, 1992, inspection of your water use system, it was noted that your chemigation equipment did not comply with Water Management Board Rules 74:02:09:07 (dealing with the automatic low pressure drains). Prior to using your chemigation equipment, you will need to comply with the Board Rules which require a low pressure drain with discharge 20 feet from your water source.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Terry Klocker
237 6th Ave.
Hoven, SD 57450

1701-3

4. Article Number

P 318 052 612

4b. Service Type

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

7. Date of Delivery

10-4-93

5. Signature (Addressee)

Terry Klocker

6. Signature (Agent)

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

Thank you for using Return Receipt Service.



1701-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 6, 1994

THIRD NOTICE

Permit No. 1701-3

NOTICE OF ORDER TO STOP DIVERTING WATER
UNDER PERMIT NO. 1701-3 FOR
FAILURE TO SUBMIT WATER LICENSE INSPECTION FEE

Terry Klocker
237 6th Ave.
Hoven, SD 57450

Dear Mr. Klocker:

On July 12, 1993, and September 30, 1993, you were notified the final inspection fee of \$50.00 is due before Water License No. 1701-3 can be issued. To date, the fee has not been received.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Pursuant to SDCL 46-2-17 and 46-2-18, you are ordered to stop diverting any water authorized by Permit No. 1701-3 until the \$50.00 fee is paid.

Very truly yours,

for John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 1a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Terry Klocker
237 6th Ave.
Hoven, SD 57450

5. Signature (Addressee)

6. Signature (Agent)

1701-3

4a. Article Number

P 318 052 617

4b. Service Type

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

7. Date of Delivery

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

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

Thank you for using Return Receipt Service.

PS Form 3811, December 1991

U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

1701-3
4140J3

Pierre, January ~~SEPT~~ 18, 19 94

RECEIVED OF Blue Valley Dairy Farms, Inc., Ewen, SD 57450

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1701-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John W. Hatch
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1701-3

(1) Jerome Klocker, of Hoven, SD 57450 made Application No. 1701-3, October 13, 1969 for a water permit to appropriate 3.00 cubic feet of water per second from groundwater, Walworth County, South Dakota for irrigation purposes. Permit No. 1701-3, with a priority date of October 13, 1969 was approved November 12, 1969 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 12, 1974 and for the application to beneficial use of said water on or before November 12, 1978.

On December 31, 1986, Water Permit No. 1701-3 was transferred from Jerome Klocker to Blue Valley Dairy, % Terry Klocker, President.

(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 2.00 cubic feet of water per second for beneficial use. The location of the diversion points are Well #1 - 1320 feet S and 1270'W; Well #2 - 530'S and 660'W; Well #3 - 100'S and 100'W; all from the NE corner of Section 28, T121N, R74W (all three wells are in the NE¼NE¼).

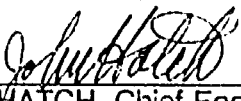
(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land: all In Section 28, T121N, R74W

NW¼ NW¼ 31.5 acres
NE¼ NW¼ 31.5 acres
SW¼ NW¼ 31.5 acres
SE¼ NW¼ 31.5 acres

NW¼ NE¼ 31.5 acres
NE¼ NE¼ 31.5 acres
SW¼ NE¼ 31.5 acres
SE¼ NE¼ 31.5 acres

Total 252.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Blue Valley Dairy % Terry Klocker, President of PO Box 407, Hoven, SD 57450 the holder and/or owner of Water Permit No. 1701-3 is issued a license to appropriate water, the right to use 2.00 cubic feet of water per second from groundwater (three wells) with a priority date of October 13, 1969 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 1701-3 and subject to South Dakota State Law.



