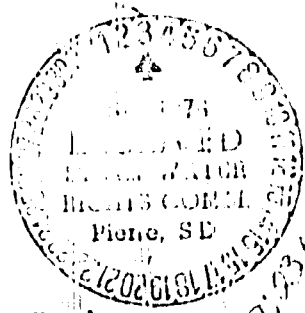


No. 30283Map No. 2353-3 Water Division No. 3 JAMES RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Fordham Colony
Postoffice address Carpenter State S. Dak. 57322
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Private Labor
3. Name of diversion work Fordham Colony Irrigation No. 2
4. Amount of water claimed (cubic feet per second) 1.85
5. Source of water supply Well
6. Location of point of diversion No. 2 - South East corner of Section 34, T11N, R59W, S42°30' E 1700 FEET FROM THE NW CORNER County DeWitt
7. Annual period or periods during which water is to be used August - Nov. 1 to March 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 450

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.
NW 1/4 NW 1/4 34-115-59	28.0		
NE 1/4 NW 1/4 34-115-59	32.0		
SW 1/4 NW 1/4 34-115-59	32.0		
SE 1/4 NW 1/4 34-115-59	40.0		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 7.5 years. Additional time required to complete application of water to the proposed beneficial use Three years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Sioux Falls Plainman
12. Principal Features of the Proposed Water Supply System.

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

Well & pump - see map

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

Pipeline

C. Works proposed to apply water to beneficial use.

Central pivot irrigation machineEstimated Total Cost \$ 45,000Attachments: 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 BrookingsI, Bo D. Dandee 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

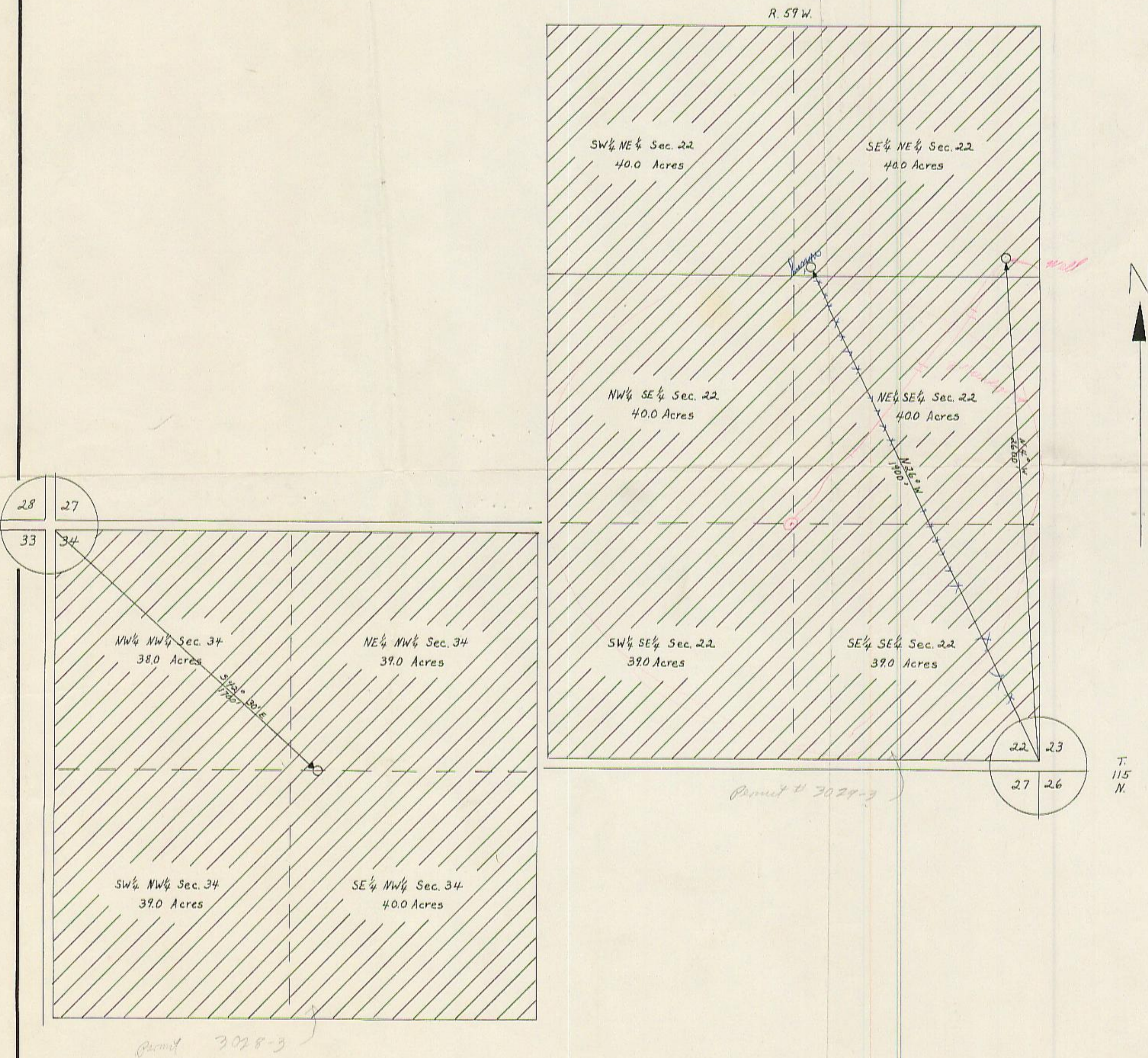
Bo D. Dandee

Subscribed and sworn to before me this

15 day of August 1976

Notary Public (or other qualified officer)

