

1724-3

1. Considered MARCH 18 1970
2. Name of Applicant CLARENCE WIPE
3. Post Office Address DOLAND
4. Amount of water claimed 6.42
5. Source of water supply WELL
6. Water to be used for IRRIGATION

Acres to be irrigated 450

7. Water to be diverted and used in SPINK county  
about 5 miles E & S of FRANKFORT

8. Proof of Publication Received 3-13-70

Not Received \_\_\_\_\_

9. Application Approved \_\_\_\_\_

Subject to \_\_\_\_\_

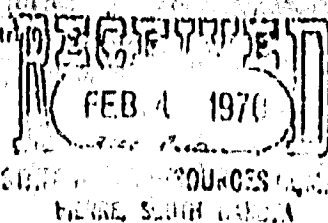
Not Approved \_\_\_\_\_

Action deferred \_\_\_\_\_

10. Remarks:

No. 1724-3Map No. 1250-3 Water Division No. 3 JAMES RIVER

(Blank 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 Clarence Wipf  
 Post office address Holmd FRANKFORT 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 and D Labor

3. Name of diversion work Clarence Wipf Irrigation Project No 1

4. Amount of water claimed (cubic feet per second) maximum 6.42 c.f.s.

5. Source of water supply Well

6. Location of point of diversion 1200 ft W and 70 ft. South of the N E Corner of Sect. 20-115-61-5th P.M.

County Spink

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

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 150

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. |
|---------------------------|----------------|------------------|----------------|
| S.E. 1/4-17-115-61        | 153            |                  |                |
| N.E. 1/4-20-115-61 (part) | 155            |                  |                |
| N.W. 1/4-20-115-61        | 152            |                  |                |

Attach sheet if more space is needed

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

11. Choice of newspaper for Notice of Intent to Appropriate Water publication The Daily Reinsman-Huron

12. Principal Features of the Proposed Water Supply System.

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

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 Beadle ) ss.

I, Clarence Wipf 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 Clarence Wipf

Subscribed and sworn to before me this 30th day of January 1970

Walter L. Johnson  
 Notary Public (or other qualified officer)

