

Considered: _____

WATER PERMIT NO. 2235A-3

MAP No. 2235A-3

Name of Applicant GARY D. WIPF

Post Office Address Route 1, Box 59, Frankfort, S.D. 57440

Amount of Water Claimed no additional Total Acres no additional

Source of Water Supply 20, 120⁸⁻²⁵ foot deep wells, additional diversion

Water to be used for IRR County Spink

About 3E 5 miles south of Frankfort

PROOF OF PUBLICATION: Received 10X 6-7-84 Not Received _____

APPLICATION: Approved 7-11-84 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY: Date Received 2/6/84 Fee 50.00 Remarks _____

3/17/75 clarify well locations
Agree 2235-3 and to allow connection of the three wells to
irrigate lands covered under 1552-3 and 2235-3-W/L will inc all
Corrected Application Received _____ Period of Annual Use _____

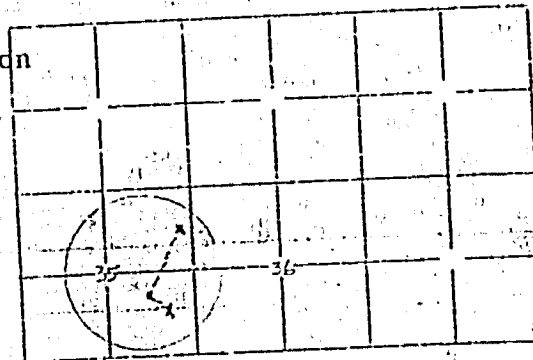
WATER QUALITY APPROVAL RECEIVED _____ APPROVED (CONDITIONAL) (Circle one)

W-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point _____
NW 1/4 SE 1/4, Section 35-T116N-R62W additional diversion

and allow connection of three wells to irrigate
land covered under 1552-3 & 2235-3
Land to be irrigated _____

Lands covered under Permits Nos. 1552-3 & 2235-3



Well Log: Driller Huron Drilling Licensed YES XX NO _____

Depth of Well 120 feet REMARKS _____

Type of Map drawn PREPARED BY Kevin Larson DWR Reviewed and the Number
assigned on _____ By Kevin Larson

Nelson

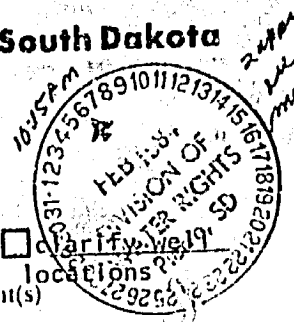
Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No 2235A-3 Hydrologic Unit 10160006
Map No. JR Basin JR
Newspaper PRESS, Box 440, REDFIELD 57449

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

- New ☒ Vested Right ☐ Future Use ☐ & 1552-3
☒ Application to amend Permit No 2235-3 with old priority date retained
☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Change acreage ☒ Other ☐ Clarify locations?
☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____
☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____



1. Name of Applicant Gary D. Wipf Phone No. 472-1690
 Post Office Address Route #1, Box 59, Frankfort, South Dakota State 57440
 (Street, RR or Box) Zip Code:
 2. Amount of water claimed (c.f.s.) no add'l Total acres irrigated Land covered under No. 2235-3 & 1552-3
 3. Source of Water supply groundwater - 3 wells approximately 125 feet deep
 4. Location of point of diversion NW 1/4 SE 1/4 Section 35, T116N, R62W
 _____ County Spink
 5. Counties where water will be used Spink
 6. Annual period during which water is to be used June 1 - November 1
 7. 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.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
 This permit is to clarify locations for ~~for an additional~~ diversion point on Permit No. 2235-3 & 1552-3 and to allow connection of three wells to irrigate land covered under #1552-3 and 2235-3. The license issued for this permit will incorporate No. 1552-3 and 2235-3

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA
County of Spink

I, Gary D. Wipf, the applicant, certify that I have read the foregoing application, 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 Gary D. Wipf

Subscribed and sworn to before me this 3rd day of February, 1984

George W. Clute
Notary Public (or other qualified official)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 2235A-3

Gary D. Wipf (Applicant) RT. 1 Box 59 Frankfort (Post Office Address)

South Dakota (State) 57440 (Zip Code) With the following qualifications.

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

This permit is approved subject to the Irrigation water use questionnaire being submitted each year.

Date of first receipt of application February 6, 1984
 Date of return to applicant for correction, amendments or changes required —, 19—
 Date of receipt of corrected application —, 19— Approved July 11, 1984

The Water Management Board hereby approves this Water Permit No. — authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is March 17, 1975.
2. One-fifth of the work is to be completed on or before —, 19—.
3. The whole of said work is to be completed on or before —, 19—.
4. The time limit for proof of beneficial use of water is July 11, 1984.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed No add'l 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. For irrigation purposes said appropriation must be limited to not more than 2 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 July 11, 1984; said water to be used during the following described annual period: JUNE 1st to November 1st

WATER MANAGEMENT BOARD

By: John H. Helt Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources

August 6, 1984

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 2235A-3, Gary D Wipf

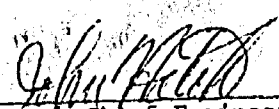
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2235A-3, Gary D Wipf, Route 1, Box 59, Frankfort SD.

The Chief Engineer is recommending APPROVAL of Application No. 2235A-3 because 1) the proposed diversions can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

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

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
May 22, 1984

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

OWNERS NAME: Dennis Lau & Karen Lau
a/k/a Dennis L. Lau & Karen K. Lau

OWNERS ADDRESS: Frankfort, S. Dak.
5741.0

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 SW 1/4 T116N-R62W #3 - 660 ft. north of the center
of SE 1/4 Sec. 35-116-62; #1 - NE 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 1/2 SW 1/4 35-116-62	66	E 1/2 Sec. 35-116-62	
W 1/2 SW 1/4 36-116-62	66	E 1/2 NW 1/4 Sec. 35-116-62	
		W 1/2 NW 1/4 Sec. 36-116-62	
Total	132		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1975
SW 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 AC-
COMPANY THE APPLICATION. (See instruction sheet)

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

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

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: <u>7777/1</u>	10. ADJUSTED (SAR): _____
8. SALINITY (EC X 10 ⁶): <u>1353/1000</u>	11. PERCENT SODIUM <u>5627/1000</u>
9. SODIUM (SAR): <u>5.1/1000</u>	

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 TRULY 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

28th DAY OF January, 1981

(NOTARY PUBLIC)

Urege W. O. Lutz, Notary Public
Spink County, South Dakota
Commission Expires 1-15-91.

