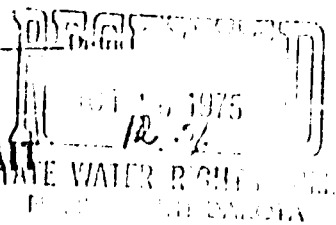


2514.3

1. Considered 3.17, 1976
2. Name of Applicant WILLARD WIFE
3. Post Office Address FRANKFORT
4. Amount of water claimed 2.22
5. Source of water supply GROUND WATER (115' WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in SPINK county
about 6E, 8S miles of FRANKFORT
8. Proof of Publication
Received
Not received
9. Application
Approved
Subject to
Not Approved
Action deferred
10. Remarks:

Map No. 1885-3 Water Division No. 3 JAMES RIVER
(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 around items not applicable)

- Name of Applicant: Willard Wipe
Post-office address: Frankfort State: Ark. 57440
If a corporation show date and place of incorporation: NO
- Method of accomplishing work (contract, employment of others, or by direct labor): direct labor
- Name of diversion work: well
- Amount of water claimed (cubic feet per second): 1000 gal per minute
- Source of water supply: well
- Location of point of diversion: S.W. 1/4 - 34-115-61
CENTRAL SE 1/4 SECTION 28, T11S, R61W
- Annual period or periods during which water is to be used: May to September County: Spink
- Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.): irrigation
- For irrigation use, Total number of acres to be irrigated: _____

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.
<u>SW 1/4 - 34-115-61</u>	<u>160</u>			
<u>NW 1/4 - 34-115-61</u>	<u>160</u>			
<u>SE 1/4 SECTION 28, T11S, R61W</u>	<u>160</u>			

Attach sheet if more space is needed

- Time required to complete construction of water supply system: _____ years. Additional time required to complete application of water to the proposed beneficial use: _____ years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication: Redfield Press
- Principal Features of the Proposed Water Supply System.

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

well

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

well

C. Works proposed to apply water to beneficial use.

well

Estimated Total Cost \$ 40,000.-

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

STATE OF SOUTH DAKOTA)

County of Spink) ss.

I, Willard Wipe, 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 Willard Wipe

Subscribed and sworn to before me this 1st day of October, 1975

Charles Reed
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2514.3
WILLARD WIFE FRANKFORT
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57440 With the following modifications:
 (State)

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

Date of first receipt of application OCTOBER 16 1975
 Date of return to applicant for correction, amendments or changes required — 19—
 Date of receipt of corrected application JANUARY 19 1976
 Approved MARCH 17 1976 Recorded in Book 15 Page 56
 WATER RIGHT PERMIT NO. 2514.3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2514.3 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 JANUARY 19 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 17 1976
3. The whole of said work is to be completed on or before MARCH 17 1977
4. The limit of time from onset of beneficial use of water appropriated in accordance herewith is MARCH 17 1978
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 2.22 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 MARCH 17 1978 said water to be used during the following described annual period: MAY - SEPTEMBER

Witness my hand this 5TH day of APRIL 1976

WATER RIGHTS COMMISSION

John Ketch
 Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 15 1977

Water License Issued SEPTEMBER 15 1977

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 13 in, Depth 115 ft
(2) Casing, Type plastic, Diameter 13 in, Thickness 1/4 in
(3) Perforated Screen, Type plastic, Diameter 13 in, Length 50 feet
(4) Gravel Pack, Thickness 1 foot, Length of gravel pack 50 feet

E. Dugout Information or Estimate

- (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

Havent got the well dug yet

Depth to top of water bearing material ?
Depth to bottom of water bearing material ?
Thickness of water bearing material ?
Depth to water (ground surface to water level) ?

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

On same owner's property 100 rds. On property owned by others 240 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.

William D. King
Signature of Applicant

January 21, 1976

Mr. Willard Wipf
Frankfort, SD 57440

Dear Mr. Wipf:

The water analysis of the sample you submitted about a week ago has been completed. The original copy of the report is enclosed for your keeping. I am also enclosing a copy of extension circular 654. On the outside back cover of this circular there is a water quality chart showing the classification of various waters for irrigation purposes. Your water is in the high salinity-low sodium category. This means that the water is fairly safe as far as causing any dispersion of clays or loss of soil structure is concerned, but it does have a considerable hazard in the possible increase in salt content of the whole soil profile. This is especially true of the upper part of the soil profile if you use the center pivot system and irrigate frequently and in small quantities. I therefore caution you very earnestly against frequent, light applications with this kind of water. It will also be necessary occasionally to make substantial irrigations in the late fall just before freeze-up, in order that winter and spring precipitation may effectively leach salts downward. This fall irrigation should be in sufficient quantity so that the whole profile is filled to field capacity and rain or snow received will cause fairly effective leaching. I would also caution you again to irrigate in substantial quantities and as seldom as you can in the growing season, perhaps not more than 3 times in any season and less if you can get along with it. You should also use fairly heavy quantities each time you irrigate, 3 to 5 inches, if possible.