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

FEB 1 1994

date



1701-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

FEB 1 1994

1701-3

Blue Valley Dairy
%Terry Klocker, President
P.O. Box 407
Hoven, SD 57450

Dear Mr. Klocker:

Enclosed is Water License No. 1701-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414003 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. 1701-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

gm
enclosures



1701-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

BLUE VALLEY DAIRY
TERRY KLOCKER
BOX 407
HOVEN SD 57450

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 1701-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No 1701-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: 1701-3

BLUE VALLEY DAIRY
TERRY KLOCKER
BOX 407
HOVEN, SD 57450

4a. Article Number

P 839 692 738

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

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

5. Signature (Addressee)

Terry Klocker

6. Signature (Agent)

PS Form 3811, December 1991

U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



1701-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 7, 1995

1701-3

Terry Klocker
Blue Valley Dairy
Box 407
Hoven, SD 57450

Dear Mr. Klocker:

I am writing to acknowledge receipt of your 1994 Irrigation questionnaire. I completed a questionnaire for you based on my March 3rd telephone conversation with Donna Klocker. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.

The questionnaire 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,

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

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

1701-3

PIPEWEIGHT	DIAMETER	FROM	TO	MOLE DIAMETER
18 FT	1 1/2 IN	0 FT	22 FT	28 IN
18 FT	1 1/2 IN	1 FT	1 FT	1 1/2 IN
18 FT	1 1/2 IN	1 FT	1 FT	1 1/2 IN
18 FT	1 1/2 IN	1 FT	1 FT	1 1/2 IN

GROUT
 Was the well grouted? ☒ YES ☐ NO
 To what depth? 9 FEET
 What is grouting material? Cement
 If cement, number of sacks? 28 sacks
 Describe grouting procedure Placed in through
the casing pipe.
 What was grout weight? _____ LB/GAL

SCREEN ☐ Perforated pipe ☒ Manufactured
 Diameter 1 1/2 IN Length 15 FEET
 Material Plastic Pipe - Strainer Steel
 Slot Size 1/8 Set From 22 Feet To 32 Feet and
 Slot Size 1/8 Set From 32 Feet To 37 Feet S.S.
 Slot Size _____ Set From _____ Feet To _____ Feet
 Other information _____

Was a packer or seal used? ☐ YES ☒ NO
 If so, what material? _____
 Describe packer(s) and location? _____

Was well disinfected upon completion? ☐ YES ☒ NO
 Explain _____
 Bacteriological analysis ☐ YES ☒ NO
 Laboratory sent to _____

Static Water Level _____ Feet
 If flow is measured in (GPM) _____ PSI
 RPM time _____ inch pipe
 Controlled by ☐ Valve ☐ Packer ☐ Other
 If other specify _____
 Casing well be completely shut in?

WELL TEST DATA
☒ Pumped
☐ Bailed Describe Turbine
☐ Other
 Pumping Level Below Land Surface
 _____ ft After _____ Hrs pumped _____ GPM
 _____ ft After _____ Hrs pumped _____ GPM
 _____ ft After _____ Hrs pumped _____ GPM

REMARKS
Capacity 450 ~~52~~ GPM
9/11/11

This well was drilled under license # 254
 And this report is true and accurate
 Drilling firm Dakota Drilling Co.
 Signature of license Representative
Vergil Williams
 Signature of Well Owner

 Date _____

REDUCTION RATIO
 ROLL NUMBER
 DATE MICROFILMED
 CAMERA OPERATOR SIGNATURE

1701-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NE - NE - Sec 28 - Twp 121 - Rg 74

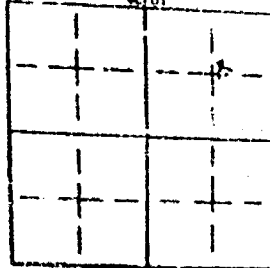
County

Hutchinson

Well

Please mark well location with an 'X'

W



1 mile

Well Completion Date July 23, 1988

PROPOSED USE

- ☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling

Rotary

CASING DATA

- ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
18/FT	16 IN	0 FT	22 FT	28 IN
18/FT	IN	FT	FT	IN
18/FT	IN	FT	FT	IN
18/FT	IN	FT	FT	IN

GROUT:

Was the well grouted? ☒ YES ☐ NO

To what depth? 9 FEET

What is grouting material? Cement

If cement, number of sacks? 28 sacks

Describe grouting procedure Pumped in through tremie line

What is grout weight?