# AREAS BY LEGAL SUBDIVISION

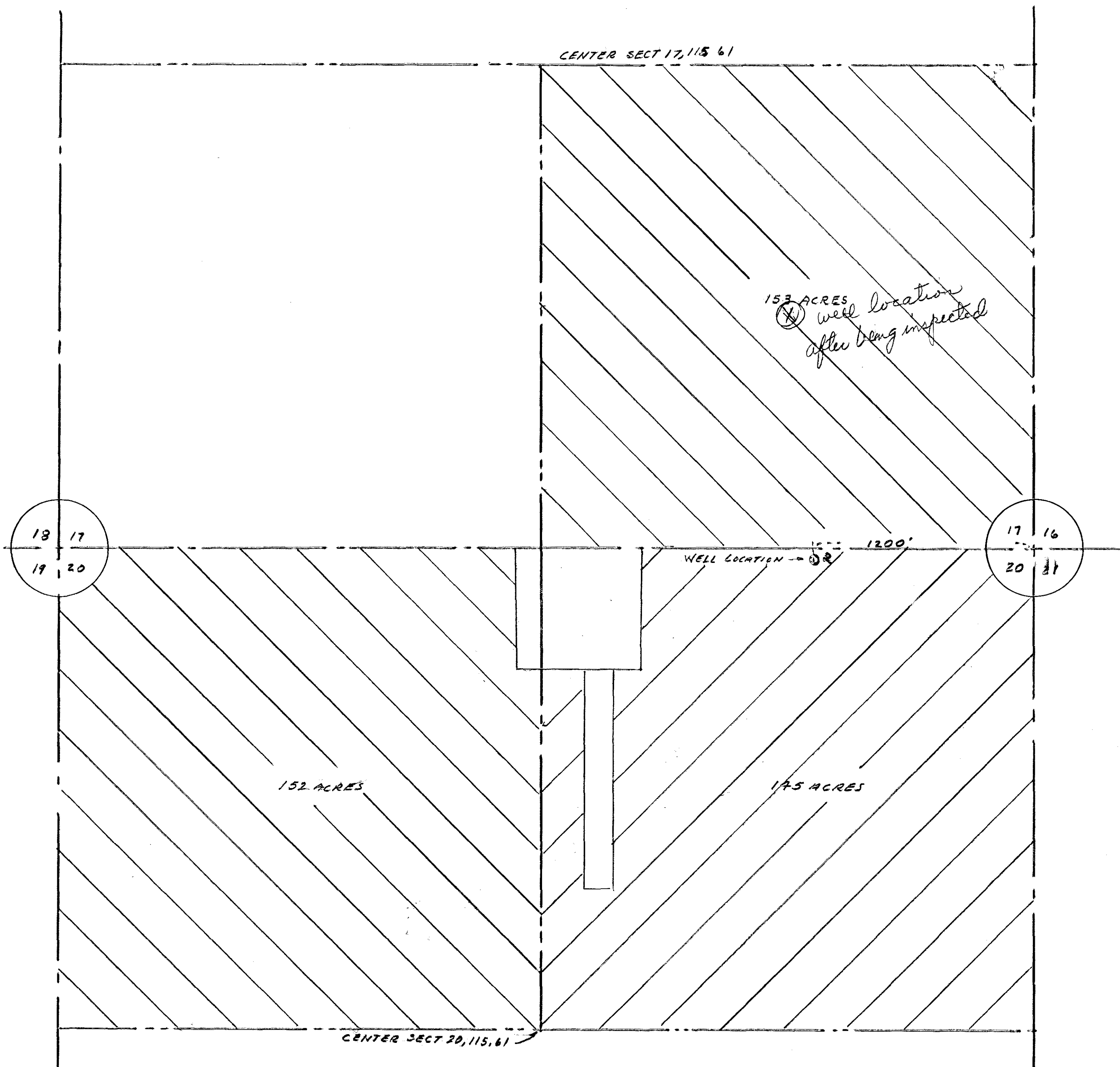
| ACRES     | SECTION     | TOWNSHIP | RANGE |
|-----------|-------------|----------|-------|
| 153       | SE 1/4 - 17 | 115      | 61    |
| 145       | NE 1/4 - 20 | 115      | 61    |
| 152       | NW 1/4 - 20 | 115      | 61    |
| 450 TOTAL |             |          |       |

## 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 CLARENCE WIFE,  
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED  
WITHIN HIS OWNERSHIP BOUNDARIES ON JAN. 24, 1970 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 24TH DAY OF JAN 1970

*Harlan W. Meyer*  
REGISTERED L.S. & P.E. # 415



SCALE 1"=400'

CLARENCE WIFE IRRIGATION PROJECT #1  
SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE  
WATER WILL BE DIVERTED - FOR PERMIT TO APPROPRIATE WATER

OWNER  
SURVEYOR

CLARENCE WIFE  
HARLAN W. MEYER

JAN 24, 1970

## WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1724-3CLARENCE WIFE  
(Applicant)Douglas FRANKFORT  
(Post Office Address)SOUTH DAKOTA  
(State)

With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation 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 or in irrigation wells having prior water rights.

Date of first receipt of application FEBRUARY 4, 19 70Date of return to applicant for correction, amendments or changes required       , 19       Date of receipt of corrected application       , 19       Approved MARCH 18, 19 70 Recorded in Book 11 Page 95WATER RIGHT PERMIT NO. 1724-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1724-3 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 FEBRUARY 4, 19 70
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 18, 19 72
3. The whole of said work is to be completed on or before MARCH 18, 19 75
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 18, 19 75
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 6.42 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 MARCH 18, 19 76; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 20<sup>TH</sup> day of MARCH, 19 70

WATER RESOURCES COMMISSION

By:

W. C. C. C. C. C.  
Chief Engineer, Executive OfficerCertificate of Construction Issued MARCH 26, 19 73Water License Issued MARCH 26, 19 73

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 125'
- (2) Casing, Type FIBERGLASS REINFORCED Diameter 16 1/2" Thickness ?  
(wood, concrete, steel, etc)
- (3) Perforated Screen.  
Type FIBERGLASS, Diameter 16 1/2", Length 30'
- (4) Gravel Pack. Thickness 6 1/2', Length of gravel pack 115'

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 0-2 TOP SOIL ; 2-18 yellow TILL  
18-28 GRAY TILL ; 28-70 SAND ; 70-115 SAND  
AND GRAVEL ; 115 SHALE.