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

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

Dr. Pahl

Robert Sampson, County Extension Agent



Irrigation System: _____

Soils Capability; _____

Approved: 

Disapproved: _____

(This Form Required for Proposed Well Irrigation Only)

COUNTY:

1. WELL LOCATION:

2. AREA TO BE IRRIGATED:

3. GRAVITY

SPRINKLER (Indicate Type): Center Point system

4. CROPS TO BE IRRIGATED: alfalfa - corn - wheat

5. PERCENTAGE OF SLOPE:

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION:

696 - F¹ - 12.29 - Power

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 76-018

8. SALINITY: 1731 μ mho/cm (high)

9. SODIUM: 74K = 3.38 (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

Soil Conservation Office

and:

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

William D. Wynn

Subscribed and sworn before me this

7 day of January 1976.

Thia R. R. R.

Notary Public

(Title)

My Commission Expires Dec. 11, 1973



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

Submitted by: ILLINOIS STATE Date Rec'd: 12/12/76
 Address: Brookings, SD 57440 Sample No.: 26-012
 Identification: 12/12/76
Box, Sec. 28, T 115N, R 61W

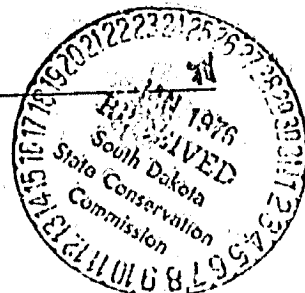
WATER ANALYSIS

Calcium (Ca)	170	ppm*	8.50	me/l**
Magnesium (Mg)	69	ppm	5.86	me/l
Sodium (Na)	207	ppm	9.00	me/l
Potassium (K)	12	ppm	0.32	me/l
Sulfate (SO ₄)	704	ppm	14.62	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.09	me/l
Bicarbonate (HCO ₃)	439	ppm	7.96	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	360	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1731	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	3.38			
Sodium	38.32	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.59			

Others:
 *ppm=parts per million
 **me/l=millequivalents per liter

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

COMMENTS: Total cations 23.47 me/l
 Total anions 21.89 me/l



By: Shirley M. Mason

Service Performed	Amount Due
Irrigation analysis	63.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 26-012

Amount Enclosed \$ _____
 Signed _____

INSTRUCTIONS FOR PREPARING FORM WI-1

LEGAL DESCRIPTION:

Line 1 - show legal description to nearest 40 acres.
Line 2 - show legal description to nearest 40 acres.

TYPE OF IRRIGATION:

Complete Lines 3 and 4.

LAND CAPABILITY FOR IRRIGATION:

