

Water Right Number 2369-3

1. Considered NOV. 12, 19 75
2. Name of Applicant KENNETH A. MADOLE
3. Post Office Address WILLMAR, MINNESOTA
4. Amount of water claimed 2.20
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in BON HOMME County
about 6S, 6E Miles 16 of TYNDALL
8. Proof of Publication Received 16
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 2369-3Map No. 1748-3 Water Division No. 3 MISSOURI RIVER District
(Blanks to be Filled by the Engineer for the W. D. C.)

APPLICATION FOR PERMIT

8.58

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Kenneth A. Madole & Joyce M. Madole
 Postoffice address 1459 Grace Ave. Willmar State Minnesota 56201
 If a corporation show date and place of incorporation N.A.
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Irrigation (Kenneth A. Madole)
4. Amount of water claimed (cubic feet per second) 2.20 C.F.S. (Max.)
5. Source of water supply ~~Lewis & Clark Lake~~ (Missouri River)
6. Location of point of diversion A point on the shore of ~~Lewis & Clark Lake~~ (Missouri River)
between 1400 & 1600 feet West of the East line section 13 in the S.E. 1/4
of Section 13, T. 93 N., R. 59 W. County Bon Homme
7. Annual period or periods during which water is to be used May 1, to Sept. 1,
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 160

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.
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec 12 T93N R59W 40A.	
SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec 12 T93N R59W 40A.	
NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec 12 T93N R59W 40A.	
NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec 12 T93N R59W 40A.	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Tyndall Tribune & Register
Tyndall, South Dakota
12. Principal Features of the Proposed Water Supply System.

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

Steel or concrete intake structureSteel intake pipe to pumpAll to be placed in Lewis & Clark Lake (Missouri River)B. Works proposed to transport water to place of use. Electric or diesel or gas driven pump ofadequate size to deliver min. of 900 GPM to center irrigation hub tobe located at center of SE $\frac{1}{4}$ Sec 12 T-93N R59W plastic pipe system ofadequate capacity for the same.

C. Works proposed to apply water to beneficial use.

Overhead center hub sprinkling systemEstimated Total Cost \$ 80,000.00Attachments - 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 MINNESOTACounty of RANDIYOHI KENNETH A. MADOLE 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 Kenneth A. MadoleSubscribed and sworn to before me this 1st day of October, 1975RICHARD L. FARNON
NOTARY PUBLIC - MINNESOTA
RANDIYOH COUNTY

Notary Public (or other qualified officer)

North 1/2 mile
than land NE to corner
of SE 1/4 of #1

R 59 W

N

T
93
N

NW 1/4 SE 1/4
SEC. 12

NE 1/4 SE 1/4
SEC. 12

SW 1/4 SE 1/4
SEC. 12

SE 1/4 SE 1/4
SEC. 12

Booster Pump

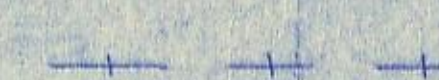
12.7
13.18



LAND TO BE IRRIGATED



PIPELINE



ALTERNATE PIPELINE

(To be used if EASEMENTS
ARE SECURED)

ALL LANDS DESCRIBED ARE OWNED BY K.A. MADOLE

LOCATION OF LANDS TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NW 1/4 SE 1/4	12	93	59	40
NE 1/4 SE 1/4	12	93	59	40
SW 1/4 SE 1/4	12	93	59	40
SE 1/4 SE 1/4	12	93	59	40
TOTAL				160

10" PVC PIPE

S 21° 29' W
4280'

E 1/4 Corner

Pump
Site

LEWIS & CLARK LAKE

SCALE 1"=400'

KENNETH A. MADOLE
IRRIGATION PROJECT
BON HOMME CO. SOUTH DAKOTA
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn		Title
Traced		Title
		Drawing No

MAP NO 1748-3 (APPL NO 2369-3)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2369.3KENNETH A. & JOYCE M. MADOLE
(Applicant)1459 GRACE AVE, WILLMAR
(Post Office Address)MINNESOTA 56201
(State)

With the following modifications:

Date of first receipt of application OCTOBER 6 19 75Date of return to applicant for correction, amendments or changes required — 19 —Date of receipt of corrected application — 19 —Approved NOVEMBER 13 19 75 Recorded in Book 14 Page 164WATER RIGHT PERMIT NO. 2369.3The Water Rights Commission hereby grants and issues this Water Right Permit No. 2369.3 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 OCTOBER 6 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 80
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 2.20 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 80; said water to be used during the following described annual period: MAY 1 TO SEPTEMBER 1

Witness my hand this 2ND day of DECEMBER 19 75

WATER RIGHTS COMMISSION

John H. H. H.
Chief Engineer, Executive OfficerCertificate of Construction Issued FEBRUARY 12 19 80Water License Issued FEBRUARY 12 19 80

Publish first publication, on or before October 30, 19 75NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 6, 19 75

Kenneth A. and Joyce M. Madole

Notice is hereby given that

whose post office address is Willmar, Minnesota, ~~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 use2.2 cubic feet of water per second of time from the Missouri River through theMadole Irrigation Project, the point of diversion of which is to be located in theNW 1/4 SE 1/4of Section 13, Twp. 93N, Range 59W. Said water to be used for the purpose of providing irrigation on the following described land:SE 1/4, Section 12, T93N, R59WThis application No. 2359-3 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of November, 19 75, 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: Kenneth A. Madole, 1459 Grace Ave., Willmar, Minnesota 56201

Affidavit of Publication

State of South Dakota }
County of Bon Homme } SS

Wayne L. Beithard Being first duly sworn says that the Tyndall Tribune and Register is a legal weekly newspaper for publication of legal and other official notices as required by Chapter 298 of the Session Laws of South Dakota, 1939; that it has bona fide paid circulation of more than two hundred copies weekly; that it is published in English language in the City of Tyndall, Bon Homme County, South Dakota, and has been admitted to the United States mail under second class mailing privilege for more than one year prior to the first publication of the notice herein mentioned, and that it is printed in an office maintained at the place of publication at Tyndall, South Dakota, and that deponent is the publisher in charge of the advertising department of said newspaper; that the advertisement headed

Notice - Intent To Appropriate
Water

33 @ 13.8 + 80% x 1

a printed copy of which is hereto attached, was printed and published in said newspaper for two successive weeks, upon the following dates:

<u>Oct 23</u>	<u>19 75</u>		<u>19</u>
<u>" 30</u>	<u>19 75</u>		<u>19</u>
.....	<u>19</u>		<u>19</u>
.....	<u>19</u>		<u>19</u>

That the full amount of the fee charged for the publication of said notice, 8.19, inures to the benefit of the publisher of said newspaper, that no agreement or understanding for the division thereof has been made with any other person, and that no part has been agreed to be paid to any person whomsoever.