My Commission Expires Feb. 24, 1983



(79 Acres) - E $\frac{1}{2}$ SE $\frac{1}{4}$ - Sec. 22 Are Now Owned By Sigurd Brenden
All Other Lands Described Are Owned By Fardham Colony

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	22	115	59	40.0
SE $\frac{1}{4}$ NE $\frac{1}{4}$	22	115	59	40.0
NW $\frac{1}{4}$ SE $\frac{1}{4}$	22	115	59	40.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$	22	115	59	40.0
SW $\frac{1}{4}$ SE $\frac{1}{4}$	22	115	59	39.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$	22	115	59	39.0
NW $\frac{1}{4}$ NW $\frac{1}{4}$	34	115	59	38.0
NE $\frac{1}{4}$ NW $\frac{1}{4}$	34	115	59	39.0
SW $\frac{1}{4}$ NW $\frac{1}{4}$	34	115	59	39.0
SE $\frac{1}{4}$ NW $\frac{1}{4}$	34	115	59	40.0
TOTAL				394.0

Land To Be Irrigated
Pump Sites

Scale: 1" = 400'

SURVEYOR'S CERTIFICATE

I, Franklin L. Fite DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE Fardham Colony, IRRIGATION PROJECT NO 2 AND HAS BEEN PREPARED BY:

SIGNATURE: Franklin L. Fite

TITLE: District Conservationist
Soil Conservation Service

SUBSCRIBED AND SWORN TO BEFORE ME THIS 2nd DAY OF Sept, 1976, A.D.

Gerald A. Zubke
NOTARY PUBLIC

MY COMMISSION EXPIRES My Commission Expires Sept. 26, 1981

MAP NO. 3028-3 APP. NO'S 3028-3 & 3029-3
4399-3

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3028-3FORDHAM COLONY
(Applicant)CARPENTER

(Post Office Address)

SOUTH DAKOTA 57322 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 adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application _____ SEPTEMBER 3, 19 76

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

Date of receipt of corrected application _____ OCTOBER 4, 19 76Approved JANUARY 25, 19 78, Recorded in Book 19 Page 220WATER RIGHT PERMIT NO. 3028-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3028-3 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 3, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 25, 19 80
3. The whole of said work is to be completed on or before JANUARY 25, 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 25, 19 86
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 1.85 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 JANUARY 25, 19 86; said water to be used during the following described annual period: MAY 1 - NOVEMBER 1

Witness my hand this 31ST day of JANUARY, 19 78

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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 30", Depth 85'
 (2) Casing, Type Stainless Steel (wood, concrete, steel, etc) Diameter 16" Thickness 1/2" Gauge
 (3) Perforated Screen, Type Stainless Steel, Diameter 16", Length 35'
 (4) Gravel Pack, Thickness 14", Length of gravel pack 85'

E. Dugout Information or Estimates.

(1) Surface dimensions NA, Depth NA

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 0-20' yellow clay
20-25' sand
25-50' Blue Clay
50-85' Hard sand

Depth to top of water bearing material 50'

Depth to bottom of water bearing material 85'

Thickness of water bearing material 25'

Depth to water (ground surface to water level) 30 feet

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

On same owner's property 2 Miles yds. On property owned by others 2 Miles yds.

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.

Joe S. Elvinger
 Signature of Applicant

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

Submitted by: Fertilizer Colony
 Address: Carrollton, SD 57322

Date Rec'd: September 1, 1976
 Sample No.: 76-1240
 Identification: 1. Well-85
NE 1/4, Sec. 34, T. 11N, R. 59

WATER ANALYSIS

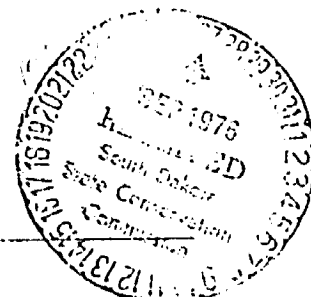
Calcium (Ca)	192	ppm*	9.60	me/l**
Magnesium (Mg)	72	ppm	3.30	me/l
Sodium (Na)	119	ppm	5.13	me/l
Potassium (K)	30	ppm	0.78	me/l
Sulfate (SO ₄)	754	ppm	15.60	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	37	ppm	1.04	me/l
Bicarbonate (HCO ₃)	322	ppm	5.28	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	264	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1606	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.86			
Sodium	24.13	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.01			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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



COMMENTS: Total cations 21.46 me/l
 Total anions 22.00 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$3.00 P.M.D

Make checks payable to: Water Quality Laboratory

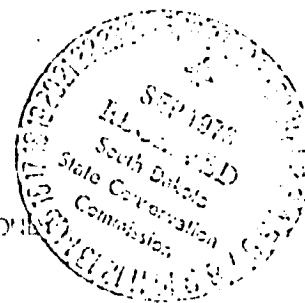
Cut along dotted line and return the lower portion with payment

Sample No. 76-1240

Amount Enclosed \$

Signed

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME Furham Colony
ADDRESS Carpenter S D
COUNTY Clark

LEGAL DESCRIPTION

1. WELL LOCATION SE 1/4, NW 1/4 Sec. 34 - 115-59 176085 SE 06
2. LOCATION OF AREA TO BE IRRIGATED NW 1/4 - 34 - 115 - 59 sect. 27, 28, 33, 34

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn, Alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-1240
6. SALINITY (EC x 10⁶) 1686 (high)
7. SODIUM (SAR) 1.86
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from Clark Conservation District,
County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true
and correct.