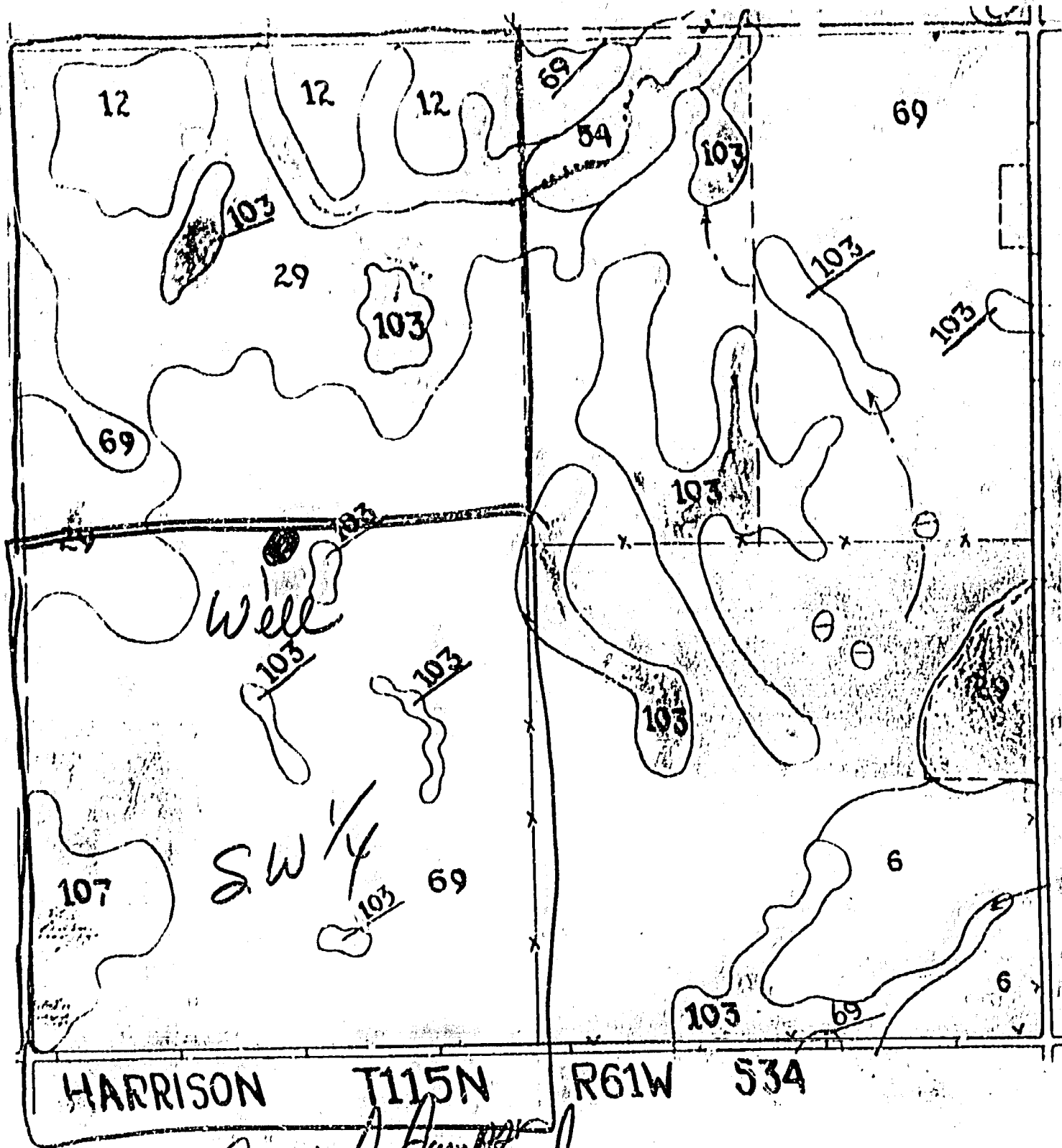
Lines 5 and 6 - Have your local Conservation District Office, or a qualified Soils Scientist serving as a consultant provide the information for this section.

WATER QUALITY:

The applicant must send a sample of the ground water to be used for irrigation to the Water Quality Laboratory, Water Resources Research Institute, South Dakota State University, Brookings, South Dakota, 57006. A report of the analysis will be mailed to the State Conservation Commission by the Water Quality Laboratory. From this report the Commission will complete lines 7, 8, and 9. The applicant will also receive an analysis report for his records.

Certification on back of Form WI-1 must be completed by applicant and notarized.





Robert D. Campbell
Spencer G. Campbell
Rufus
I 7/16

Permit No. 2514-3

Water Diversion No. 2 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Willard Wipf

_____ the holder _____ of
Permit No. 2514-3, issued upon Application No. 2514-3, bearing date of priority of October 16,
1975 authorizing the diversion of 2.22 cu. ft. per second of the waters of _____
ground water County of Spink, State of South Dakota at _____
a point 100'E & 100'S of the center, Section 28, T115N, R61W

_____, for irrigation

purposes, has _____ 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 1.79 cu. ft. per second of water.

Date September 15, 1977

By:

~~WATER RIGHTS COMMISSIONER~~
WATER RIGHTS COMMISSIONER

John Hatch
JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2514-3

(1) WHEREAS, On the 16th day of October A. D. 1975
Willard Wipf

made Water Right Application No. 2514-3 for a permit to use 2.22 cubic feet per second of the waters of ground water

County of Spink, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 17th day of March A. D. 1975
 Permit No. 2514-3, with a date of priority of January 19, 1976

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 17th day of March A. D. 1977 and for the application to beneficial use of said water on or before the 17th day of March A. D. 1978

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 1.78 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,
for irrigating a 132 acre circle in the SE $\frac{1}{4}$, Section 26, T115N, R61W

(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 Willard Wipf

_____ of Frankfort
the holder _____ and owner _____ of said permit No. 2514-3 a water right, dating from January 19, 1976
_____ to use of 1.78 cubic feet per second of the waters
of ground water
in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at a point 100'E & 100'S of the center,
Section 28, T115N, R61W

and conduct to and upon a B2 acre circle in the SE $\frac{1}{4}$, Section 28, T115N, R61W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2514-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 15th day of September A. D.
Nineteen Hundred and Seventy-seven

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Publish first publication, on or before March 4, 1978NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 24, 1978

Notice is hereby given that Willard Wipf
whose post office address is Frankfort, 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
2.22 cubic feet of water per second of time from ~~the~~ ground water through the
W. Wipf #1, the point of diversion of which is to be located in the _____