Wayne L. Beithard

Subscribed and sworn to before me this

30th day of Oct. 19 75

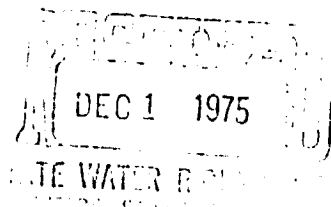
Mary D. Beithard
Notary Public, South Dakota

NOTICE INTENT TO APPROPRIATE WATER

Notice is hereby given that Kenneth A. and Joyce M. Madole whose post office address is Willmar, Minnesota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from the Missouri River through the Madole Irrigation Project, the point of diversion of which is to be located in the NW 1/4 SE 1/4 of Section 13, Twp. 93N, Range 59W. Said water to be used for the purpose of providing irrigation on the following described land:

SE 1/4, Section 12, T93N, R59W. This application No. 2369-3 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
BURTON F. JONES
Water Rights Specialist
(Oct. 23 and 30)





DEPARTMENT OF THE ARMY
OMAHA DISTRICT, CORPS OF ENGINEERS
6014 U.S. POST OFFICE AND COURT HOUSE
OMAHA, NEBRASKA 68102

RECEIVED

MAR 12 1976

DEPT. OF INTERNAL
RESOURCE DEVELOPMENT

9 March 1976

MROOP-N
SD 2SB OXT 1 000609
Kenneth A. Madole
Intake Structure
Missouri River Mile 825.70L (1960 Mileage)

NOTICE OF PERMIT PENDING

The application of Kenneth A. Madole, 1459 Grace Avenue S.W., Willmar, Minnesota 56201 for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Engineer District, Omaha, Nebraska.

The applicant requests permission to construct two irrigation intake structures in Lewis and Clark Lake. The proposed work will consist of constructing a platform at elevation 1211, installing two, fifty horsepower electrical pumps and two twelve inch steel intake pipes approximately 100 feet into the water. The purpose of the intake structures is to provide irrigation water to approximately 400 acres.

An environmental assessment of the proposed activity has been made and is on file in this office. The assessment indicates that no significant adverse impacts on the human environment will occur. Based on this finding, a preliminary determination has been made that an environmental impact statement will not be required.

In compliance with the National Environmental Policy Act of 1969 and Section 106 of the National Historic Preservation Act of 1966, the National Register of Historic Places and monthly supplements thereto have been consulted and no properties included therein will be affected by this activity. However, presently unknown archeological, scientific, prehistoric, or historic data may be lost or destroyed by work to be accomplished under the requested permit.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, and in general the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

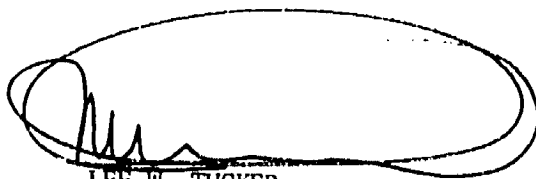


Any interested party (particularly officials of any town, city, county, state, federal agency, or local association whose interests may be affected by the proposed work) is invited to submit to this office written facts, arguments, or objections on or before 8 April 1976. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons.

A permit, if granted, will be under Section 10 of the River and Harbor Act of 1899 (30 Stat. 1151; 33 USC 403).

Drawings showing the location and extent of the work are attached to this notice.

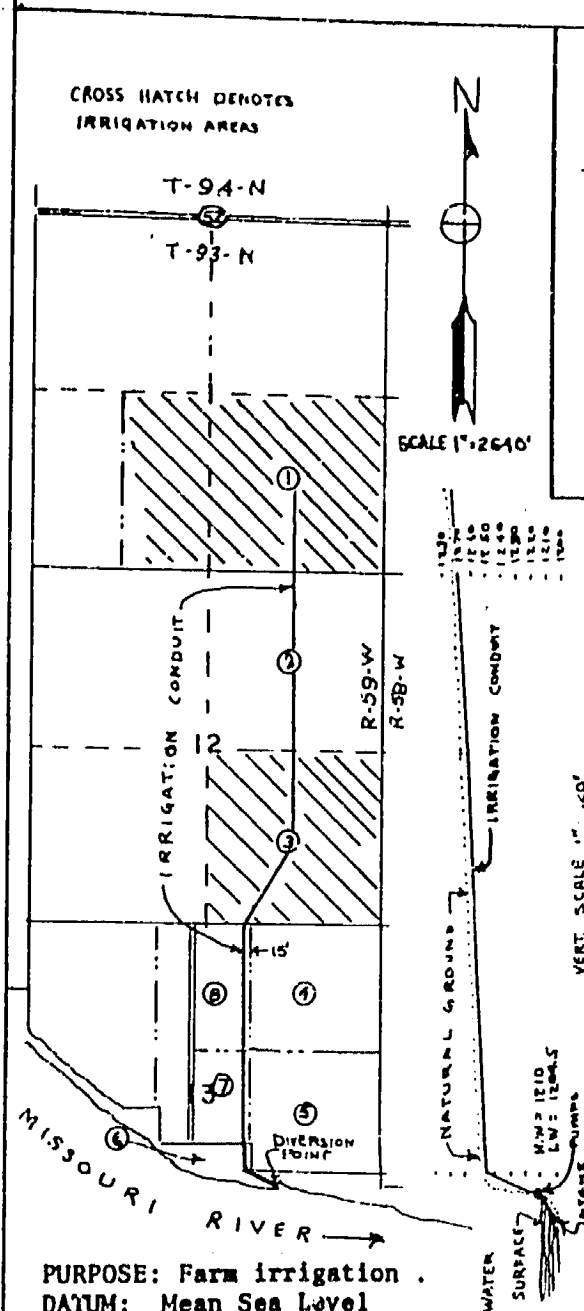
FOR THE DISTRICT ENGINEER:

A handwritten signature in dark ink, appearing to read 'LEE W. TUCKER', enclosed within a large, hand-drawn oval.

LEE W. TUCKER
LTC, Corps of Engineers
Deputy District Engineer

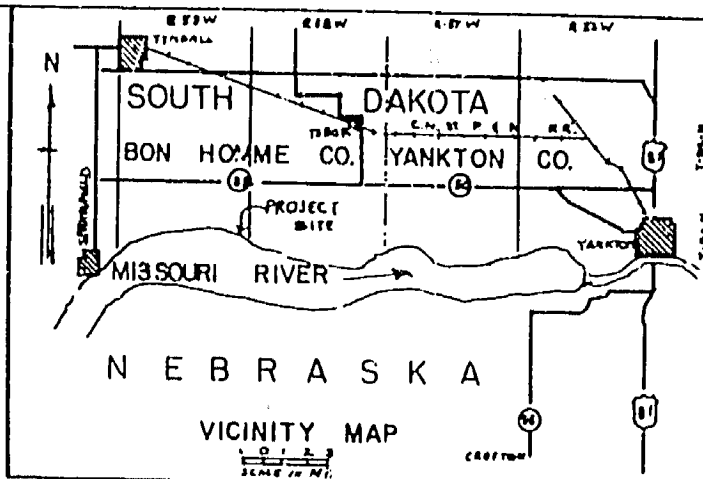
Attachment
As stated

SD 2SB OXT 1 000609



PURPOSE: Farm irrigation .
DATUM: Mean Sea Level
ADJACENT PROPERTY OWNERS:

- | | |
|---------------------------------|--------------------|
| ①. D.S. Madole & Jean Carlstrom | ⑤. Joseph Blachnik |
| ②. Ann Harrison | ⑥. U.S. Govt. |
| ③. K.A. Madole/J.M. Madole | ⑦. Stiny J. Carda |
| ④. Fred, Paul, John Blittler | ⑧. Edna Navartil |
| ⑤. Joseph Blachnik | |



NOTES:

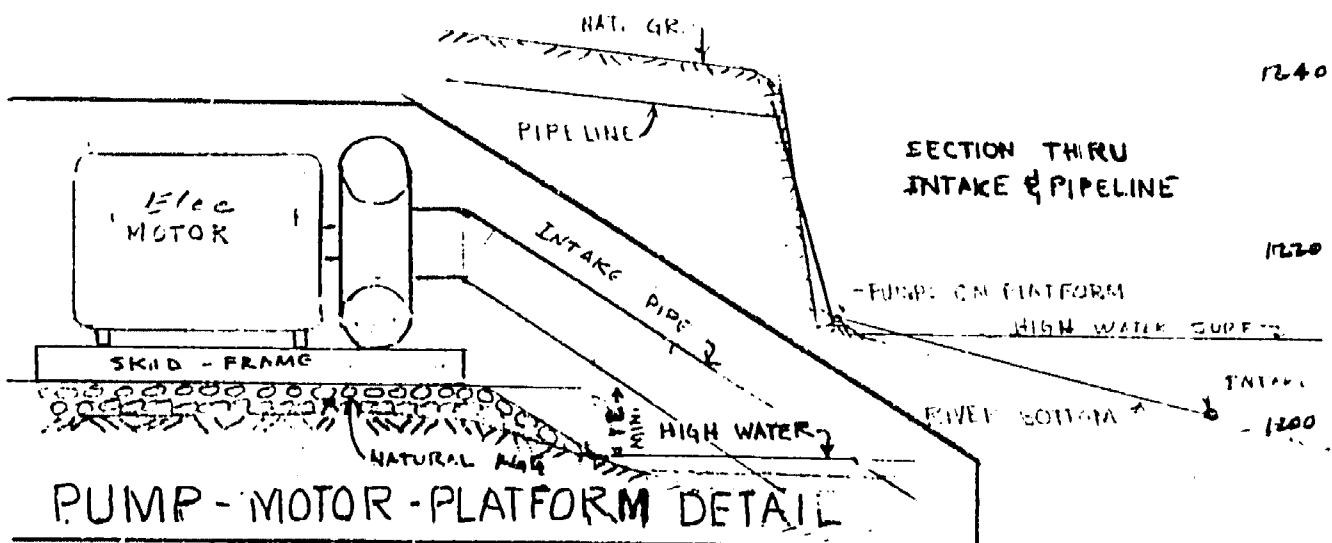
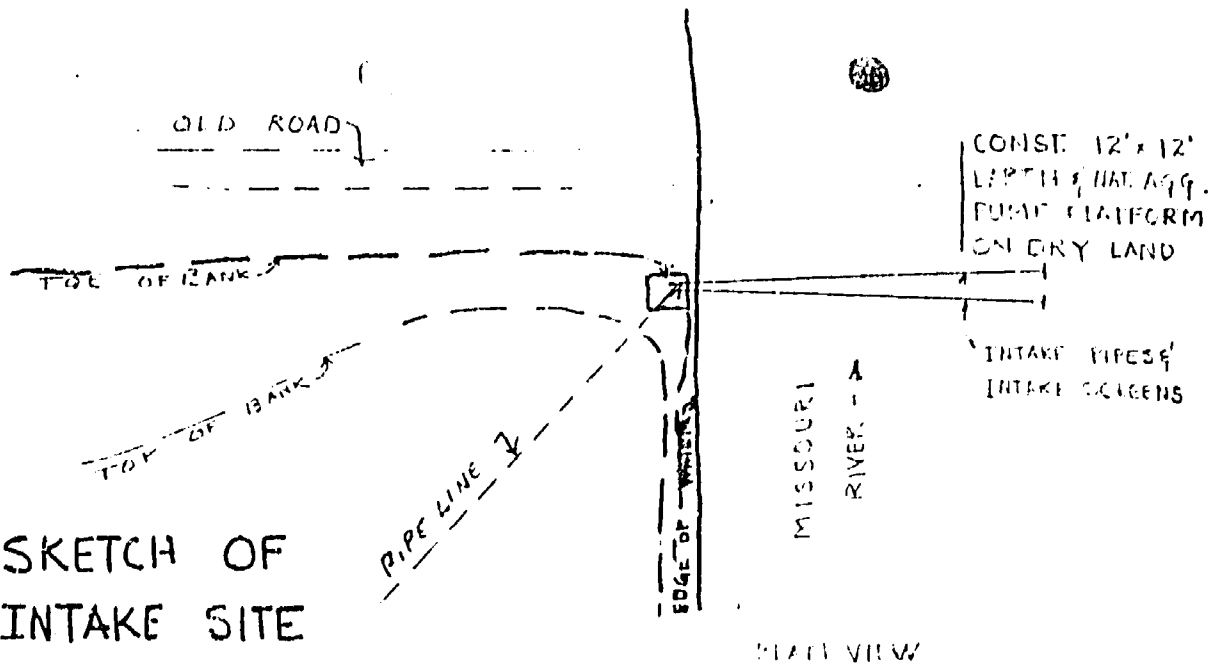
1. Place maximum of 3-12" dia. steel intake approx. 100' length & attached intake screen in river below elevation 1210.
2. Place maximum of 2 pumps & 50 H.P. elec. motors, skid or trailer mounted on earth platform with agg. riprap as necessary adj. to river Approx. elev. 1211.
3. Burry. Approx. 5' below Nat. Gr. steel or P.V.C. irrigation conduit, max. of 12" dia. from pump to parcel 3 or parcel 1.
4. Burry 460 volt, 3 phase elec. service from nearest power pole to pump platform. Provide plug in type connectors at motors.
5. Pumps, motors, intake pipe & screen will be subject to removal on a seasonal basis.
6. U.S. Govt. to provide right to place and maintain system with minimum of 1' easement on all sides of system or appurtenances & the right of ingress or egress from public road westerly of irrigation line.