Depth to top of water bearing material 87' 28'

Depth to bottom of water bearing material 115'

Thickness of water bearing material 87'

Depth to water (ground surface to water level) ?

- (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.

Glenn West  
Signature of Applicant

Permit No. 1724-3Water Diversion No. 3 JAMES RIVER Water District

## CERTIFICATE OF CONSTRUCTION

This is to Certify, That Clarence Vipf

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 1724-3, issued upon Application No. 1724-3, bearing date of priority of February 4,  
1970 authorizing the diversion of 6.42 cu. ft. per second of the waters of \_\_\_\_\_  
ground water County of 6.42, State of South Dakota at \_\_\_\_\_  
a point 1370 ft. North and 1320 ft. West of the SE Corner, Section 17,  
T115N, R61W  
\_\_\_\_\_, for irrigation

\_\_\_\_\_ purposes, has 6 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 1.78 cu. ft. per second of water.

Date March 26, 1973

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

## STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 1724-3

(1) WHEREAS, On the 4th day of February A.D. 1970  
Glorance Wipf

made Water Right Application No. 1724-3 for a permit to use 6.42 cubic feet per second of the waters  
 of ground water

County of Spink, State of South Dakota, for irrigation

purposes; and  
 (2) WHEREAS, On the 20th day of March A.D. 1970  
 Permit No. 1724-3 with a date of priority of February 4, 1970

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 18th day of March A.D. 1975 and for the  
 application to beneficial use of said water on or before the 18th day of March A.D. 1975

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 1.78 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 a 128 acre circle in the SE $\frac{1}{4}$ , Section 17, T115N, R61W

(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 Clarence Wipf

\_\_\_\_\_ of Frankfort, S.D.  
the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 1724-3 a water right, dating from February 4, 1970  
\_\_\_\_\_ to use of 1.78 cubic feet per second of the waters  
of ground water  
in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the  
purposes hereinbelow mentioned, to be diverted at a point 1320 ft. North and 1320 ft. West of the  
SE Corner, Section 17, T115N, R61W

and conduct to and upon a 128 acre circle in the SE 1/4, Section 17, T115N, R61W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1724-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 26th day of March A. D.  
Nineteen Hundred and Seventy-three

WATER RESOURCES COMMISSION

By:

J.V. CRILES  
Chief Engineer, Executive Officer

Publish first publication, on or before February 19, 1970NOTICE  
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 9, 1970Clarence Wipf

Notice is hereby given that

whose post office address is Doland, 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 6.42 cubic feet of water per second of time from the ground waterClarence Wipf #1 through the \_\_\_\_\_, the point of diversion of which is to be located in the \_\_\_\_\_NE $\frac{1}{4}$  NE $\frac{1}{4}$ of Section 20, Twp. 115N, Range 61W. Said water to be used for the purpose of providing irrigation of the following described land:SE $\frac{1}{4}$ , Section 17, N $\frac{1}{2}$  Section 20, T115N, R61WThis application No. 1724-3 will be considered by the Water Resources Commission at their office at Pierre upon the 18th day of March, 1970, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialistcc: Clarence Wipf, Doland, S.D.

Form 3 - Proof of Publication - Notice of  
Intent to Appropriate Water

No. \_\_\_\_\_

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County \_\_\_\_\_ ) ss.  
County \_\_\_\_\_ )

I, Arlene Farmer hereby  
certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the \_\_\_\_\_

A newspaper which during the whole time of publication of said notice  
herein after stated, has been and is printed and published in the \_\_\_\_\_

Daily Plainsman of Huron, South Dakota

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Notice-Intent To Appropriate Water

Arlene Farmer

(Signature)

Bookkeeper

(Title)

March 12, 1970

(Date Signed)

