

1. Considered: 2-24, 1983 Water Right No. 2276-3A
2. Name of Applicant SPINK LUTTERIAN BRETHREN, INC
3. Post Office Address FRANKFORT
4. Amount of Water Claimed NO ADDL maximum acre feet _____
5. Source of Water Supply 120' DEEP WELL
6. Water to be used for IRRIGATION acres to be irrigated 200
7. County SPINK about 115.3E miles _____ of FRANKFORT
8. PROOF OF PUBLICATION: Received ✓ 2-10-83 Not Received _____
- APPLICATION: Approved 2-24-83 Subject to WI IQ
- Not Approved _____ Action Deferred _____

PRIORITY

Dated Received 11-19-82 Application complete-yes ✓ no _____ FEE 150⁰⁰

Remarks THIS APPL. PROPOSES TO ADD ~~20~~ ACRES TO AN EXISTING PERMIT - NO ADDL WATER USED - 200 ACRE PLOT

Corrected Application received _____ Period of Annual Use APR THRU OCT

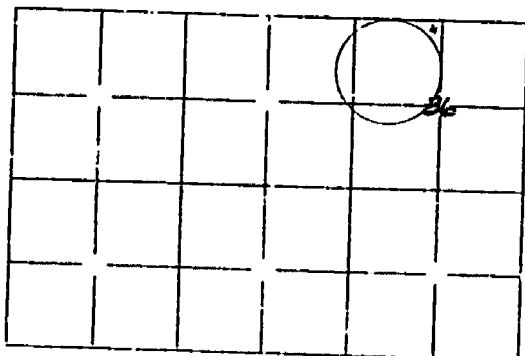
WATER
QUALITY

Received yes ✓ no _____

ADDITIONAL ACREAGE
APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes ✓ no _____ Remarks _____

Disapproved _____ Returned _____



Diversion Point

NE¹ NW¹, SEC 36, T115N, R62W

Land to be irrigated

NW¹ & N¹SW¹, SEC 36; E¹NE¹,
SEC 35, T115N, R62W

WELL LOG

Driller EMPIRE Licensed - yes ✓ no _____

Depth 120

Remarks _____

MAP Map No. 1667-3A Map located in Water Right ✓ Map File _____
 Type of Map Aerial Photo Prepared by A. Jones

+++++

REVIEWED This Application was ^{received} ~~received~~ within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

1-17-83

A. Jones
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date _____
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____

No. 2276-3A
 Map No. 1667-3A Water Division No. 3 JAMES RIVER District
 Above for Office Use (10160006)

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage X

1. Name of Applicant Spink Hutterian Brethren, Inc. Phone No. 472-1269
 Post Office Address _____ Frankfort _____ State SD 57440
 (Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

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

3. Name of diversion work Spink Colony Irrigation Project4. Amount of water claimed (cubic feet per second) no additional5. Source of water supply groundwater6. Location of point of diversion 150'W & 80'S of the N $\frac{1}{2}$ corner, Section 36, T115N, R62W
(NE $\frac{1}{4}$ NW $\frac{1}{4}$)County Spink7. Annual period or periods during which water is to be used April thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 200

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.
T115N, R62W Sec 35, NE $\frac{1}{4}$ NE $\frac{1}{4}$	9
SE $\frac{1}{4}$ NE $\frac{1}{4}$	14
NE $\frac{1}{4}$ SE $\frac{1}{4}$	1
Sec 36, NW $\frac{1}{4}$ NW $\frac{1}{4}$	38

Land Description	No. Acres Irr.
NE $\frac{1}{4}$ NW $\frac{1}{4}$	32 ³ / ₄
SW $\frac{1}{4}$ NW $\frac{1}{4}$	40
SE $\frac{1}{4}$ NW $\frac{1}{4}$	39
NW $\frac{1}{4}$ SW $\frac{1}{4}$	15
NE $\frac{1}{4}$ SW $\frac{1}{4}$	11

Attach sheet if more space is needed

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

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water REDFIELD PRESS

12. Principal Features of the Proposed Water Supply System.

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

well, pump & motor

This application proposes to add 50 acres to Permit No. 2276-3 from the existing well under that permit.

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

mainline

C. Works proposed to apply water to beneficial use.
center pivot

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)
 County of Spink) ss.

I, John J. Wepp 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.

X Signed

Subscribed and sworn to before me this 23 day of November, 1982

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 2276-3A
Spink Hutterian Brethern Inc. Frankfort
(Applicant) (Post Office Address)
South Dakota 57440 With the following qualifications
(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 there is not a reduction of needed water supplies in adequate domestic wells or in irrigation 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 November 19, 1982
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____
 Approved February 24, 1983, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 2276-3A

The Water Management Board hereby grants and issues this Water Right Permit No. 2276-3A authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is November 19, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____, 19____
3. The whole of said work is to be completed on or before Completed, 19____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____, 19____
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 No add! 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 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 _____, 19____; said water to be used during the following described annual period: April - October

Witness my hand this 9th day of March, 1983

THE WATER MANAGEMENT BOARD

By: John H. H. H.
 Chief Engineer, Water Rights

Certificate of Construction Issued March 31, 1983

Water License Issued March 31, 1983

SOUTH DAKOTA
Department of Agriculture

DIVISION OF CONSERVATION

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

November 22, 1982

John Wipf
Spink Hutterian Brethern, Inc.
Frankfort, SD 57440

Dear Mr. Wipf:

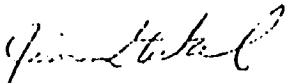
In reviewing your soil and water compatibility application for portions of Sec's 35 & 36-115-62, the irrigation staff is recommending a conditional approval of your application to the State Conservation Commission at their January 13, 1983 meeting.

The conditional approval recommendation is based on the soils you intend to irrigate and the management recommendations are as follows:

Beadle Silt Loam, Nonsaline Substratum - Should be managed to prevent wind erosion. Additional water should be applied to aid in the leaching of salts.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,



Jim Stukel
Irrigation Program Director

cf

cc: ✓ Water Rights Division
Water Quality Lab
Rea Pahl, SDSU
County Extension Service office



SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

3077

WR#

2276-3

OWNERS NAME: SPINK HUTTERIAN BRETHREN, INC.

OWNERS ADDRESS:

FRANKFORT SD 57440

COUNTY LAND LOCATED IN: SPINK

PHONE: 472-1269

TENANT'S NAME AND ADDRESS:

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

1. WELL LOCATION 150' W & 80' S OF THE N 1/4 SECTION 36, T115N, R62W
Depth 120'

2. SURFACE WATER SOURCE AND DIVERSION LOCATION

Diversion Location

Legal Description	Acres	Legal Description	Acres
SECTION 35, T115N, R62W NE ¹ NE ⁴	9	* NE ¹ NW ⁴	33
SE ¹ NE ⁴	14	W ¹ NW ⁴	40
NE ¹ SE ⁴	1	* SE ¹ NW ⁴	39
* SECTION 36, T115N, R62W NW ¹ NW ⁴	38	NW ¹ SW ⁴	15
		NE ¹ SW ⁴	11

* all acreage in 36-115-62 - previously approved 1975.

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1975

LEGAL DESCRIPTION: NW¹ SECTION 36, T115N, R62W

IN WHAT NAME: SPINK HUTTERIAN BRETHREN, INC.

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

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

6. CROPS TO BE IRRIGATED:

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

7. WATER SAMPLE NUMBER: 75-248 10. ADJUSTED (SAR):
8. SALINITY (EC X 10⁶): 1014 11. PERCENT SODIUM 29.5
9. SODIUM (SAR): 1.75

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

18 DAY OF June, 1982

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

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

IMPORTANT

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

CONDITIONAL APPROVAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Spink Hutterian Brethern, Inc.,LEGAL DESCRIPTION: Portions of Sec 35-115-62SOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:RECOMMENDED MANAGEMENT:

Beaule Silt Loam, Nonsaline Substratum - Should be managed to prevent wind erosion. Additional water should be applied to aid in the leaching of salts.

John M. F. Hill
SIGNATUREDATE 1-13-83

Application 2276-3A

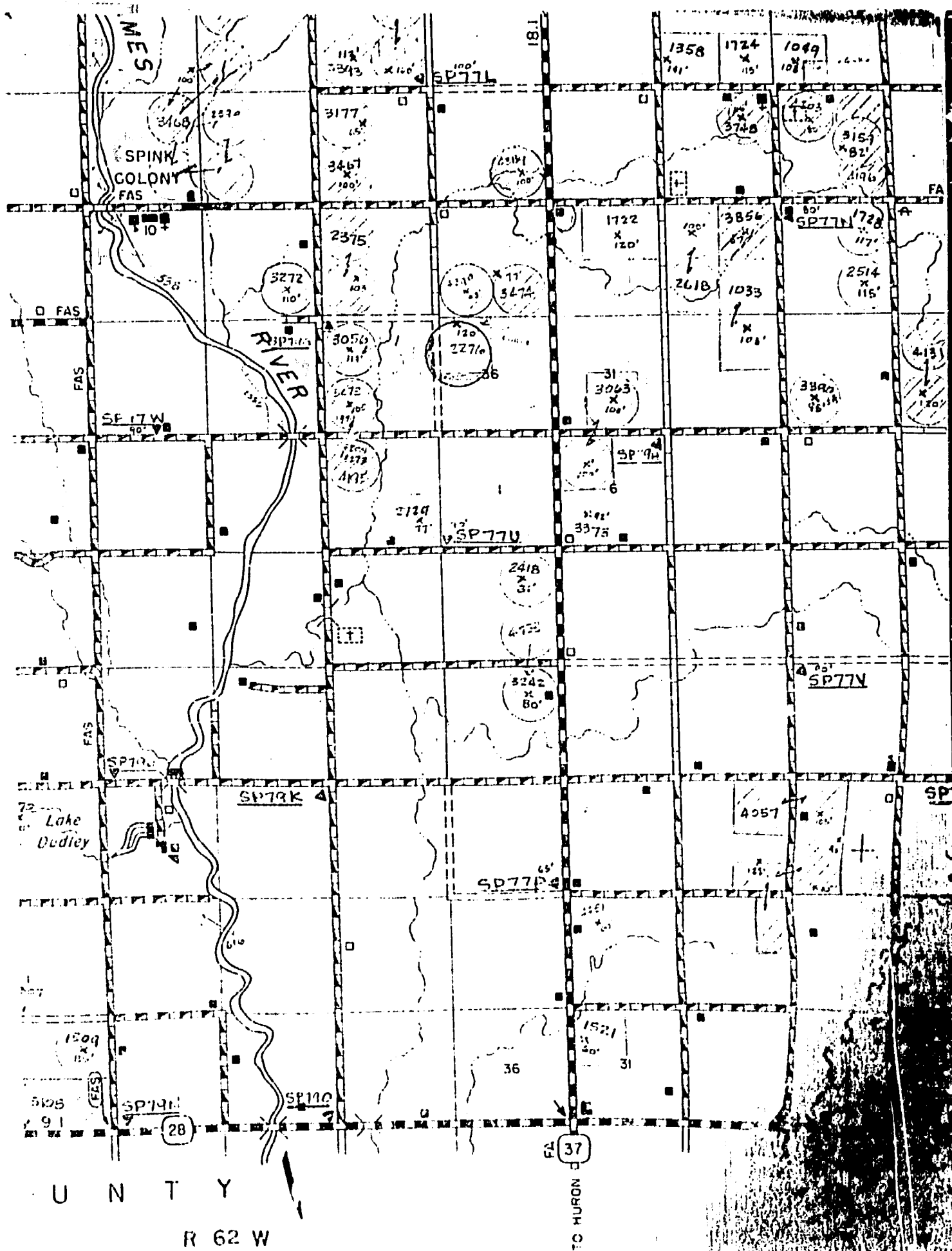
Spink Hutterain Brethern

February 14, 1983

This application is to make legal what is already developed. Original application 2276-3 was for the NW $\frac{1}{4}$ of 36 but the system was constructed as shown on the sketch map. The water is already being used. As long as the priority changes to reflect this new permit then application is O.K.

The aquifer is the Tulare East James (TEJ). The Water Rights Staff has recommended no additional permits be granted in this aquifer but the board went ahead and issued them anyway. There remains 3 deferred applications in the area north (6 miles) of this application. Since this system is already developed there would be no new impact on the aquifer. I believe that the amount of water appropriated exceeds the recharge in this area but that water usage is still below the recharge.

Jim Goodman



No. 2276-3A

Publish first publication, on or before February 3, 1983

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 18, 1983

Notice is hereby given that Spink Hutterian Brethren, Inc. whose post office

address is Frankfort

, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 (ground) 46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) ~~46-5-28, (transfer lands) 46-5-33 thru 46-5-35~~ and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (future use) ~~74:02:01:23 thru 74:02:01:26 (10,000 AFA) 74:02:07:01 thru 74:02:07:03~~, for a permit to appropriate for beneficial use

no additional cubic feet of water per second of time from groundwater

through the Spink Colony Irrigation Project, the point ~~(s)~~ of diversion which is ~~(are)~~ to be located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 30, Twp. 115N, Range 62W. Said water to be used for purpose of providing irrigation on portions of the following described land:

N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 36; E $\frac{1}{2}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, T115N, R62W

This Application No. 2276-3A will be considered by the Water Management Board at Joe Foss Bldg, Room 216, 523 E Capitol, Pierre SD upon the 24th day of February, 1983

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

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

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

For the Water Management Board

cc: applicant

BURTON F JONES ~~XXXXXX~~ Water Rights Specialist

WNR-806-2/82

No. 2276-3A

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.

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

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

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

February 2, 1983

February 9, 1983

Roger M. Tz
(Signature)

pub. l. n. (Title)

2-9-83
(Date Signed)

Cost of Printing:

No. 28

**NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER**

Pierre, South Dakota 5750

January 18, 1983

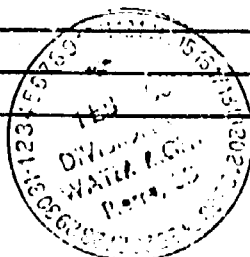
Notice is hereby given that Spink Hutterian Brethren, Inc, whose post office address is, Frankfort, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41; 46-6-3 thru 46-6-5, 46-6-8, 1, 46-6-10, 46-6-13, 46-6-14, and Board Rules AHSD 74:02:01:01 thru 74:02:02:15, for a permit to appropriate for beneficial use no additional cubic feet of water per second of time from groundwater through the Spink Colony Irrigation Project, the point of diversion which is to be located in the NE 1/4 NW 1/4 of Section 36, Twp. 115N, Range 62W. Said water to be used for purpose of providing irrigation on portions of the following described land: N 1/2 SW 1/4, Section 36; E 1/2 NE 1/4 & NE 1/4 SE 1/4, Section 35, T115N, R62W.

This application No. 2276-3A will be considered by the Water Management Board at Joe Foss Building, Room 216, 323 E. Capitol, Pierre, SD upon the 24th day of February, 1963 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

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

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

For the Water
Management Board
Burton F. Jones
Water Rights Specialist
(Feb. 2, 9)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9037

PIERRE, November 22, 1982

RECEIVED OF Spink Hutterian Brethern, Inc., Frankfort SD 57440

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

2276-3A	150	00
Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 2276-3AWater Division 3 JAMES RIVER Water District
10160006REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by SPINK HUTTERIAN BROTHERN, INC. of FRANK FORT holder of Permit No. 2276-3A, bearing date of priority of E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 35; N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 36 - November 1975, 1975, authorizing the diversion of 2.22 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in SPINK 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:

120' DEEP WELL WITH 16" SS CASING - 50' SS SCREEN
WORTHINGTON 10" PUMP (NO TAG), POWERED BY
100 HP GE ELECTRIC MOTOR @ 1775 RPM

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

2070' OF 10" BURIED PVC FROM WELL TO PILOT PAD

C. Works used to apply water to beneficial use.

11 TOWER T&L CENTER PILOT SYSTEM WITH
NELSON #250 END GUN

The system is in the following condition: GOOD

The point of diversion is located 150' W & 80' S OF THE N $\frac{1}{4}$ CORNER,
SECTION 36, T115N, R62W (BA)

The works are capable of diverting and conveying to the place of use 2.00 (900 GPM)cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL $\frac{1}{4}$ T115N, R62W

SECTION 35		SECTION 36	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	9 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$	35 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	14 "	NE $\frac{1}{4}$ NW $\frac{1}{4}$	33 "
NE $\frac{1}{4}$ SE $\frac{1}{4}$	1 "	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40 "
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	39 ACRES
		NN $\frac{1}{4}$ SW $\frac{1}{4}$	15 "
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	11 "

comprising a total of 200 acres of land.

The applicable portions of Permit No. 2276-3 has been incorporated into this
Water License No. 2276-3A

FEBRUARY 24, 1983

Date FEBRUARY 25, 1983

Benton Jones by
Signature John H. Hallett

WATER LICENSE NO. 2276-3A

(1) WHEREAS, On the 19th day of November A. D. 19 82

Spink Hutterian Brethren

made Water Right Application No. 2276-3A for a permit to use no additional cubic feet per second of the waters of groundwater (one well)

County of Spink, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 24th day of February A. D. 19 83

Permit No. 2276-3A, with a date of priority of November 19, 1982

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the _____ day of _____ A. D. 19 _____ and for the application to beneficial use of said water on or before the _____ day of _____ A. D. 19 _____

WHEREAS, on the 24th day of February, 1983 the applicable portions of Permit No. 2276-3 have been incorporated into this Water License No. 2276-3A with the E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35; N $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36 bearing a priority date of November 19, 1982 and the NW $\frac{1}{4}$ of Section 36 bearing a priority date of April 28, 1975,

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.00 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate the following land all in T115N, R62W

Section 35	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 9 Acres (AA)
	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 14 " (AD)
	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1 " (DA)
Section 36	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 38 " (BB)
	NE $\frac{1}{4}$ NW $\frac{1}{4}$ 33 " (BA)
	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 " (BC)
	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 39 " (BD)
	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 15 " (CB)
	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 11 " (CA)
TOTAL 200 acres	

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Spink Hutterian Brethren

of § John Wipf, Frankfort SD

the holder _____ and owner _____ of said permit No. 2276-3A a water right, dating from April 28, 1975 and November 19, 1982 to use of 2.00 cubic feet per second of the waters of groundwater (no well)

in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 150'W and 80'S of the NE corner, Section 36, T115N, R62W (8A)

and conducted to and upon portions of Sections 35 and 36, T115N, R62W more fully described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2276-3A and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 31st day of March A. D.
Nineteen Hundred and Eighty-three

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9207

PIERRE, March 25, 19⁸³

RECEIVED OF Spink Hutterian Brethren, Inc., John J. Wipf, Frankfort, SD 57440
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and Issuing Cert. of Construction No. 2276-3A	50	00
Fee for inspecting Beneficial Use, and Issuing Water License No. 2276-3A		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH/ms

No. 2276-3A

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

March 31, 1983

Spink Hutterian Brethren, Inc.
% John Wipf
Frankfort SD 57440

Dear Mr. Wipf:

Enclosed herewith is, Water License No. 2276-3A. This is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

Enclosures

NOTE: The applicable portions of Permit No. 2276-3 have been incorporated into this Water License No. 2276-3A.

WNR-817 3/83
Transmittal of Water License

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
January 29, 1988

JOHN J WIPF- SPINK COLONY
RR 1 BOX 84
FRANKFORT, SD 57440

NOTICE

Re: Violation of Water Permit No(s). 2276-3A and 1987 Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 2276-3A. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2276-3A qualification:

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

The hearing will also be to determine if Permit No(s) 4195-3, 1538-3, 2375-3, 2396-3, 3467-3, 3468-3, 1979-3, 3272-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

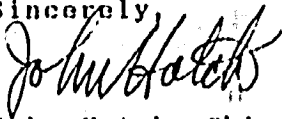
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 2276-3A until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 4195-3, 1538-3, 2375-3, 2396-3, 3467-3, 3468-3, 1979-3, 3272-3 also held by JOHN J WIPF- SPINK COLONY to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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.

Sincerely,



John Hatch, Chief Engineer
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 5, 1988

3468-3	3467-3
4195-3	3272-3
2375-3	1979-3
2276-3A	2396-3
1538-3	

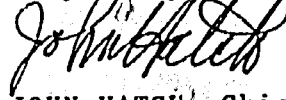
Spink Colony
c/o John J Wiff
Frankfort SD 57440

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 1538-3, 1979-3, 2276-3A, 2375-2, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 and the hearing date before the Water Management Board.

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

Very truly yours,



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

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

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

11 3272-3

11 3467-3

11 3468-3

11 4195-3

11 2276-3A

February 17, 1989

John J. Wipf Spink Colony
RR 1, Box 84
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 D. Bowar
for JOHN HATCH, Chief Engineer
Water Rights Division

Department of Agriculture
WR#1
5-37

SOIL / WATER COMPATIBILITY PERMIT
Division of Conservation

2276-3
2276A-3

Office Use Only

3097-A

WR#

OWNERS NAME _____ OWNERS ADDRESS _____ GENERAL DELIVERY
FRANKFORT SD 57440

COUNTY LAND LOCATED IN _____ PHONE 672-1269

LEGAL DESCRIPTION _____ ☒ Well ☐ Surface
LOCATION _____
Depth _____

Legal Description	Acres	Legal Description	Acres
	4.0		
	4.0		
	15.0		
	4.0		

TYPE OF IRRIGATION GRAVITY _____ TOWLINE _____ CENTER PIVOT: ~~xxx~~ GUN: _____ OTHER: (Specify) _____

CROPS TO BE IRRIGATED _____

WATER QUALITY	
1. WATER SAMPLE NUMBER _____	7. ADJUSTED (SAR) _____
4. SALINITY (EC x 100) _____	8. PERCENT SODIUM _____
6. SODIUM (SAR) _____	

Requirements:

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



Russell J. Stone
Director, Division of Conservation

~~xxx~~ APPROVED
~~_____~~ DISAPPROVED
~~_____~~ WAIVER

~~xxx~~ REQUIREMENTS

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

APPROVED BY, DATE _____
Date _____

2276-3A



Spink Colony Irrigation Management Plan 2 April, 1991

for submission to the South Dakota Conservation Commission

In the early 1970's we began irrigating. We have always been aware of the possibilities for sodium and salinity problems. Over the years we have observed negative impacts from salinity and sodium problems. We have experimented with several different practices to improve our salt problems. More recently We have been working with Shawn Thelen, an agronomist with the Wheat Growers, and we have been talking with Gregg Carlson, SDSU Extension Service, about irrigation management practices that will minimize our sodium and salinity problems. Because the irrigation water that we use is of marginal quality, we understand the importance of the use of good management for the maintenance of productivity.

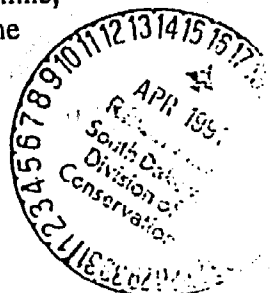
The irrigation water that we are using has an SAR of 10-20. Recent Soil tests have shown ESP's within the surface soil of, from as low as 3 to as much as about 15. The following are specific management practices, some of which we have used in the past and some planned for the future, that we believe will assure the maintenance of productivity on the land in question.

1). To assure adequate leaching we apply at least an inch and at times, as much as two inches (if possible without getting stuck or having excess runoff) of water each revolution of the pivot. This assures relatively deep percolation within the root zone and the continued leaching through the root zone.

2). The maintenance of high concentrations of organic matter at the soil surface is an important part of maintaining surface soil structure. This last year we purchased a manure spreader truck so that we will be able to haul manure the 4 or 5 miles to our irrigated fields. It is our plan to apply 6 to 8 ton/acre of manure ever 4 years to these fields. We plan to use tillage practices that will maintain high organic matter close to the surface to minimize the impact of sodium. Shawn and I have been discussing the possibility of using no-till farming practices to increase organic matter at the surface and to minimize soil disturbance that can aggravate the sodium problem. No-till farming should also eliminate water being held within the plow layer. There is evidence to suggest that tillage can break the transmitting macropore structure at the bottom of the plow layer. It is our plan to rotate small grain and alfalfa through some of our irrigated fields. On those fields that we grow corn on corn, we leave all corn stalks in the field.

3). Shawn, Dr. Carlson, and I have discussed the possibility of using beet lime, gypsum, and elemental sulfur as soil amendments. We have been applying beet lime and elemental sulfur in an attempt to resolve our problems.

4). It is our intention to work with the Wheat Growers, SDSU, and the



Department of Agriculture to continue to monitor the problems that we have and to look at alternative solutions. We plan take advantage of any new breakthroughs in Sodium management that are developed.

Paul Wipf
Paul Wipf

Spink Colony
Frankfort, South Dakota
57440
472-1269

copy to Shawn Thelen
P.O. Box 126, Main Street
Tulare, South Dakota
57476
596 4114(work) or 472-2410



January 22, 1999

NOTICE

2276-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

TC. SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2276-3A & 5737-3 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



2076-3A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 22, 1999

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT SD 57440

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

RE: Requirement to Report 1998 Chemical Use

The first notice to file chemigation report(s) for Permit No(s) 3272-3; 3467-3; 3468-3; 4195-3; 2276-3A; 1979-3 & 2375-3 was dated October 16, 1998. Our records indicate that we have not received your 1998 chemigation report(s). The Water Management Board has directed that owners of water permits who have not submitted the 1998 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 am, March 3, 1999, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 3272-3; 3467-3; 3468-3; 4195-3; 2276-3A; 1979-3 & 2375-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to March 3, 1999, contact the Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to March 1, 1999 you will no longer be in violation and your name will be deleted from the Board agenda.



2276-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 1, 1999

John J Wipf
18206 Spink Lane
Frankfort, SD 57440-7207

RE: Water Permit/Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3 3467-3,
3468-3, 4195-3 and 5737-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires and chemical reporting forms. You may disregard the January 22, 1999, "Notices" concerning reporting requirements for Water Permit/Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3 3467-3, 3468-3, 4195-3 and 5737-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



2276-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2276-3A & 5737-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



2276-3A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 19, 2000

John J Wipf
Spink Colony
18206 Spink Ln
Frankfort, SD 57440-7207

RE: Water Permit Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3,
4195-3 & 5737-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 & 5737-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

2276-3A



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2002

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18265 SPINK LN, FRANKFORT, SD 57440 7207
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2276-3A & 5737-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

2376-3

SENDER COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to.

SPINK COLONY
JOHN J WIPF
18206 SPINK LN
FRANKFORT SD 57440 7207-242526

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) John J. Wipf B. Date of Delivery 1-22-02C. Signature X ☐ Agent ☐ AddresseeD. Is delivery address different from item 1? ☒ Yes
YES, enter delivery address below: ☐ NoJohn J Wipf

Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
E. Restricted Delivery? (Extra Fee) ☐ Yes

2. 7001 2510 0004

PS Form 3811, July 1999

102595-99-M-1789



2276-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 2002

John J Wipf
Spink Colony
1. 206 Spink Lane
Frankfort, SD 57740-7207

RE: Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3,
3468-3, 4195-3 and 5737-3.

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 and 5737-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



2276-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILD'NG
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 17, 2003

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2276-3A & 5737-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2003

John J Wipf
Spink Colony
18206 Spink Ln
Frankfort SD 57440-7207

RE: Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3,
3468-3, 4195-3 & 5737-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 & 5737-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

2276

57.0

199.5
NW⁴NW⁴ 38 AC.

NE⁴NW⁴ 33 AC

NE⁴NE⁴
9 AC

SE⁴NE⁴
14 AC

SW⁴NW⁴ 40 AC

SE⁴NW⁴ 39 AC

NE⁴SE⁴
1 AC.

NW⁴SW⁴ 15 AC

NE⁴SW⁴ 11 AC

56.0

SECTION 35
SECTION 36

NC

150'

7.5

80'

2070'
10" BURIED PVC

579-80L

NC

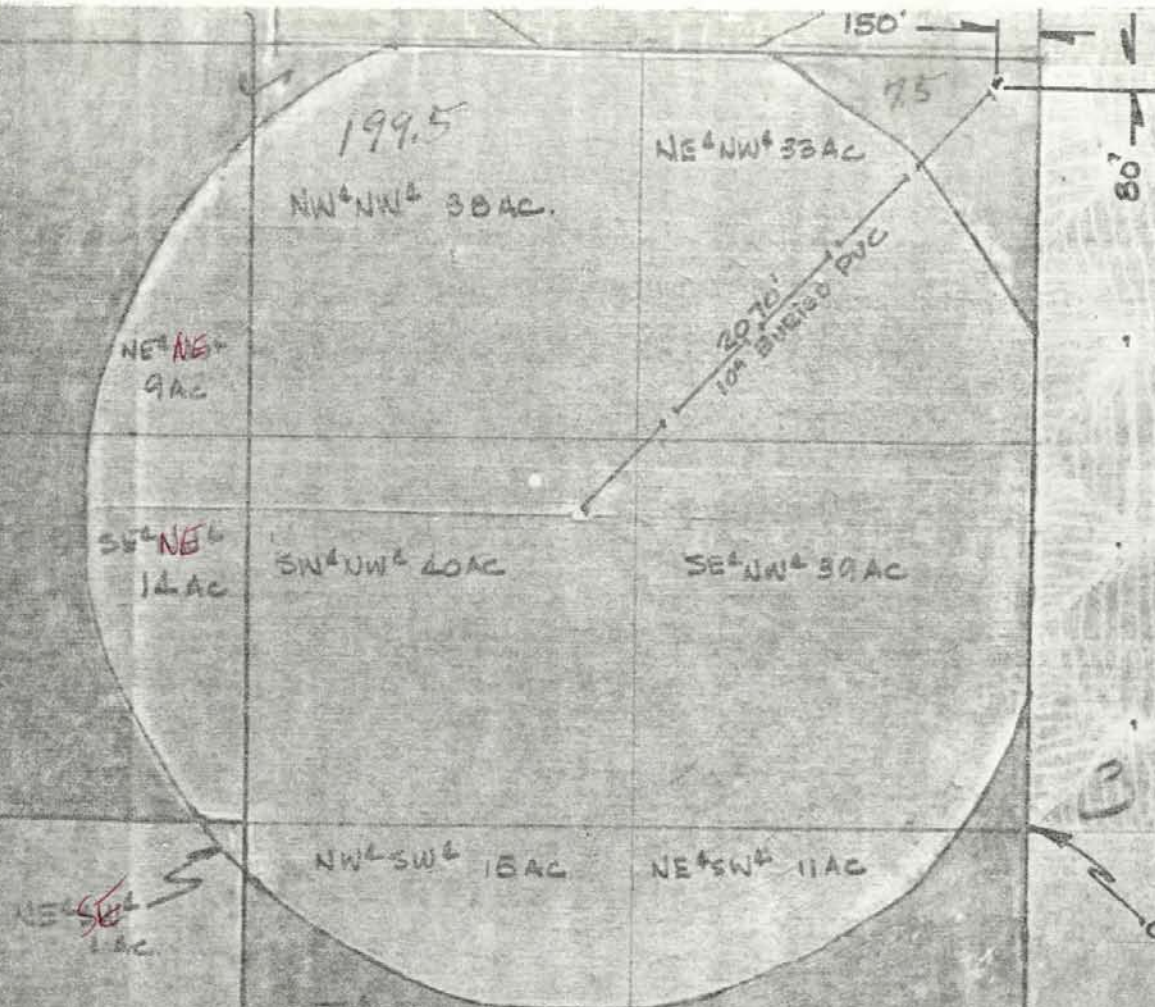
36

CENTER SECTION 36, T115N, R62W

NC

115-62

2276



579-80L

NC

36

CENTER SECTION 36, T115N, R62W

Barton Jones
NC

SECTION 36
SECTION 36

NC

MAD NE 1667-3A APPL NO 2276-3A

115-62

2276-3A



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 2396-3 & 3468-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2276-3A, 4195A-3, 5737-3, 7424-3, 7425-3 & 7427-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2276-3A, 4195A-3, 5737-3, 7424-3, 7425-3 & 7427-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 2396-3 & 3468-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: KTKGUJ**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

2276-3A



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 26, 2022

John J Wipf
Spink Colony
18206 Spink Ln
Frankfort SD 57440

RE: Water Right or Permit Nos. 1538-3, 2276-3A, 2396-3, 3468-3, 4195A-3, 5737-3, 7424-3,
7425-3 & 7427-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right/Permit Nos. 1538-3, 2276-3A, 2396-3, 3468-3, 4195A-3, 5737-3, 7424-3, 7425-3 & 7427-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us