

Waiver Right Number 2363-3

1. Considered NOV. 12, 1975

2. Name of Applicant KEITH KRUTHOFF

3. Post Office Address FLORENCE, SD

4. Amount of water claimed 2.83

5. Source of water supply GROUND WATER (80' DEEP WELL)

6. Water to be used for IRRIGATION

Acres to be irrigated 198

7. Water to be diverted and used in CODINGTON County
about 3N, 6W Miles of WATERTOWN

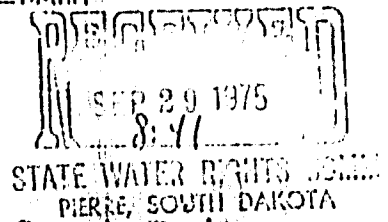
8. Proof of Publication Received 10-16-75
Not received

9. Application Approved
Subject to
Not approved
Action deferred

10. Remarks:

No. 2263-3Map No. 1742-3 Water Division No. 3 BIG SIOUX RIVER District _____
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT



To appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Keith Kruthoff R.F. & Ina C. Kruthoff
 Post-office address Florence-Waterstown State South Dakota -57235
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & direct labor
3. Name of diversion work Keith Kruthoff Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.83
5. Source of water supply well & slough
6. Location of point of diversion Two points: Point #1 - Slough 825' N 91° W of NE corner of Sec 12 - 117-54, Point #2 - Well located 3300' N 128° W of NE corner Sec 12 - 117-54 County Codington
7. Annual period or periods during which water is to be used April through October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 198

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.
SW 1/4 of NE 1/4 Sec 12 - 117-54	26	NW 1/4 of SE 1/4 Sec 12 - 117-54	35
SE 1/4 of NE 1/4 Sec 12	21	NE 1/4 of SE 1/4 Sec 12	39
		SW 1/4 of SE 1/4 Sec 12	39
		SE 1/4 of SE 1/4 Sec 12	38

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1.00 years. Additional time required to complete application of water to the proposed beneficial use 4 years years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Waterstown Public Opinion
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. a deep well turbine to be used on the well and a centrifugal pump by slough

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

closed conduit

C. Works proposed to apply water to beneficial use.

center pivot irrigation machine

Estimated Total Cost \$5000.00

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 Codington

I, Keith Kruthoff 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 Keith KruthoffSubscribed and sworn to before me this 23 day of Sept 19 75

John J. Williams
 (for other qualified officers)

P. E. #1716

WATER RIGHT APPLICATION APPROVAL

Q.E. Ina C. Kahne

The Water Resources Commission hereby approves Water Right Application No.

2363-3

405 5th Ave NE

KEITH KRUTHOFF

FLORENCE

Water town

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57235

(State)

With the following modifications:

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

Date of first receipt of application SEPTEMBER 29, 19 75

Date of return to applicant for correction, amendments or changes required _____, 19 _____

Date of receipt of revised application _____, 19 _____

Approved NOVEMBER 13, 19 75, Recorded in Book 14, Page 100

WATER RIGHT PERMIT NO. 2363-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2363-3 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 SEPTEMBER 29, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13, 19 78
3. The whole of said work is to be completed on or before NOVEMBER 13, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13, 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 2.83 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 NOVEMBER 13, 19 75; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 18TH day of NOVEMBER, 19 75

WATER RESOURCES COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction by _____, 19 _____

Water License Fee: _____, 19 _____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 24", Depth 80'
- (2) Casing, Type Steel, Diameter 14", Thickness 3/16"
(wood, concrete, steel, etc)
- (3) Perforated Screen,
Type Continuous Slot, Diameter 14", Length 20'
- (4) Gravel Pack, Thickness 5", Length of gravel pack 30'

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 6.5' top soil; 6.5' to 17' gravel non
water bearing; 17' to 40' starts out as coarse
gravel and gets progressively finer; 67' to 80'
fine sand with clay lenses.

- Depth to top of water bearing material 17'
- Depth to bottom of water bearing material 80'
- Thickness of water bearing material 58'
- Depth to water (ground surface to water level) 17'

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

On same owner's property 160 rds. On property owned by others 180 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.