PROPOSED DIVERSION:

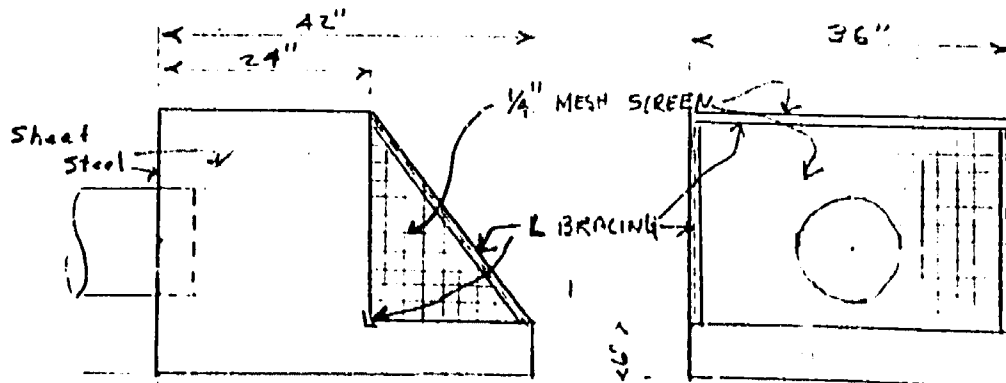
From: Missouri River
In Sec. 13 T 93 N R 89 W
Bon Homme County, South Dakota
Application By: K. A. Madole

Sheet 1 of 2 DATE: 11/26/75

SKETCH OF INTAKE SITE



INTAKE - SCREEN DETAIL



NOTE:

1/4" MESH SCREEN
WITH .135" ϕ WIRE
PROVIDES 42.2%
EFFECTIVE AREA.
SCREEN AREA APPROX
16.5 $\square'$ =
0.266 c.f.s.

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

1459 Grace Ave. SW

Willmar, MN 56201

DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT
DIVISION OF WATER RIGHTS
JOE FOSS BUILDING

Post Office _____

Date: January 7, 1977

TO: ~~Water Right~~ PIERRE, SOUTH DAKOTA 57501
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2369-3.

Water Right Permit No. 2369-3 states that the diversion system is to be constructed by _____, 19____ and that the water is to be put to beneficial use by _____, 19____.

The diversion system was completed on 6-20, 1976. Applying the water to beneficial use was completed on 6-20, 1976.

* You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

K. A. Muelke

(Signature)

* Final shaping of slopes has not been completed and is not anticipated before June 1, 1977.



Permit No. 2369-3Water Division 3 Missouri River Water DistrictREPORT 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 Kenneth A & Joyce Madole of 1459 Grace Ave. Willmar, Minn. 56251 holder of Permit No. 2369-3, bearing date of priority of October 6, 1975 authorizing the diversion of 2.20 cu. ft. per second of the waters of Missouri River for Irrigation purposes, in Ben Hurme 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: Pumps at River

East Pump = 215 Elec., ID# 9403091-360 BR 21917, 50 HP. 1765 RPM
 Pump Jacc 221 Ser # 607-22164, Model 50EM5-T/E. Pumping 900 gpm
 West Pump = 215 Elec. ID# 9404349-414 BR 21080, 50 HP. 1765 RPM
 Pump Jacc 221, Ser # C7167, Model 50EM5-T/E Pumping 900 gpm

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

4250 ft 10" PVC pipe

C. Works used to apply water to beneficial use.

Electro generator Center Pivot, Model 2-GE5 - Ser # 4760.3247
 Booster pump at CP = Motor - 215 Elec., 40 HP. 1765 RPM.
 ID# 9603602-537 BR 22631. Pump Jacc 221, Model 54 OEM5-T/E Ser # 60722170

The system is in the following condition: Good

The point of diversion is located 1300 ft S + 1570 ft W of the E 1/4 Cor. Sec 13 T93N R59W

The works are capable of diverting and conveying to the place of use 4.0cu. 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 in Sec 12, T93N R59W

NW 1/4 SE 1/4 - 33 Ac., NE 1/4 SE 1/4 - 33 Ac., SW 1/4 SE 1/4 - 33 Ac., SE 1/4 SE 1/4 - 33 Ac.

comprising a total of 1.32 acres of land.

1.32 x 70 = 1.87 cfs
 1.87 x 70 = 1.87 cfs

Permit #24 20-3 uses same pumps & site
 and pipelines

Date October 10, 1979
Larry J. McManis
 (Signature)

Permit No. 2369-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Kenneth A. & Joyce M. Madole

_____ the holder _____ of
Permit No. 2369-3, issued upon Application No. 2369-3, bearing date of priority of October 6,
1975 authorizing the diversion of 2.20 cu. ft. per second of the waters of
the Missouri River County of Bon Homme, State of South Dakota at
a point 1300 feet south and 1530 feet west of the East 1/4 corner,
Section 13, T93N, R59W
_____ for irrigation

purposes, has va complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 4.0 cu. ft. per second of water.

Date February 12, 1980


JOHN HATCH, Chief Engineer
Water Rights, WND

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2369-3

(1) WHEREAS, On the 6th day of October A. D. 19 75
Kenneth A. and Joyce H. Madole

made Water Right Application No. 2369-3 for a permit to use 2.20 cubic feet per second of the waters
of the Missouri River

County of Bon Homme, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 13th day of November A. D. 19 75

Permit No. 2369-3, with a date of priority of October 6, 1975

was issued to said applicant s for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 13th day of November A. D. 19 80 and for the
application to beneficial use of said water on or before the 13th day of November A. D. 19 80

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 1.89 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 lands all in Section 12, T93N, R59W

NW 1/4 SE 1/4 33 acres

NE 1/4 SE 1/4 33 "

SW 1/4 SE 1/4 33 "

SE 1/4 SE 1/4 33 "

TOTAL 132 acres

NOTE: Permit No. 2430-3 uses the same pumps, site and pipelines

(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 Kenneth A. and Joyce M. Madolo

_____ of Fillmar, Minnesota

the holder s and owner s of said permit No. 2369-3 a water right, dating from October 6, 1975

_____ to use of 1.89 cubic feet per second of the waters

of the Missouri River

in the County of Bon Homme and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point 1300 feet south and 1530 feet west of the

East 1/4 corner Section 13, T93N, R59W

and conduct to and upon portions of land in Section 12, T93N, R59W more fully

described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2369-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

12th February

this _____ day of _____ A. D.

Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch
Chief Engineer, JOHN HATCH

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7293

PIERRE, February 4, 1980

RECEIVED OF Kenneth A Madole 1452 Grace SW, Willmar, MN 56201
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. 2369-3	1	10
Fee for inspecting Beneficial Use, and Issuing Water License No. 2228		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law) .		
TOTAL	1	00

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer
JOHN HATCH (gy)

**Department of
Water & Natural Resources**

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

February 17, 1989

Kenneth A. Madole
804 Meadow View
Northfield, MN 55057

Dear Mr. Madole:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

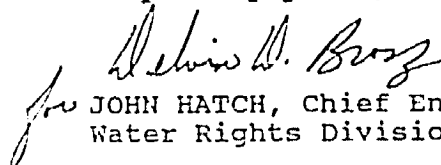


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 26, 1998

2369-3

Kenneth A Madole
612 Thye Ct
Northfield, MN 55057

Dear Mr. Madole:

Enclosed is a "Notice" dated October 16, 1998 concerning the 1998 irrigation questionnaire. The notice was originally mailed to 804 Meadow View, Northfield, MN. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures

NOT TO SCALE

Permit No
2430-3

93-59

3-84

Permit #
2369-3

93-59

93-59

Pump site

Center Pivot
Booster Pump

E 1/4 Corner
1005'

1530'

Kenneth A. &

Donald S. Madole &



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

September 22, 2009

2369-3

Marlin Krohn
Hertz Farm Management
100 N 34th St Suite F
Norfolk NE 68701

Dear Mr. Krohn:

Thank you for contacting us regarding Water Right No. 2369-3 listed in the name of Ken Madole. It is my understanding based on our phone conversation that Hertz Farm Management will now be managing irrigation of the land.

Enclosed is a copy of the water right for your review. This will give you an idea of what is authorized for irrigation. Also included are irrigation questionnaires from 2004 through 2008.

I have listed your contact information in the database to allow the yearly irrigation questionnaire to be mailed directly to you. The 2009 forms will be mailed out in mid October and will be due back in our office by December 1st.

If you have any questions, please contact me.

Sincerely,

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

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

July 17, 2013

Gary M. Ledbetter
Natural Resource Manager
PO Box 710
Yankton, SD 57078

Dear Gary:

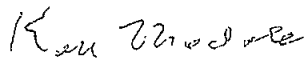
Owner of irrigator Kenneth A. Madole and Keith Dvoracek have changed their irrigation pumping equipment on the Missouri River, Lewis & Clark Lake SD mile 825.70L, 13-93N-59W, permit # SD -1-0609.

The equipment changes that will be made:

- Floating pump system
- 125HP motor & Berkley pump
- 60HP motor & Berkley pump
- Electrical cabinets and additional buried wire
- 12" water hookup

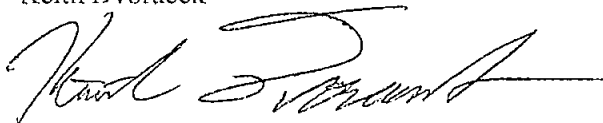
Technical data of pumps will be provided as it becomes available.

Sincerely,



Ken Madole

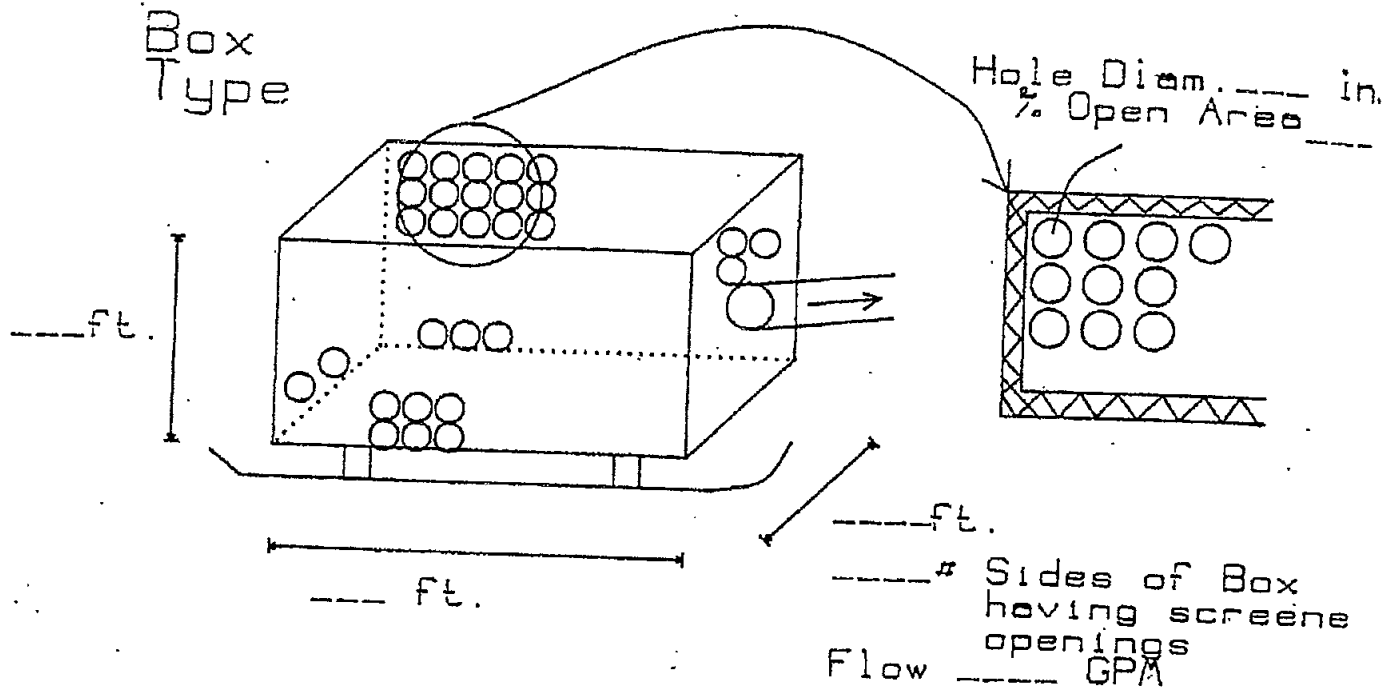
Keith Dvoracek





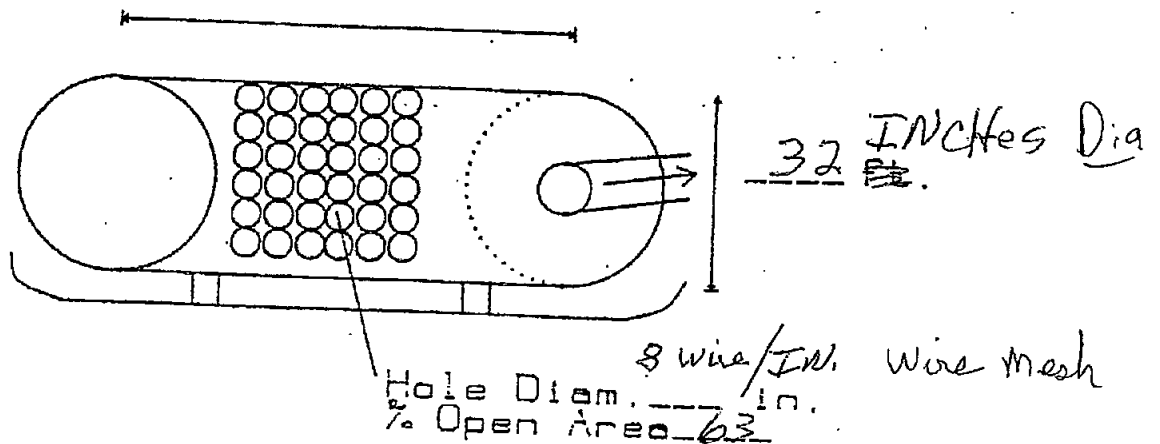


Screen Detail



OR

Cylinder 4 ft.



Dave and Joanne Dvoracek
42004 310th Street
Springfield, SD 57062

PURPOSE:

DATUM:

ADJ. PROP. OWNERS:

IN:
AT:
COUNTY OF:
APPLICATION BY:
STATE:
SHEET OF DATE:



Type "B" Single Stage Centrifugal Pump Electric Motor Drive

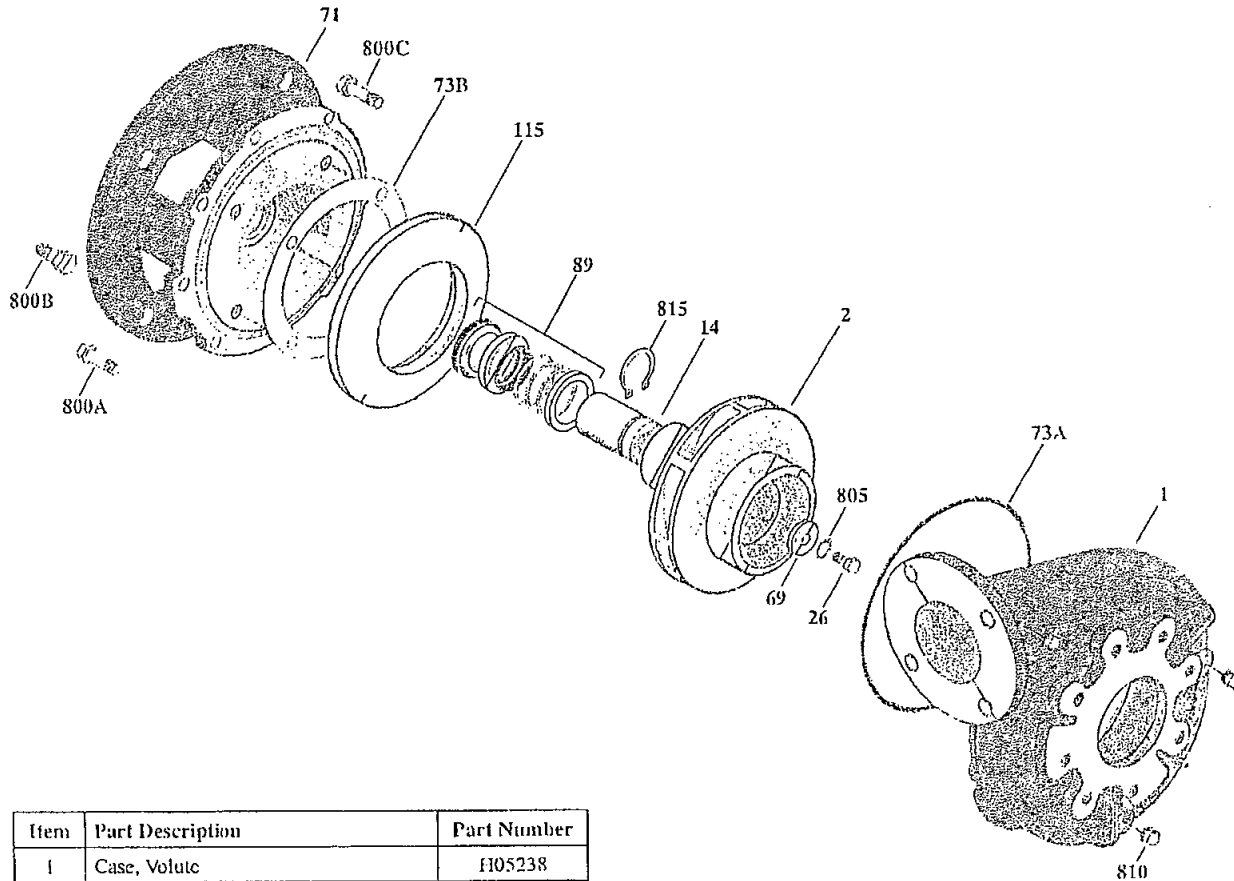
Section	CC
Page	200.10
Date	July 1, 2011
Supersedes 1/1/04	

BRONZE IMPELLER

B3ZPBHS

Flanged Case

Mechanical Shaft Seal Construction



Item	Part Description	Part Number
1	Case, Volute	F105238
2	Impeller	See Table I
14	Sleeve, Shaft	M09669L
26	Screw, Impeller 1/2 - 13 x 1-1/2"	S23623
32	Key, 3/8 x 2-1/4" (See Note 1)	S23940
69	Washer, Impeller	S18801
71	Bracket	See Table II
73A	O-Ring (See Note 2)	M14943
73B	Gasket, Balance Ring	S09943
89	Seal, Mechanical Shaft	S39264
115	Ring, Balance	S19911
800A	Cap screw, 3/8 - 16 x 1" (12 Req.)	S26826
800B	Cap screw, 5/8 - 11 x 1-1/2" (4 Req.)	S26999
805	Washer, Lock	S23038
810	Plug, Pipe (4 Req.)	S23715
815	Ring, Retaining	S18136

Table I

B/M No.	HP	PH	RPM	"U" Dim.	Imp. Dia.	Imp. No.
B76762	75	3	3600	1-5/8"	9.00"	M11549

Table II

HP	PH	Bracket No.	"AK" Fit	"U" Dim.	Motor Frame
75	3	1104088	12-1/2"	1-5/8"	364JP

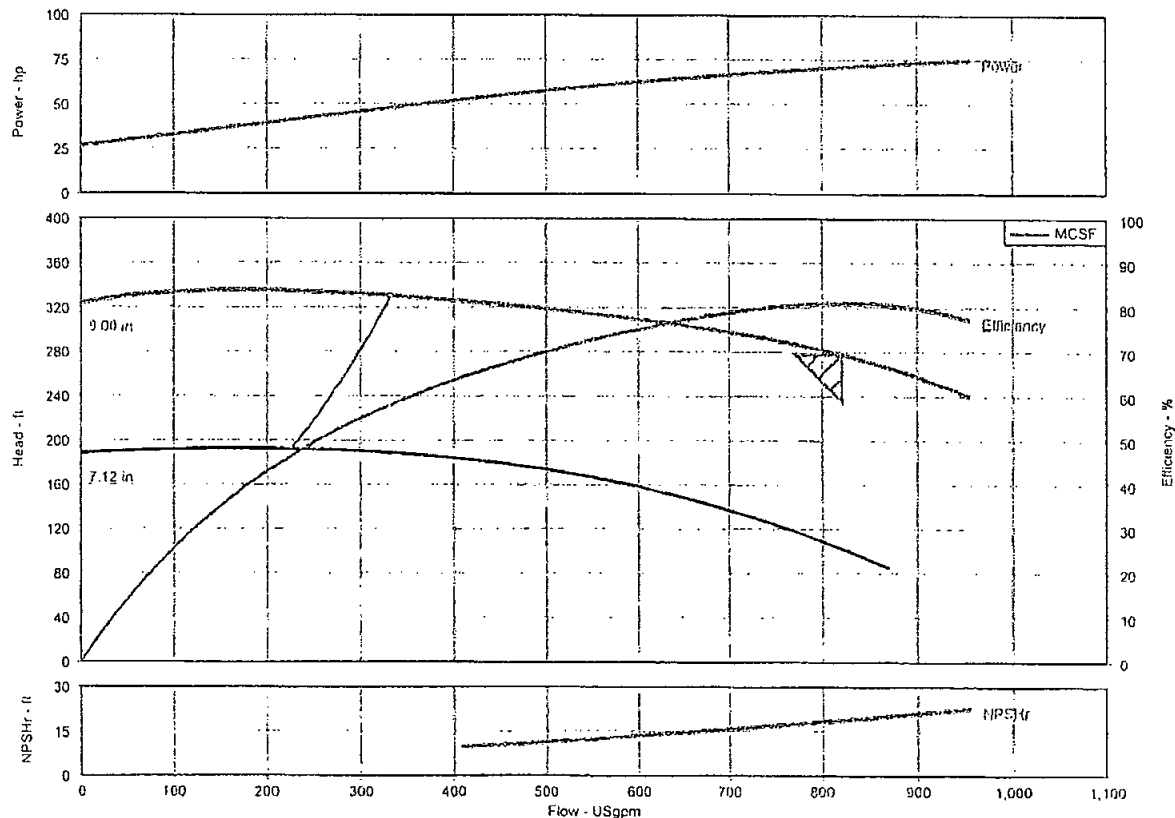
NOTE 1: For an explanation of the tabulated material found on this page and for impeller key location, refer to *Supplement A* located at the beginning of this section.

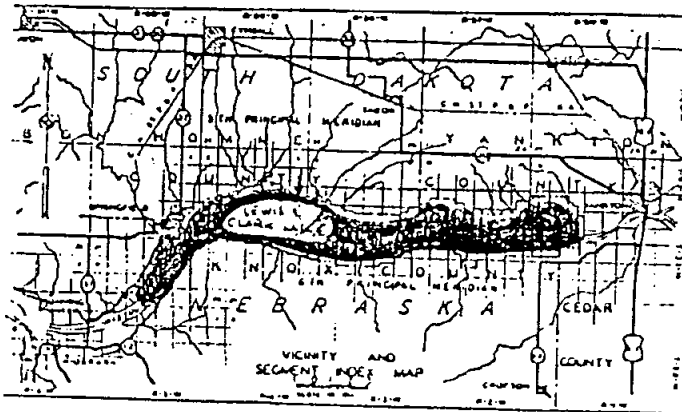
NOTE 2: Also accepts gasket S05126 as replacement for o-ring. See *Supplement E* located at the beginning of this section.

Form No. S4855HK

Pump Performance Datasheet

Customer	:		Quote number	:	
Customer reference	:		Size	:	3 x 4 x 9 BH (B3ZPBH)
Item number	:	Default	Stages	:	1
Service	:		Based on curve number	:	8512
Quantity	:	1	Date last saved	:	12 Aug 2013 3:18 PM
Flow, rated	:	820.9 USgpm	Liquid type	:	--Water
Differential head / pressure, rated (requested)	:	277.6 ft	Additional liquid description	:	
Differential head / pressure, rated (actual)	:	277.6 ft	Solids diameter, max	:	0.00 in
Suction pressure, rated / max	:	0.00 / 0.00 psi.g	Solids concentration, by volume	:	0.00 %
NPSH available, rated	:	Ample	Temperature, max	:	68.00 deg F
Frequency	:	60 Hz	Fluid density, rated / max	:	1.000 / 1.000 SG
	:		Viscosity, rated	:	1.00 cP
	:		Vapor pressure, rated	:	0.00 psi.a
Speed, rated	:	3,550 rpm		:	
Impeller diameter, rated	:	9.00 in	Material selected	:	Not specified
Impeller diameter, maximum	:	9.00 in		:	
Impeller diameter, minimum	:	7.12 in	Maximum working pressure	:	145.2 psi.g
Efficiency	:	81.04 %	Maximum allowable working pressure	:	250.0 psi.g
NPSH required / margin required	:	18.79 / 0.00 ft	Maximum allowable suction pressure	:	N/A
nq (imp. eye flow) / S (imp. eye flow)	:	29 / 218 Metric units	Hydrostatic test pressure	:	N/A
MCSF	:	332.7 USgpm		:	
Head, maximum, rated diameter	:	335.5 ft	Driver sizing specification	:	Rated power
Head rise to shutoff	:	16.73 %	Margin over specification	:	0.00 %
Flow, best eff. point (BEP)	:	820.9 USgpm	Service factor	:	1.00
Flow ratio (rated / BEP)	:	100.00 %	Power, hydraulic	:	57.54 hp
Diameter ratio (rated / max)	:	100.00 %	Power, rated	:	71.01 hp
Head ratio (rated dia / max dia)	:	100.00 %	Power, maximum, rated diameter	:	74.88 hp
Cq/Ch/Ce [ANSI/HI 9.6.7-2010]	:	1.00 / 1.00 / 1.00	Minimum recommended motor rating	:	75.00 hp / 55.93 kW
Selection status	:	Acceptable		:	





IRRIGATION PIPELINE SYSTEM

IN

Sections 1, 12, and 13

T. 93 N. ; R. 59 W.

Bon Homme County

South Dakota

with center pivots

in

SE $\frac{1}{4}$ Sec. 1 & SE $\frac{1}{4}$ Sec. 12

Parcel D
Edna Irene Navratil
210 Race
Tyndall, South Dakota 57058

Parcel E
Virgil R. Reigle
R.R. Springfield
South Dakota 57062

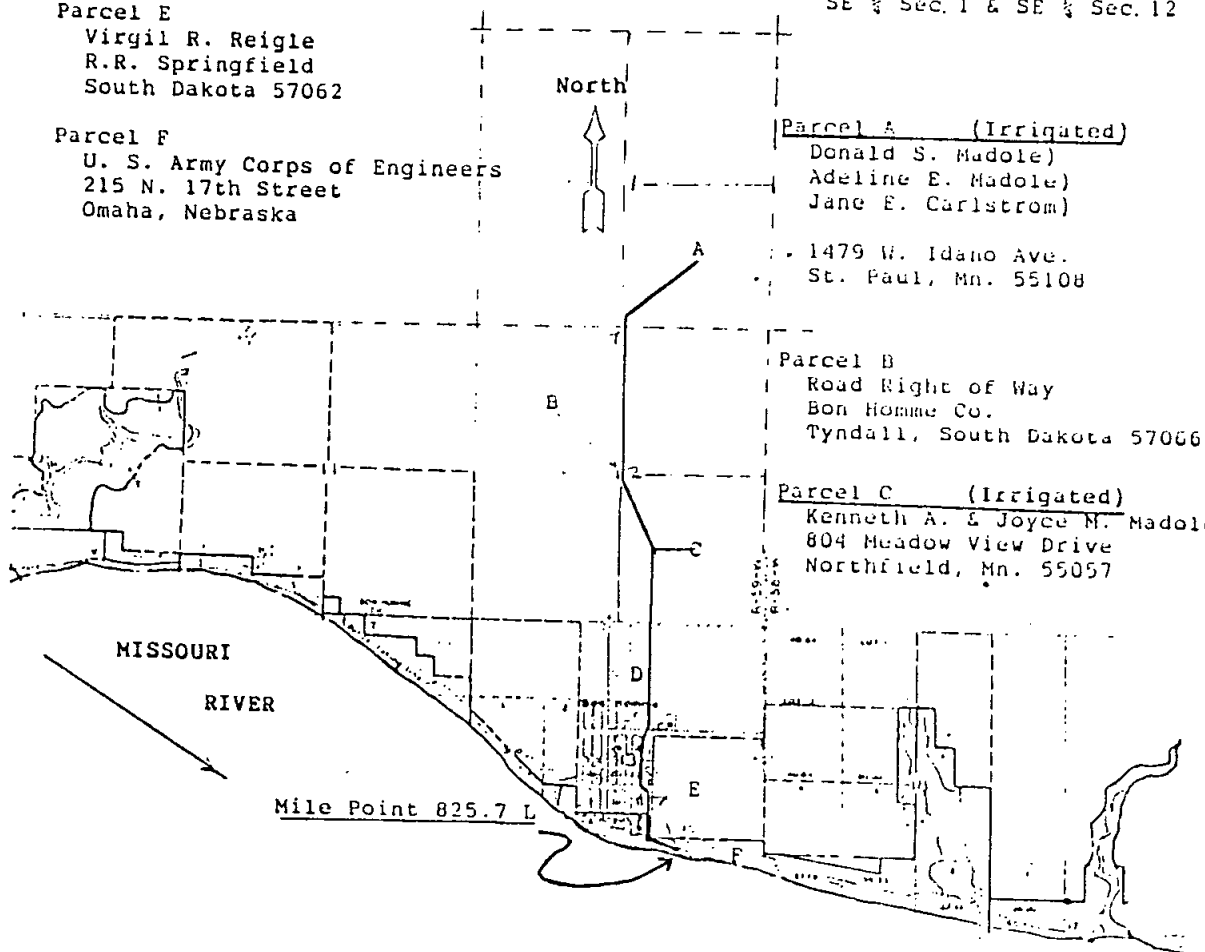
Parcel F
U. S. Army Corps of Engineers
215 N. 17th Street
Omaha, Nebraska