Center of the ~~Wt~~ SE⁴
of Section 2+28, Twp. 115N, Range 61W. Said water to be used for the purpose

portions of
of providing irrigation on the following described land:

Wt, Section 34, T115N, R61W
SE⁴ 28

This application No. 2514-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 17th day of March, 1978, at 1:00 P.. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights SpecialistBFJ/bw
cc:

Willard Wipf, Frankfort, S.D. 57440

COOPERATIVE EXTENSION SERVICE



agriculture • 4-H • home economics



Spink County

SPINK COUNTY EXTENSION OFFICE

P.O. Box 151
Redfield, South Dakota 57469
Phone 472-2023

February 26, 1976

RECEIVED

FEB 27 1976

DEPT. OF AGRICULTURE
RESOURCE DEVELOPMENT

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

Dear Sir:

We have received a question from Willard Wipf, Frankfort, which we cannot answer. Perhaps you can help us out.

He had sent in his application for water rights for the W 1/2 of Section 34--115-61 and received his form (#2514-3). However, he could not get water there and now he plans to place his well on the SE 1/4 of Section 28--115-61. He is wondering what to do about this before the notice is published in the paper.

Please duplicate your reply and notify both Mr. Wipf and our office of the correct procedure to follow.

Thank you!

Sincerely,

David Stout

David Stout
County Extension Agent-In-Training

SOUTH DAKOTA STATE UNIVERSITY, UNITED STATES DEPARTMENT OF AGRICULTURE,
AND COUNTY COOPERATING

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Spink) ss.

I, Harold D. Jones hereby

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

Water was taken from the Redfield Press

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

City of Redfield

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

March 4

March 11

Harold D. Jones
(Signature)

Editor
(Title)

March 11, 1976
(Date Signed)

No. 1

Application No. 2514-3

NOTICE OF
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

February 24, 1976

Notice is hereby given that
Willard Wipf whose post office
address is Frankfort, 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 2.22 cubic feet of
water per second of time from
ground water through the W
Wipf No. 1 the point of diversion
of which is to be located in the
Center of the SE 1/4 of Section 28,
Twp. 115N, Range 61W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land: SE 1/4, Section 28, T115N, R61W.

This application No. 2514-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 17th day of
March, 1976, at 1:00 P. M. All
interested persons may appear
and be heard.

WATER RESOURCES
COMMISSION

By: BURTON E. JONES



Permit No. 2514-3Water Division 3 James River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Willard
Wipf of Frankfort, S.D. 57440 holder
of Permit No. 2514-3, bearing date of priority of October 16, 1975
authorizing the diversion of 2.22 cu. ft. per second of the waters of Ground
for: Irrigation purposes, in Spink County.
I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water: Pump: Western Land Roller,
Head # 3M 412K0114C, Ser # 1B 76501, pumping 800 gpm.
Motor: High Thrust, US Electrical, HP-75, RPM 1770
ID # R-6326-01-H-819

B. Works used to transport water to place of use,
1720 ft 8" dia PVC underground pipe.

C. Works used to apply water to beneficial use.

T + L Center Pivot - Covers 132 Acres.The system is in the following condition: ExcellentThe point of diversion is located 100 ft East & 100 ft South of the Center of
Section 28, T115N R61WThe works are capable of diverting and conveying to the place of use 1.78cu. 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. 28, T115N R61W
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 132 acres of land.

Well Data:

Depth 157 ft.Depth to Water 17 ft.Casing 16" dia Fiber GlassCapacity 1000+ GPMDate Oct 1, 1976LeRoy J. Mernau
(Signature)

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

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

February 17, 1989

Willard Wipf
Rt. 1, Box 71
Frankfort, SD 57440

Dear Mr. Wipf:

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

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

The new standards include:

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

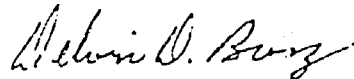


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



2514-3

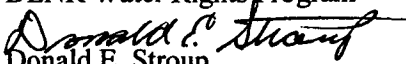
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

November 13, 2003

TO: Garland Erbele, Chief Engineer
DENR Water Rights Program

FROM: 
Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program

SUBJECT: Tulare Aquifer Irrigators

From April 28 through May 1, 2003 I made an on-site examination of the irrigation systems of several Tulare Aquifer Water Right holders. The Water Right holders, my observations, and subsequent actions are noted below:

Water Right No. 1424-3, Rick Boomsma Operator, 19749 Ponderosa Lane, Hitchcock, SD (605)266-2822

Center pivot on-site that appears not used for some time. Irrigation questionnaires show no irrigation from 1992 to present. In mid October I spoke with Rick Boomsma about the non use of the Water Right. Rick Boomsma stated that he had irrigated this summer. Cancellation of this water right will not be scheduled this year, but this site should be re-examined in the summer of 2004.