Dennis Lau Karen K. Lau
APPLICANT'S SIGNATURE
Dennis L. Lau Karen K. Lau

[Signature]
Director, Division of Conservation

Date _____

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

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.

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

Conditional Approval

84407

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Dennis Lau

LEGAL DESCRIPTION: E₂ SW₄ 35; W₄ SW₄ 36; E₄ 35; E₄ NW₄ 35; W₂ NW₄ 36-116-62

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOIL(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

The areas mapped as La Prairie & Tetonka sil loams are subject to ponding and wetness. In these areas salt will accumulate at or near the surface. These areas shall remain in grass and/or alfalfa.

RECOMMENDED MANAGEMENT:

We recommend that when irrigating the application be large, thus preventing the soil from concentrating at or near the surface.

We also recommend the use of conservation tillage to control erosion.

Due to the quality of water a soil monitoring program should be set up to watch for potential hazards developing.



Signature
SIGNATURE

3-9-84
DATE

Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 Pierre, South Dakota 57501
Phone 605/773-3258

February 14, 1984

Dennis Lau
Frankfort, SD 57440

Dear Mr. Lau:

In reviewing your soil and water compatibility application for the E $\frac{1}{2}$ SW $\frac{1}{4}$ 35; W $\frac{1}{2}$ SW $\frac{1}{4}$ 36; E $\frac{1}{2}$ 35; E $\frac{1}{2}$ NW $\frac{1}{4}$ 35; W $\frac{1}{2}$ NW $\frac{1}{4}$ 36-116-62, the Irrigation Staff is recommending a Conditional Approval of your application to the State Conservation Commission at their March 8, 1984 meeting. The Conditional Recommendation is based on the soils and sodium content of the water to be used for irrigation.

In reviewing the water quality information the water is very marginal due to the presence of a large amount of sodium being present. Due to this question of the sodium hazards, we also reviewed soils analyses from 1977 and 1981 which indicate major accumulations of salts may be occurring below three feet.

RESTRICTIONS:

The areas mapped as La Prairie - Tetonka silt loams are subject to ponding, and wetness. In these areas salt will accumulate at or near the surface. These areas shall remain in grass and/or alfalfa.

MANAGEMENT RECOMMENDATIONS:

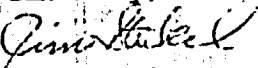
We recommend that when irrigating that the application be large, thus preventing the sodium from concentrating at or near the surface.

We also recommend the use of conservation tillage to control erosion.

Due to the quality of water we also strongly recommend setting up a soil monitoring program to watch for potential hazards developing.

Should you have any questions or require any assistance please feel free to contact this office.

Sincerely,



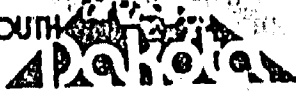
Jim Stukel
Irrigation Program Administrator

cf

cc: Division of Water Rights



SOUTH DAKOTA



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322

Pierre, South Dakota 57501

Phone 605/773-3258

February 14, 1984

George Cluts
President
Security State Bank
Doland, SD 57436

Dear Mr. Cluts:

As discussed per our phone conversation this date; enclosed please find a copy of the revised letter to Mr. Dennis Lau. I am sorry for any inconvenience which may have been caused, by our office, omitting all of the correct legal descriptions for Mr. Lau's Soil and Water Compatibility Application #4087.

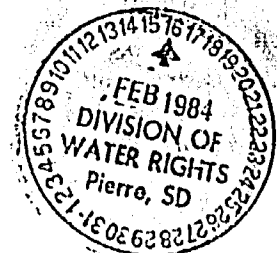
If you have any questions or if I can be of any further assistance please feel free to contact me.

Sincerely,

Jim Stukel
Irrigation Program Administrator

cf

cc: Dennis Lau
Water Rights Division



George W. Cluts, President

H.R. Wood, Chm. & Cashier

Betty Bell, Asst. Cashier



CAPITAL and SURPLUS \$450,000

MEMBER OF F.D.I.C.

DOLAND, SOUTH DAKOTA 57436

Feb. 14th, 1984

Mr. Kevin G. Larson
Water Resources Engineer
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Re: Dennis Lau - Gary Wipf

Dear Kevin:

Thank you for sending the application and map. In accordance with our phone visit and your letter I am enclosing application for additional diversion point and connection of the three wells regarding the Dennis Lau property being purchased by Gary Wipf. I have also reviewed the map with Dennis Lau and he has marked in red on the photo copy where he feels the wells are located. Both Gary Wipf and I agree with him as to the location as marked in red.

Bank Money Order for \$50.00 is enclosed for the filing fee and we also enclose the well log for the third well which was drilled by the Haron Drilling Co., Haron, S. Dak.

If you need anything more please call me. Would appreciate very much if you could give me some idea of the time involved to get this approved and brought to a conclusion. It could possibly hold up the land transaction. Thanks for all of your assistance.

Sincerely,

George W. Cluts
George W. Cluts, President



WATER RIGHTS DIVISION
(605) 773-3352

February 13, 1984

George W. Cluts
Security Bank
Doland, South Dakota 57436

Dear Mr. Cluts:

I am in receipt of the application for Gary Wipf. Everything is in order and we will continue to process the application. The application will be advertised for consideration at the April 25-26 meeting of the Water Management Board. Any person wishing to protest the application will have to inform our office and the applicant at least 10 days prior to the first day of the meeting. A copy of the report, recommendation and the advertising notice will be sent to you approximately the week of March 5, 1984. If you have any further questions please contact this office.

Thank you,

Kevin C. Larson
Water Resources Engineer

KCL:ms

water rights division
(605) 773-3352

February 1, 1984

George W. Clutss
Security State Bank
Doland, South Dakota 57436

Dear Mr. Clutss:

Enclosed please find a completed copy of the permit application to add one well to the system being purchased by Gary Wipf. The application needs to be signed and notarized and returned with the \$50.00 filing fee and a copy of the well log for the third well. I am also sending a copy of a map I prepared. Look it over, make any changes you feel are needed and return to me. If you have any further questions please contact me.

Thank you,

Kevin C. Larson
Water Resources Engineer

KCL:ms
Enc.



Department of Water & Natural Resources

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

January 24, 1984

George Clutts
Security State Bank
Doland, S.D. 57436

Dear Mr. Clutts:

Upon a recent inquiry on the status of Dennis Lau's water permit this office checked out the permits and found the following:

Permit No. 1552-3, to irrigate the W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 36, NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 35, from a well in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, all in T116N-R62W, 238 acres using 2.00 cfs of water. Permit was issued in 1968 before soil/water compatibility approval was required. This permit had the final inspection done on April 4, 1973 and the above lands were being irrigated at this time.

Permit No. 4718-3, to irrigate 160 acres in the NW $\frac{1}{4}$, Section 2, to use 2.28 cfs from a well in the center of the NW $\frac{1}{4}$, Section 2, all in T115N-R62W. This permit has soil/water compatibility approval.

Permit No. 2235-3, to irrigate 264 acres in the SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 35; W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 36 to use 2.66 cfs from a well in the center of the SE $\frac{1}{4}$, Section 35, all in T116N-R62W. This permit does not have soil/water compatibility approval from the State Conservation Commission for the lands in E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 35 and the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 36. To bring this permit into compliance with State Laws the soil/water compatibility approval for this land must be received from the State Conservation Commission. A partially completed Department of Agriculture WI-1 form is enclosed for you to complete. You should contact Jim Mukel, Program Administrator, Department of Agriculture, Anderson Bldg., Pierre, S.D. 57501, Phone No. 773-3259 for any questions you may have on the WI-1. A water sample from the well will be required.

Equal Opportunity Employer

George Clutts
2235-3, 1552-3 & 4715-3

Page 2

January 24, 1984

For your information I am enclosing copies of the permits showing the completion dates, lands, etc. If you have any further questions feel free to contact our office.

Sincerely,

BETTY WESTLUND
Natural Resource Analyst III

cc: Jim Stukel, Dept. of Agriculture, Anderson Building
Encl: as stated
bw

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

Dennis Lau
JOB NAME

35-116-62-Spink Co.
LOCATION

2/14/77
DATE

18
RIG NO.

Bernard Schleder
FOREMAN

Jt No.	DEPTH	TIME	REMARKS
	0-10	3:30	Top soil. Yellow clay rocks @ 10'
	10-20	4:15	10-25 Yellow Clay
	20-30	5:00	25-30 Blue clay
	30-40	10:20	38-40 Dark sand and gravel, clay trace
	40-50	10:40	Sand, gravel and coal.
	50-60	10:50	Sand and gravel
	60-70	11:05	60-75 Sand and gravel
	70-80	10:25	75-79 Blue clay and coal
			79-80 Sand and gravel
	80-90	11:40	80-90 Coal and fine sand.
	90-100	11:55	90-99 Coal and fine sand
			99-110 Gravel, coal and fine sand
	100-110	12:15	Gravel and coal, medium sand
	110-120	12:30	121-122 Gravel and medium sand
	TD 120'		10'
			1 - 16" Johnson Stainless Steel Screen-100 Slot
			1-20'-15" PVC Plastic 100 Slot
			90 Ft.-15" Solid Plastic
			38 Tons of Gravel

Frankfort, S. D.

WELL REPORT

Spink County

35-116-62

HURON
DRILLING CO.
Huron, S. D.

February 15, 1977
DATE

156

Dennis Lau
OWNER

DESCRIPTION

CASING LOG

Depth	120	ft.	90	ft. 15 1/2" PVC Plastic pipe to
Flows		gpm	20	ft. 15 1/2" Plastic pipe to
Pumps		gpm	10	ft. 16" Stainless Steel Screen-100 Slot
Head	20'-15 1/2"	ft.		ft. pipe to
10-16"	Stainless Steel Screen	100 Slot		

Pressure

1 day
Drilling Time

DM

Rig No. 18
Bernard Schleder
Foreman

90-120 Ft.

REMARKS

1-10'-16" Stainless Steel Screen-100 Slot

38 Tons of Gravel

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Spink) ss.

I, Roger Matz hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the 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 Redfield of _____

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

May 30, 1984 and June 6, 1984

Pamela J. Rose
(Signature)

Legal Dept.
(Title)

6/6/84
(Date Signed)

Cost of Printing: _____

Gary D. Wipf - \$43.40

WNR-808-7/79
Proof of Publication

No. 3
**NOTICE OF HEARING ON
APPLICATION NO. 2235A-3
TO AMEND WATER PERMIT
NO. 1552-3 AND 2235-3**

Notice is hereby given that Gary D. Wipf, whose mailing address is Rt. 1, Box 59, Frankfort, South Dakota, has made an application for a permit to clarify the locations of diversion points (wells) for Water Permits No. 1552-3 and 2235-3 and to allow connection by a common pipeline. The three wells 80, 120 and 125 feet deep are located: No. 1 SE 1/4 NE 1/4, No. 2 NE 1/4 SE 1/4 and No. 3 NW 1/4 SE 1/4, all in Section 35, T116N, R62W. The three wells supply water to irrigate a 520 acre circle on lands authorized by No. 1552-3 and No. 2235-3. No additional cubic feet of water per second are being appropriated and no new lands are to be irrigated.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 2235A-3 because:

- 1) will be no unlawful impairment of existing rights;
- 2) is beneficial use of water and
- 3) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 522 Capitol Pierre, SD on July 11, 1984, at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26 must file a written petition with BOTH the Applicant and the Chief Engineer by June 29, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in

the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel. If legal counsel is obtained, the applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 through 46-1-9, 46-1-12 through 46-1-15, 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 through 46-5-16, 46-5-24, 46-5-25, 46-5-31, 46-5-32, 46-5-33, 46-5-34, 46-5-35, 46-5-36, 46-5-37, 46-5-38, 46-5-39, 46-5-40, 46-5-41, 46-5-42, 46-5-43, 46-5-44, 46-5-45, 46-5-46, 46-5-47, 46-5-48, 46-5-49, 46-5-50, 46-5-51, 46-5-52, 46-5-53, 46-5-54, 46-5-55, 46-5-56, 46-5-57, 46-5-58, 46-5-59, 46-5-60, 46-5-61, 46-5-62, 46-5-63, 46-5-64, 46-5-65, 46-5-66, 46-5-67, 46-5-68, 46-5-69, 46-5-70, 46-5-71, 46-5-72, 46-5-73, 46-5-74, 46-5-75, 46-5-76, 46-5-77, 46-5-78, 46-5-79, 46-5-80, 46-5-81, 46-5-82, 46-5-83, 46-5-84, 46-5-85, 46-5-86, 46-5-87, 46-5-88, 46-5-89, 46-5-90, 46-5-91, 46-5-92, 46-5-93, 46-5-94, 46-5-95, 46-5-96, 46-5-97, 46-5-98, 46-5-99, 46-5-100, 46-5-101, 46-5-102, 46-5-103, 46-5-104, 46-5-105, 46-5-106, 46-5-107, 46-5-108, 46-5-109, 46-5-110, 46-5-111, 46-5-112, 46-5-113, 46-5-114, 46-5-115, 46-5-116, 46-5-117, 46-5-118, 46-5-119, 46-5-120, 46-5-121, 46-5-122, 46-5-123, 46-5-124, 46-5-125, 46-5-126, 46-5-127, 46-5-128, 46-5-129, 46-5-130, 46-5-131, 46-5-132, 46-5-133, 46-5-134, 46-5-135, 46-5-136, 46-5-137, 46-5-138, 46-5-139, 46-5-140, 46-5-141, 46-5-142, 46-5-143, 46-5-144, 46-5-145, 46-5-146, 46-5-147, 46-5-148, 46-5-149, 46-5-150, 46-5-151, 46-5-152, 46-5-153, 46-5-154, 46-5-155, 46-5-156, 46-5-157, 46-5-158, 46-5-159, 46-5-160, 46-5-161, 46-5-162, 46-5-163, 46-5-164, 46-5-165, 46-5-166, 46-5-167, 46-5-168, 46-5-169, 46-5-170, 46-5-171, 46-5-172, 46-5-173, 46-5-174, 46-5-175, 46-5-176, 46-5-177, 46-5-178, 46-5-179, 46-5-180, 46-5-181, 46-5-182, 46-5-183, 46-5-184, 46-5-185, 46-5-186, 46-5-187, 46-5-188, 46-5-189, 46-5-190, 46-5-191, 46-5-192, 46-5-193, 46-5-194, 46-5-195, 46-5-196, 46-5-197, 46-5-198, 46-5-199, 46-5-200, 46-5-201, 46-5-202, 46-5-203, 46-5-204, 46-5-205, 46-5-206, 46-5-207, 46-5-208, 46-5-209, 46-5-210, 46-5-211, 46-5-212, 46-5-213, 46-5-214, 46-5-215, 46-5-216, 46-5-217, 46-5-218, 46-5-219, 46-5-220, 46-5-221, 46-5-222, 46-5-223, 46-5-224, 46-5-225, 46-5-226, 46-5-227, 46-5-228, 46-5-229, 46-5-230, 46-5-231, 46-5-232, 46-5-233, 46-5-234, 46-5-235, 46-5-236, 46-5-237, 46-5-238, 46-5-239, 46-5-240, 46-5-241, 46-5-242, 46-5-243, 46-5-244, 46-5-245, 46-5-246, 46-5-247, 46-5-248, 46-5-249, 46-5-250, 46-5-251, 46-5-252, 46-5-253, 46-5-254, 46-5-255, 46-5-256, 46-5-257, 46-5-258, 46-5-259, 46-5-260, 46-5-261, 46-5-262, 46-5-263, 46-5-264, 46-5-265, 46-5-266, 46-5-267, 46-5-268, 46-5-269, 46-5-270, 46-5-271, 46-5-272, 46-5-273, 46-5-274, 46-5-275, 46-5-276, 46-5-277, 46-5-278, 46-5-279, 46-5-280, 46-5-281, 46-5-282, 46-5-283, 46-5-284, 46-5-285, 46-5-286, 46-5-287, 46-5-288, 46-5-289, 46-5-290, 46-5-291, 46-5-292, 46-5-293, 46-5-294, 46-5-295, 46-5-296, 46-5-297, 46-5-298, 46-5-299, 46-5-300, 46-5-301, 46-5-302, 46-5-303, 46-5-304, 46-5-305, 46-5-306, 46-5-307, 46-5-308, 46-5-309, 46-5-310, 46-5-311, 46-5-312, 46-5-313, 46-5-314, 46-5-315, 46-5-316, 46-5-317, 46-5-318, 46-5-319, 46-5-320, 46-5-321, 46-5-322, 46-5-323, 46-5-324, 46-5-325, 46-5-326, 46-5-327, 46-5-328, 46-5-329, 46-5-330, 46-5-331, 46-5-332, 46-5-333, 46-5-334, 46-5-335, 46-5-336, 46-5-337, 46-5-338, 46-5-339, 46-5-340, 46-5-341, 46-5-342, 46-5-343, 46-5-344, 46-5-345, 46-5-346, 46-5-347, 46-5-348, 46-5-349, 46-5-350, 46-5-351, 46-5-352, 46-5-353, 46-5-354, 46-5-355, 46-5-356, 46-5-357, 46-5-358, 46-5-359, 46-5-360, 46-5-361, 46-5-362, 46-5-363, 46-5-364, 46-5-365, 46-5-366, 46-5-367, 46-5-368, 46-5-369, 46-5-370, 46-5-371, 46-5-372, 46-5-373, 46-5-374, 46-5-375, 46-5-376, 46-5-377, 46-5-378, 46-5-379, 46-5-380, 46-5-381, 46-5-382, 46-5-383, 46-5-384, 46-5-385, 46-5-386, 46-5-387, 46-5-388, 46-5-389, 46-5-390, 46-5-391, 46-5-392, 46-5-393, 46-5-394, 46-5-395, 46-5-396, 46-5-397, 46-5-398, 46-5-399, 46-5-400, 46-5-401, 46-5-402, 46-5-403, 46-5-404, 46-5-405, 46-5-406, 46-5-407, 46-5-408, 46-5-409, 46-5-410, 46-5-411, 46-5-412, 46-5-413, 46-5-414, 46-5-415, 46-5-416, 46-5-417, 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46-5-518, 46-5-519, 46-5-520, 46-5-521, 46-5-522, 46-5-523, 46-5-524, 46-5-525, 46-5-526, 46-5-527, 46-5-528, 46-5-529, 46-5-530, 46-5-531, 46-5-532, 46-5-533, 46-5-534, 46-5-535, 46-5-536, 46-5-537, 46-5-538, 46-5-539, 46-5-540, 46-5-541, 46-5-542, 46-5-543, 46-5-544, 46-5-545, 46-5-546, 46-5-547, 46-5-548, 46-5-549, 46-5-550, 46-5-551, 46-5-552, 46-5-553, 46-5-554, 46-5-555, 46-5-556, 46-5-557, 46-5-558, 46-5-559, 46-5-560, 46-5-561, 46-5-562, 46-5-563, 46-5-564, 46-5-565, 46-5-566, 46-5-567, 46-5-568, 46-5-569, 46-5-570, 46-5-571, 46-5-572, 46-5-573, 46-5-574, 46-5-575, 46-5-576, 46-5-577, 46-5-578, 46-5-579, 46-5-580, 46-5-581, 46-5-582, 46-5-583, 46-5-584, 46-5-585, 46-5-586, 46-5-587, 46-5-588, 46-5-589, 46-5-590, 46-5-591, 46-5-592, 46-5-593, 46-5-594, 46-5-595, 46-5-596, 46-5-597, 46-5-598, 46-5-599, 46-5-600, 46-5-601, 46-5-602, 46-5-603, 46-5-604, 46-5-605, 46-5-606, 46-5-607, 46-5-608, 46-5-609, 46-5-610, 46-5-611, 46-5-612, 46-5-613, 46-5-614, 46-5-615, 46-5-616, 46-5-617, 46-5-618, 46-5-619, 46-5-620, 46-5-621, 46-5-622, 46-5-623, 46-5-624, 46-5-625, 46-5-626, 46-5-627, 46-5-628, 46-5-629, 46-5-630, 46-5-631, 46-5-632, 46-5-633, 46-5-634, 46-5-635, 46-5-636, 46-5-637, 46-5-638, 46-5-639, 46-5-640, 46-5-641, 46-5-642, 46-5-643, 46-5-644, 46-5-645, 46-5-646, 46-5-647, 46-5-648, 46-5-649, 46-5-650, 46-5-651, 46-5-652, 46-5-653, 46-5-654, 46-5-655, 46-5-656, 46-5-657, 46-5-658, 46-5-659, 46-5-660, 46-5-661, 46-5-662, 46-5-663, 46-5-664, 46-5-665, 46-5-666, 46-5-667, 46-5-668, 46-5-669, 46-5-670, 46-5-671, 46-5-672, 46-5-673, 46-5-674, 46-5-675, 46-5-676, 46-5-677, 46-5-678, 46-5-679, 46-5-680, 46-5-681, 46-5-682, 46-5-683, 46-5-684, 46-5-685, 46-5-686, 46-5-687, 46-5-688, 46-5-689, 46-5-690, 46-5-691, 46-5-692, 46-5-693, 46-5-694, 46-5-695, 46-5-696, 46-5-697, 46-5-698, 46-5-699, 46-5-700, 46-5-701, 46-5-702, 46-5-703, 46-5-704, 46-5-705, 46-5-706, 46-5-707, 46-5-708, 46-5-709, 46-5-710, 46-5-711, 46-5-712, 46-5-713, 46-5-714, 46-5-715, 46-5-716, 46-5-717, 46-5-718, 46-5-719, 46-5-720, 46-5-721, 46-5-722, 46-5-723, 46-5-724, 46-5-725, 46-5-726, 46-5-727, 46-5-728, 46-5-729, 46-5-730, 46-5-731, 46-5-732, 46-5-733, 46-5-734, 46-5-735, 46-5-736, 46-5-737, 46-5-738, 46-5-739, 46-5-740, 46-5-741, 46-5-742, 46-5-743, 46-5-744, 46-5-745, 46-5-746, 46-5-747, 46-5-748, 46-5-749, 46-5-750, 46-5-751, 46-5-752, 46-5-753, 46-5-754, 46-5-755, 46-5-756, 46-5-757, 46-5-758, 46-5-759, 46-5-760, 46-5-761, 46-5-762, 46-5-763, 46-5-764, 46-5-765, 46-5-766, 46-5-767, 46-5-768, 46-5-769, 46-5-770, 46-5-771, 46-5-772, 46-5-773, 46-5-774, 46-5-775, 46-5-776, 46-5-777, 46-5-778, 46-5-779, 46-5-780, 46-5-781, 46-5-782, 46-5-783, 46-5-784, 46-5-785, 46-5-786, 46-5-787, 46-5-788, 46-5-789, 46-5-790, 46-5-791, 46-5-792, 46-5-793, 46-5-794, 46-5-795, 46-5-796, 46-5-797, 46-5-798, 46-5-799, 46-5-800, 46-5-801, 46-5-802, 46-5-803, 46-5-804, 46-5-805, 46-5-806, 46-5-807, 46-5-808, 46-5-809, 46-5-810, 46-5-811, 46-5-812, 46-5-813, 46-5-814, 46-5-815, 46-5-816, 46-5-817, 46-5-818, 46-5-819, 46-5-820, 46-5-821, 46-5-822, 46-5-823, 46-5-824, 46-5-825, 46-5-826, 46-5-827, 46-5-828, 46-5-829, 46-5-830, 46-5-831, 46-5-832, 46-5-833, 46-5-834, 46-5-835, 46-5-836, 46-5-837, 46-5-838, 46-5-839, 46-5-840, 46-5-841, 46-5-842, 46-5-843, 46-5-844, 46-5-845, 46-5-846, 46-5-847, 46-5-848, 46-5-849, 46-5-850, 46-5-851, 46-5-852, 46-5-853, 46-5-854, 46-5-855, 46-5-856, 46-5-857, 46-5-858, 46-5-859, 46-5-860, 46-5-861, 46-5-862, 46-5-863, 46-5-864, 46-5-865, 46-5-866, 46-5-867, 46-5-868, 46-5-869, 46-5-870, 46-5-871, 46-5-872, 46-5-873, 46-5-874, 46-5-875, 46-5-876, 46-5-877, 46-5-878, 46-5-879, 46-5-880, 46-5-881, 46-5-882, 46-5-883, 46-5-884, 46-5-885, 46-5-886, 46-5-887, 46-5-888, 46-5-889, 46-5-890, 46-5-891, 46-5-892, 46-5-893, 46-5-894, 46-5-895, 46-5-896, 46-5-897, 46-5-898, 46-5-899, 46-5-900, 46-5-901, 46-5-902, 46-5-903, 46-5-904, 46-5-905, 46-5-906, 46-5-907, 46-5-908, 46-5-909, 46-5-910, 46-5-911, 46-5-912, 46-5-913, 46-5-914, 46-5-915, 46-5-916, 46-5-917, 46-5-918, 46-5-919, 46-5-920, 46-5-921, 46-5-922, 46-5-923, 46-5-924, 46-5-925, 46-5-926, 46-5-927, 46-5-928, 46-5-929, 46-5-930, 46-5-931, 46-5-932, 46-5-933, 46-5-934, 46-5-935, 46-5-936, 46-5-937, 46-5-938, 46-5-939, 46-5-940, 46-5-941, 46-5-942, 46-5-943, 46-5-944, 46-5-945, 46-5-946, 46-5-947, 46-5-948, 46-5-949, 46-5-950, 46-5-951, 46-5-952, 46-5-953, 46-5-954, 46-5-955, 46-5-956, 46-5-957, 46-5-958, 46-5-959, 46-5-960, 46-5-961, 46-5-962, 46-5-963, 46-5-964, 46-5-965, 46-5-966, 46-5-967, 46-5-968, 46-5-969, 46-5-970, 46-5-971, 46-5-972, 46-5-973, 46-5-974, 46-5-975, 46-5-976, 46-5-977, 46-5-978, 46-5-979, 46-5-980, 46-5-981, 46-5-982, 46-5-983, 46-5-984, 46-5-985, 46-5-986, 46-5-987, 46-5-988, 46-5-989, 46-5-990, 46-5-991, 46-5-992, 46-5-993, 46-5-994, 46-5-995, 46-5-996, 46-5-997, 46-5-998, 46-5-999, 46-5-1000.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decision of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg., Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 29, 1984.

(May 30, June 6)

DWNR 806-7/83

WP or WR No. 2235A-3

Instruction to Newspaper - Publish first publication of the following Notice on or before May 30, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2235A-3 ~~to appropriate water~~
~~and/or~~ to Amend Water Permit ~~on Water Right~~ No. 1552-3 & 2235-3

Notice is hereby given that Gary D Wipf whose mailing address is Rt #1, Box 59, Frankfort, South Dakota has made an application for a permit

to clarify the locations of diversion points (wells) for Water Permits No. 1552-3 and 2235-3 and to allow connection by a common pipeline. The three wells 80, 120 and 125 feet deep are located: No. 1 SE 1/4 NE 1/4, No. 2 NE 1/4 SE 1/4 and No. 3 NW 1/4 SE 1/4, all in Section 35, T116N, R62W. The three wells supply water to irrigate 2 520 acre circle on lands authorized by No. 1552-3 and No. 2235-3. No additional cubic feet of water per second are being appropriated and no new lands are to be irrigated.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

Approval of Application No. 2235A-3 because ~~1) unappropriated water is available,~~
1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and
3) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on July 11 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by June 29, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35, ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 29, 1984.

REPRODUCTIONS REDUCTION 25.7

FILE NO. 1770

DATE MICROFILMED

CAMERA OPERATOR

RECEIPT

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

No 4 9536

Pierre, February 6, 1984

RECEIVED OF George W. Clutz, Security State Bank, Do land, SD 57436 (for Gary D. Wipf)
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 2235A/3 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

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

50 00

50 00

By John Hatch
Chief Engineer

JOHN HATCH/ms

~~Conversation or File Documentation~~NAME OF PERSON OR FILE: 2235A-3 Gary D. WipfADDRESS: Rt 1 Box 59, Frankfort SD COUNTY SpinkDATE: 5-22-84 TELEPHONE _____RE: Application No. 2235A-3

COMMENTS:

Application No. 2235A-3 is an application to clarify Water Permits No. 1552-3 and 2235-3. A priority of April 9, 1968 will be assigned to those acres in the E $\frac{1}{2}$ NW⁴ and NE⁴ section 35 and W $\frac{1}{2}$ NW⁴ section 36 irrigated by the N $\frac{1}{2}$ of the 520 acre center pivot. A priority of March 17, 1975 will be assigned to those acres in the E $\frac{1}{2}$ SW⁴ and SE⁴ section 35 and W $\frac{1}{2}$ SW⁴ section 36.

This action is necessary because the Division of Water Rights did not follow up and finalize inspections and license s for Nos. 1552-3 and 2235-3. An inspection report on No. 1552-3 was prepared 4-4-73. A water right license was not prepared nor was there any follow-up. The inspection report indicates two wells had been constructed. One with a pump was located 1100' south and 365' West of NE corner section 35. A second well without a pump was located about 300' southeast of the first well. A 131 acre center pivot was used to irrigate 2 circles in N $\frac{1}{2}$ of section 35 and W $\frac{1}{2}$ NW⁴ section 36.

(continued)

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: John Hatch

No. 2235A-3 Continued

An inspection of No. 2235-3 was made 10-19-78. Notes in the file stated that the 520 acre center pivot was located in the E $\frac{3}{4}$ Section 35 and W $\frac{1}{4}$ Section 36. The notes indicated one well was located 75' west and 480' south of the pivot center. The inspection was not completed because the file for No. 1552-3 had been left in the office. No follow-up was completed.

In view of the above, Application No. 2235A-3 must be considered as an application to correct and clarify the 3 well locations.

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

Post Office _____

Date _____

TO: Water Rights
Joe Foss Building
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 maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No.

2235A-3

Water Right Permit No. 2235A-3 states that the diversion system is to be constructed by 7-11-84, and that the water is put to beneficial use by 7-11-84.

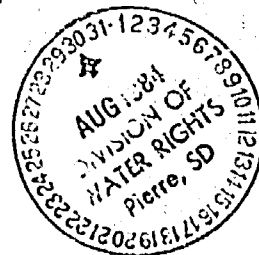
The diversion system was completed on 7-11-84. Applying the water to beneficial use was completed on 7-11-84.

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.

Larry D. Wier
(Signature)

RR-1 Box 59

Interpret SLR 57440



WNR-810-7/79

Notice of Completion of Works and/or
Application of Water to Beneficial Use

 **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



1552-3
2235-3
Permit No. 2235A-3

James River Water District

10160006

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Gary Wipf

Rt. 1 Box 59 of Frankfort, SD 57440 holder of

Permit No. 2235-3, 2235A-3, bearing the priority of April 9, 1968 March 17, 1975 authorizing

the diversion of 8.66 cu. ft. per second of the waters of groundwater (3 wells)

for irrigation purposes, in Spink County.

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

A. Works used to divert the water:

See Attached Sheet

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

3100' of 8" Plastic Pipe.

500' of 10" " "

(all underground)

C. Works used to apply water to beneficial use:

Zimatic Center Pivot

19 towers

operated at 100 psi

Good

The system is in the following condition

The point of diversion is located See Attached Sheet

The works are capable of diverting and conveying to the place of use 5.33

cu. 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: Section 35, T116N, R62W

NE 1/4 NW 1/4 - 16 acres NW 1/4 NE 1/4 - 39 acres NW 1/4 SE 1/4 - 40 acres

SE 1/4 NW 1/4 - 38 " NE 1/4 NE 1/4 - 39 " NE 1/4 SE 1/4 - 40 "

NE 1/4 SW 1/4 - 38 " SW 1/4 NE 1/4 - 40 " SW 1/4 SE 1/4 - 39 "

SE 1/4 SW 1/4 - 16 " SE 1/4 NE 1/4 - 40 " SE 1/4 SE 1/4 - 39 "

comprising a total of 539 acres of land and the license should be issued for 5.33 cfs Cont. on Attached Sht.

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Date 6-29-88

Exceptions to compliance are:

E 1/2 NW 1/4 of NE 1/4 of Sec. 35 } Apr. 9, 1968
W 1/2 NW 1/4 of Sec. 36 } Priority Date
E 1/2 SW 1/4 of SE 1/4 of Sec. 35 } Mar. 17, 1975
W 1/2 SW 1/4 of Sec. 36 } Priority Date

James L. Wendt
(signature)

A. Works used to divert the water:

- Well #1: $\approx 150'$ deep, 16" PVC Casing, St. Steel Screen

Byron Jackson Pump - Ser. No. 771H7218

John Deere Diesel Motor - 200 H.P.

- Ser. No. 6531AR-08

- Well #2 - 100' deep, 16" Fiberglass Casing & Screen
Western Land Roller Pump - ID # Q9487-00-F-528
Detroit Diesel Motor - 100 H.P., Model 471

- Well #3 - 120' deep, 22" Concrete Casing & 40' Screen

Western Land Roller Pump - Ser. No. B68594

Cat Diesel Motor - 8 cyl., 100 H.P., Model 1150
Serial No. 96B10687

Amarillo Gear Drive - Ser. No. 2BL-90 63531

- Booster Pump - Aurora Vertiline, Type 411 BF
Ser. No. 75-14143-1, Powered by
John Deere Motor at Well #1

- Well Locations - All in Section 35, T116N, R62W

#1 - NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1300'E & 500'S of Section center

#2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1650'E & 1200'S of Section center

#3 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1300'S of NE corner of Section

- Irrigated Acreage - Section 36, T116N, R62W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 18 acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 "

NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 39 "

SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 18 "

LICENSE FOR PERMIT NUMBER

1552-3
2235-3
2235A-3

Wipf
6-29-88

1. Legal location of wells: #1 - NW¹/₄ SE¹/₄ 35-116-62
#2 - NE¹/₄ SE¹/₄ 35-116-62 #3 - NE¹/₄ NE¹/₄ 35-116-62

dams & structures:

2. Well Information: Well Drilling Firm Huron Drilling

No. of wells #1 Depth 150' ?

Casing #1 b) diameter 16" Screen a) type St. Steel

b) length — b) length ?

c) type PVC Static Water Level —

Pump #1 a) make Byron Jackson Motor #1 b) make John Deere (Diesel)

b) model Ser. No. 771H7218 b) model no. 6531AR-08

c) size — c) horsepower rating 300 594 RG 200 H.P.

d) capacity — GPH d) motor efficiency rating —

e) turbine pump no. of stages —

3. Distribution lines:

a) size of lines 8" & 10"

b) type Plastic (Underground)

c) length 3100' of 8" 500' of 10"

Booster Pump -

Aurora Vertiline

Ser. No. 75-14143-1

Type 411 BF

(Same motor runs both pumps)

4. Dam Information:

a) height to crest —

b) height to spillway —

c) crest width —

d) crest length —

e) spillway length —

f) spillway width —

g) approx. storage —

h) Distribution lines or canals:

1) size —

2) type —

3) length —

- i) Outlet tubes:

1) diameter —

2) type —

3) valued (Y/N) —

4) valve type —

5) location on structure —

5. System Type: a) sideroll:

1) length — feet

2) diameter of pipe —

3) make, model & number of sprinklers —

4) spacing of sprinklers —

5) nozzle size —

- b) towline:

1) length — feet

2) make, model & number of sprinklers —

3) spacing of sprinklers —

4) nozzle size —

5. System Type: c) center pivot

- 1) make Zimmatic
- 2) number of towers 19
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N)
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 100
- 9) GPM 2400

≈ 530 ac.

* (800 gpm a piece) *

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items



1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

2. Special Qualifications to permit being abided by.

3. All Structures, wells and lands on map.

REMARKS:

Well #2 - 100' deep
16" Fiberglass Casing & Screen

Western Land Roller Pump
ID # Q9487-00-F-528

Detroit Diesel Motor
Model No. 471
100 H.P.

Well #3 - 120' deep
22" Concrete Casing & 40' Screen

Western Land Roller Pump
Ser. No. B68594

Cat Diesel Motor, 8 cyl.
Model 1150
100 H.P.

Ser. No. 96B10687

Amarillo Gear Drive

Ser. No. ZBL-90 63531

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, September 1, 19 88

RECEIVED OF Gary Wipf, RR1, Box 50, 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. *1/1*

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. 2235A-3

Fee for Filing Transfer Form _____

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

50 00

50 00

By

John Hatch
Chief Engineer JOHN HATCH

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2235A-3

(1) Gary D. Wipf of RR #1, Box 59, Frankfort, South Dakota 57440 made Application No. 2235A-3, February 6, 1984 for a water permit to appropriate no add'l cubic feet of water per second from groundwater (three wells), Spink County, South Dakota for irrigation purposes. Permit No. 2235A-3 with a priority date of March 17, 1975 was approved July 11, 1984 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 2235A-3 was issued to clarify diversion point locations for Water Permit Nos. 2235-3 and 1552-3 and allowed connection of three wells to irrigate land covered under these permits. Water Permit No. 2235A-3 did not authorize an increase in diversion rate or land to be irrigated.

The applicable portions of Water Permit Nos. 1552-3 and 2235-3 are incorporated into this Water License No. 2235A-3. Priority dates as they pertain to the land irrigated are described in (3) of this License.

(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 5.33 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 1300'E and 500'S of the center of Section 35 (NW1/4 SE1/4); Well #2 - 1650'E and 1200'S of the center of Section 35 (NE1/4 SE1/4); Well #3 - 1300'S of the NE corner of Section 35 (NE1/4 NE1/4); all in T116N-R62W.

(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:

Section 35, T116N, R62W	
NE1/4 NW1/4	16 acres
SE1/4 NW1/4	38 acres
NE1/4 SW1/4	38 acres
SE1/4 SW1/4	16 acres
NW1/4 NE1/4	39 acres
NE1/4 NE1/4	39 acres
SW1/4 NE1/4	40 acres
SE1/4 NE1/4	40 acres
NW1/4 SE1/4	40 acres
NE1/4 SE1/4	40 acres
SW1/4 SE1/4	39 acres
SE1/4 SE1/4	39 acres

Priority Date
April 9, 1968
"
March 17, 1975
"
April 9, 1968
"
"
"
March 17, 1975
"
"
"

Section 36, T116N, R62W
NW1/4 NW1/4 18 acres
SW1/4 NW1/4 40 acres
NW1/4 SW1/4 39 acres
SW1/4 SW1/4 18 acres

Priority Date
April 9, 1968
"
March 17, 1975
"

Total 539 acres

(4) Pursuant to Section 46-5-30.1 Gary D. Wipf of RR #1, Box 59, Frankfort, South Dakota 57440 the holder(s) and/or owner(s) of Incorporated No. 2235A-3 is issued a license to appropriate water, the right to use 5.33 cubic feet of water per second from groundwater (three wells) with priority dates of April 9, 1968 and March 17, 1975 from the location specified in (2) of this license. The water is 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 Incorporated No. 2235A-3 and subject to South Dakota State Law.



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

SEP 14 1989

#22350

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 17, 1989

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

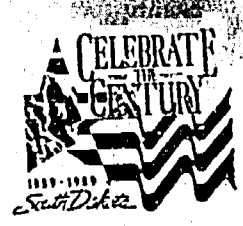
Dear Mr. Wipf:

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;



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).

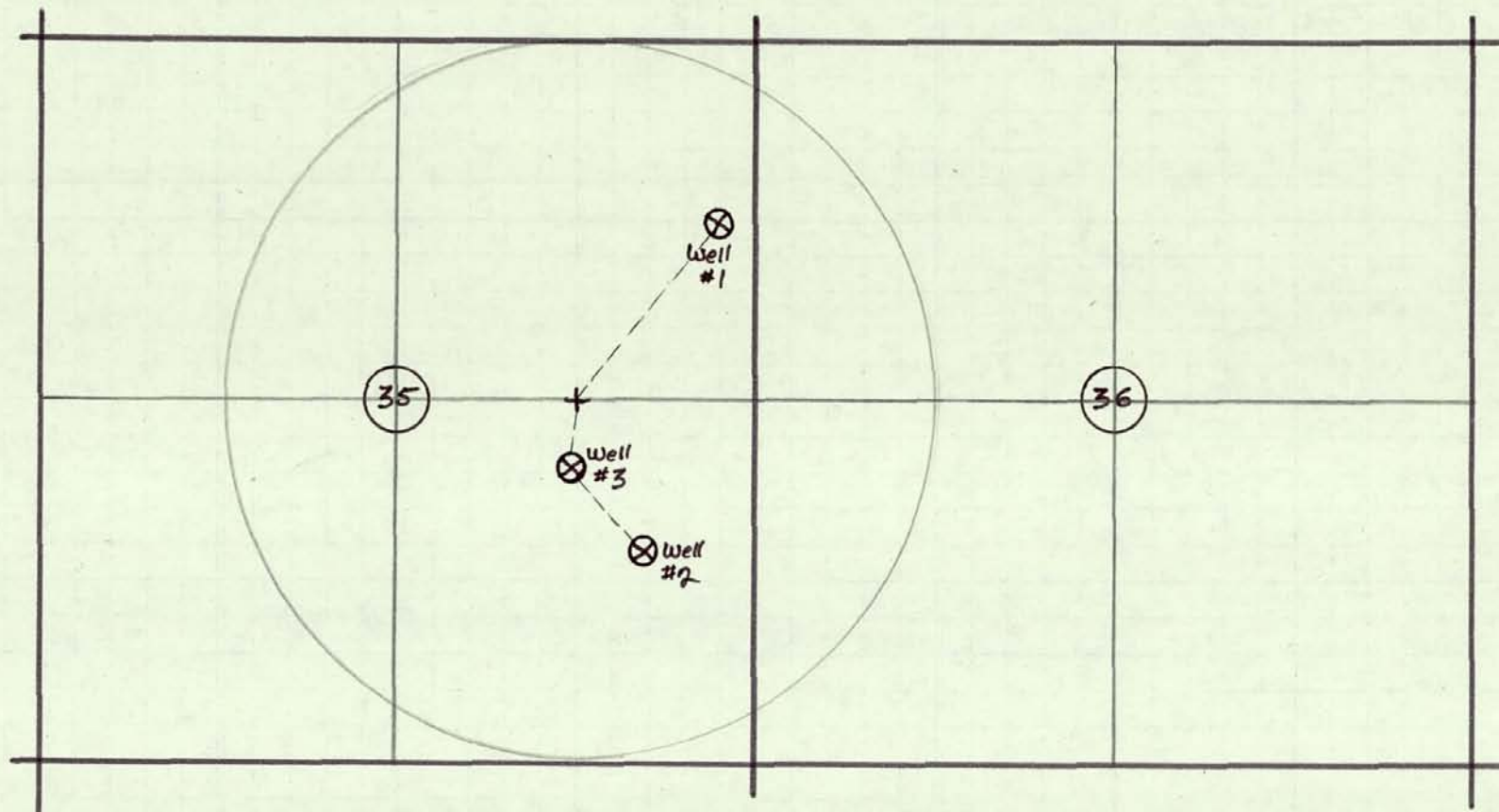
Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

R 62 W

T 116 N



Lands to be irrigated

Permit No. 1552-3 W²NW⁴ sec. 36
NE⁴, E²NW⁴ sec. 35

Permit No. 2235-3 W²SW⁴ sec. 36
SE⁴, E²SW⁴ sec. 35

Prepared by:

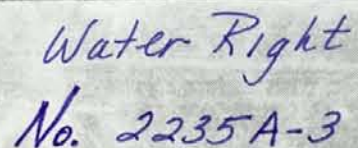
Kevin C. Larson
Natural Resources Engineer
Division of Water Rights
2-13-84

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



A/M 2235A-3

116-62



1-0311

CONSERVATION PLAN MAP

Spink County Conservation District
 Owner Dennis L. Lau 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.

S¹/₂ 26-116-62 Guy J. Barr ow.