Nick Anthony
Signature of Applicant

September 8, 1975

Mr. Keith Kruthoff
Florence, SD 57235

Dear Mr. Kruthoff:

Enclosed you will find a receipt for your payment for the water analysis on sample 75-777. Also you will find enclosed a copy of extension circular 654 with a red cross on the outside back cover denoting the approximate quality of this water for irrigation purposes. You'll note it is in the high salinity, low sodium class. This means that this water will have practically no effect on sodium-caused dispersion of clays and will probably not cause any bad behavior as far as physical workability or tilth is concerned. However, there is a considerable chance that it will cause a gradual increase in the salt content of the upper part of the soil, especially that which is used mainly by crop roots. This means that in time the top foot or 6 inches will likely have enough salt in it to result in some impairment of performance of salt-sensitive crops. This can be avoided by taking specific measures such as the filling of the soil profile with water in the late fall just before freeze-up or in the early spring before our normal May and June peak in rainfall. With these management techniques coupled with the use of large quantities of water applied infrequently, you may avoid completely any salinity problem. However, on the other hand, if you use small quantities of water frequently, such as 1 1/2 or 2 inches at a time, and irrigate 5 or 6 times during the year, a salinity problem may develop very soon. Thus, I strongly urge that you use this water infrequently and in large quantities, that is, 3 to 4 inches at an application.

The land which you intend to irrigate is suitable for irrigation in the southeast quarter of section 12 for the most part. However, the Buse Parnell D slopes and the Buse stoney phase in the northwest corner of the southeast quarter will be difficult to irrigate and will have unfavorable performance as far as crop yields are concerned. There is, however, a chunk of Fordville across the draw to the north that would be in the southern edge of the northeast quarter which is also suitable for irrigation. The remainder of the northeast quarter up to the small lake is very poor soil and would not respond satisfactorily to irrigation. There is too much runoff and the soils are low in fertility and very shallow. Thus, I recommend that you develop your irrigation operations only in the southeast quarter of the section.

Mr. Kruthoff
September 8, 1975
Page 2

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

Sincerely,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission
D. Pahl
Fred Morris, County Extension Agent



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

FOR COMMISSION

Irrigation System:

Water Quality:

Soils Capability:

Approved: *[Signature]*

Disapproved:

NAME: Keith Knuthoss

ADDRESS: Shoreline S. Dak

COUNTY: Codington

LEGAL DESCRIPTION

1. WELL LOCATION: S. E 1/4 of the NE 1/4 of Section 12-
117-54
2. AREA TO BE IRRIGATED: 1/2 1/2 1/2 - 117-54

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Sprinkler - center pivot
4. CROPS TO BE IRRIGATED: Corn - alf.

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: $T_s = 9\%$ or more $FDA = 0-3\%$; $FDB = 3-6\%$
 $B_0 = 9\%$ or more $E_0/A = 0-3\%$; $BPD = 9-15\%$
 $FAB = 3-6$ $BPD = 9-15\%$
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: $B_0 = \text{Bare, stony, coarse (M)}$
 $FDA = \text{Fertile, loam, (M or M)}$
 $FAB = \text{Fertile, loam, (M or M)}$ $RPD = \text{Bare, stony, coarse (M or M)}$

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-777
8. SALINITY: $EC = 1217$ $\mu\text{mhos/cm}$ (high)
9. SODIUM: $SA R = 0.59$ (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

Cordington Co. Soil Survey - L.C. Lane

and:

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

Walter H. H. H.

Subscribed and sworn before me this

20th day of Aug. 1975.

Ensign Morris

Notary Public

(Title)



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

Submitted by: Keith Kruthoff
Address: Florence, SD 57235

Date Rec'd: August 26, 1975
Sample No.: 75-777
Identification: _____

WATER ANALYSIS

Calcium (Ca)	170	ppm*	8.50	me/l**
Magnesium (Mg)	67	ppm	5.49	me/l
Sodium (Na)	36	ppm	1.57	me/l
Potassium (K)	6	ppm	0.16	me/l
Sulfate (SO ₄)	383	ppm	7.97	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	390	ppm	6.40	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	320	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1217	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.59			
Sodium	9.98	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.61			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 15.72 me/l
Total anions 14.45 me/l

By: Shirley Hittan

Service Performed	Amount Due
Irrigation analysis	\$6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-777

Amount Enclosed \$ _____

Signed _____

J. 2363-3

Publish first publication, on or before October 30, 1975.

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 1, 1975

Notice is hereby given that Keith Kruthoff

whose post office address is Florence, 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

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

Keith Kruthoff #1, the point of diversion of which is to be located in the

SW 1/4 NE 1/4

of Section 12, Twp. 117N, Range 54W. Said water to be used for the purpose

of providing irrigation on ^{portions of} the following described land:

SE 1/4, S 1/2 NE 1/4, Section 12, T117N, R54W

This application No. 2363-3 will be considered by the Water Resources Commission at their office at

Pierre upon the 12th day of November, 1975, at 2:30 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Keith Kruthoff, Florence, S.D. 57235

No. 2363-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Codington) ss.

I, John R Lowrie hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Watertown Public Opinion

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 _____ Watertown _____

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

October 7, 1975

October 14, 1975


(Signature)
General Manager

October 14, 1975
(Date Signed)

PUBLIC NOTICE

NO. 2343-2
NOTICE INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

October 1, 1975

October 1, 1973
Notice is hereby given that Keith Kruthoff whose post office address is Florence, 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 2.83 cubic feet of water per second of time from the ground water through the Keith Kruthoff No. 1, the point of diversion of which is to be located in the SW¼ NE¼ of Section 12, Twp. 117N, Range 54W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SE¼, S½ NE¼, Section 12, T117N, R54W.

This application No. 2343-3 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of November, 1975, at 2:30 P.M. All interested persons may appear and be heard.

WATER RESOURCES
COMMISSION

By: BURTON F. JONES
Water Rights Specialist
(October 7, 14, 1975)

$$3\frac{1}{4} @ 2.25 \times 2 = 3.125$$

RECEIVED
OCT 16 1975

STATE WATER RIGHTS

November 2, 1979

R.E. Kahnke
405 5th Avenue SW
Watertown, SD 57201

Dear Mr. Kahnke:

On June 25, 1979 we wrote you concerning the transfer of Water Right No. 2363-3 in the name of Keith Kruthoff which covers irrigation of 198 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 12, 117N, 54W.

We are in the process of up dating our records to enable us to send out our 1979 Irrigation Questionnaire. This office has been informed that you are the owner of this land covered under this Permit. Please check the enclosed transfer form, sign, notarize and return to this office with the required filing fee of \$2.50.

If you are not the present owner of this land, please notify this office as to who does own it. The transfer of this Permit must be in our office within 60 days from the date of this letter or it will be scheduled for cancellation before the Water Management Board.

Sincerely,

GENNY YOUNG
Staff Assistant

GY

encl



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1-29-79

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

198 acres S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 12, T117N, R54W

former'y owned by Keith Kruthoff, Florence, SD

has been transferred to R.E. Kahnke, 405 5th Avenue SW, Watertown, SD
& Ina C. Kahnke-

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

Water Right Permit No. 2363-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Codington) ss.

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

RE Kahrke
(Signed)
Na C. Kahrke

Subscribed and sworn to before me this 29 Day of June, 1977

Barbara L. Anderson
(Notary Public)

(Notary Public)

November 30, 1979

R.E. Kahnke
405 5th Avenue SW
Watertown, SD 57201

Dear Mr. Kahnke:

This will acknowledge the receipt of our "Form 20" Notice of Transfer of Water Permit" which you submitted to transfer Permit No. 2363-3 from Keith Kruthoff to R.E. Kahnke and Ina C. Kahnke.

However, the permit can not be transferred until a \$2.50 filing fee, as required by statute, is received in this office. Please remit this amount so that the permit can reflect proper ownership.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7143

PIERRE, December 5, 1913

RECEIVED OF Mrs. R.E. Kahnke, 405 5th Ave. NW, Watertown, SD 57201
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.	
Fee for inspecting Beneficial Use, and Issuing Water License No.	
Fee for Issuing Location Certificate-Dry Draw, No.	
Fee for filing transfer of water right No. 2343-1	2 50
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	2 50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (9)

South Dakota Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

November 29, 1983

2120-3

2363-3

4182-3

R.E. Kahnke
405 5th Ave NW
Watertown SD 57201

Dear Mr. Kahnke:

In regard to our telephone conversation of November 28, 1983, enclosed are copies of your Water Permit Nos. 2827-3 and 2120-3. Also enclosed are partially completed transfer forms for change of ownership on Water Permit Nos. 2120-3, 2363-3 and 4182-3.

The transfer forms should be dated, signed before a notary by the new owner(s) and returned to this office with a \$2.50 filing fee for each. The permits will then be transferred to the proper owners.

South Dakota Water Law 46-5-30.3 require 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.

During our phone conversation, you indicated some of your permits are still owned by you but are operated by someone else. If it is satisfactory to you, the yearly irrigation questionnaire could be mailed directly to the operator with your name still remaining on the permit as owner.

If you have any questions, please contact this office.

Sincerely,

GENNY MCMATH
Natural Resources Analyst

GM:ks

enclosures

NO. ~~2363-3~~
2363-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Jan 28-84

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

SE 1/4, S 1/2 NE 1/4, Sec 12 T 117N, R 54W

formerly owned by Kirch Krutheff #1

has been transferred to Dean Urban, RR#2, Box 136, Watertown, SD 57201

(please include complete mailing address)

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

Water Right Permit No. 2363-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Codington) ss.

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

Dean Urban
(Signed)

Subscribed and sworn to before me this 1 Day of Feb, 1984.

Richard A. [Signature]
(Notary Public)

Commission Expires 8-1-82
WNR-820-9/83
Notice of Transfer of Water Permit



RECEIPT

Division of Water Rights

No 4 9526

South Dakota Department of Water and Natural Resources

Pierre, February 2, 19 81

RECEIVED OF Dean Urban, RR#2, Box 138, Watertown, SD 57201
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. to Appropriate Water, to construct works and to put water to beneficial use		
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form for WR#2363-3	2	50
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for (Any Other Work Provided by Law)		
Total	2	50

By John Hatfield
Chief Engineer JOHN HATFIELD



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

March 1, 1984

2363-3
4182-3

Dean Urban
RR #2, Box 138
Watertown SD 57201

Dear Mr. Urban:

Enclosed are receipt Nos. 4 9526 and 4 9527 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 2363-3 and 4182-3.

Our records now show you as the owner of these Water Rights.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Administrative Aide

enclosures

Water Rights Division - DWNR
Conversation or File Documentation

2363-3
File No. 4782-3

NAME OF PERSON OR FILE: _____

ADDRESS: _____ COUNTY _____

DATE: _____ TELEPHONE _____

RE: _____

COMMENTS:

I investigated the complaint on Thursday March 21, 1985. I talked with Tom Popham, Jack Thomas, Gene Jongeling & his son. The major concern was the lower lake levels on 4 or 5 of the lakes and if the irrigation was causing this. Mr. Popham also mentioned his well located in the NW 1/4 Section 3 - T117N - R54W. The irrigation is in the SE 1/4 and the wells are located in the SW 1/4 NE 1/4 of Section 12 - T117N - R54W. Mr. Popham's well was a 24" bored concrete well, 100 feet deep with a water level of 45 feet. I told them the irrigation wells should not be affecting the lakes or Popham's well, and the South Dakota Geological Survey was doing a county study. Also told Popham that we have had problems before with bored concrete wells. Sent Popham a letter stating the same on March 28, 1985.

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

NAME: _____

Jim Goodman or (Korrallo)
Gale Selkum

Water Rights Division - DWNR

2363-3

File No. 4/82-3

Conversation or File Documentation

NAME OF PERSON OR FILE: Water from Watertown DWNIR Called

ADDRESS: _____ COUNTY Codington

DATE: _____ TELEPHONE _____

RE: _____

COMMENTS: for

8-605 1340 882-
Called to tell us of a complaint ~~submitted~~ filed against Dean Urban, RR-2, Watertown, 882-2268. The complaint was filed with the SCS Office Meritt Partlow, Watershed Coordinator, Codington Co Conservation District Office, SCS., 882-1972.

I call Mr Partlow. He said the Damage Complaint was filed by R.E. Eller^s and Tom Popham⁸⁸⁶⁻⁸³⁷⁴, who claim the the irrigation wells of Mr. Urban are causing their wells to go dry and causing the lake to be 3 to 4 feet lower than normal. Mr. Partlow is sending a copy of the complaint to us.

The Well location of Mr. Urban was described as being in the NW1/4 of Sec 12, T117, R54N. We

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

4/82

NAME:

James E. Henterton

CODINGTON CONSERVATION DISTRICT

BOX 943

PHONE 885-2123

WATERTOWN, SOUTH DAKOTA 57201

DATE: March 15, 1985

TO: South Dakota Department of Water and Natural Resources
Department of Water Rights
Att: John Hatch:

Attached is the Damage Complaints as per my conversation
with your office this date. Any question you may have
please feel free to contact me.

Sincerely

Merritt Partlow
Coordinator
Upper Sioux Watershed



"Use each acre within its capabilities and treat it according to its needs"

DAMAGE COMPLAINT FORM
FOR LAND DISTURBING ACTIVITIES, CODINGTON COUNTY

I Tom P. Pham of 117-10 NE Ave 111-E - Waterloo
do hereby allege that the land disturbing activity of
Dean Urban of Richland Section 12
(Name) (Legal Description)

Codington County, is causing (on-site or off-site) damage.

Brief description of damage: causing the wells to dry up
& lakes to become low

Location of damage: T 117 N R 54 W Section 2-3
(Legal Description)

SIGNED:

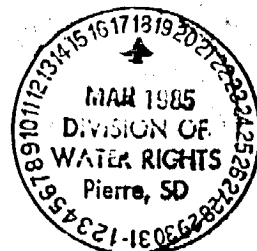
Tom P. Pham
Steve J. Jorgensen Sec. 13-11-117-54
John J. Jorgensen Sec. 24-14-117-54
John J. Jorgensen Sec. 6 117-54
(Complainant)

7-28-85
(Date)

NOTARIZED:

Thomas E. Baxter
expires 11-27-92

COPIES PROVIDED TO: Codington Conservation District
Units of Government
Complainant
Alleged Violator



DAMAGE COMPLAINT FORM
 FOR LAND DISTURBING ACTIVITIES, CODINGTON COUNTY

I Robert E Ellis of N 1/2 of Horst Lot 6-20 acres
 do hereby allege that the land disturbing activity of

Dean Vahner of Rushland Section 12
 (Name) (Legal Description)

Codington County, is causing (~~on-site~~ or off-site) damage.

Brief description of damage: Pump for farming
is taken surface water away
therefore lakes are short on water

Location of damage: N 1/2 of Horst Lot 6-20 acres
 (Legal Description)

Larry Bonchiuso

Gyle J. Chenoweth

Twp 15 N Rng 54 E S1
 14-41 1 117 54 1
 TB RNG DUP

SIGNED:

Robert E Ellis
 (Complainant)

9 March 85
 (Date)

NOTARIZED:

James J. Little
 My Commission Expires November 15, 1986

COPIES PROVIDED TO: Codington Conservation District
 Units of Government
 Complainant
 Alleged Violator





Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

March 28, 1985

Tom Popham
117 NE 10 Ave
Watertown SD 57201

Dear Mr. Popham:

This letter is in reference to my visit with you last week and my investigation concerning the Damage Complaints filed with the Codington County Conservation District. It seemed that the major concern with the people I talked with was the lower lake levels that have occurred in your area and the question if this problem was associated with the irrigation occurring in the SE 1/4 of Section 12, T117N, R54W. You were the only one that also mentioned a concern with your well which is located approximately 2 miles to the north-east of the irrigation wells.

I have discussed this with the other staff members and we do not believe the irrigation withdrawals should have an effect on the lake levels or your well. The South Dakota Geological Survey is doing a study for Codington County and we will ask them to install additional observation wells in the area. This should provide us with some additional information and help us make a more precise determination.

Sincerely,

TIMOTHY G SCHAAL
Water Resources Engineer

TGS:ks

cc: Merritt Partlow
Codington County Conservation District
Box 943
Watertown SD 57201

South Dakota Department of
Water & Natural Resources

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

March 23, 1987

DEAN URBAN
RR 2 BOX 138
WATERTOWN, SD 57201

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

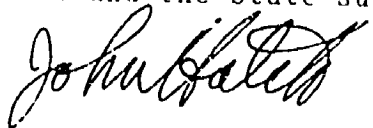
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4182-3, 2363-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires 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 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, 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). 4182-3, 2363-3 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.



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

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



Department of Water & Natural Resources

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

May 13, 1987

NOTICE OF AMENDMENT TO WATER PERMIT(s)

TO: DEAN URBAN
RR 2 BOX 138
WATERTOWN, SD 57201

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

SUBJECT: Amendment to Water Permit No(s). 4182-3, 2363-3

Pursuant to the provisions of the notice dated March 23, 1987, and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No(s). 4182-3, 2363-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in **SUSPENSION** of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Attachment to Water Permit No. 2363-3

Pursuant to the provisions of the notice dated March 23, 1987 and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No. 2363-3 to add the following qualification:

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

● **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.

3. Article Addressed to: DEAN URPON RR 2 BOX 138 WATERTOWN, SD 57201	4. Article Number P 576 309 750 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail
5. Signature — Addressee X <i>[Signature]</i>	Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature — Agent X	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery 5-14-87 <i>[Signature]</i>	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

December 9, 1987

R. E. & Ina C. Kahnke
405 5th Avenue, NW
Watertown, South Dakota 57201

Dear Mr. & Mrs. Kahnke:

Please find enclosed copies of Notice of Transfer of Water Permit forms. These forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 for each, total of \$5.00.

Upon receipt of the enclosed forms and the \$2.50 filing fee for each permit, the permits will be transferred to the proper name. 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.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Dec. 14, 1987

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

198 acres- S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 12, T117N, R54W

formerly owned by Dean Urban

has been transferred to R.E. Kahnke & Ina C. Kahnke
405 - 5th Ave. N.W. - Watertown, S.D. - 57201

(please include complete mailing address)

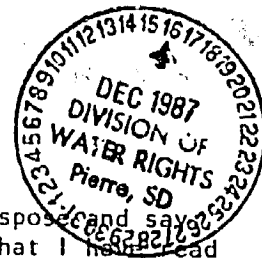
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2363-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Codington) ss.



I, R. E. Kahnke & Ina C. Kahnke being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

R.E. Kahnke & Ina C. Kahnke
(Signed)

Subscribed and sworn to before me this 14th Day of December, 1987.

[Signature]
(Notary Public)

My comm.

RECEIPT

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

411106

Pierre, December 15, 1937

RECEIVED OF R. E. Kahnke 405 5th Ave., NW Watertown, SD 57201

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2363-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (ms)

2245-3

**Department of
Water & Natural Resources**

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

WATER RIGHTS DIVISION
(605) 773-5352

December 22, 1987

R. E. Kahnke
405 5th Avenue NW
Watertown, South Dakota 57201

Dear Mr. Kahnke:

Enclosed are receipt Nos. 411103 and 411104 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 4182-3 and 2363-3.

Our records now show you as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

#2363-3
#4182-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

R.E. & Ina C. Kahnke
405 5th Ave. NW
Watertown, SD 57201

Dear Mr. and Mrs. Kahnke:

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;

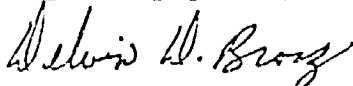


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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.

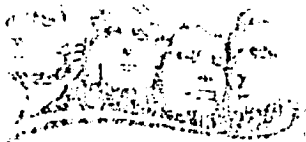
The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone 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,



for JOHN HATCH, Chief Engineer
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

2363-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 7, 1991

Ina Kahnke
405 5th Ave NW
Watertown, SD 57201

Dear Ms. Kahnke:

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 Nos. 2120-3, 2363-3 and 4182-3, has been completed. A Water License for Nos. 2120-3 and 4182-3 can now be issued (the applicable portions of No. 2363-3 will be incorporated into No. 4182-3).

Statutes require that we charge a \$50.00 fee for the inspection and issuance of each Water License. A total of \$100.00 (\$50.00 each) is due before we can begin processing the Licenses. South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the license fees have been paid.

Water Permit Nos. 2120-3, 2363-3, 2477-3, 2827-3, 4180-3, 4181-3, 4182-3 and 4183-3 should be transferred to your name. These are still listed under R.E. Kahnke. Enclosed are partially completed "Notice of Transfer of Ownership" forms. Please complete them and sign in the presence of a notary. Upon completion, return the forms to our office with a total of \$20.00 (\$2.50 each).

The total amount due for license and transfer fees is \$120.00. If you have any question, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412709

Pierre, June 17, 1951

RECEIVED OF Ina C. Kahnke, 405 5th Ave. NW, Watertown, SD 57201

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

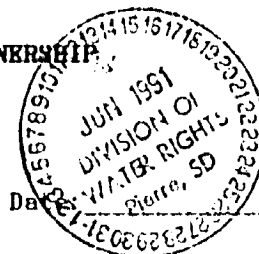
Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 2363-3		2 50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By *John H. Hatcher*
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

No. 2363-3

TO: Chief Engineer
Water Rights Division, DWNR
523 East Capitol
Pierre, SD 57501-3181



I/We request that Water Permit/Right No. 2363-3

formerly owned by: R.E. & Ina Kahnke

be transferred to: (name & address) Ina C. Kahnke
405-5th Ave. N.W. - Watertown, S.D. (telephone No.)

Title to the following described land(s)/property has been transferred as described above:
S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 12, T117N, R54W

I/We understand that the validity of Water Permit/Right No. 2363-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)
County of Codington)

I/We Ina C. Kahnke being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Ina C. Kahnke
(Signed)

Subscribed and sworn to before me this 11th day of June, 1991.

Rachel Stearns
(Notary Public) 11-31-92
Comm exp-

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water 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.

South Dakota



GREAT FACES. GREAT PLACES.

August 29, 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

No. 2363-3

Ina C. Kahnke
405 5th Ave. NW
Watertown, SD 57201

Dear Ms. Kahnke:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 2363-3.

Our records now show you as the owner of Water Permit No. 2363-3.

Sincerely,

Cheryl F. Frost

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

enclosure



2363-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 5 1992

4182-3

Ina C. Kahnke
405 5th Ave. NW
Watertown, SD 57201

Dear Ms. Kahnke:

Enclosed is Water License No. 4182-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412714 in the amount of \$52.50 which you paid for the inspection and issuance of the Water License and the "Notice of Transfer of Ownership."

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. 4182-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

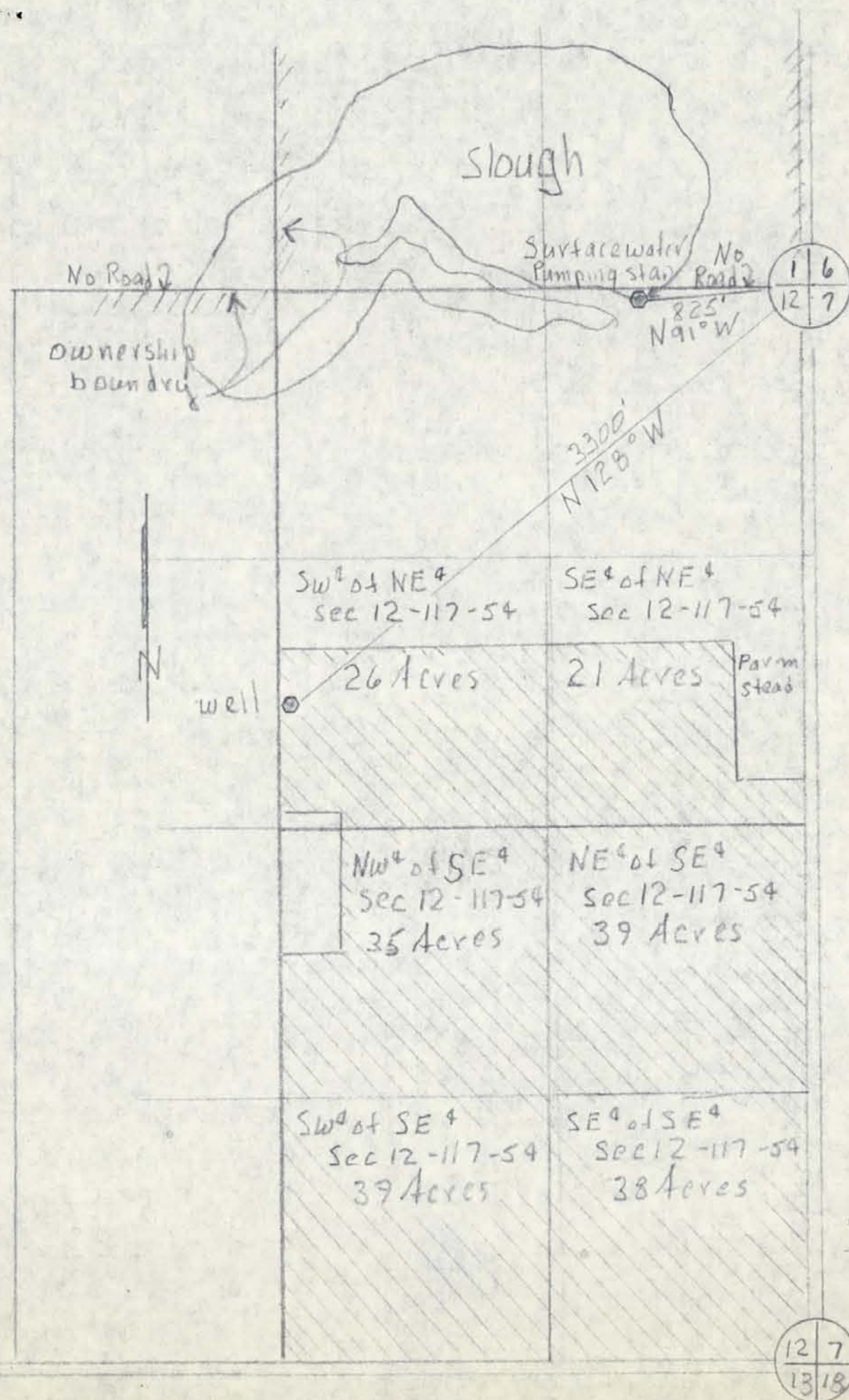
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Permit No. 7363-3 are incorporated into Water License No. 4182-3.



KEITH KRUTHOFF

IRRIGATION PROJECT #1

Florence 57235 So. Dakota
Cadington County

Acre Irrigated 198

Water Claimed - 2.83 cfs

Two Points of Diversion:

#1 - Surface water 825' N 91° W of NE corner Sec 12-117-54

#2 - Well 3300' N 128° W of NE corner of Sec 12-117-54

Cross hatch indicates Irrigated area

Section 12 - T 112 N - R 54

Surveyors Certificate

I, John L. Wiersma, do hereby certify that this map identifies a reasonably accurate record of the land of:

Keith Kruthoff

Florence 57235 South Dakota

Drawn by SLW

John L. Wiersma

Sept 22, 1975

P.E. H 1916

Brookings S. Dak

~~MAP 121742-3~~ APRIL NO 2368-3

NOT TO SCALE

2363-3

117-54

677-61L

47.1

12

132.3

132.3

120.7

6.0

4.3

117-54

~~map 1742-3~~

map. 2363-3

NOT TO SCALE

117-54

677-612

47.1

X

12

132.3

132.3

120.7

117-54

6.0

4.3