Water Right No. 3243-3, Rick Boomsma Operator, 19749 Ponderosa Lane, Hitchcock, SD (605)266-2822

No sign of irrigation equipment on-site. Irrigation questionnaires show no irrigation from 1991 to present. In mid October I spoke with Rick Boomsma about the non use of the Water Right. Rick Boomsma stated that he had irrigated this summer. Cancellation of this water right will not be scheduled this year, but this site should be re-examined in the summer of 2004.

Water Right No. 2853-3, Larry Gordon, 38899 SD Hwy 28, Hitchcock, SD (605)266-2718

Trees growing under center pivot, one right in front of wheels. Irrigation questionnaires show no irrigation in 1986, 1991, 1992, 1993 (flooded), 1994 to present (excess moisture 99, too wet 01, & system needs work 02). Spoke with Mr. Gordon and he stated he hadn't needed to irrigate as there was adequate moisture the previous years, but he planned to have the unit ready to use this summer. I re-visited the site in August 2003 and there was a corn crop in the field that had not been irrigated. The pivot was still in the same position and the trees were still standing. Cancellation of this water right will not be scheduled this year, but this site should be re-examined in the summer of 2004.

Water Right No. 2568-3, Leland Kleinsasser, 20166 401st Ave, Huron, SD (605)352-8125

No irrigation equipment on-site or sign of well head. Irrigation questionnaires show no irrigation from 1994 to present. Re-visited site in August 2003 and still no sign of equipment or irrigation. I spoke with Mr. Kleinsasser in mid October about the non use of the Water Right. Mr. Kleinsasser

stated that he no longer used the Water Right and had moved the equipment to another location. He agreed to the cancellation of the Water Right.

Water Right No. 4545-3, Victor Kleinsasser, 40008 198th St., Huron, SD (605)352-8103

Center pivot on-site that appears not used for some time. Irrigation questionnaires show no irrigation from 1992 to present. Spoke with Mr. Kleinsasser about this water right and other appropriations from the James River. Mr. Kleinsasser stated that all the irrigation equipment is from the 70s and needs rebuilt or repaired which he plans on doing this winter. Mr. Kleinsasser also has a James River Water Right No. 2387-3 showing use from 1999 to the present and three other ones showing non use from 1986 to the present. On 10/28/03 I spoke with Mr. Kleinsasser explaining the non use statute and that we would schedule the rights showing non use for cancellation. I further explained that he could appear before the Water Management Board to appeal the cancellations or write a letter explaining his position on the issue. Mr. Kleinsasser agreed.

Water Right No. 4550-3, Raymond Oil Co., PO Box 142, Huron, SD

Center Pivot on-site that appears well maintained and ready to be used. Irrigation questionnaires show no irrigation 1993, 95, 97 to present. This Water Right will not be scheduled for cancellation.

Water Right No. 4194-3, Verlin Tollefson, 19578 388th Ave., Hitchcock, SD (605)266-2834

Center pivot on-site, appears ready for use. Irrigation questionnaires show no irrigation 1995 to present. This Water Right will not be scheduled for cancellation.

Water Right No. 4146-3, Adele Walters, 440 Jersey Ave. NE#5, Huron, SD (605)352-7505 (Ray Hofer Operator)

No irrigation equipment on-site, pump station & well head present. Irrigation questionnaires show no irrigation 1994 to present. Nos. 4146-3 and 4546-3 use same well. I contacted Mr. Ray Hofer, the renter of the property, and he confirmed that irrigation had not taken place for several years and that the equipment was old and needed to be repaired. He further stated that he did not intend to repair the equipment as he only had a three year lease. I contacted Mrs. Walters, but she is in her 90s and doesn't hear well or understand cancellation of the Water Right. I then contacted Mrs. Walters' lawyer, Reed Hutchinson, and explained the situation of non use of the Water Right and the difficulty of explaining this to Mrs. Walters. Reed Hutchinson stated that if Water Rights sends the cancellation information to him, he will ensure that it gets to Mrs. Walters and he will explain the situation to her.

Water Right No. 4147-3, Adele Walters, 440 Jersey Ave. NE#5, Huron, SD (605)352-7505 (Ray Hofer Operator)

Center pivot on-site, appears not used for some time. Irrigation questionnaires show no irrigation 1996 to present. I contacted Mr. Ray Hofer, the renter of the property, and he confirmed that irrigation had not taken place for several years and that the equipment was old and needed to be repaired. He further stated that he did not intend to repair the equipment as he only had a three year lease. I contacted Mrs. Walters, but she is in her 90s and doesn't hear well or understand cancellation of the Water Right. I then contacted Mrs. Walters' lawyer, Reed Hutchinson, and explained the situation of non use of the Water Right and the difficulty of explaining this to Mrs. Walters. Reed Hutchinson stated that if Water Rights sends the cancellation information to him, he will ensure that it gets to Mrs. Walters and he will explain the situation to her.

Water Right No. 4546, Adele Walters, 440 Jersey Ave. NE#5, Huron, SD (605)352-7505 (Ray Hofer Operator)

No irrigation equipment on-site, pump station & well head present. Irrigation questionnaires show no irrigation 1997 to present. Nos. 4146-3 and 4546-3 use same well. I contacted Mr. Ray Hofer, the

renter of the property, and he confirmed that irrigation had not taken place for several years and that the equipment was old and needed to be repaired. He further stated that he did not intend to repair the equipment as he only had a three year lease. I contacted Mrs. Walters, but she is in her 90s and doesn't hear well or understand cancellation of the Water Right. I then contacted Mrs. Walters' lawyer, Reed Hutchinson, and explained the situation of non use of the Water Right and the difficulty of explaining this to Mrs. Walters. Reed Hutchinson stated that if Water Rights sends the cancellation information to him, he will ensure that it gets to Mrs. Walters and he will explain the situation to her.

Water Right No. 3321-3, Peggy Brooker, 18512 387th Ave., Tulare, SD (605)596-4391

Center pivot on site, appears ready to be used. Irrigation questionnaires show no irrigation 1986, 1993, 1995, and 1996 to present. This Water Right will not be scheduled for cancellation.

Water Right No. 4260-3, Roger Chaplin, 1820 Fulton, Sturgis, SD (605)720-2125 Farm (605)266-2108

No irrigation equipment on-site, no sign of well head or pumping equipment, & no sign of irrigation. Irrigation questionnaires show no irrigation 1987 to present. I spoke with Mr. Chaplin about this Water Right and his other appropriations from the James River. Mr. Chaplin stated that he had pumped some from the river this summer (I re-visited site in August and saw no sign of irrigation). His son is now living on the farm. Mr. Chaplin is having test holes drilled on land better suited for irrigation and was wondering about transferring diversion point, etc. I explained the problem with the fully appropriated aquifer. In mid October I spoke with Mr. Chaplin and told him that the Chief Engineer recommended scheduling this Water Right for cancellation and that the ground water personnel list this well as abandoned. Mr. Chaplin again stated he desired to retain the Water Rights on the James River but did not object to the cancellation of this Water Right. I explained that he could appear before the Water Management Board and state his position on retaining the Water Rights from the James River and that he would get a notification of time and place for the Board meeting. If he didn't want to appear before the Board he could send a letter.

Water Right No. 3164-3, Darrel Jensen, Box 350, Redfield, SD (605)472-2782

Center pivot on-site, appears ready to be used. Irrigation questionnaires show no irrigation 1993 and 1995 to present. This Water Right will not be scheduled for cancellation.

Water Right No. 3054A-3, Charles Gilbert, 38957 186th St., Hitchcock, SD (605)266-2886

Center pivot on-site with chokecherry bushes and one evergreen tree grown around center as high as the pivot. Mr. Gilbert stated system had not been used for awhile as moisture has been adequate and he plans on refurbishing the system this year. Irrigation questionnaires show no irrigation 1993 to present. Re-visited site in August 2003 and pivot was running and irrigating crop. This Water Right will not be scheduled for cancellation.

Water Right No. 2729-3, Leroy Gross, 39848 185th St., Hitchcock, SD (605)266-2548

No sign of irrigation equipment or irrigation. This Water Right was transferred to Harvey Wollman at the May 2003 Water Management Board meeting.

Water Right No. 5568-3, Richard Jessen, 18250 377th Ave., Tulare, SD (605)472-2408 (Brett Binger Operator)

Center pivot on-site, appears ready for use. Irrigation questionnaires show no irrigation 1992 to present. This Water Right will not be scheduled for cancellation.

Water Right No. 4375-3, Dave Swanson, 39840 168th St., Frankfort, SD (605)472-2573

No irrigation equipment on-site or evidence of irrigation in June 2003. Swanson purchased land about 4 months ago (January 2003) and is in the process of setting up a system on the land. Irrigation questionnaires show no irrigation 1990 to present. I re-visited the site in August and saw no sign of irrigation equipment, but a bean crop appears to have been irrigated as it is a lot greener than the same crops in adjacent fields. Cancellation of this water right will not be scheduled this year, but this site should be re-examined in the summer of 2004.

Water Right No 1504-3, Donald Mendel, 17909 406th Ave., Doland, SD (605)635-6587

No sign of irrigation equipment on-site or evidence of irrigation. Mr. Mendel stated moisture has been adequate and he hasn't needed to irrigate for years. Mr. Mendel also stated that the well is only about 50-feet deep and is not a good producer under drought conditions. He has a stock dam adjacent to the well and if the dam dries up, so does the well. Mr. Mendel is transferring the land to his sons and plans on retiring. Irrigation questionnaires show no irrigation 1987 and 1991 to present. This is the Water Right that Harvey Wollman wants to acquire a portion of. This Water Right should be scheduled for cancellation.

Water Right No. 5234-3, Larry Nielson, 18476 385th Ave., Tulare, SD (605)596-4339

Center pivot on-site, appears ready for use. Irrigation questionnaires show no irrigation 1992, 93, 94, 97, 98, 99, 01, & 02. This Water Right will not be scheduled for cancellation.

Water Right No. 3045-3, Cal Nowell, 1265 3rd Street SW, Huron, SD (Ken Nowell Operator, (605)596-4271)

No irrigation equipment on-site or sign of irrigation. Irrigation questionnaires show irrigation. Appears Mr. Nowell has the locations for Nos. 3045-3 and 3046-3 switched. Re-visited the sites in August 2003, and both are being irrigated. In mid October I spoke with Ken Nowell and he affirmed that he is the operator for this Water Right and that he had irrigated this summer. Ken Nowell also advised that his son, Joshua is the operator for # 3046-3. This Water Right will not be scheduled for cancellation.

Water Right No. 3046-3, Cal Nowell, 1265 3rd Street SW, Huron, SD (Joshua Nowell Operator, (605)596-4271)

Center pivot on-site, appears not used for some time. Irrigation questionnaires show no irrigation 1986 to present. Appears Mr. Nowell has the locations for Nos. 3045-3 and 3046-3 switched. Re-visited sites in August 2003 and both are being irrigated. In mid October I spoke with Ken Nowell and he advised that his son, Joshua is the operator for # 3046-3. This Water Right will not be scheduled for cancellation. It still appears that Ken Nowell has the locations for these two Water Rights switched as he stated that his son had just put a new system on this location when in April I had noted that this site had irrigation equipment on it and the # 3045-3 site did not..

Water Right No. 5231-3, Ken Nowell, 38671 187th St., Hitchcock, SD (605)596-4271

Center pivot on-site, appears not used for some time. Irrigation questionnaires show no irrigation 1993 to present. In mid October I spoke with Ken Nowell and he affirmed that he is the operator for this Water Right and that he had irrigated this summer. This Water Right will not be scheduled for cancellation.

Water Right No. 5301-3, Barbara Jo Rogers, 419 S. 10th St., Aberdeen, SD (605)226-0344

Center Pivot on-site being and being used in an alfalfa field. Irrigation questionnaires show no irrigation 1993, 97, 99 to present. This Water Right will not be scheduled for cancellation.

Water Right No. 2514, Willard Wipf, 18371 403rd Ave., Frankfort, SD (605)266-2595

Center pivot on-site. Mr. Wipf stated the system had not been used for several years due to adequate moisture. Wetter years in the 90s had brought up salt from the soil and he had to idle the area. The land should be suitable for irrigation this year if needed. Irrigation questionnaires show no irrigation 1993, 95 to present. This Water Right will not be scheduled for cancellation.

Water Right No. 3467-3, Spink Colony (Paul Wipf), 18206 Spink Lane, Frankfort, SD (605)472-1269

Mr. Wipf was under the impression that this right had been cancelled. The soil and water were incompatible and they had quit irrigating. The soil in the area has been reconditioned and they could possibly irrigate it again at a reduced rate. Also Mr. Wipf brought up transferring the irrigation right to a different quarter if the right is still good. This Water Right was cancelled by the Water Management Board at the October 2003 meeting.

In summary, one (1) Water Right has already been cancelled and seven (7) are being scheduled for cancellation before the Water Management Board. Three (3) sites should be re-visited the summer of 2004.

cc: individual files



2514-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 19, 2004

Willard Wipf
18371 430 Avenue
Frankfort SD 57440-7310

Dear Mr. Wipf:

As per our telephone conversation, I am enclosing information on Water Right No. 2514-3. This water right appropriates water from the Tulare:East James Aquifer for irrigation of the SE ¼ of Section 28, T115N, R61W. Specifically enclosed are:

- A sheet showing that irrigation has not been conducted on the property since 1994.
- Your irrigation questionnaires submitted since 1995.
- A copy of the applicable statutes regarding forfeiture for nonuse and legal excuse.
- A copy of the findings adopted in the matter of cancellation of a water right from the Tulare:East James Aquifer.

Don Stroup was out there last spring to view water rights from the Tulare:East James Aquifer. His summary of the investigation found that a pivot was on-site and that you indicated the system had not been used for several years due to adequate moisture. You stated the wetter years brought up salt in the soils causing you to idle the area.

Review this information carefully to determine whether you feel legal excuse exists for the period of nonuse. I can not tell you whether the water right is valid. Only the Water Management Board can determine the validity of a water right. If after reviewing the information you have concerns about the validity of the water right, please contact me and we can discuss the way to get a Board determination.

I hope this information is helpful.

Sincerely,

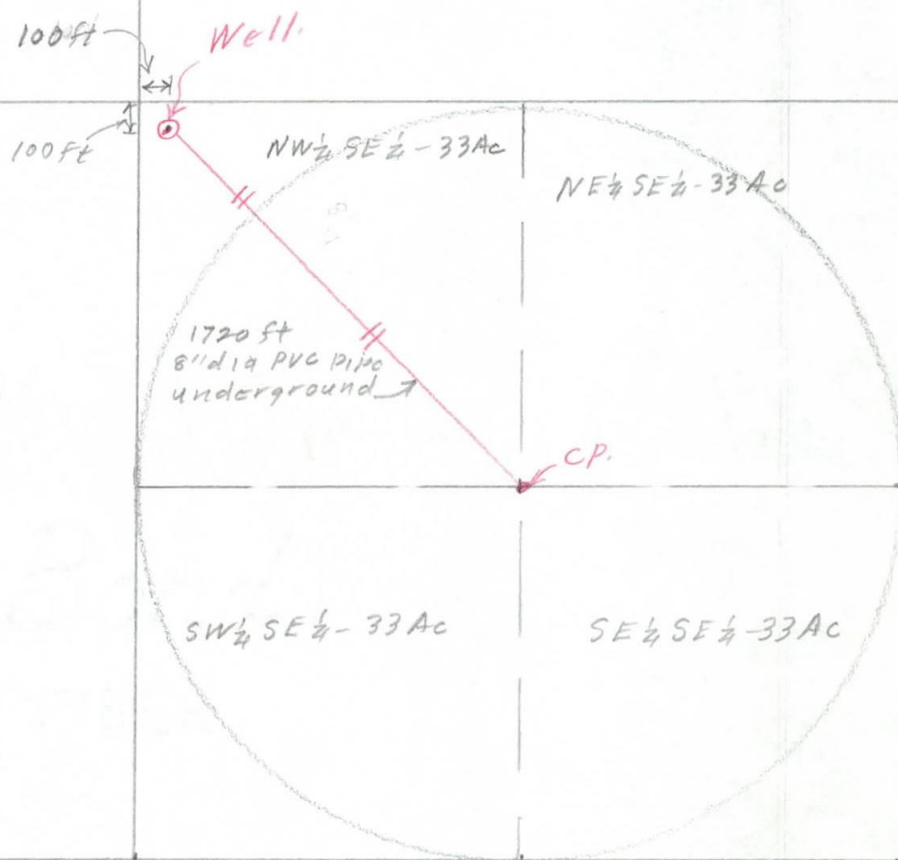
Eric Gronlund
Water Rights Program – DENR
(605) 773-3352

enclosures

Willard W. pf-

2514-3

SE $\frac{1}{4}$ Section 28, T115N R61W



Substitute Map
Unable to locate original
J. Mernough

Map # 18853, Appl. # 2514-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 23, 2007

2514-3

Willard Wipf
1930 Ohio Ave SW
Huron SD 57350-3924

Dear Mr. Wipf:

Enclosed is a "Notice" dated October 19, 2007 concerning the 2007 irrigation questionnaire. The notice was originally mailed to 18371 403rd Ave, Frankfort SD. 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
email: genny.mcmath@state.sd.us

enclosures

2514-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 16, 2020

2514-3

Nathan Wipf
18371 403rd Ave
Frankfort SD 57440

Dear Mr. Wipf:

The 2020 irrigation questionnaire was received from you today for Water Right No. 2514-3. It is our understanding from the form that you wish to have the water right transferred to your name.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please let me know.

Sincerely,

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

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

enclosure

File No. 2514-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Nathan Wipf, 18371 403rd Ave, Frankfort SD 57440

DATE: December 14, 2020

TELEPHONE: 605 350-6441

RE: ownership change

COMMENTS:

Based on the irrigation questionnaire submitted for Water Right No. 2514-3, I forwarded a transfer of ownership form to Mr. Wipf.

Today he called and indicated he did not mean to have the ownership changed, he just wanted to have the annual mailing sent directly to him.



Genny McMath
Water Rights Program