FP 2-12-70 LP 3-12-70  
NOTICE  
INTENT TO APPROPRIATE WATER  
Pierre, South Dakota 57501  
February 9, 1970  
Notice is hereby given that Clarence  
Wipf whose post office address is Frank-  
fort, South Dakota, has made an applica-  
tion in accordance with the provisions of  
the water laws of South Dakota for a  
permit to appropriate for beneficial use  
6.12 cubic feet of water per second of  
time from ground water through the  
Clarence Wipf No. 1, the point of di-  
version of which is to be located in the  
NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 20, Twp. 118N,  
Range 61W. Said water to be used for  
the purpose of providing irrigation in  
portions of the following described land:  
SE $\frac{1}{4}$  Section 17, N $\frac{1}{2}$  Section 20, T118N,  
R61W.  
This application No. 17243 will be  
considered by the Water Resources Com-  
mission at their office at Pierre upon  
the 10th day of March, 1970, at 2:00  
p.m. All interested persons may appear  
and be heard.  
WATER RESOURCES COMMISSION  
By: Burton F. Jones,  
Water Rights Specialist  
cc: Clarence Wipf, Frankfort, S. D.  
No. 57 (adv.)

RECEIVED  
FEB 12 1970  
PIERRE, SOUTH DAKOTA

## NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office Sioux Falls, S.D.Date Oct 12, 1972

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

Dear Sirs:

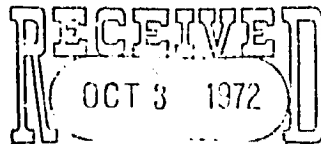
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1724-3

Water Right Permit No. 1724-3 states that the diversion system is to be constructed by Feb. 4 1975 and that the water is to be put to beneficial use by Feb. 4 1976.

The diversion system was completed on about June 15 1972. Applying the water to beneficial use was completed on July 2 1972.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Edmund Shipf  
(Signature)



STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

Permit No. 1724-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS  
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources 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 CLARENCE WIFE of FRANKFORT holder of Permit No. 1724-3, bearing date of priority of FEBRUARY 4, 1970 authorizing the diversion of 6.42 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in SPIKE 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:

116' DEEP WELL WITH 16" FIBREGLAS CASING  
AMARILLO 8" PUMP, POWERED BY FORD INDUSTRIAL  
70H.P. PROPANE MOTOR

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

C. Works used to apply water to beneficial use.

T-L CIRCULAR - CENTER PIVOT IRRIGATORThe system is in the following condition: EXCELLENTThe point of diversion is located 1320' N & 1320' W OF THE SE CORNER, SECTION 17, T115N, R61WThe works are capable of diverting and conveying to the place of use 1.78cu. 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:

A 128 ACRE CIRCLE IN THE SE<sup>4</sup> SECTION 17,  
T115N, R61W

comprising a total of 128 acres of land.

Date

MARCH 22, 1973

Burton Jones  
(Signature)

WATER RIGHT SPECIALIST  
WATER RESOURCES COMMISSION

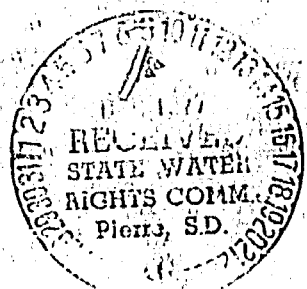
Dec. 8, 1977

Water Rights Commissioner,  
Pierre, S.D.

Dear Sir,

This letter is to inquire information on my permit #1724-3. As I understand it, it gives me the right to 6.42 cubic feet per second. And if you look at my application it is for portions of S 34 of 17, & N 1 of 20-115-61. Therefore it seems to me that I don't need any more permits for irrigation water. My plans are to drill another well on the N 1-20-115-61 and to irrigate about 150 acres using 2 pivot points with 1 machine. In March of 1977 I applied for A permit on N 1-20-115-61. If I would have studied permit #1724-3 I don't believe I would have applied for another permit. At the present time I've got A deferred permit # 3748-3. Please advise if I'm correct.

*Laurence H. Jeff*



*Letter answered 9 Dec 1977*

December 9, 1977

Clarence Wipf  
RR  
Frankfort, SD 57440

Dear Mr. Wipf:

RE: 1724-3

In answer to your question about permit 1724-3, you do need another permit to drill another well. Permit 1724-3 specified and was licensed for one well with a diversion rate of 1.78 cubic feet per second. The water license also states that the acreage is 128 acres in the SE $\frac{1}{4}$  Section 17, T115N, R61W.

Once the system and acreage was inspected and licensed, the original permit is reduced to what is actually put to beneficial use, therefore, permit 1724-3 now covers 128 acres at a diversion rate of 1.78 c.f.s.

If you have any questions, please feel free to contact this office.

Sincerely,

Gale N. Selken  
Hydrologist

GNS/gy



1724-3

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

March 11, 1994

No. 1724-3  
3748-3

Clarence Wipf  
RR 1, Box 63  
Frankfort, SD 57440

Dear Mr. Wipf:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1724-3 and 3748-3. The water rights are currently listed in the name of Clarence Wipf.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 per transfer, a total of \$5.00.

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.

If you have any questions, please contact me.

Sincerely,

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

enclosure

1724-3

## NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1724-3Date: 3-15-94I/We request that Water Right No. 1724-3formerly owned by: Clarence Wipf, RR #1 Box 63, Frankfort, SD 57440

be transferred to: (name & address) Glendale Colony RR1 Box 85  
Frankfort S.D. 57440 (Telephone No) 605-472-0772

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

128 acres - SE 1/4 Section 17, T115N, R61W

I/We understand that the validity of Water Right No. 1724-3 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 Spink )

I/We Glendale Colony 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.

Jerry Kleinerman, Sec.  
(Signed)

Subscribed and sworn to before me this 15<sup>th</sup> day of March, 19 94.

Craig Olson  
(Notary Public)

*My commission expires 2-4-98*

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

South Dakota Department of Environment and Natural Resources

1724-3  
41.4091

Pierre, \_\_\_\_\_ March 17, 19 94

RECEIVED OF Glendale Hutterian Brethren, RR 1 Box 85, Frankfort, SD 57440-9650  
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 <u>Water Right No. 1724-3</u>                                                           | 2     | 50   |
| Fee for Filing Extension Request _____                                                                               |       |      |
| Fee for _____                                                                                                        |       |      |
| _____                                                                                                                |       |      |
| _____                                                                                                                |       |      |
| (Any Other Work Provided by Law)                                                                                     | Total | 2 50 |

By John Hatch  
Chief Engineer



1724-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

March 23, 1994

No. 1724-3  
3748-3

Glendale Colony  
RR 1, Box 85  
Frankfort, SD 57440

Dear Sirs:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 1724-3 and 3748-3.

Our records now show you as the owner of Water Right Nos. 1724-3 and 3748-3.

Sincerely,

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

enclosure

1724-3



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

November 16, 1994

Jerry Kleinsasser, Secretary  
Glendale Colony  
RR #1 Box 85  
Frankfort, SD 57440

Dear Mr. Kleinsasser:

Enclosed are the 1994 Irrigation questionnaires for Water Right Nos. 1724-3 and 3748-3. The forms were mis-sent to Clarence Wipf, the previous owner of the land.

Water Right No. 1724-3 authorizes irrigation of 128 acres in the SE 1/4 Section 17, T115N, R61W. Water Right No. 3748-3 authorizes irrigation of 102 acres in the NE 1/4 Section 20, T115N, R61W.

The completed forms are due back to our office December 16, 1994. If you have any questions, please contact me.

Sincerely,

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

enclosures

## NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

APR - 3 2012

WATER RIGHTS  
PROGRAM

Mail to: PMB 2020  
DENR - Water Rights Program  
523 E Capitol Ave  
Pierre, SD 57501-3182

Water Right/Permit No. 1724-3Date: 3-21-12I/We request that Water Right/Permit No. 1724-3 formerly owned by:Glendale Colony

be transferred to:

New Owner Name: CAMROSE HUTTERIAN BROTHERSAddress: 16950 - 400<sup>TH</sup> STCity, State, Zip FRANKFORD S.D. 57440 Telephone No. 460-0010

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

SE 1/4 Section 17, T115N, R61W

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

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

By: Jerry Klinsasser

I, Camrose Hutterian Brothers, the new owner, certify that the above information is true and correct.

Jerry Klinsasser  
(signed by new owner)

**NOTE:** Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/3, 20 12

RECEIVED OF Camrose Hutterian Brethren Inc 16950 400th AVE Frankfort SD 57440

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

|                                                                                                                |       |       |
|----------------------------------------------------------------------------------------------------------------|-------|-------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use | 50    | 00    |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   |       |       |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                         |       |       |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____            |       |       |
| Fee for Filing Transfer Form <u>1724-3</u>                                                                     |       |       |
| Fee for _____                                                                                                  |       |       |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                            |       |       |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                             |       |       |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                         |       |       |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |       |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 50 00 |

No. **05397**

By *David Erbe*  
Chief Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

April 3, 2012

1724-3

Jerry Kleinsasser  
Camrose Hutterian Brethren  
16950 400<sup>th</sup> St  
Frankfort SD 57440

Dear Mr. Kleinsasser:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 1724-3.

The ownership change has been completed. Water Right No. 1724-3 formerly held by Glendale Colony is now listed in the name of Camrose Hutterian Brethren.

Enclosed for your records is Receipt No. 05397 in the amount of \$50.00. The additional fee and the application you submitted to transfer the lands to other acreage is being processed.

If you have any questions, please contact me.

Sincerely,

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

enclosure



1724-3

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

February 25, 2016

John Kleinsasser  
Glendale Colony  
17866 Glendale Drive  
Frankfort SD 57440

Dear Mr. Kleinsasser:

Glendale Colony held Water Right No. 1724-3 for irrigation in the SE ¼ Section 17, T115N, R61W until 2012 when the water right was transferred to Camrose Colony. Camrose Colony subsequently filed an application to move the water right to a new location.

The water source for the water right is the Tulare:Western Spink Hitchcock aquifer from a well originally located in the approximate center of the SE ¼ Section 17, T115N, R61W. When Camrose Colony transferred the water right to the new location there was a condition that the original well may be temporarily abandoned by sealing the top of the casing with a watertight cap. The condition goes on to state that if this well is permanently abandoned it shall be plugged.

Since the SE ¼ Section 17, T115N, R61W where the original well is located remains in the ownership of Glendale Colony, I am writing to inquire regarding the status of this well. Has the well been temporarily abandoned with a water tight seal or abandoned and plugged?

DENR recognizes that Glendale Colony has an application pending for irrigation of this quarter section. This application is number four on the established priority list should a determination be made in the future time that unappropriated water is available from the Tulare:Western Spink Hitchcock aquifer.

Thank you for providing me an update on the status of the well.

Sincerely,

Eric Gronlund  
Water Rights Program, DENR  
605 773-3352  
eric.gronlund@state.sd.us



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

FEB 24 2016

1724-3  
1724A-3

Jerry Kleinsasser  
Camrose Hutterian Brethren  
16950 400<sup>th</sup> St  
Frankfort SD 57440

Dear Mr. Kleinsasser:

Enclosed is Water License No. 1724A-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 well authorized by Water Right No. 1724A-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.

Sincerely,

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

enclosures

Note: The applicable portions of Water Right No. 1724-3 were incorporated into Water License No. 1724A-3

# Water Permit No. 1724-3

## Water Rights Program - DENR Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 1724-3, Glendale Colony

ADDRESS: 17866 Glendale Drive, Frankfort SD 57440 COUNTY: Spink County

DATE: March 8, 2016 TELEPHONE: 605 472-1247 or cell 460-0013

RE: call from John Kleinsasser regarding February 25, 2016 letter

Mr. Kleinsasser called me regarding the status of the original well under Water Right No. 1724-3. When the colony split, Water Right No. 1724-3 was transferred to the new Camrose Colony and they filed application to transfer to a new location. This became Water Permit No. 1724A-3 and a condition on this permit was if the original well is permanently abandoned it must be plugged and if temporarily abandoned it must have a water tight seal.

Mr. Kleinsasser said the well still exists and Glendale Colony has Application No. 8112-3 on "Hold" status. The colony's hope is that when a review of the aquifer is conducted that they will be able to obtain a water permit and resume irrigation of this quarter section from this well.

NAME: Eric Hansen