Well Name

Terry Hellock

Address

R.R. 1, Hutchinson, SD

Well Log

Formation

Depth

From

To

Top soil

0

1

Yellow clay sand

1

3

Sand

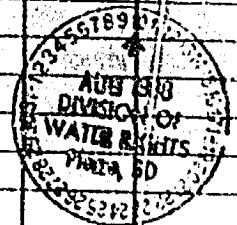
3

157

Blue clay

39

41



STATIC WATER LEVEL 10 Feet

If flowing, closed in pressure PSI

GPM flow through inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify

Can well be completely shut in?

WELL TEST DATA

☒ Pumped☐ Bailed

Describe

☐ Other

Pumping test log

GPM

GPM

GPM

REMARKS

10' 2" 17' 11"

4-78

Driller: Nabata Brine Co. 234
 Driller's or Firm's Name License NO.
Lebanon St
 Address
Harrell Lake Page 22
 Signed By Date

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1701-3

Date: 5-23-95

I/We request that Water Right No. 1701-3

formerly owned by: Blue Valley Dairy

be transferred to: (name & address) ARLYN AND ROSE SPINDLER

RR1-Box 3A, Hoken, SD (Telephone No) 605-948-2464
57450

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

N 1/2 Section 28, T121N, R74W

I/We understand that the validity of Water Right No. 1701-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)
County of Potter)

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

Arlyn Spindler
(Signed)

Subscribed and sworn to before me this 23rd day of May, 19 1995

David D. Van Wagoner
(Notary Public)
Commission Exp. Date July 22, 2001

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

414509

South Dakota Department of Environment and Natural Resources

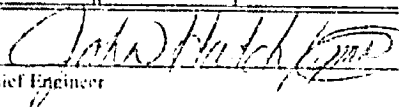
Pierre, May 25, 19 95

RECEIVED OF Arlyn Spindler, RR 1 Box 3A, Hoven, SD 57450

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ Water Right No. 1701-3	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By 
Chief Engineer



1701-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 30, 1995

No. 1701-3

Arlyn and Rose Spindler
RR 1 Box 3A
Hoven, SD 57450

Dear Mr. and Ms. Spindler:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1701-3.

Our records now show you as the owner of Water Right No. 1701-3.

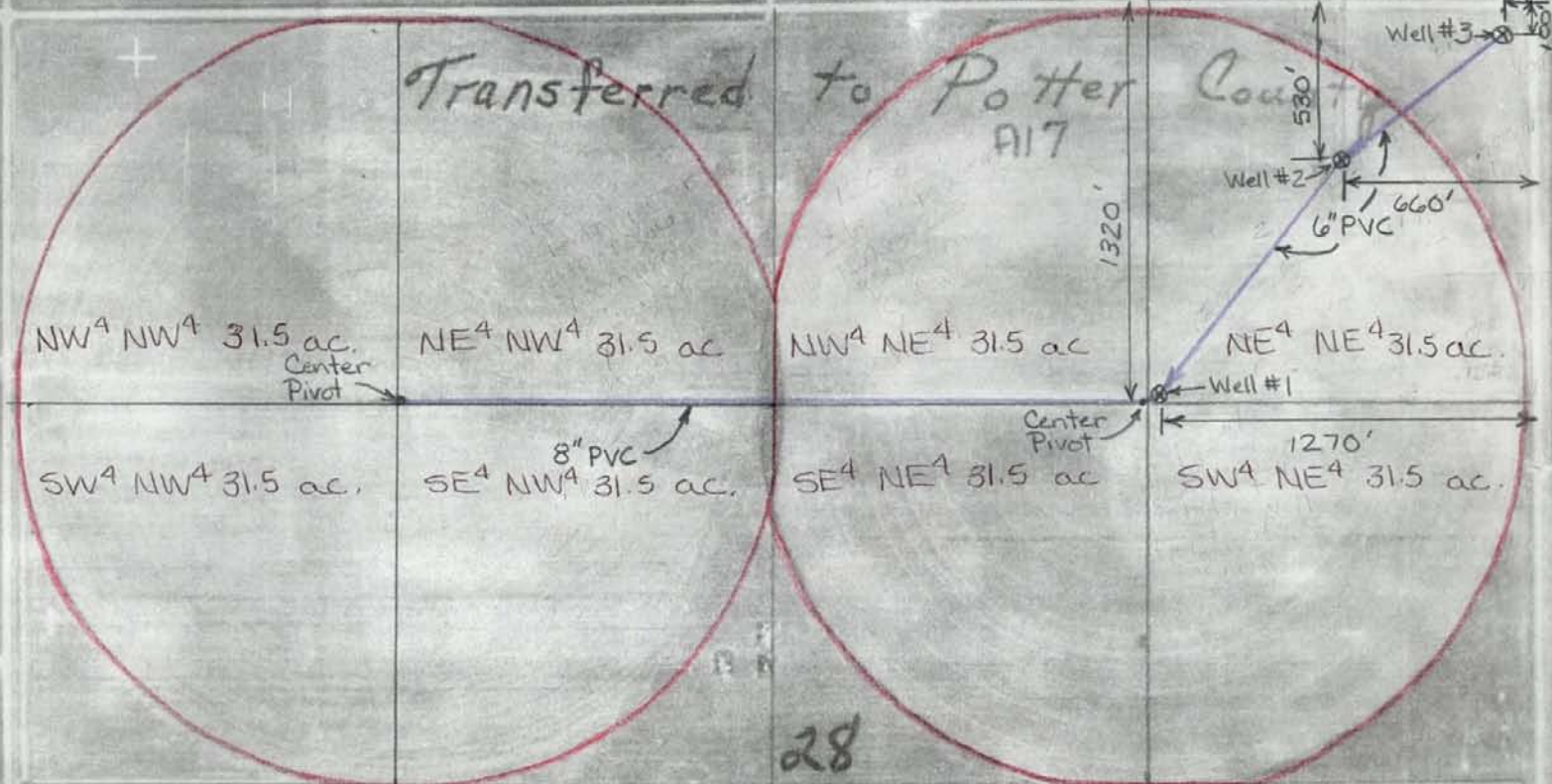
Sincerely,

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

enclosure

NOT TO SCALE

Transferred to Potter A17



157.0

T1187

76.6 Total Acres = 252

T1160

Prepared By

Lynn Beck

Lynn Beck

Natural Resources Engineer
DENR, Water Rights Division

L6

2-4-93

49.2

Trans to
Potter 40

121-74

293.7

T1224

195.0 A17

W.L. No. 1701-3

1701
1340

NOT TO SCALE

Transferred to Potter County

125 ac.
Electrigo
1240-1260
900 gpm
10 tower
high
8" PVC

126 ac.
Electrigo
1240-1260
900 gpm
10 tower
high



157.0

T1187

28

76.6

T1160

L6

49.2

Trans to
Potter 20

121-74

293.7

1224

125.0

A17

T1160

1701-3



1701-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 2, 2005

1701-3
6523-3

Arlyn & Rose Spindler
14509 320th Ave
Hoven SD 57450

Dear Mr. & Mrs. Spindler:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. Two of the forms I am returning to you for completion. In order for the questionnaires to be considered complete, the back side also needs to be filled out.

Please include the number of acres, pump rate (in gallons per minute), days per month and hours per day the system(s) was running. The information is important to us in calculating how much water was used from a specific source.

Please complete the forms and return them to us by **December 2, 2005**. Thank you in advance for your help. If you have any questions, please contact me.

Sincerely,

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

enclosure

1701-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

OCT 09 2013

1701-3
6444-3

Arlyn & Rose Spindler
14509 320th Ave
Hoven SD 57450

Dear Mr. & Mrs. Spindler:

Enclosed is Water License No. 6444-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 6444-3, 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.

Upon licensing, the applicable portions of Water Right No. 1701-3 have been incorporated into Water License No. 6444-3. 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.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures