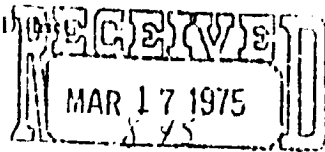


Water Right Number 2235-3

1. Considered MAY 21, 1975
2. Name of Applicant DENNIS LAU
3. Post Office Address FRANKFORT
4. Amount of Water claimed 2.66
5. Source of Water supply GROUND WATER (125' WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 264
7. Water to be diverted and used in SPINK County
about 3E, 5S miles of FRANKFORT
8. Proof of Publication Received 5-19-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 2735-2Map No. 1629-3 - Water Division No. 3 JAMES RIVER
(Plans to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COM.
SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Do not check through items not applicable)

1. Name of Applicant Dennis Jan
 2. Office address Frankfort, State S. Dak 57440
 If a corporation show date and place of incorporation NO

2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor3. Name of diversion work Well4. Amount of water claimed (cubic feet per second) 2.66 1200 - G.P.M. MAXIMUM ALLOWABLE5. Source of water supply Well6. Location of point of diversion Center of S.E. 1/4 - 35 - 116 - 627. Annual period or periods during which water is to be used June 1st to Nov. 1 County Spink Co8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 132 - 264

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.
<u>S.E. 1/4 - 35 - 116 - 62</u>	<u>132</u>		
<u>1/2 S.E. 1/4 - 35 - 116 - 62</u>	<u>66</u>		
<u>1/2 S.E. 1/4 - 35 - 116 - 62</u>	<u>66</u>		

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 1 years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Redfield Press

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. Well

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$8,000.-

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 SpinkI, Dennis Jan 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 Dennis JanSubscribed and sworn to before me this 1st day of May, 1975

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

WATER RIGHTS COMMISSION approves Water Right Application No. 2235-3
DENNIS LAW FRANKFORT
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57440 With the following modifications:
 (State)

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 MARCH 17 19 75
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved MAY 22 19 75, Recorded in Book 13 Page 283

WATER RIGHT PERMIT NO. 2235-3

WATER RIGHTS COMMISSION

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2235-3 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 MARCH 17 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22 19 75
3. The whole of said work is to be completed on or before MAY 22 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22 19 77
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 2.66 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 MAY 22 19 77; said water to be used during the following described annual period: JUNE 1 TO NOVEMBER 1

Witness my hand this 28TH day of MAY 19 75

WATER RIGHTS COMMISSION

By:

Van W. Butler
 Acting 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 3 1/2 in, Depth 125 ft
(2) Casing, Type concrete (wood, concrete, steel, etc) Diameter 22 in Thickness 34 ft
(3) Perforated Screen.
Type concrete, Diameter 22 in, Length 34 ft
(4) Gravel Pack, Thickness 12, Length of gravel pack 125 ft

E. Dugout Information or Estimates.

(1) Surface dimensions NO, 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 90 ft of sand

Depth to top of water bearing material 34 ft

Depth to bottom of water bearing material 125 ft

Thickness of water bearing material 91 ft

Depth to water (ground surface to water level) 34 ft

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

On same owner's property 3 miles rds. On property owned by others 3 miles 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.

Dennis S. San
Signature of Applicant

2235.3

Location of well: 1/4 Section 35 Township 116 Range 162
Well owner Dennis Lau Frankfort, S.D. 57440
(Name) (Address)
Date well drilling completed 12/30/74 Purpose of well Irrigation
(domestic, irrigation, municipal, industrial, other)

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
0-2	top soil	Depth to static water level _____ 32' 7" ft.
2-3.5	yellow till	Name of producing aquifer (if known) _____ gravel
3.5-80	medium sand	Total depth of drill hole _____ 120 ft.
80-120	sand, gravel, gravel	Depth to bottom of casing _____ 120 ft.
120 -	shale	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
		0-80 22" O.D. Kelly Concrete
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
		80-120 22" O.D. Kelly Concrete
		If a flowing well, flow of completed well _____ B.P.M.

Attach sheet if more space is needed

Attach sheet if more space is needed

Empire Irrigation Drilling Co. Inc.
Name of Drilling Contractor

PUMP INSTALLATION

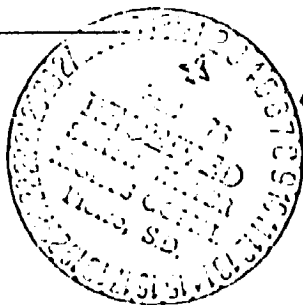
Company name and size of pump Western Land Roller HP 80 hp gearhead

Type of pump turbine, 4 1/2" 12 RB Capacity of installed pump 700 G.P.M.

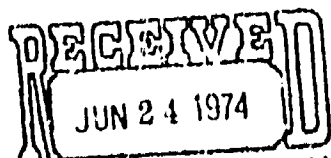
Depth of pump placement 10 1/2 ft., Date of pump installation 1/2/75

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____ tube material _____



Empire Irrigation Drilling Co., Inc.
 (name of Pump Installation Contractor)



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

June 17, 1974



Dennis L. Lau
Frankfort, SD 57440

Dear Mr. Lau:

I'm returning the original copy of your water analysis report as of May 3, 1974. Also included is a copy of Extension Circular 654; a circular which will give you considerable information on soil and water and problems with respect to irrigation when water quality is questionable.

I'm sending the WI-1 form, a copy of this letter, and a copy of the water analysis to the State Conservation Commission with the recommendation that you proceed on the development of this water supply. The water is questionable as to sodium level and medium to high in salinity, as you can see by the encircled red cross on the back cover of Extension Circular 654. It is a kind of water which is not really bad but one which may in time cause both a sodium problem and a salt problem on your soil. For these reasons, I recommend very strongly that you irrigate in fairly large quantities, such as 3 or 4 inches at a time or more, and not with frequent, light applications. Another practice which you should follow is irrigation in the late fall just before freeze-up so that fall, winter, and spring precipitation may be most effective in leaching salts and sodium downward in this soil. This is so because we have very little evaporation in the late fall, winter, and spring and sometimes have very effective rainfall or snowfall in one of these three seasons. This effective precipitation is what is important in displacing salts and sodium downward.

Light, frequent applications during hot summer months are very bad for the accumulation of salt and sodium because they allow for maximum evaporation from the surface and therefore, the greatest rate of salt accumulation in the surface. For these reasons, I suggest that you use an application technique which does not put on small, frequent applications but rather does a good job of thoroughly wetting the soil to three feet or so every time you irrigate.

Sincerely yours,

Lawrence O. Fine

Lawrence O. Fine
Water Quality Lab

LOF:111

Enclosures

CC: -State Conservation Commission

Robert Sampson, Spink County Agent
Darrel Pahl

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Lennis Lau
 Address: Frankfort, South Dakota
57440

Date Rec'd May 2, 1974
 Sample No. 74-248
 Identification Well-125
Box, Sec. 35, T 116N, R 62W

WATER ANALYSIS

Calcium (Ca)	70	ppm*	3.50	me/l**
Magnesium (Mg)	13	ppm	1.07	me/l
Sodium (Na)	222	ppm	9.66	me/l
Potassium (K)	12	ppm	0.31	me/l
Sulfate (SO ₄)	128	ppm	2.65	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	88	ppm	2.45	me/l
Bicarbonate (HCO ₃)	551	ppm	9.04	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	452	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	1239	micromhos per cm at 25° C.		
Electrical Conductivity	6.39			
Sodium Adsorption Ratio	66.43	% of cations		
Sodium	4.47	me/l		
Residual sodium carbonate	7.68			
pH				
Others:				

*ppm=parts per million
 **me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 14.54 me/l
 Total anions 14.14 me/l

By: Shirley Kitten

Service Performed	Amount Due
Irrigation analysis	\$6.00
Make checks payable to: Water Quality Laboratory	
Cut along dotted line and return the lower portion with payment	
Sample No. <u>74-248</u>	Amount Enclosed \$
	Signed

Conservation
Commission
Form WI #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-5-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: 6/24/74

Disapproved: Dusty Leppert

NAME: DENNIS L. LAU

ADDRESS: Frankfort S.D. 57440

COUNTY: Spink

LEGAL DESCRIPTION

1. WELL LOCATION: Center - SE ³⁵/₄ - 116-62
2. AREA TO BE IRRIGATED: SE ³⁵/₄ 35-116-62

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center pivot
4. CROPS TO BE IRRIGATED: Alf. - Small grain - Corn
Rotation

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-1 %
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Benton Silt Loam
Entic Family - 5 -

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 74-248
8. SALINITY: Electrical Conductivity = 1232 micromhos/cm (High)
9. SODIUM: Sodium Adsorption Ratio = 6.39 (Medium)

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:
the land capability for irrigation information has been acquired from

SE 1/4. 35-116-62.

and:

that the legal description for the location of the well and land to be
irrigated is true and correct.

Dennis J. Lau.

Subscribed and sworn before me this

7 day of June 19 74.

Clinton Road

Notary Public

(Title)

My Commission Expires Nov. 13, 1978

Form 6 - Notice of Int to Appropriate Water

2235-3

Publish first publication, on or before May 6, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 1, 1975

Notice is hereby given that Dennis Lau

whose post office address is Frankfort, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

2.66 cubic feet of water per second of time from the ground water through the

Lau Irrigation Well, the point of diversion of which is to be located in the

Center of the SE 1/4

of Section 35, Twp. 116N, Range 62W. Said water to be used for the purpose of providing irrigation on the following described land:

SE 1/4, E 1/2 SW 1/4, Section 35, W 1/2 SW 1/4, Section 36, T116N, R62W

This application No. 2235-3 will be considered by the Water Resources Commission at their office at Pierre upon the 21st day of May, 1975, at 2:30 P.M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BJJbw

cc: Dennis Lau, Frankfort, S.D. 57440

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.

I, Harold R. Jones hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Redfield Press

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

City of Redfield

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

May 8, 1975

May 15, 1975

Harold R. Jones
(Signature)

Editor
(Title)

MAY 15, 1975
(Date Signed)

No. 33

No. 2235-3

NOTICE OF
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
May 11, 1975
Notice is hereby given that
Dennis Lau whose post office
address is Frankfort, South
Dakota, has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.66 cubic feet of
water per second of time from
ground water through the Lau
Irrigation Well (the point of
diversion of which is to be located
in the Center of the SE 1/4 of
Section 35, Twp. 41N, Range
62W. Said water to be used for the
purpose of providing irrigation on
portions of the following
described land: SE 1/4, E 1/4 SW 1/4,
Section 35, W 1/2 SW 1/4, Section 36,
T116N, R62W, 15th Meridian, 23rd
this application No. 2235-3 will
be considered by the Water
Resources Commission at their
office at Pierre upon the 21st day
of May, 1975, at 2:30 P. M. All
interested persons may appear
and be heard.

WATER RESOURCES
COMMISSION

By: BURTON F. JONES
Water Rights
Specialist
(May 8, 15)

RECEIVED
MAY 19 1975

STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

5-27-80

PIVOT LOCATED ON NW⁴,
SECTION 2, T115N, R62W -
APPARENTLY IT BELONGS TO
DENNIS LAU - REPORTEDLY
HAS BEEN THERE FOR AT
LEAST A YEAR - THERE IS NO
WELL NOR MAINLINE TO THE
PIVOT - JUST SITS THERE.
2235-3
(LAU HAS PERMITS FOR THE
SECTION NORTH OF THIS.)

clock in 12000 10000 10000 10000
see 1552-3

2235-3 Dennis Lau
1047-32 C.P. 10000 10000 10000 10000
Model 307 410 530 260
Ser # 10734.

2235-3 10000 10000 10000 10000
1047-32 10000 10000 10000 10000
6531AR-CO 30057ARG
2000 Pump Byron Jackson
Ser # 771H7210

2235-3 10000 10000 10000 10000
1047-32 10000 10000 10000 10000
Bowl Pump Aurora 3.0000
No 15-11142-1 Type 111.00
Type 6.00
10000 10000 10000 10000

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

2235-3

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

NOTICE

September 13, 1983

TO: Dennis Lau
Frankfort, South Dakota 57440

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



Re: Violation of Permit No(s). 4714-3
by Failure to Submit Required 1982 Irrigation Questionnaire

The Water Management Board has directed that hearing(s) be held to determine what action the Board should take for violation of the Water Permit No(s). 4714-3 qualification that requires the Irrigation Water Use Questionnaire to be submitted each year.

The hearing(s) will also be to determine if Permit No(s). 2235-3 should be amended to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:30 p.m., October 5, 1983, Civil Defense Room, Basement, State Capitol Building, Pierre, South Dakota. Water Rights Division records do not show that the 1982 Irrigation Questionnaire for Permit No(s). 4714-3 has been received. The questionnaire was requested on the following dates:

1. September 1982 initial request
2. December 1982 follow-up request
3. March 22, 1983 Notice that submittal of questionnaire is a qualification to water permit.
4. August 1983 Notice that Board had directed owners of permits not in compliance with the Irrigation Questionnaire qualification be given until August 30, 1983 to submit the 1982 questionnaire with any permit owner in violation after August 30 to be given notice for hearing before the Board.

Equal Opportunity Employer

The hearing(s) 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 1-25.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 4714-3 until either the 1982 Questionnaire is submitted or for a period of up to one year;
2. Amend Permits No(s). 2235-3 also held by Dennis Lau to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

These hearing(s) are 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.

4714-3
2235-3
1552-3

October 24, 19

George W. Cluts, President
Security State Bank
P.O. Box 405
Doland, South Dakota 57436

RE: Water Permits for Dennis Lau

Dear Mr. Cluts:

Enclosed are three irrigation questionnaires pertaining to Water Permit Nos. 4714-3, 2235-3 and 1552-3 held by Dennis Lau. Please complete the data sheets and return them to this office. If accurate records were not kept, estimations will be satisfactory. The questionnaires must reach our office before November 11, 1983 to avoid suspension of Permit No. 4714-3.

The following is a listing of the lands covered by each permit.

4714-3	160 acres	NW $\frac{1}{4}$ Section 2, T115N, R62W
2235-3	132 acres	S $\frac{1}{2}$ Section 35, T116N, R62W
1552-3	238 acres	E $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ Section 35
		W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 36, T116N, R62W

The permits are being microfilmed at present, and when they are returned, copies will be forwarded to you.

If you have any questions, please advise.

Sincerely,

Genny McMath
Water Rights Specialist

GM:ms
Enc.

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
Water Rights Division
605 773-3352

March 15, 1984

1552-3
2233-3
4714-3

George W Cluts
Security State Bank
Doland SD 57436

RE: Submission of 1983 Irrigation Questionnaire

Dear Mr. Cluts:

Enclosed are the 1983 Irrigation Questionnaires for Water Permits listed in the name of Dennis Lau of Frankfort. The land formerly owned by Mr. Lau is either in the process of being sold or has been sold through your bank to Gary Wipf of Frankfort.

As you can see from the cover letters attached to the questionnaires, submission of the yearly irrigation questionnaire has become very important, and in the last couple of years has become mandatory.

Please have the data sheets completed by the party who irrigated in 1983. The forms should be returned to this office upon completion. Your assistance in this matter will be appreciated.

If you have any questions, please contact us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst

GM:ks

enclosures

4/23/84 Called Mr. Cluts - he gave information to me over the phone - did not realize he was to send data sheets in
Genny

Equal Opportunity Employer

**South Dakota Department of
Water & Natural Resources**
 Joe Foss Building
 523 East Capitol
 Pierre, South Dakota 57501-3181
 Water Resources Engineer
 605 773-1352

March 7, 1984

NOTICE

Dear Sir:

The Water Management Board has directed that all owners of Water Permits not in compliance with the requirement:

"All irrigation Permit owners.....shall submit the Irrigation Questionnaire mailed to them each year by the Chief Engineer."

be notified of this requirement.

Our records show we have not received the 1983 Irrigation Questionnaire for your Permit. The questionnaire was requested:

- 1) November, 1983 initial request
- 2) December, 1983 followup request

Owners of Water Permits not in compliance with the annual Irrigation Questionnaire requirement are being given until April 2, 1984 to submit the 1983 questionnaire. The Board will consider disciplinary action April 25, 1984 including amending those permits for which the 1983 questionnaire has not been received by April 2 with the following qualification:

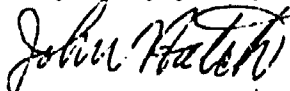
"This Permit amended April 25, 1984 is subject to the Irrigation Questionnaire being submitted each year."

Amendment of a Permit will mean that a Permit can be suspended for up to one year for continued violation of the Irrigation Questionnaire requirement.

The hearing before the Water Management Board April 25, 1984 will be at 10:45 am, Room 216, Joe Foss Building, Pierre SD. The amendment may be made pursuant to SDCL 46-1-14.

Enclosed is an additional questionnaire. Please advise if you have any questions, or you do not believe our records are correct.

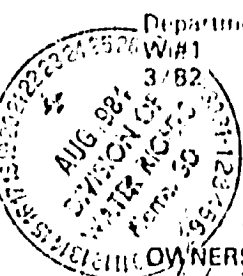
Very truly yours,



JOHN HATCH, Chief Engineer
 Water Rights Division

enclosure

Equal Opportunity Employer



SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

4087

WR#

OWNERS NAME: Dennis Lau & Karen Lau

OWNERS ADDRESS: Frankfort, S. Dak.

E/a Dennis L. Lau & Karen E. Lau

COUNTY LAND LOCATED IN: Spink

PHONE: 472-0859

TENANT'S NAME AND ADDRESS:

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION: #2 - Center of SE $\frac{1}{4}$ -T116N-R62W; #3 - 660 ft. north of center of SE $\frac{1}{4}$ Sec. 35-116-62; #1 - NE $\frac{1}{4}$ Sec. 35-116-62, Spink Co., S. Dak.

Depth

2. SURFACE WATER SOURCE AND DIVERSION LOCATION:

Diversion Location:

Legal Description	Acres	Legal Description	Acres
E $\frac{1}{2}$ SW $\frac{1}{4}$ 35-116-62	66	E $\frac{1}{2}$ Sec. 35-116-62	
W $\frac{1}{2}$ SW $\frac{1}{4}$ 36-116-62	66	E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 35-116-62	
		W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 35-116-62	
Total	132		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1975
SE $\frac{1}{4}$ 35-116-62; Permit #1552-3 was issued in 1968 before soil & LEGAL DESCRIPTION: water compatibility approval was required.

IN WHAT NAME: Dennis Lau

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

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

6. CROPS TO BE IRRIGATED: corn, soybeans, wheat, etc.

WATER QUALITY: (TO BE COMPLETED BY SD SU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 11-179/11-855

10. ADJUSTED (SAR):

8. SALINITY (EC X 10⁶): 1353/1285

11. PERCENT SODIUM 5829/57.72

9. SODIUM (SAR): 5.17/4.89

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____ by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is FULLY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

25th DAY OF January 1984

(NOTARY PUBLIC)

George W. Gluts, Notary Public
Spink County, South Dakota
Commission Expires 1-15-91.

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

APPLICANT'S SIGNATURE

Dennis L. Lau Karen E. Lau

Director, Division of Conservation

3-9-84

Date

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

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



Department of Water & Natural Resources

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

July 20, 1988

2235A-3

Gary Wipf
RR #1 Box 59
Frankfort, SD 57440

Dear Mr. Wipf:

The inspection of the water use systems developed under Water Permit Nos. 1552-3, 2235-3 and 2235A-3, has been completed. The final water right document, the water license can now be issued.

Since the systems constructed under the above permits are operated as one system, a water license will be issued under No. 2235A-3, with the applicable portions of Permit Nos. 1552-3 and 2235-3 incorporated into the license. Before the license is issued, Nos. 1552-3 and 2235-3, currently listed under Dennis Lau, should be transferred to your name.

I am enclosing two partially completed "Notice of Transfer" forms. Please complete the forms by signing them in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (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.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. South Dakota Water Law 46-5-30.1 states that a permit holder may not divert water until the license fee has been paid.

Upon receipt of the transfer forms and filing fees (total of \$55.00), the water license will be ready for issuance. If you have any questions, please contact us.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 5-29-83

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

SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 35, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 36, T116N, R62W

formerly owned by Dennis Lau

has been transferred to Gary Wipf, RR 1, Box 59, Frankfort SD 57440

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2235-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Spink) ss.

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

Gary D. Wipf
(Signed)

Subscribed and sworn to before me this 29 Day of August, 1983.

Kirk Carr
(Notary Public)

KIRK CARR, NOTARY PUBLIC
MY COMMISSION EXPIRES NOV 12, 1988

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, September 2, 1977

RECEIVED OF Gary Wief, RR 1, Box 59, Frankfort, SD 57440

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____

Fee for Filing Transfer Form Permit No. 2235-2

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

J. L. Hatch

Chief Engineer

JOHN HATCH



 **Department of
Water & Natural Resources**

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

1552-3
2235-3

September 1, 1988

Gary Wipf
RR #1 Box 59
Frankfort, SD 57440

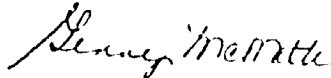
Dear Mr. Wipf:

Enclosed are Receipt Nos. 411384 and 411385 in the amount of \$2.50 each which you paid for the transfer of Water Permit Nos. 1552-3 and 2235-3. The permits are now listed in your name.

The water license for Permit No. 2235A-3 will be forwarded to you along with your receipt for \$50.00 at a later date. You have complied with all of the provisions for obtaining a water license and the intervening time between the inspection, your payment of the fee, and the date the license is actually issued has no bearing on your water right.

If you have any questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst

enclosure



SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-0101

SEP 14 1989

Gary D. Wipf
RR #1, Box 59
Frankfort, SD 57440

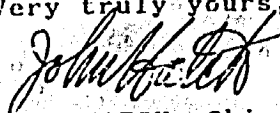
Dear Mr. Wipf:

Enclosed is Water License No. 2235A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 411386 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. 2235A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,


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

enclosures

Note: The applicable portions of Water Permit Nos. 2235-3 and 1552-3 were incorporated into Water License No. 2235A-3.



1-0311

CONSERVATION PLAN MAP

Spink County Conservation District
Owner Dennis L. Law Operator _____
County Spink State S. Dak. Photo Nos. CBX-1FF-259, 261, 212
Date prepared 5/74 Approx. Scale 8" = 1 mile #14-1-27
PREPARED BY U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE 1360 Ac.

S $\frac{1}{2}$ 26-116-62 Guy J. Barr ow.