Parcel A (Irrigated)
Donald S. Madole)
Adeline E. Madole)
Jane E. Carlstrom)

1479 W. Idano Ave.
St. Paul, Mn. 55108

Parcel B
Road Right of Way
Bon Homme Co.
Tyndall, South Dakota 57066

Parcel C (Irrigated)
Kenneth A. & Joyce M. Madole
804 Meadow View Drive
Northfield, Mn. 55057



PURPOSE: Irrigation Intake

DATUM

ADJACENT PROPERTY OWNERS:

1

2

IN MISSOURI RIVER (LEWIS & CLARK LAKE)
AT MILE 825.70

COUNTY OF BON HOMME STATE SD
APPLICATION BY KENNETH A MADOLE



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
SOUTH DAKOTA REGULATORY OFFICE
28563 POWERHOUSE ROAD, ROOM 118
PIERRE, SOUTH DAKOTA 57501-6174

September 18, 2013

South Dakota Regulatory Office
28563 Powerhouse Road, Room 118
Pierre, South Dakota 57501

Kenneth Madole
612 Thye Court
Northfield, Minnesota 55057

Dear Mr. Madole:

Reference is made to your application for a Department of the Army permit to install an agricultural irrigation intake system consisting of twin floating electrical pumps with stainless steel intake screens and 12' diameter discharge pipelines in the Missouri River/Lewis and Clark Lake (at mile 825.70), located in the Southeast ¼ of Section 13, Township 93 North, Range 59 West, Bon Homme County, South Dakota. This system replaces the originally authorized intake system at the pump site.

Based on the information submitted, the irrigation intake system, as described on the enclosed drawings, meets the criteria established for Regional General Permit 90-04 and is assigned application number NWO-1500-00220-PIE (former ID No. SD 2SB OXT 1 00609).

Accordingly, for the purposes of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act (33 USC 1344), and in accordance with 33 CFR Part 325.5(c)(1), the irrigation intake structure replacement is authorized without further processing provided the stipulations, conditions and criteria of General Permit 90-04 (copy enclosed) are strictly adhered to.

Any activity not specifically identified herein may require additional Department of the Army authorization. **The attached Compliance Certification form must be signed and returned to this office upon completion of the authorized work and any required mitigation.**

NOTE: The above determination does not obviate the requirement to obtain state, tribal or local assent as required by law.

You can obtain additional information about the Regulatory Program from our website: <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/SouthDakota.aspx>

The Omaha District, Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete our Customer Service Survey found on our website at <http://per2.nwp.usace.army.mil/survey.html>. If you do not have Internet access, you may call and request a paper copy of the survey that you can complete and return to us by mail or fax.

If you have any questions regarding the above, please feel free to contact this office at the above Regulatory Office address, or telephone Thomas A. Lowin, of my staff, at (605) 224-8531.

RECEIVED

SEP 23 2013

SURFACE WATER PROGRAM

Sincerely,

Steven E. Naylor
Regulatory Program Manager,
South Dakota

Enclosures

cf: Larson; US Fish and Wildlife Service
Miller; SD Dept. Environment & Natrl Rsrcs
Murphy; SD Dept. of Game, Fish & Parks
Ledbetter; Corps of Engineers, Gavin's Point Project
Keith Dvoracek, Tabor, SD



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

December 11, 2017

2369-3

Keith Dvoracek
42004 310th St
Springfield SD 57062

Dear Mr. Dvoracek:

I am writing in response to the notation made on the 2017 irrigation questionnaire for Water Right No. 2369-3. It is my understanding from the questionnaire that an ownership change is needed.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right for your records. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath".

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

enclosures

RECEIVED

DEC 14 2017

WATER RIGHTS
PROGRAM

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave.
Pierre, SD 57501-3182

Water Right/Permit No. 2369-3

Date: 12-12-2017

I/We request that Water Right/Permit No. 2369-3 formerly owned by:

Ken Madole

be transferred to:

New Owner Name: Keith Droracek

Address: 31030 422nd AVE

City, State, Zip Tabor SD 57063 Telephone No. 605-661-4981

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

sec 12 - T093 N - R59W

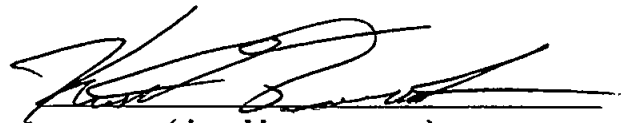
Bon Homme County

☒ I understand that the validity of Water Right/Permit No. 2369-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Keith Droracek, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 14, 20 17

RECEIVED OF Keith Dvoracek 31030 422nd Ave Tabor 57063

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

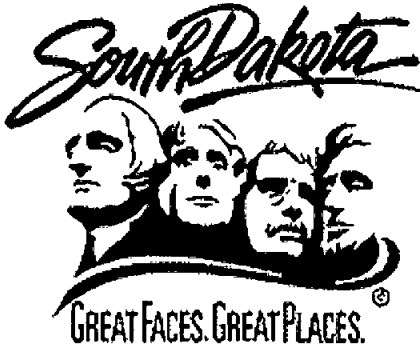
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ 2369-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 08392

By

Jeanne Goodman
Chief Engineer

271



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

December 18, 2017

2369-3

Keith Dvoracek
31030 422nd Ave
Tabor SD 57063

Dear Mr. Dvoracek:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 2369-3.

The ownership change has been completed. Water Right No. 2369-3, formerly held by Ken Madole, is now listed in your name.

Enclosed for your records is Receipt No. 08392 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosure