

Water Right Number 2244-3

1. Considered MAY 21, 19 75
2. Name of Applicant DALE SINARTZ
3. Post Office Address BALTIMORE
4. Amount of Water claimed 2.5
5. Source of Water supply GROUND WATER 3 40' WELLS
6. Water to be used for IRRIGATION
- Acres to be irrigated 17.5
7. Water to be diverted and used in MINNEAPOLIS County  
about 11 N miles 4.30.75 of SIOUX FALLS
8. Proof of Publication
9. Application
- Subject to \_\_\_\_\_
- Not Approved \_\_\_\_\_
- Action Deferred \_\_\_\_\_

10. Remarks:

ONE WELL IN S.F.  
FUTURE USE AREA

see letter from  
Hornum Falls

Map No. 1637-3 Water Division No. 2 BIG SIOUX RIVER District  
(Must be filled by the Engineer for the W. D. C.)

# APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(Draw a line through items not applicable)

- Name of Applicant Mrs. Dora Searcy  
Postoffice address Belle RR #1, Box 104, State South Dakota  
If a corporation show date and place of incorporation \_\_\_\_\_
- Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor & equipment
- Name of diversion work Dale Searcy Irrigation Project #1
- Amount of water claimed (cubic feet per second) 2.5
- Source of water supply 3 wells
- Location of point of diversion 1815' N 32° W, 2850' N 60° W, 3100' N 80° W, all at  
SE corner of Section 21-103-49  
County Brookings
- Annual period or periods during which water is to be used May 1 through October
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
- For irrigation use, Total number of acres to be irrigated 175

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. |
|----------------------|----------------|----------------------|----------------|
| NE 1/4 Sec 21-103-49 | 37             | SW 1/4 Sec 21-103-49 | 35             |
| SE 1/4 Sec 21-103-49 | 33             | SW 1/4 Sec 21-103-49 | 15             |
| NW 1/4 Sec 21-103-49 | 21             |                      |                |
| NE 1/4 Sec 21-103-49 | 34             |                      |                |

Attach sheet if more space is needed

- Time required to complete construction of water supply system 6 years. Additional time required to complete application of water to the proposed beneficial use 3 years.
- Choice of newspaper for Notice of Intent to Appropriately Water publication Searcy Falls Argus Leader
- Principal Features of the Proposed Water Supply System.

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

3 wells with turbine pumps

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

closed conduit

C. Works proposed to apply water to beneficial use.

2.5 gpm - gravity flow

Estimated Total Cost \$ 30,000

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 Brookings

I, Dale Searcy 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 Dale Searcy

Subscribed and sworn to before me this 18<sup>th</sup> day of March 1975

Shew Ewings  
Notary Public (or other qualified officer)

# WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 2244-3  
 Mrs. DALE SWARTZ BALTIC RR #1, Box 104  
 (Applicant) (Post Office Address)  
SOUTH DAKOTA 57003 With the following modifications:  
 (State)

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

THE CITY OF SIOUX FALLS HAS PRIORITY RIGHTS TO PORTIONS OF THIS WATER UNDER FUTURE USE WITHDRAWAL PERMITS, AND THIS PERMIT IS APPROVED SUBJECT TO THESE PRIORITY RIGHTS IF OR WHEN THE CITY DEVELOPS THE RESERVED WATER SUPPLY.

Date of first receipt of application APRIL 8, 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 289-

WATER RIGHT PERMIT NO. 2244-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2244-3 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 APRIL 8, 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 77
3. The whole of said work is to be completed on or before MAY 22, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22, 19 83
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 2.5 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 83; said water to be used during the following described annual period: MAY THRU OCTOBER

Witness my hand this 28<sup>TH</sup> day of MAY, 19 75

WATER RESOURCES COMMISSION

By: John W. Butler  
 Chief Engineer, Executive Officer

Certificate of Construction Issued \_\_\_\_\_, 19 \_\_\_\_

Water License Issued \_\_\_\_\_, 19 \_\_\_\_

COPY

## NOTICE OF WELL CONSTRUCTION

## (1) WELL CONSTRUCTION

Location of well SE 1/4 SE 1/4 Section 31 Township 103-N Range 47-W  
 Well owner Dale Swartz #1 RR Rattie, SD  
 Date well drilling completed 8-25-75 Purpose of well irrigation  
(domestic, irrigation, municipal, industrial, other)

## WELL LOG

| Layers, top to top in feet | Description of layer  | Depth to top of water producing aquifer                                                                                                       | ft.            |
|----------------------------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <u>0-4</u>                 | <u>Topsoil</u>        | Depth to static water level                                                                                                                   | <u>8</u> ft.   |
| <u>4-24</u>                | <u>FINE OPEN SAND</u> | Name of producing aquifer (if known)                                                                                                          |                |
| <u>24-43</u>               | <u>good coarse</u>    | Total depth of drill hole                                                                                                                     | <u>43'</u> ft. |
|                            | <u>GRAVEL</u>         | Depth to bottom of casing                                                                                                                     | <u>43'</u> ft. |
| <u>43'</u>                 | <u>BLUE CLAY</u>      | Casing information in the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used. |                |
|                            |                       | <u>32' x 14" x 1/4" wall steel</u>                                                                                                            |                |
|                            |                       | <u>welded joints</u>                                                                                                                          |                |
|                            |                       | Screen information in the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.       |                |
|                            |                       | <u>10' x 14" x .100 slot Johnson</u>                                                                                                          |                |
|                            |                       | <u>Irrigator</u>                                                                                                                              |                |
|                            |                       | If a flowing well, flow of completed well                                                                                                     |                |
|                            |                       | <u>0.011</u>                                                                                                                                  |                |

Attach sheet if more space is needed

Ed H Lacey & Sons  
Name of Drilling Contractor

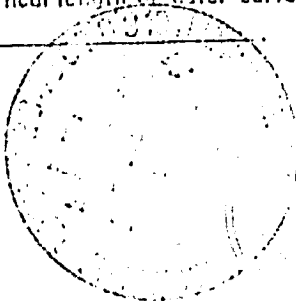
## (2) PUMP INSTALLATION

Company name and size of pump Western Land Roller HP 20  
 Type of pump Turbine Capacity of installed pump 600 G.P.M.  
 Depth of pump placement 33 ft., Date of pump installation 10/1/75

## (3) WATER SURFACE MEASURING TUBE

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 \_\_\_\_\_



Ed H Lacey & Sons  
Name of Pump Installation Contractor

12. (Part 1 of Features of the Proposed Water Supply System (continued).)

D. Well Information or Estimates.

- (1) Drill Hole, Diameter 2.2', Depth 46'  
(2) Casing, Type 3" gal. steel Diameter 1.4" Thickness 2/16"  
(wood, concrete, steel, etc)  
(3) Perforated Screen,  
Type Schlosser, continuous slot, Diameter 1.4", Length 10'  
(4) Gravel Pack, Thickness 3', Length of gravel pack 2.5'

E. Dugout Information or Estimates.

- (1) Surface dimensions \_\_\_\_\_, Depth \_\_\_\_\_

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

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

Character of Water bearing materials The water bearing material  
is coarse gravel

Depth to top of water bearing material 10'  
Depth to bottom of water bearing material 4 1/2'  
Thickness of water bearing material 3 1/2'  
Depth to water (ground surface to water level) 6'

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

On same owner's property 46 rds. On property owned by others 160 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.

Note: This is for these wells. The wells are  
nearly identical. The distance from existing  
wells is a minimum of 100 feet or  
more.

Alake L. Smith  
Signature of Applicant

March 25, 1975

Mr. Dale Schwartz  
Baltic, S.D. 57003

Dear Mr. Schwartz:

We have received your WI-1 form in connection with your application for a water use permit in Sec 21, T 103N, R 49W. Earlier we sent you the original copy of the water analysis of sample 075-166.

There is no chemical characteristic of this water that would cause any increased difficulty in managing and farming the soils which you have in this area of Sec 21. The salt content, although low to moderate, is not sufficient to cause any difficulty under most circumstances and the sodium adsorption ratio is low, so there should be no increase in the salt problem that occurs with Luton clays and Dimmick clays in the western part of your farm. The Egeland soils on the eastern edge, of course, are very well suited to irrigation and should respond very well without any difficulty in management. However water management and care in cultivation are extremely important for the Luton and Dimmick soils and you must be careful not to get on the land when it is too wet, otherwise cloddiness will develop and the soils may become physically unmanageable. I cannot overemphasize this aspect.

I recommend therefore that you use crops which do not require much tillage in the development of this land. If you use hay and pasture crops on this area, you should also be careful of course to have a minimum amount of packing and traffic while the soil is very wet.

I am enclosing a copy of Extension Circular 654 with the quality of this water designated for irrigation by an encircled red cross on the outside back cover. There may also be some information in this circular which is of use to you.

A copy of this letter and the WI-1 form and a copy of the water analysis are being forwarded to the State Conservation Commission.

Sincerely yours,

*L. O. Fine*  
L. O. Fine  
Water Quality Lab

LOF:MRE

Enclosures

cc: State Conservation Commission

Glenn Schrader, Minnehaha County Agent

Darrel Pahl

STATE CONSERVATION COMMISSION  
SUPPORTING INFORMATION  
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE  
WITH SDCL 46-6-3 AS AMENDED  
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: \_\_\_\_\_

Water Quality: \_\_\_\_\_

Soils Capability: \_\_\_\_\_

Approved: [Signature]

Disapproved: \_\_\_\_\_

NAME: Alex Stewart

ADDRESS: Baltic St.

COUNTY: Minnehaha

LEGAL DESCRIPTION

1. WELL LOCATIONS See attached map (X)'s one well site.  
2. AREA TO BE IRRIGATED: 5' 2" x 8' 2" 21-103-49 220 acres

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Gated pipe.  
4. CROPS TO BE IRRIGATED: Alfalfa Corn Beans oats  
barley Pasture Acres:  
Will require some leveling.

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 1-3% on Egeland 0.2% on other.  
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Egeland heavy  
Luton Clay Dummock Clay  
according to Minn. Co. Soil Survey Booklet - 1964

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-166  
8. SALINITY: EC = 616 micro-mhos/cm (medium)  
9. SODIUM: Sodium Adsorption Ratio = 0.21 (Low)

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

SCS office - Roseville, Minn. Co. Soil Survey No. 1964/

and:

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

Albi Stuart

Subscribed and sworn before me this

19 day of March 1975.

Alvera Anderson

ALVERA ANDERSON  
Notary Public, Minnesota Co., South Dakota

SCS office, Roseville, Minn.

(Title)

1967

OPERATOR

OWNER

Farmland

Cropland

NCOP

110

19

TRACT NO.

PHOTO NO.

arrows indicate water flow  
is any

X = well sites

well

well

well

Legal Description

E 1/4 Sec 10 SE 1/4 21-103-49

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

Submitted by: Wertz, Dale  
 Address: Reltic, SD 57003

Date Rec'd March 11, 1975  
 Sample No. 75-166  
 Identification Well-40  
1521, Sec. 21, T. 103N, R. 49W

**WATER ANALYSIS**

|                                       |      |                             |      |           |
|---------------------------------------|------|-----------------------------|------|-----------|
| Calcium (Ca)                          | 91   | ppm*                        | 4.55 | me/l**    |
| Magnesium (Mg)                        | 26   | ppm                         | 2.13 | me/l      |
| Sodium (Na)                           | 9    | ppm                         | 0.39 | me/l      |
| Potassium (K)                         | 2    | ppm                         | 0.04 | me/l      |
| Sulfate (SO <sub>4</sub> )            | 41   | ppm                         | 0.35 | me/l      |
| Nitrate (as N)                        |      | ppm                         |      | me/l      |
| Chloride (Cl)                         | 8    | ppm                         | 0.22 | me/l      |
| Bicarbonate (HCO <sub>3</sub> )       | 361  | ppm                         | 6.24 | me/l      |
| Carbonate (CO <sub>3</sub> )          |      | ppm                         |      | me/l      |
| Iron (Fe)                             |      | ppm                         |      | me/l      |
| Fluoride (F)                          |      | ppm                         |      | me/l      |
| Hardness (EDTA as CaCO <sub>3</sub> ) |      | ppm                         |      | g.p.g.*** |
| Alkalinity (Methyl Orange)            | 312  | ppm (as CaCO <sub>3</sub> ) |      |           |
| Alkalinity (Phenolphthalein)          | 0    | ppm (as CaCO <sub>3</sub> ) |      |           |
| Electrical Conductivity               | 616  | micromhos per cm at 25° C.  |      |           |
| Sodium Adsorption Ratio               | 0.21 |                             |      |           |
| Sodium                                | 5.48 | % of cations                |      |           |
| Residual sodium carbonate             | 0.00 | me/l                        |      |           |
| pH                                    | 7.40 |                             |      |           |
| Others:                               |      |                             |      |           |

\*ppm=parts per million

\*\*me/l=milliequivalents per liter

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

COMMENTS: Total cations 7.11 me/l  
 Total anions 7.31 me/l

By: Shirley Hitten

Service Performed

Amount Due

Frigation analysis

6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-166

Amount Enclosed \$

Signed

No. 2244-3Publish first publication, on or before May 8, 1975NOTICE  
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 9, 1975

Notice is hereby given that Dale Swartz  
whose post office address is Baltic, 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  
2.5 cubic feet of water per second of time from the ground water through the  
Swartz Irrigation Project #1, the point of diversion of which <sup>is</sup> to be located in the \_\_\_\_\_.

SE $\frac{1}{4}$  S1 $\frac{1}{2}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$ of Section 21, Twp. 103N, Range 49W. Said water to be used for the purposeof providing irrigation <sup>portions of</sup> on the following described land:E $\frac{1}{4}$  S1 $\frac{1}{2}$  and SE $\frac{1}{4}$ , Section 21, T103N, R49W

This application No. 2244-3 will be considered by the Water Rights Commission at its office at  
Pierre upon the 21st day of May, 1975, at 2:30 P. M. All interested  
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES  
Water Rights Specialist

BFJ/bw

cc: Dale Swartz, Baltic, S.D. 57003

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Minnehaha ) ss.

I, JOHN K. KOLL hereby

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

Water was taken from the Sioux Falls Argus-Leader

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 Sioux Falls

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

Tuesday, 22nd day of April

Tuesday, 29th day of April

John K. Koll

JOHN K. KOLL (Signature)

Controller (Title)

April 29, 1975

(Date Signed)

NOTICE  
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501  
April 29, 1975  
Notice is hereby given that Dale Swartz, whose post office address is Baltic, 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 2.5 cubic feet of water per second of time from ground water through the Swartz Irrigation Project #1, the points of diversion of which are to be located in the SE1/4, SW1/4, NW1/4, SE1/4 and NE1/4, Section 21, Twp. 103N, Range 49W. Said water to be used for the purpose of providing irrigation on portions of the following described land: E1/4 SW1/4 and SE1/4, Section 21, T103N, R49W.  
This application No. 22443 will be considered by the Water Rights Commission at its office at Pierre upon the 21st day of May, 1975, at 2:30 P.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION  
By: BURTON F. JONES  
Water Rights Specialist

April 22, 29, 1975

RECEIVED  
APR 30 1975

STATE WATER RIGHTS COMMISSION  
PIERRE, SOUTH DAKOTA

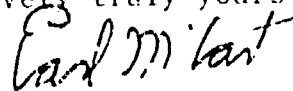
Mr. Burton F. Jones

SPF3

| <u>DATE</u> | <u>ELEVATION</u> | <u>CHANGE FROM<br/>PREVIOUS YEAR</u> | <u>CHANGE FROM<br/>1973</u> |
|-------------|------------------|--------------------------------------|-----------------------------|
| April 1973  | 1446.80          |                                      |                             |
| April 1974  | 1444.18          | - 1.62'                              |                             |
| May 1975    | 1441.21          | - 2.97                               | - 5.59'                     |

The City of Sioux Falls believes that the request for appropriation of water should be denied as it will jeopardize future water supply granted under the Future Water Rights provision assuring adequate water for the thousands of citizens of Sioux Falls.

Very truly yours,



Earl McCart  
Commissioner

EJMcM:mjc

# CITY OF SIOUX FALLS, SOUTH DAKOTA

M. E. SCHIRMER, MAYOR  
HEALTH AND PUBLIC SAFETY

EARL MCCART, COMMISSIONER  
UTILITIES • LIBRARY • PARKS • RECREATION

DAVE WITTE, COMMISSIONER  
STREET • ENGINEERING • WASTE WATER • COLLEGE • ARENA



May 13, 1975

Mr. Burton F. Jones, Water Rights Specialist  
Water Rights Commission  
Office Building Number 2  
Pierre, South Dakota 57501

Dear Mr. Jones:

This is in regard to your letter of May 2, 1975 pertaining to the Notice of Intent to Appropriate Water by Dale Swartz of Baltic for irrigation purposes in the SE $\frac{1}{4}$  and the E $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 21, TWP 103N, Range 49W.

The City of Sioux Falls protests the issuance of permits to withdraw groundwater from this area. The E $\frac{1}{2}$  of the SW $\frac{1}{4}$  is within the City's water rights area. The SE $\frac{1}{4}$  is immediately adjacent to it, and pumpage for irrigation in the amounts requested would effect a lowering of groundwater levels within the City's existing water rights boundaries.

The City monitors groundwater levels at two locations near the proposed points of withdrawal, namely observation well SPF2 situated one-half mile south of Section 21 and SPF3 situated in Section 21 on the land proposed for irrigation. Groundwater levels have declined sharply over the last two years as follows:

## SPF2

| <u>DATE</u> | <u>ELEVATION</u> | <u>CHANGE FROM<br/>PREVIOUS YEAR</u> | <u>CHANGE FROM<br/>1973</u> |
|-------------|------------------|--------------------------------------|-----------------------------|
| April 1973  | 1444.15          |                                      |                             |
| April 1974  | 1442.53          | - 1.62'                              |                             |
| May 1975    | 1439.58          | - 2.95'                              | - 4.57'                     |

May 29, 1975

Mr. Earl McCart, Commissioner  
City of Sioux Falls  
224 West Ninth  
Sioux Falls, South Dakota 57101

Dear Mr. McCart:

Reference is made to your letter of May 13, 1975, expressing the opposition of Sioux Falls to Water Right Application No. 2244-3 of Dale Swartz to divert 2.5 cubic feet per second of ground water partially within the area under Sioux Falls Future Use Water Permit No. 448-3.

Records in this office indicate the proposed well locations are a number of miles north of the nearest Sioux Falls municipal well. SDCL 46-5-39 specifies the Water Rights Commission is to issue temporary permits for surplus water above existing municipal requirements for municipalities having future use permits.

These factors were considered by the Water Rights Commission at its Hearing on May 21, 1975, and Water Right Application No. 2244-3 was approved containing the following qualification: "The City of Sioux Falls has priority rights to this water under future use withdrawal permits, and this permit is approved subject to these prior rights if or when the city develops the reserved water supply."

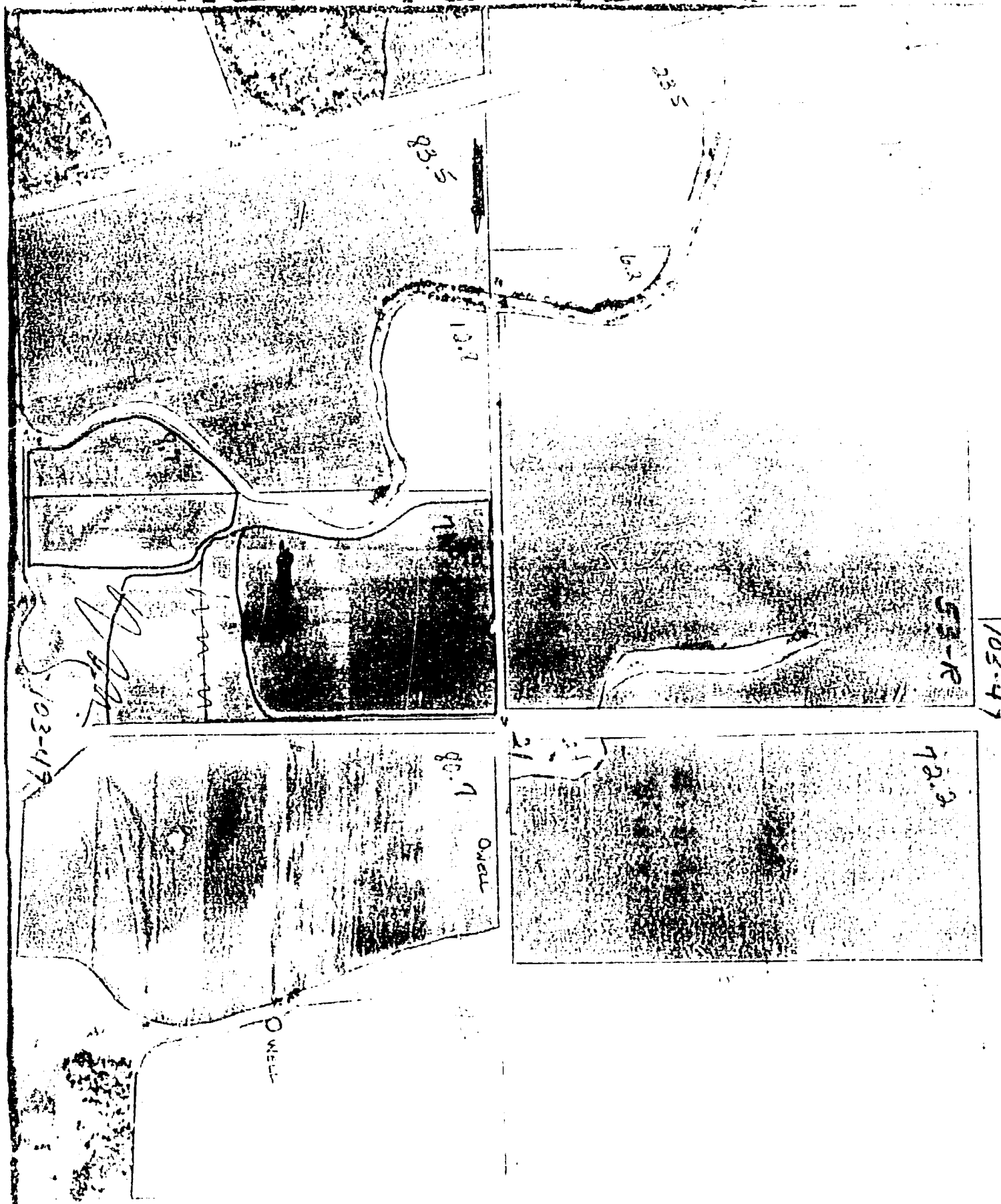
The Water Rights Commission appreciates your concern, but considers its qualified approval of Water Right Application No. 2244-3 to be in the public interest under the water laws of South Dakota.

Sincerely,

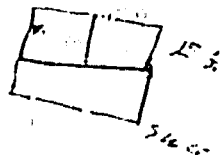
VWB:yjl

Vern W. Butler  
Acting Executive Officer  
Water Rights Commission

NOT TO SCALE



# DRILLER'S LOG OF WELL



Location of well: NW 1/4, SE 1/4, Section 21, Township 103, Range 49W

Well to be drilled for

Owner of land (if other than above): DALE SWARTZ (Name) RR Route, SD (Address)

Date well drilling started 8-25-75 finished 8-26-75

Purpose of well irrigation  
(domestic, irrigation, municipal, industrial, other)

| Diameter<br><u>14"</u><br>Inches |      |                                                                                                                         | Ground Surface Elevation: _____<br>(If Available)                                                    |
|----------------------------------|------|-------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| 0-4                              | Feet | Blacktop soil                                                                                                           | Kind and thickness of casing to be installed:<br><u>14" steel 1 1/16" wall</u>                       |
| 4-24                             | Feet | state at 8'<br>FINE OPEN SAND<br>(Describe kind of materials drilled through (add layers on back of form if necessary)) |                                                                                                      |
| 24-43                            | Feet | GOOD COARSE SAND                                                                                                        | Size of casing to be installed:<br><u>33'4"</u> feet of <u>14"</u> inches diameter                   |
|                                  | Feet | CLAY AT 43' Bottom                                                                                                      | _____ feet of _____ inches diameter                                                                  |
|                                  | Feet |                                                                                                                         | _____ feet of _____ inches diameter                                                                  |
|                                  | Feet |                                                                                                                         | Type of Seal between casing sizes:<br><u>WELDED</u>                                                  |
|                                  | Feet |                                                                                                                         | Kind of perforated screen to be installed:<br>Material <u>STEEL</u><br>(steel, wood, concrete, etc.) |
|                                  | Feet |                                                                                                                         | Size of Screen:<br>Diameter <u>14"</u> inches                                                        |
|                                  | Feet |                                                                                                                         | Length <u>10'</u> feet                                                                               |
|                                  | Feet |                                                                                                                         | Size openings <u>1/25</u> inches                                                                     |
|                                  | Feet | Water bearing material                                                                                                  | Depth below ground surface to which water rises<br>in well <u>8'</u> feet.                           |

*Col H. Lacy, S.D.*

*Jim Lacy, Driller*

# DRILLER'S LOG OF WELL

Location of Well: NW 1/4 SW 1/4, Section 21, Township 103, Range 49N

Well to be drilled for: Dale Swartz P.R. B. H. S. D.  
(Name) (Address)

Owner of land (if other than above) \_\_\_\_\_ (Name) (Address)

Date well drilling started 8-26-75 finished 8-28-75  
(Name) (Address)

Purpose of well irrigation  
(domestic, irrigation, municipal, industrial, other)

| Diameter |      | Describe kind of materials drilled through (add layers on back of form if necessary) | Ground Surface Elevation: _____<br>(If Available)                                                                                                              |
|----------|------|--------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Inches   |      |                                                                                      |                                                                                                                                                                |
| 0-8      | Feet | Blackgumbo                                                                           | Kind and thickness of casing to be installed:<br><u>14" x 3/16" STEEL</u>                                                                                      |
| 8-9      | Feet | static 8' FINE SAND                                                                  |                                                                                                                                                                |
| 9-26     | Feet | COARSE SAND                                                                          | Size of casing to be installed:<br><u>32'</u> feet of <u>14"</u> inches diameter<br>_____ feet of _____ inches diameter<br>_____ feet of _____ inches diameter |
| 26-41    | Feet | COARSE SAND                                                                          |                                                                                                                                                                |
|          | Feet | CLAY 41'                                                                             | Type of Seal between casing sizes:<br><u>Welded joints</u>                                                                                                     |
|          | Feet |                                                                                      | Kind of perforated screen to be installed:<br>Material <u>STEEL</u><br>(steel, wood, concrete, etc.)                                                           |
|          | Feet |                                                                                      |                                                                                                                                                                |
|          | Feet |                                                                                      | Size of Screen:<br>Diameter <u>14"</u> inches<br>Length <u>10'</u> feet<br>Size openings <u>.100</u> inches                                                    |
|          | Feet |                                                                                      | Depth below ground surface to which water rises<br>In well <u>8</u> feet.                                                                                      |

F. H. LACEY & SONS

Jim Lacey  
Driller

2244-3

MAY 20, 1975

Earl McCart, Commissioner  
City of Sioux Falls  
224 West 9th  
Sioux Falls, S.D. 57101

Dear Mr. McCart:

Reference is made to your letter of May 17, 1975, expressing the opposition of Sioux Falls to Water Right Application No. 2244-3 of Dale Swartz to divert 2.5 cubic feet per second of ground water partially within the area under Sioux Falls future use Water Permit No. 448-3.

Records in this office indicate the proposed well locations are a number of miles north of the nearest Sioux Falls municipal well. SDCL specifies the Water Rights Commission is to issue temporary permits for surplus water above existing municipal requirements for municipalities having future use permits.

These factors were considered by the Water Rights Commission at its hearing on May 21, 1975, and Water Right Application No. 2244-3 was approved containing the following qualification: "The city of Sioux Falls has priority rights to this water under future use withdrawal permits, and this permit is approved subject to these prior rights if or when the city develops the reserved water supply."

The Water Rights Commission appreciates your concern, but considers its qualified approval of Water Right Application No. 2244-3 to be mandatory under the water laws of South Dakota.

Sincerely,

Vern W. Butler  
Acting Executive Officer  
Water Rights Commission

VWB:mb

2244-3 & 2275-3  
Department of Natural Resource Development

WATER RIGHTS COMMISSION  
Office Building Number 2, Pierre, South Dakota 57501  
Phone 605/224-3151

June 2, 1975

Lewayne M. Erickson, Attorney  
P.O. Drawer 556  
Brookings, South Dakota 57006

Dear Mr. Erickson:

As requested over the telephone last week I am forwarding to you the following information:

1. A copy of Water Right Permit No. 2275-3 to the Brookings-Duel Rural Water System and the Kingbrook Rural Water System,
2. A copy of the petitions filed by Mr. Apland with the Water Rights Commission concerning Permit No. 2275-3,
3. A copy of the sketch map and observation well S-9 readings in the Bruce area,
4. A copy of Water Right Permit No. 2244-3 to Dale Swartz in the Sioux Falls area,
5. A copy of the letter of protest filed by the City of Sioux Falls concerning Permit No. 2244-3, and my reply dated May 29, 1975.

As we are still transcribing the minutes of the Water Rights Commission meeting, it will be some time before these are completed. When available I will forward a copy of the minutes, after they have been approved by the Commission.

Sincerely,

VERN BUTLER  
Acting Chief Engineer  
Water Rights Commission

VB/bw

cc: John Wiersma, Sec. Brookings-Duel Rural Water System, Rt. 2, Box 8,  
Brookings, S.D. 57006

Permit No. 2244.3  
 Water Division 3 Big Sioux River Water District

REPORT OF EXAMINATION OF WORKS  
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / BOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by MRS. DALE  
SWARTZ of BALTIC holder.  
 of Permit No. 2244.3, bearing date of priority of APRIL 8, 1975  
 authorizing the diversion of 2.5 cu. ft. per second of the waters of GROUNDWATER  
 for IRRIGATION purposes, in MINNEHAHA County.

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

The Water Use System consists of,

- A. Works used to divert the water:
- S. WELL- 43' DEEP WELL WITH 14" STEEL CASING - 10' JOHNSON JRR. SCREEN  
 WESTERN LAND ROLLER 8" PUMP 5-12CL - POWER TAKE OFF, POWERED  
 BY JOHN DEERE DIESEL #80 TRACTOR
- N. WELL- 40' DEEP WELL WITH 14" STEEL CASING - 10' JOHNSON IRRIGATOR SCREEN  
 WESTERN LAND ROLLER 8" PUMP - 3-10M - PTO - USES EITHER FARMALL M-D  
 OR FARMALL H TRACTOR
- B. Works used to transport water to place of use,  
 1/2 MILE OF 8" ALUMINUM MAINLINE  
 1/4 MILE OF 6" ALUMINUM MAINLINE
- C. Works used to apply water to beneficial use.  
 EZ RAIN TRAVELLING GUN WITH NELSON P-200 GUN  
 WITH 1 7/8 NOZZLE, 660' OF 5" FLEXIBLE RUBBER HOSE

The system is in the following condition: GOOD

The point of diversion is located \_\_\_\_\_

The works are capable of diverting and conveying to the place of use 1.56 (700 GPM)

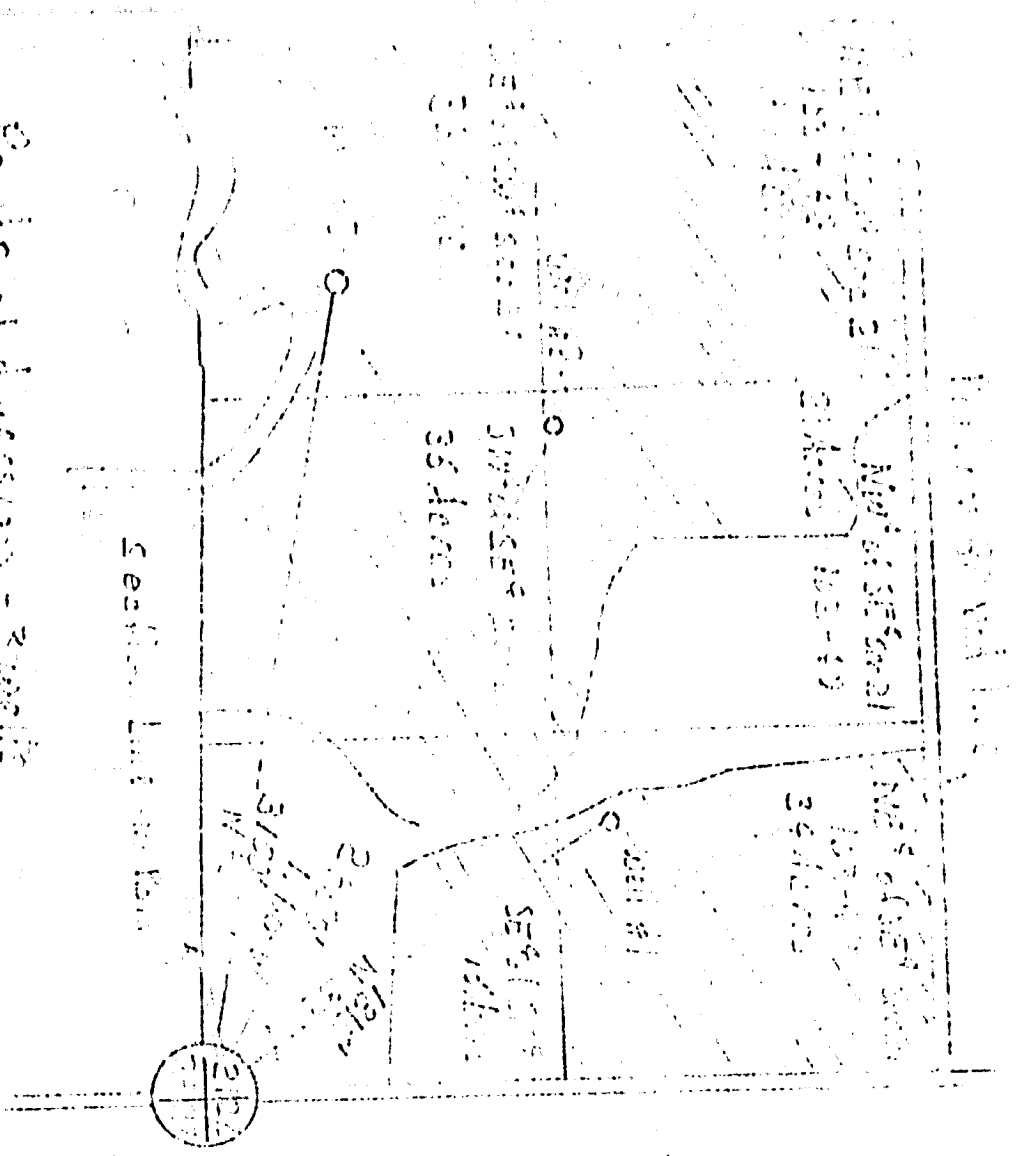
cu. ft. per second of water which is to be used for IRRIGATION

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

comprising a total of \_\_\_\_\_ acres of land.

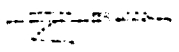
Date \_\_\_\_\_

(Signature) \_\_\_\_\_



Points of Intersection - 3 wells  
 Well #1 - 1515' N 23° 20' W  
 Well #2 - 2335' N 63° 10' W  
 Well #3 - 3130' N 50° 10' W  
 Well #4 SE Corner of Sec 21 - 103-49

Scale - 8" = 1 Mile



# DALE R. SWARTZ

## IRRIGATION PROJECT NO. 100

Booth  
 March 10, 1964  
 South Dakota

Water Charge - 2.50¢  
 Acres Irrigated - 100

Summary  
 I, John L. Swartz, hereby certify  
 this map represents a true and  
 accurate record of the above.

Dale R. Swartz

Booth  
 March 10, 1964  
 South Dakota  
 Drawn by SW  
 John L. Swartz  
 Working 100

MAP NO. 1637-3 APR 10 1964



GREAT FACES. GREAT PLACES.

February 1, 1991

RON HEFTY, OPERATOR  
RR #1 BOX 135  
BAL TIC SD 57003

# DEPARTMENT OF WATER & NATURAL RESOURCES

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

## NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2244-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

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

1. Amend Permit No(s) 2244-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

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

cc: Mrs Dale Swartz, Rt 1, Box 104, Baltic SD 57003

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address.      2. ☐ Restricted Delivery  
(Extra charge) (Extra charge)

3. Article Addressed to:

Ron Hefty, operator  
RR#1 Box 135  
Baltic SD 57003

4. Article Number

P 694 057 538

Type of Service:

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

Always obtain signature of addressee  
or agent and DATE DELIVERED.

5. Signature - Addressee

X *Garron Hefty*

6. Signature - Agent

X

7. Date of Delivery

2-2-91 LIB

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



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 11, 1991

2244-3

Ron Hefty, operator  
RR #1 Box 135  
Baltic, SD 57003

Dear Mr. Hefty:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Permit No. 2244-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV  
Water Rights Division

cc: Mrs. Dale Swartz, RR #1 Box 104, Baltic, SD 57003

*South Dakota*

GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES  
Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

2244-3

February 11, 1991

NOTICE TO SUBMIT CHEMIGATION REPORT

RON HEFTY, OPERATOR  
RR 1 BOX 135  
BALTIMORE SD 57003

Dear Mr. Hefty:

Your 1990 Irrigation Questionnaire(s) was recently received in which you indicated that chemicals were applied through your irrigation system. According to South Dakota Chemigation Rules, chemigation users are required to keep records of the dates and hours that chemicals are applied, plus the name and quantity of the chemicals applied. Enclosed is a 1990 chemigation report form(s), please fill out and return the form(s) in the postage paid envelope provided before February 27, 1991.

If you have any questions or need help filling out the chemigation report(s), please contact Regan Fanning, Natural Resource Analyst, Joe Foss Building, 123 E. Capitol, Pierre, SD 57501 (605-773-3352).

Very truly yours,



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

enclosures

2244-3



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

July 5, 1995

Jack Swartz  
1010 W Elizabeth  
Pierre SD 57501

Dear Jack:

Enclosed is a copy of the file for Water Permit No. 2244-3, Mrs. Dale Swartz.

A water license has not been issued for the irrigation system. In order for the license to be issued, an inspection of the irrigation system will need to be completed. One of our staff members is completing inspections in Minnehaha county. Hopefully, he can complete the inspection this summer. The timing of the permit licensing does not affect the validity of the water permit.

Let me know if you need any additional information (605) 773-3352.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Duvall', is written over a horizontal line.

Ron Duvall  
Natural Resources Engineer  
Water Rights Program

enclosure

**Permit No. 2244-3**  
**Big Sioux River - Water District**

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

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, August 19, 1996, made a thorough examination of the water use system constructed by Mrs. Dale Swartz of RR1 Box 104, Baltic, SD 57003 holder of Permit No. 2244-3, bearing the priority of April 8, 1975 authorizing the diversion of 2.50 cu. ft. of water per second from ground water for irrigation purposes, in Minnehaha County.

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

A. Works used to divert the water:

A 60 HP Lister diesel with a 600 GPM belt drive Western Land Roller pump.

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

Approximately 330 feet of 6" buried steel casing.

C. Works used to apply water to beneficial use:

A low pressure 7 tower Lyndsey center pivot.

The system is in the following condition fair. The point of diversion is located 1320 feet N and 960 feet W from the SE corner of Section 21; T103N R49W. The works are capable of diverting and conveying to the place of use 1.33 cu. ft. of water per second which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

|            |            |             |          |
|------------|------------|-------------|----------|
| T103N R49W | Section 21 | NE1/4 SE1/4 | 34 acres |
|            |            | NW1/4 SE1/4 | 34 acres |
|            |            | SW1/4 SE1/4 | 34 acres |
|            |            | SE1/4 SE1/4 | 21 acres |

comprising a total of <sup>1.33</sup> ~~121~~ acres of land and the license should be issued for 1.33 cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: None Date Report Completed: September 20, 1996

  
 Barry A. McLaury

Natural Resources Scientist  
 DENR Water Rights Program

**NOTE:**

The irrigated acreage in the SW1/4 has not been irrigated the past 5 or 6 years according to Mr. Hefty. He said that the big gun used to irrigate this acreage was sold (see file documentation by Gregg Johnston dated 9/11/91 in the permit file) and it was too much work to irrigate with it. Furthermore, he said the well in the NE1/4 SW1/4 is used for parts when the well in the SE1/4 breaks down. The well and irrigated acreage in the SW1/4 will be left off the Water License due to abandonment and the well should be plugged by a licensed well driller.

# REPORT ON INSPECTION OF PERMIT NO. 2244-3

Other permit(s) associated with the project: None

DATE OF INSPECTION: August 12, 1996

NAME OF INSPECTION CONTACT: Ron Hefty, operator

NAME & ADDRESS OF PERMIT HOLDER: Mrs. Dale Swartz, RR1 Box 104, Baltic, SD 57003

DIVERSION POINT LEGAL LOCATION: 1320 feet N and 960 feet W from the SE corner of Section 21; T103N R49W.

## WELL INFORMATION:

1) Well Drilling Firm: Lacey Well Drilling

3) Depth(s) North= 40 , South= 43 feet

2) No. of Wells 2

4) Well logs are available X

### Casing: (NORTH)

1) Diameter 14 inches

2) Length 30 feet

3) Type steel

### Screen:

1) Type steel

2) Length 10 feet

3) Static water level 8 feet

### Casing: (SOUTH)

1) Diameter 14 inches

2) Length 33 feet

3) Type steel

### Screen:

1) Type steel

2) Length 10 feet

3) Static water level 8 feet

## Motor:

1) Make Lister Diesel

2) Model No. 512 HR4 A 26

3) Horsepower rating 60 HP

## Pump:

1) Make Western Land Roller

2) Model No. belt driven

3) Capacity 600 GPM

## DISTRIBUTION LINES OR CANALS:

1) Type ALU      2) Size 6 inches      3) Length 1320 feet

1) Type ALU      2) Size 8 inches      3) Length 2640 feet

1) Type Steel      2) Size 6 inches      3) Length 330 feet

## SYSTEM TYPE:

### Center pivot:

- 1) Make Lyndsey
- 2) Overall length 1300? feet
- 3) Number of towers 7
- 4) End gun Y
- 5) High or low pressure low
- 6) Capacity 600 GPM

## CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y
- 2) Main line check valve Y
- 3) Inspection port/air relief Y
- 4) Low pressure drain Y
- 5) Discharge is 20' from source Y
- 6) Interlock type mechanical
- 7) Injection pump type single piston
- 8) Injection check valve Y
- 9) Injection line check valve or positive displacement pump Y
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y

## PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

## COMMENTS:

The irrigated acreage in the SW1/4 has not been irrigated the past 5 or 6 years according to Mr. Hefty. He said that the big gun used to irrigate this acreage was sold (see file documentation bt Gregg Johnston dated 9/11/91 in the permit file) and it was too much work to irrigate with it. Furthermore, he said the well in the NE1/4 SW1/4 is used for parts when the well in the SE1/4 breaks down. The well and irrigated acreage in the SW1/4 will be left off the Water License due to abandonment and the well should be plugged by a licensed well driller.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

September 20, 1996

2244-3

Ron Hefly  
Hefly Seed Co.  
RR 1, Box 135  
Baltic, SD 57003

Dear Mr. Hefly:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 2244-3, has been completed. Your final water right document, the Water License, can now be issued.

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

Please remit fee to:  
Department of Environment & Natural Resources  
Water Rights Program  
523 E. Capitol  
Pierre, SD 57501-3181

Sincerely,

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

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

# RECEIPT

415138

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre. \_\_\_\_\_ October 7, 1996

RECEIVED OF Jennie Swartz, RR 1, Box 104, Baltic, SD 57003

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

Fee for Application for Permit No. \_\_\_\_\_ to Appropriate Water. to construct  
and to put water to beneficial use \_\_\_\_\_

Fee for Application for Permit No. \_\_\_\_\_ to Appropriate Water. for Future  
Use \_\_\_\_\_

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

Fee for inspecting Constructed Works. confirming beneficial use and issuing Water  
License No. 2244-3

Fee for Filing Transfer Form \_\_\_\_\_

Fee for Filing Extension Request \_\_\_\_\_

Fee for \_\_\_\_\_

50 00

(Any Other Work Provided by Law)

Total

50 00

By

John Hatch (C)



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

DEC 26 1996

2244-3

Mrs. Dale Swartz  
RR 1, Box 104  
Baltic, SD 57003

Dear Mrs. Swartz:

Enclosed is Water License No. 2244-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415138 in the amount of \$50.00 which you paid for the investigation 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. 2244-3, 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 Program  
(605) 773-3352

ks  
enclosures

# STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 2244-3

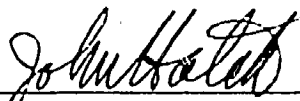
(1) Mrs. Dale Swartz, RR 1, Box 104, Baltic SD 57003 made Application No. 2244-3, April 8, 1975 for a water permit to divert 2.5 cubic feet of water per second from groundwater (one well), Minnehaha County, South Dakota for irrigation purposes. Permit No. 2244-3, with a priority date of April 8, 1975 was approved May 22, 1975 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 22, 1980 and for the application to beneficial use of said water on or before May 22, 1983.

(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 1.33 cubic feet of water per second for beneficial use. The location of the diversion point is 1,320 feet north and 960 feet west of the southeast corner of Section 21-T103N-R49W (E 1/2 SE 1/4).

(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 21-T103N-R49W | NE 1/4 SE 1/4 | 34 acres  |
|                       | NW 1/4 SE 1/4 | 34 acres  |
|                       | SW 1/4 SE 1/4 | 34 acres  |
|                       | SE 1/4 SE 1/4 | 21 acres  |
| Total                 |               | 123 acres |

(4) Pursuant to South Dakota Water Law 46-5-30.1 Mrs. Dale Swartz, RR 1, Box 104, Baltic SD 57003 the holder and/or owner of Water Permit No. 2244-3 is issued a license to appropriate water, the right to use 1.33 cubic feet of water per second from groundwater (one well) with a priority date of April 8, 1975 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 2244-3 and subject to South Dakota State Law.

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

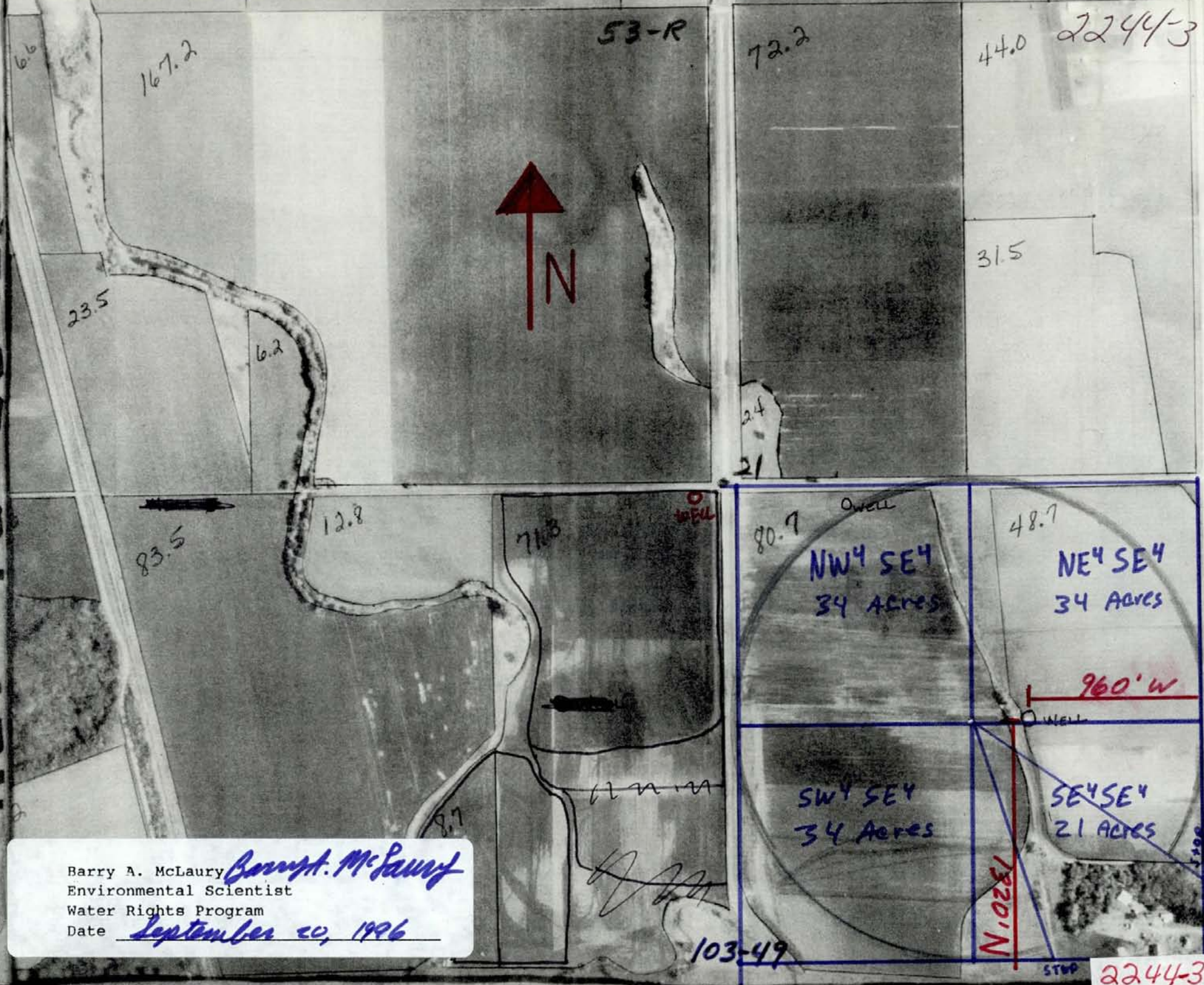
DEC 26 1996

date



NOT TO SCALE

2244-3

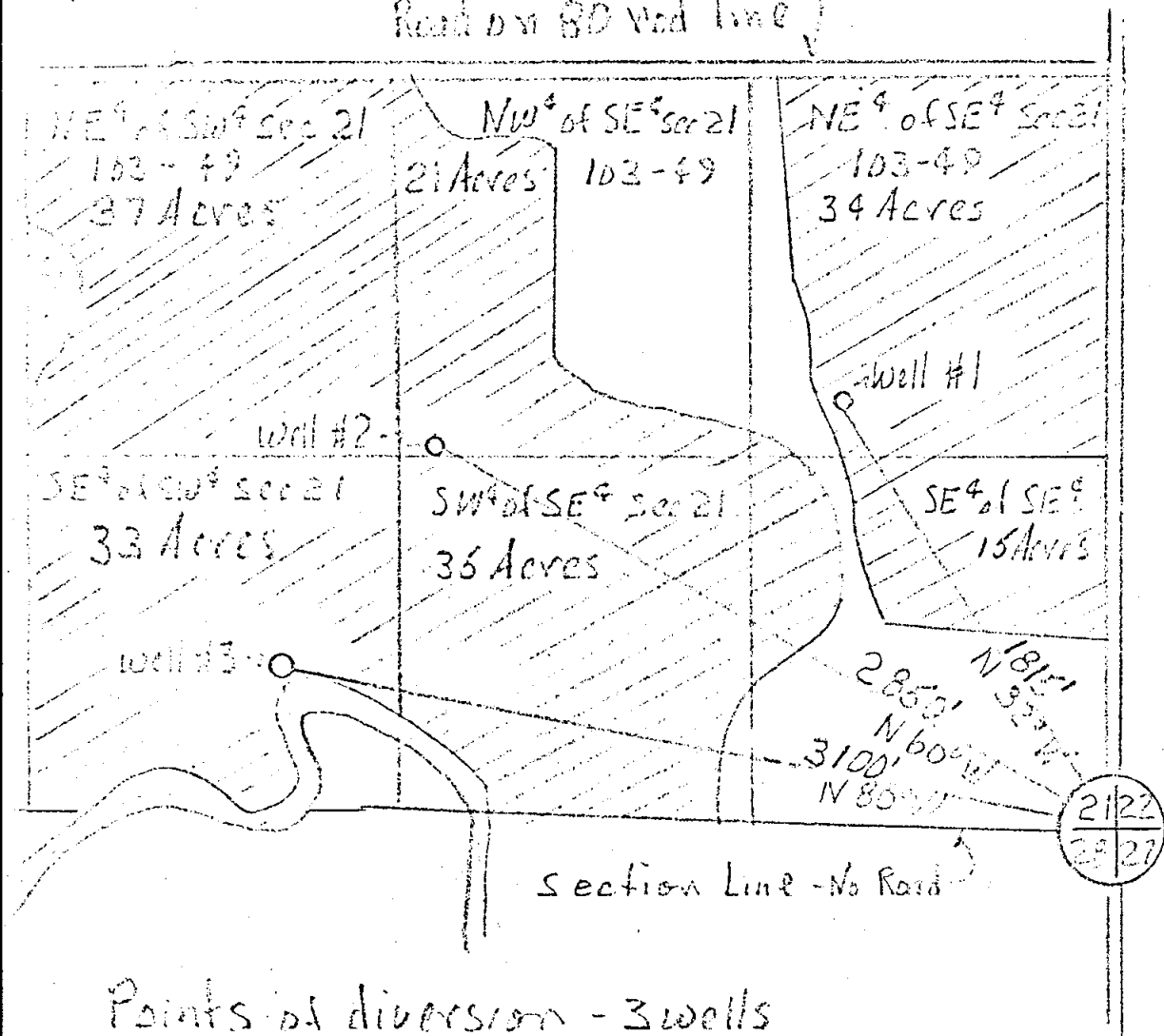


Barry A. McLaury  
Environmental Scientist  
Water Rights Program  
Date

September 20, 1996

2244-3

Road on SD road line



Points of diversion - 3 wells  
 Well #1 - 1815' N32°W  
 Well #2 2850' N60°W  
 Well #3 3100' N80°W  
 All of SE corner of Sec 21 - 103-49

Scale - 8" = 1 Mile



DALE R. SWARTZ  
 IRRIGATION PROJECT NO. ONE  
 Baltic South Dakota  
 Minnehaha County

Water Channel - 2.5 cfs  
 Acres Irrigated - 17.5

Surveyor's Certificate  
 I, John L. Wiersma, do hereby certify  
 this map represents a record of an  
 accurate record of the land.

Dale R Swartz  
 Baltic South Dakota  
 Minnehaha County  
 Drawn by SLW April 3, 1971  
 John Wiersma P.E. 1976  
 Brookings SD

MAP N° 1637-3 (APP N° 2244-3)



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

November 30, 2005

No. 2244-3

Doug Swartz  
47485 254<sup>th</sup> St  
Baltic SD 57003

Dear Mr. Swartz:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 2244-3. The water right is currently listed in the name of Mrs. Dale Swartz. The irrigation questionnaire indicated that an ownership change had occurred. If you have an operator that you would like future questionnaires to be sent to, please let us know.

The transfer form should be checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak  
Water Rights Program  
605 773-3352  
email: [karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

enclosure

**McMath, Genny**

2244-3

---

**From:** Gronlund, Eric  
**Sent:** Friday, December 09, 2005 3:40 PM  
**To:** McMath, Genny  
**Subject:** Doug Schwartz

I received a call from Doug Schwartz ?sp?. He had submitted the annual IQ on the it I assume stated something to make you believe he was the owner of the property. Based on this you must have sent out transfer forms. He called to say his mom still owned the property so the permit should remain in her name. However, he is operating the property so the annual IQ should be sent to him. I told him we will edit our database so that he will receive the future IQ.

I forgot to get the permit number but assume you recall the correspondence.

12/12/2005



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

October 20, 2009

2244-3

Gary Halstead  
Real Estate Office  
City of Sioux Falls  
224<sup>th</sup> W 9<sup>th</sup> St  
PO Box 7402  
Sioux Falls SD 57717-7402

Dear Halstead:

Thank you for taking the time to visit with me concerning Water Right No. 2244-3, listed in the name of Mrs. Dale Swartz. Enclosed is a copy of the water right for your review.

As we discussed, since the land authorized for irrigation under the water right is now owned by the City, the water right should be transferred to reflect current ownership. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed is the 2009 irrigation questionnaire. The form should be completed and returned to us prior to **December 1<sup>st</sup>**. It can be submitted to us by regular mail, fax, on-line or telephone.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure

RECEIVED

NOV 25 2009

WATER RIGHTS  
PROGRAM

## NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2244-3

Date: Nov 20, 2009

I/We request that Water Right No. 2244-3

formerly owned by: Mrs. Dale Swartz

be transferred to: (name & address) City of Sioux Falls 224 W 9<sup>th</sup> St

Sioux Falls, SD 57104

Telephone No. 605-373-6940

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

123 acres – SE ¼ Section 21, T103N, R49W

I/We understand that the validity of Water Right No. 2244-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

**A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.**

I/We Greg Anderson, the new owner, certify that the above information is true and correct.



(Signed by new owner)

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

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

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/25, 20 09

RECEIVED OF City of Sioux Falls 224 W 9Th St Sioux Falls SD 57104

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

|                                                                                                                |       |       |
|----------------------------------------------------------------------------------------------------------------|-------|-------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use | 50 00 |       |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   |       |       |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                         |       |       |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____            |       |       |
| Fee for Filing Transfer Form <u>2244-3</u>                                                                     |       |       |
| Fee for _____                                                                                                  |       |       |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                            |       |       |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                             |       |       |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                         | 50 00 |       |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |       |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 50 00 |

No. 04253

By *Richard E. Erbe*  
Chief Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

November 30, 2009

2244-3

Greg Anderson  
City of Sioux Falls  
224 W 9<sup>th</sup> St  
Sioux Falls SD 57104

Dear Mr. Anderson:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" change and the filing fee you submitted for transferring ownership of Water Right No. 2244-3.

The ownership change has been completed. The water right formerly held by Mrs. Dale Swartz is now listed under the City of Sioux Falls.

Enclosed is Receipt No. 04253 in the amount of \$50.00. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

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

enclosure

# City of Sioux Falls



CITY OF SIOUX FALLS  
PUBLIC WORKS

Providing a Better Quality of Life for You!

## Administration

224 West Ninth Street  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
T: 605-367-8600 F: 367-8114

## Engineering/Real Estate

224 West Ninth Street  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
T: 605-367-8601 F: 367-4310

## Environmental

1203 North Western Avenue  
Sioux Falls, SD 57104-1201  
T: 605-367-8276 F: 367-4886

## Fleet Management

1000 East Chambers Street  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
T: 605-367-8240 F: 367-8239

## GIS

132 North Dakota Avenue  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
T: 605-367-8651 F: 367-8113

## Household Hazardous Waste Facility/Sustainability

1015 East Chambers Street  
Sioux Falls, SD 57104-7200  
T: 605-367-8695 F: 367-4993

## Landfill

224 West Ninth Street  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
T: 605-367-8162 F: 367-8167

## Light

2000 North Minnesota Avenue  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
T: 605-373-6979 F: 373-6974

## Street

1000 East Chambers Street  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
T: 605-367-8255 F: 367-8200

## Utility Billing

1201 North Western Avenue  
P.O. Box 7401  
Sioux Falls, SD 57117-7401  
T: 605-367-8131 F: 367-7341

## Utility Maintenance

668 West Algonquin Street  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
T: 605-367-8810 F: 367-7883

## Water Purification

2100 North Minnesota Avenue  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
T: 605-373-6940 F: 373-6941

## Water Reclamation

4500 North Sycamore Avenue  
Sioux Falls, SD 57104-9612  
T: 605-367-8188 F: 367-8484

September 7, 2012

Roger Fiegen  
47914 248<sup>th</sup> Street  
Dell Rapids, SD 57022

Dear Roger Fiegen,

Enclosed is the Water Management Board Irrigation Questionnaire for the water pumped from the well on the Swartz land used for this season's crop irrigation. This will need to be completed before December 12<sup>th</sup> of 2012 to account for the water that was pumped from Water Right 2244-3. If you have any questions or comments, please let me know.

Sincerely,

Greg Anderson  
Water Superintendent  
City of Sioux Falls  
(605) 373-6940

Cc: Genny McMath

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SEP 11 2012

WATER RIGHTS  
PROGRAM



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 E. CAPITOL AVE  
PIERRE SD 57501-3182  
danr.sd.gov

**File Nos. 274-3, 264-3, 1270-3, 2244-3, and 1347-3**

**WATER RIGHTS PROGRAM -- FILE DOCUMENTATION**

**NAME:** City of Sioux Falls

**DATE:** August 8, 2025

**RE:** Approval of Water Permit No. 8911-3 transferring diversion rate and volume authority from other city water rights to a new collector well

The files for each of the following water rights need to have this file documentation added and the database updated accordingly to reflect approval of Water Permit No. 8911-3, City of Sioux Falls.

The list below identifies the amount of water transferred to Permit No. 8911-3 and the amount of water remaining in the water right, if any:

- No. 274-3 (2.0 cfs and 1,448 ac-ft),
  - No water remaining in No. 274-3
- No. 264-3 (1.55 cfs and 1,120 ac-ft),
  - No water remaining in No. 264-3
- No. 1270-3 (1.66 cfs and 348 ac-ft),
  - No water remaining in No. 1270-3
- No. 2244-3 (1.33 cfs and 369 ac-ft),
  - No water remaining in No. 2244-3
- No. 1347-3 (1.986 cfs and 968 ac-ft)
  - This was the last of the remaining water in No. 1347-3

The status in the database of each of the above should be incorporated license "IL." Since no water remains under any of the above water rights, the wells either need to be capped or plugged in accordance with SD Well Construction Standards Chapter 74:02:04.

Ron Duvall, Engineer  
SD DANR, Water Rights Program