SUBSCRIBED AND SWORN BEFORE ME THIS
15 DAY OF Sept 19 76

[Signature]
(NOTARY PUBLIC)
Notary Public, South Dakota
My Commission Expires 11/5/78

[Signature]
APPLICANT'S SIGNATURE
I hereby certify that the project described herein
will, to a large degree, determine the relative
success of this venture.

[Signature]
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

29

970-3

Date well drilling completed..... Purpose of well.....
(domestic, irrigation, municipal, industrial, other)

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	ft.
0-20	Yellow Clay	Depth to static water level	ft.
20-35	Sand	Name of producing aquifer (if known)	
35-50	Blue Clay	Total depth of drill hole	ft.
50-85	Good Sand	Depth to bottom of casing	ft.
		Casing Information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.	
		0-50 1 1/2" Schedule 40 Stainless Steel Casing	
		Screen Information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.	
		50-85 1 1/2" Stainless Steel Screen	
		If a flowing well, flow of completion well	

Name of Drilling Contractor

Depth of pump placement _____ ft., Date of pump installation _____

Name of Pump Installation Contractor _____

No. 3028-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, Max Dorothy Murphy hereby

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

Water was taken from the Huron Daily Plainsman

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 Huron

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

October 11, 1976

October 18, 1976

Max Dorothy Murphy
(Signature)

Bookkeeper
(Title)

October 18, 1976

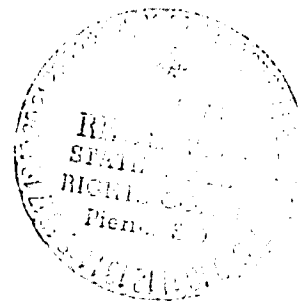
(Date Signed)

F.P. 10-11-76 L.P. 10-14-76
NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
October 5, 1976

Notice is hereby given that Fordham Colony whose post office address is Carpenter, 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 1.85 cubic feet of water per second of time from ground water through the Fordham Colony No. 2, the point of diversion of which is to be located in the center of the NW 1/4 of Section 34, Twp. 115N, Range 59W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE 1/4 Section 34, T115N, R59W

This application No. 3028-3 will be considered by the Water Rights Commission at their office at Pierre upon the 21st day of October, 1976, at 1:00 p.m. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION
By Burton F. Jones
Water Rights Specialist
No. 577 (adv.)



No. 3028-3

Publish first publication, on or before October 12, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 5, 1976

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Fordham Colony # 2, the point of diversion of which is to be located in the

Center of the NW 1/4

of Section 34, Twp. 115N, Range 59W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

NW 1/4, Section 34, T115N, R59W

This application No. 3028-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 21st day of October, 1976, at 1:00 P. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Fordham Colony, Carpenter, S. D. 57322

Report on
Fordham Colony Water Right Applications
No. 3028-3 and No. 3029-3
January 19, 1977

The Water Rights Commission deferred action at the October 21, 1976, meeting on the Fordham Colony Applications No. 3028-3 and No. 3029-3 pending an investigation by the Commission Staff. An investigation was conducted January 13 and 17, 1977; the irrigation well authorized by Permit No. 2417-3 in Section 27 was also pumped for 96 hours during this period.

Persons Contacted

Richard Grann, Robert Madsen, Wallace Wicks, Royal Gamber, Vernon Opsahl and Amos Wollman and other Fordham Colony personnel were contacted during the investigation and test pumping.

The following tables list the Fordham Colony Applications and permit, observation well and nearby domestic well information. Locations are shown on the attachment.

Applications and Permit

<u>Number</u>	<u>Location</u>	<u>CFS</u>	<u>Acres</u>	<u>Well Depth</u>	<u>Depth to Aquifer</u>	<u>Status</u>
2417-3	Sec. 27 T115-R59	4.45	112	1 well 110"	30'	Approved 11-13-75
3028-3	Sec. 34 T115-R59	1.85	130	1 well 85'	50'	Deferred 10-21-76
3029-3	Sec. 22 T115-R59	1.85	238	1 well 75'	55'	Deferred 10-21-76

Observation Well Information

<u>Number</u>	<u>Location</u>	<u>Depth</u>	<u>Depth to Aquifer</u>	
CK-76M	NE Corner Sec. 9 T114-R59	65.0'	37'	There is a 5' layer of sand and gravel at 37'-42' & 18' of gravel at 44'-62'.
CK-76N	NW Corner Sec. 22 T114-R59	78.7'	57' (21' of gravel)	There is a 10' layer of gravel at 18'-28' & 1' layer of gravel at 30'-31'.

Observation wells CK-76I, CK-76J and CK-76O shown on the map are not affected by Fordham Colony irrigation pumping.

Nearby Domestic Well Information

<u>Name</u>	<u>Location</u>	<u>Depth</u>	<u>Depth to Aquifer</u>	<u>Reported normal Water Level</u>	<u>Other Information</u>
Royal Gamber	Sec. 1	48.3'		13.8'	
Richard Grann	Sec. 3	60'	37' (from CK-76M)		4" well cleaned 1975
Robert Madsen	Sec. 9	46'	37' (from CK-76M)	17.5'	Dug 1955 to 33' deepened to 46' 1976
Wallace Wicks	Sec. 15	36.2'	between 37' to 57'	32.0'	Well may be silted or partially filled in.
Vernon Opsahl	Sec. 21	42'	57' from CK-76N		Well may be silted or partially filled in.

1976 Well Measurement Date and 1977 Test Pumping

Complaints were first received concerning Fordham Colony irrigation pumping during June, 1976. An investigation was conducted in the area June 15, 17 & 18, 1976. The Colony irrigation well was shut off (54 hours) from June 16, 1976, until about 6:00 p.m. June 18, 1976. Area domestic wells were measured June 15, 17 & 18 without noticeable recovery. Observation wells were not available for measurement. Observation wells were drilled in the area this past fall.

Beginning January 13, 1977, at 2:05 p.m., the Colony irrigation well in Section 27 was test pumped at about 800 gpm for 96 hours until 2:05 p.m. January 17, 1977. Several wells in the area were measured before the test pumping started and January 17 before the pump was turned off. Well measurements since June, 1976, are listed in the following table.

Area Well Water Measurements

Wells Measured	6-15-76	6-17-76	6-18-76	November 1976	1-13-77	1-17-77	Change During Test Pumping
CK-76I (2.4)				11-30 20.4'	2:45pm 19.9'	11:20am 19.9'	0
CK-76J (1.5)				11-30 19.7'	2:35pm 10.9'	11:15am 11.1'	-0.2'
CK-76M (2.5)				11-29 18.6'	9:45am 17.6'	9:45am 21.3'	-3.7'
CK-76N (1.9)				11-29 30.5'	9:35am 29.8'	9:55am 30.7'	-0.9'
CK-76O (2.0)				11-29 7.6'	12:45pm 7.6'	9:30am 7.6'	0
Irrigation Well Sec. 22 No. 3029-3					10:30am 22.0'	1:45pm 26.5'	-4.5'
Irrigation Well Sec. 34					10:45am 23.0'	1:55pm 32.7'	-9.7'
New Irrigation Well Sec. 27 450' West of of pumping well					10:35am 24.2' & 3:05pm 29.8'	2:00pm 44.3'	-20.1'
Observation well Sec. 27, 20' from pumping well					1:55pm 30.5' & 3:12pm 38.2'	2:05pm 53.6'	-23.1'
Royal Gamber	13.8'	26.2'	15.1'		1:00pm 24.0' pumping	10:50am 21.9' no pumping since 3:00pm 1-15-77	
Richard Grann					1:40pm 24.0'	no reading 1/8 mile from CK-76M	
Robert Madsen	28.5'	28.5'	28.1'	11-10 25.7'	11:00am 24.5'	10:30am 26.7'	-2.2'

Wallace	35.6'	35.6'	35.1'	11:30am	10:10am	
Wicks				34.0'	34.2'	
				pumping	not pumping	
Vernon	29.5'	31.95'	30.5'	11:45am	10:00am	-0.1'
Opsahl				28.4'	28.5'	
pasture well				not pumping	not pumping	

Only those domestic wells owned by persons protesting Applications No. 3028-3 and No. 3029-3 October 21, 1976, were measured; however, we would expect measurements in any other domestic wells affected by the pumping to be similar to those affected depending upon location and local aquifer characteristics.

Discussion

The test pumping affected observation wells and domestic wells up to five miles away from the irrigation well.

Since the aquifer is under artesian head conditions, such effects are to be expected. Delivery of water from an adequate well should not be influenced by fluctuations in the artesian head. An adequate artesian well in the area is a well in which the pump intake can be placed at least 20 feet down into the aquifer providing the aquifer is thick enough. An adequate well should be protected from irrigation pumping.

The area domestic wells measured apparently are inadequate or in need of maintenance. The Grann well may be adequate providing the pump is near the bottom of the well and providing the water level is comparable to the level measured in nearby observation well CK-76M. If the water level in the Grann well was several feet lower than CK-76M, then the problem could be within his well.

Mr. Gramber reported that he could not pump water from his well at 3:00 p.m. January 16, 1977. The water level measured the following day about 20 hours later with no pumping was 21.9 feet, about 8 feet below the normal nonpumping level of 14 feet. Before the pumping started, his pumping level was measured at 24.0'.

Measurements taken on the Gramber well in June indicate that the water level does return in his well when he is not pumping. When pumping, there is significant drawdown from his own pumping. The Staff believe the Colony pumping may affect his well, but the primary problem may be with his own well.

This can not be fully determined without a nearby observation well. The Staff hopes to install another observation well this spring if funding is available.

The Gamber well and the Madsen, Wicks and Opsahl wells are constructed using 24 inch diameter concrete tile. The Opsahl well has wood curbing at the bottom. Such construction is typical of many shallow wells in South Dakota. Water comes into such wells through the bottom or through joints in the tile or wood. Such wells may deliver adequate domestic water, but with age tend to become partially plugged at the bottom and at the joints. Under normal conditions and without fluctuations in the water level such wells provide many years of service. Such wells should be and are cleaned out periodically.

When the wells are located in aquifers with artesian head conditions such as in Clark County area, many of the older wells only penetrate the aquifer a few feet. Since there is artesian head the water rises in the well providing several feet of water. With no nearby high capacity wells such as irrigation or municipal pumping, the wells provide sufficient domestic supplies including livestock watering and lawn or garden watering. The artesian head tends to force the water into the well even though entry is restricted to the bottom and the joints which may become partially plugged in older wells.

When there is nearby irrigation pumping, then two situations exist. One, the water level (artesian head) drops and second, the pressure that forces water into the well is also reduced. The well suddenly may not deliver sufficient water, if the pump pumps water out faster than it can run into the well. A screened well that is in good condition may continue to deliver sufficient quantities of water if the pump is low enough even though the well may only be into the top few feet of the aquifer.

Should pumping be from only the top of an aquifer and allow only minor use of the water or should pumping be from the entire aquifer with greater use of the water? When pumping from the entire aquifer is allowed, then with artesian head conditions, fluctuations in the artesian head can be expected. Under such conditions, if anyone is to rely upon the aquifer as a dependable source of domestic water, then adequate wells are necessary.

As long as water levels return to basically the same level each year, taking into consideration weather conditions, the ground water is not being depleted. If the ground water was being depleted, this would be in violation of State Statutes and reduction or shutting off of irrigation pumping would be necessary.

The 1972 Legislature passed Legislation which does not require the artesian head of an aquifer to be protected on a continuous basis. Based upon the 1972 Legislation the Water Rights Commission determined at the July and November, 1976, meetings that it will not protect inadequate wells affected by nearby high capacity well pumping such as irrigation beyond July 1, 1977. The Commission has also said that permits will also be issued on a selected basis.

That is, in areas where inadequate wells are affected by irrigation pumping, not every application submitted will be approved immediately. Approval of permits is to be done on a gradual basis to allow inadequate well owners time to improve or replace their inadequate domestic wells.

There apparently is unappropriated water available in the Fordham Colony area for irrigation. However, use of the water for irrigation will result in nearby domestic wells being affected by irrigation pumping. When the domestic wells are inadequate, then the owner may have to lower his pump intake, deepen the well or even replace the well. An adequate well would be protected.

The Commission Staff believes the irrigation well in Section 22 can be approved. A second unauthorized irrigation well has been drilled about 450 feet from the authorized irrigation well in Section 27. This well should not be authorized if requested. Spacing of at least $\frac{1}{2}$ mile should be provided until better information is known. The irrigation well in Section 34 could be approved; however, the effects on nearby inadequate domestic wells will be more noticeable.

Recommendations

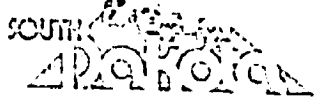
The Staff believes unappropriated water is available for both Applications No. 3028-3 and No. 3029-3; however, to allow inadequate domestic well owners time to improve or replace their domestic wells and to permit additional information on the aquifer to be obtained, the staff recommends that Application 3029-3 in Section 22 for 1.85 cfs from 1-75 foot well be approved with the qualification:

" 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~~ ^{adequate} domestic wells or in irrigation wells having prior water rights."

and that Application No. 3028-3 remain deferred.

JOHN HATCH, Chief Engineer
Water Rights Commission

1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15 Fordham Colony	14	13	18
24	19	20	21	22 3027	23	24	19
25	30	29	28	27 No Irrigation Well Ramped Irrigation Well 2477-3 Irrigation Well	26	25	30
36	31	32	33	34 3028-5	35	36	31
1	6	5	4	3 dry hole Fall 1976	2	1	6
12	7	8	9	10	11	12	7
13	1	17	16	15 Wallace Richards	14	13	18
24	2	20	21	22 CK-76A Verney Opinion fastener well	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34 Carpenter	35	36	31
1	6	5	4	3	2	1	6



3028-3 & 3029-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

January 21, 1977

Zack Wollman
Fordham Colony
Carpenter, South Dakota 57322

Gentlemen:

Your deferred Applications No. 3028-3 and 3029-3 will be reconsidered by the Water Rights Commission during their January 25-27, 1977 meeting, at 10:30 A.M., January 27. A copy of the "Report on Fordham Colony Water Right Applications Nos. 3028-3 and No. 3029-3", is enclosed for your information. Any comments concerning this application can be presented at this hearing.

The Commission will be meeting in the South Dakota Education Association Auditorium, 411 East Capitol, Pierre, South Dakota.

Please advise if you have any questions concerning the hearing.

Sincerely,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw

cc: Royal Gamber, Carpenter, S.D.
Richard Grann, Carpenter, S.D.
Robert Madsen, Carpenter, S.D.
Wallace Wicks, Carpenter, S.D.
Vernon Opsahl, Carpenter, S.D. 57322

Form 10.

No. 3 028-3

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

Post Office Carpenter, S.D.

Date 7-3-1978

TO: Water Rights Commission
Joe Foss Building
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. 3028-3

Water Right Permit No. 3028-3 states that the diversion system is to be constructed by July 3, 1978 and that the water is to be put to beneficial use by July 3, 1978.

The diversion system was completed on July 3, 1978.
Applying the water to beneficial use was completed on July 3, 1978.

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.

Joe S. Langer
(Signature)





Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

TO: Persons Concerned With Fordham Colony Water Right Applications
Nos. 3028-3 and 3858-3.

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of Applications Nos. 3028-3 and 3858-3

The Water Rights Commission will reconsider Water Right Applications Nos. 3028-3 and 3858-3 at 9:00 A.M., January 26, 1978 at the South Dakota Education Association Building, 411 East Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

Applications Nos. 3028-3 and 3858-3 were deferred by the Water Rights Commission pending Staff investigation.

After reconsideration of Applications Nos. 3028-3 and 3858-3 the Commission can approve, defer, or deny all or part of the Applications.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw

Harold Brannan
Clark, SD 57225

Gary Klatt
Clark, SD 57225

Larry Brannan
Clark, SD 57225

K. Seifeldt
Clark, SD 57225

Dale Hoffman
Clark, SD 57225

Rebecca Pfaff
Carpenter, SD 57322

Roger D. LaMont
Willow Lake, SD 57278

Wesley Gross
Yale, SD 57386

William Saboe
Carpenter, SD 57322

Claude Sheldon
Carpenter, SD 57322

Helen Madser
Carpenter, SD 57322

Pearl Iverson
Carpenter, SD 57322

Gladys Miller
Carpenter, SD 57322

Marlette Glanzer
Carpenter, SD 57322

Carol Grann
Carpenter, SD 57322

Alice Sheldon
Carpenter, SD 57322

Mary Saboe
Carpenter, SD 57322

Wayne Helken
Raymond, SD 57258

Art Helkenn
Raymond, SD 57258

Norman Helkenn
Raymond, SD 57258

Rolland Helkenn
Carpenter, SD 57322

Alfred Overlie
Clark, SD 57225

Maynard Hanson
Willow Lake, SD 57278

Emma Thies
Willow Lake, SD 57278

Rhonda Micholski
Willow Lake, SD 57278

Arleen Overlie
Clark, SD 57225

Connie Seefeldt
Clark, SD 57225

Edward Hollberg
Clark, SD 57225

John Mills
Clark, SD 57225

Edwin Seefeldt
Clark, SD 57225

Norman G. Nelson
Willow Lake, SD 57278

Gordon Modser
Carpenter, SD 57322

William Leptien
Doland, SD 57436

FORDHAM COLONY 3858-3

Elmer Larson
Clark, SD 57225

Edwin Horde
Clark, SD 57225

John Heffera
Raymond, SD 57258

Robert Johnson
Clark, SD 57225

H. Kritzschar
Willow Lake, SD 57278

L. Colberg
Willow Lake, SD 57278

J. Gehrke
Willow Lake, SD 57278

J. H. Peterson
Willow Lake, SD 57278

John Pfaff
Carpenter, SD 57322

Leonard Christensen
Carpenter, SD 57322

Lee A. Kirkely
Vienna, SD 57271

Wanda Steen
Vienna, SD 57271

Sandy Dellis
Groton, SD 57445

Jerry Kirkeby
Vienna, SD 57271

S. Michalski
Willow Lake, SD 57278

Tom Hofer
Carpenter, SD 57322

Richard E. Poppen
De Smet, SD 57231

Ronald Hanson
Clark, SD 5722

Lester Jones
Carpenter, SD 57322

Galen Waldner
Carpenter, SD 57322

Robert Froke
Vienna, SD 57271

Edwin M. Hofer
Carpenter, SD 57322

Eldon Schmeichel
Huron, SD 57350

Gary Schmeichel
Huron, SD 57350

Jacob K. Walner
Carpenter, SD 57322

Mrs. Norma Glanzer
Carpenter, SD 57322

Eli M. Hofer
Huron, SD 57350

Marlyn G. Friesen
Freeman, SD 57029

Lotha Waldner
Carpenter, SD 57322

Dennis Webber
Huron, SD 57350

Ladella Glanzer
Huron, SD 57350

Dorothy Lewis
Huron, SD 57350

Orvan McPeck
Willow Lake, SD 57278

FORDHAM COLONY 3858-3

James P. Madsen
Bryant, SD 57221

Gregory D. Keating
RR 2
Carpenter, SD 57322

Noel Hofer
Carpenter, SD 57322

Elmer Hofer
Carpenter, SD 57322

Herman Hofer
Carpenter, SD 57322

Delwin O. Hofer
Carpenter, SD 57322

Glen E. Walters
Carpenter, SD 57322

Larry Houghtaling
Doland, SD 57436

Kim Madsen
Carpenter, SD 57322

Bernard Kerkvliet
Bryant, SD 57221

George Tellinghuisen
Willow Lake, SD 57278

Ronald R. Denmen
Willow Lake, SD 57278

Dave R. Fanber
Watertown, SD 57350

Jack Caneter
Willow Lake, SD 57278

Cavin Pommer
Willow Lake, SD 57278

Forman Denman
Willow Lake, SD 57278

John Desrid
Willow Lake, SD 57278

Richard Whitaker
Willow Lake, SD 57278

Morris McGeough
Willow Lake, SD 57278

Paul Day
Clark, SD 57225

Robert Grensberg
Willow Lake, SD 57278

Lowell Dubro
Iroquois, SD 57353

Sidney Gross
Huron, SD 57350

Fordham Colony 3835-3

FORDHAM COLONY
APPLICATIONS NOS. 3028-3 and 3858-3

Application No. 3028-3 calls for 1.85 cfs from one 85 foot deep well located near the center of the NW $\frac{1}{4}$, Section 34, T115N, R59W and to irrigate this same quarter. Application No. 3858-3 calls for 1.85 cfs from a 110 foot deep well located near the center of the SE $\frac{1}{4}$, Section 27, T115N, R59W to irrigate the NW $\frac{1}{4}$, Section 26, T115N, R59W.

Originally the Water Rights Commission deferred action on applications Nos. 3028-3 and 3029-3 during the October, 1976 Water Rights Commission meeting because of problems domestic well owners were having. At that time there had been one irrigation well in operation under permit No. 2417-3. Pumping of the irrigation well had caused a loss of head pressure and this had lowered the water levels in some domestic wells requiring repair or replacement by the owners. During the fall of 1976 observation wells were drilled and a subsequent investigation conducted in January 1977. Looking at the well logs of the newly completed observation wells and the information obtained from the investigation, confirmed the Water Rights Commission Staff's explanation of the problem. So at the January 1977 Commission meeting the Staff recommended approval of applications Nos. 3029-3 and 3028-3. Application No. 3029-3 was approved with No. 3028-3 deferred to determine the affects of a full pumping season on the water levels.

During the 1977 irrigation season Fordham Colony pumped the irrigation well in Section 27, for 63 days, and the well in Section 22, for 42 days. (See map for locations) The following table is a listing of Water Rights Commission observation wells and the measurements taken. Fordham Colony also has provided the Staff with their pumping records which compares favorable with the observation well measurements. If the Commission wishes this can be presented also.

Well	Date												
	11 29 76	2 7 77	4 19 77	6 8 77	6 22 77	7 7 77	7 21 77	8 3 77	8 17 77	9 8 77	9 21 77	10 20 77	12 30 77
CK-76I	22.8	22.2	21.7	25.5	37.6	31.3	42.4	47.7	53.0		33.6	23.4	22.7
CK-76J				9.9	10.4	11.6	11.4	11.7	12.2	12.2	11.9	11.4	
CK-76M	21.1	20.4	19.2	29.7	24.9	21.8	29.7	31.0	26.4	23.3	22.3	20.8	19.7
CK-76N	32.4	32.0	31.1	35.2	33.6	32.3	35.0	35.9	34.3	33.6	32.9	31.8	31.1
CK-76O	9.6	9.6	9.3	9.4	9.2	9.1	9.2	9.3	9.4	9.2	9.1	8.8	8.3

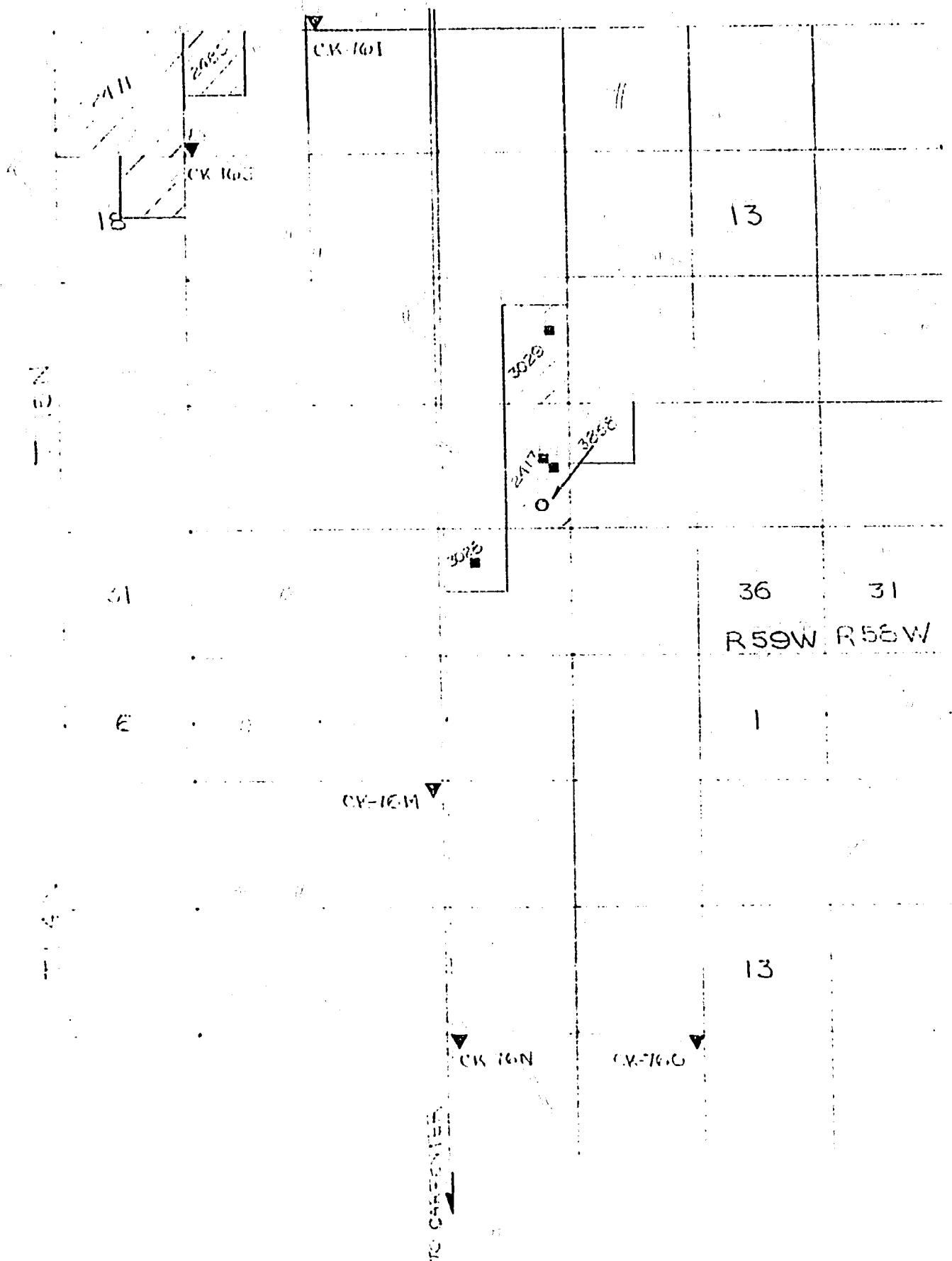
The full season of irrigation shows a maximum fluctuation of 11.8 feet in observation well CK-76N under the present pumping conditions. The water levels are nearly the same now as last spring (see Water Level Chart). Also there were no domestic well complaints from this area during 1977. Looking at the well logs for the observation wells and the water levels shows nearly 13 feet of artesian head pressure in well CK-76N, even during the period of greatest drawdown. The fact that both wells were pumped together, a total of 105 days, and that the water levels have come back

indicates the aquifer can handle additional pumping. Because of the artesian head pressure and combined with the limited extent of the aquifer the Staff recognizes the possibility of well interference, not so much with domestic wells, but within the irrigation well field. Spacing of large capacity wells is an important consideration. The Staff would like to obtain more data concerning this subject. Possibly a complete pump test to determine the aquifer characteristics.

RECOMMENDATIONS:

The Water Rights Commission Staff recommends approval of Application No. 3028-3. The data indicates that unappropriated water is available with the spacing of large capacity wells being considered. The spacing of the present wells and the one proposed under No. 3028-3 should be all right. In any event the Staff will continue to monitor the observation wells closely. The well location of Application No. 3858-3 may cause excessive interference within the well field. The Staff needs more evidence before this application could be approved. The Staff recommends leaving this application in a deferred status. Also there are priorities to the North which would need to be considered first, as these are in the same aquifer.

JAMES GOODMAN
Hydrologist
Water Rights Commission



Permit No. 3028-3Water Division 3 JAMES 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 FORDHAM
COLONY of CARPENTER halfer
of Permit No. 3028-3, bearing date of priority of SEPTEMBER 3, 1976
authorizing the diversion of 1.85 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in CLARK 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:

110' DEEP WELL WITH 16" STAINLESS STEEL CASING - 20' SS SCREEN
WESTERN LAND ROLLER 8" PUMP (NO TAG), POWERED BY
75HP US ELECTRIC MOTOR @ 1765 RPM

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

310' OF 8" BURIED PVC TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

ZIMMATIC 7 TOWER CENTER PIVOT SYSTEM WITH
NELSON #100 END GUN.

The system is in the following condition: GOOD

The point of diversion is located 1630' E & 1320' S OF THE NW CORNER,
SECTION 34, T115N, R59W

The works are capable of diverting and conveying to the place of use 1.78 (800 GPM)
cu. ft. per second of water which is to be used for IRRIGATION

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

FOR IRRIGATING A 132 ACRE CIRCLE IN THE
NW⁴, SECTION 34, T115N, R59W

comprising a total of 132 acres of land.

CLARK COUNTY
CLARK COUNTY

Date AUGUST 24, 1982

Austin Jones
(Signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3028-3

(1) WHEREAS, On the 3rd day of September A. D. 19 76
the Fordham Colony

made Water Right Application No. 3028-3 for a permit to use 1.85 cubic feet per second of the waters
of groundwater (one well)

County of Clark, State of South Dakota, for Irrigation

_____ purposes; and

(2) WHEREAS, On the 25th day of January A. D. 19 78
Permit No. 3028-3 with a date of priority of September 3, 1976

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 25th day of January A. D. 19 83 and for the
application to beneficial use of said water on or before the 25th day of January A. D. 19 86

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,

to irrigate 132 acre circle in the NW¼, Section 34, T115N, R59W

(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 the Fordham Colony

_____ of Carpenter SD

the holder S and owner S of said permit No. 3028-3 a water right, dating from September 3, 1976

_____ to use of 1.78 cubic feet per second of the waters

of groundwater (one well)

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

purposes hereinbelow mentioned, to be diverted at a point 1630 feet east and 1320 feet south of

the NW corner, Section 34, T115N, R59W (SE¼ NW¼)

and conducted to and upon a 132 acre circle in the NW¼, Section 34, T115N, R59W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3028-3 and subject to the laws of the State of South Dakota.

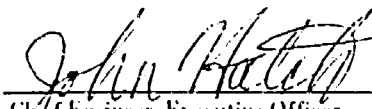
WITNESS, My hand and seal of our office at Pierre, South Dakota

this 29th day of September A. D.

Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:



Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 3028-3

Water Diversion No. 3 James River Water District

10160006

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Fordham Colony & Zack Wollman

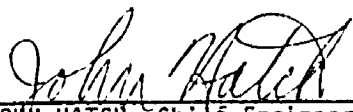
_____ the holder _____ of
Permit No. 3028-3, issued upon Application No. 3028-3, bearing date of priority of September 3, 1976

_____ authorizing the diversion of 1.78 cu. ft. per second of the waters of _____
groundwater (one well) County of Clark, State of South Dakota at _____
a point 1630 ft east and 1320 ft south of the NW corner, Section 34, T115N,
R59W (SE $\frac{1}{4}$ NW $\frac{1}{4}$)

_____ for Irrigation

_____ purposes, has not 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 1.78 cu. ft. per second of water.

Date September 29, 1982



JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8964

PIERRE, September 16, 1982

RECEIVED OF Fordham Farmers Corp., Carpenter Co. 30228-3
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. <u>30228-3</u>		
Fee for inspecting Beneficial Use, and issuing Water License No. <u>30228-3</u>	50	00
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	50	00

WATER RIGHTS COMMISSION

By J. J. Hatch
Chief Engineer, Executive Officer
J. J. HATCH C.E.S.



3028-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

January 30, 1996

NOTICE

TO: FORDHAM COLONY, ZACK WOLLMAN, RT 1 BOX 28, CARPENTER, SD 57322

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

SUBJECT: Violation of Water Permit No(s) 5474-3 & 5475-3, 2417-3 3028-3 & 4399-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 5474-3 & 5475-3, 2417-3 3028-3 & 4399-3. The request for the Questionnaires was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2417-3 3028-3 & 4399-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5474-3 & 5475-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5474-3 & 5475-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2417-3 3028-3 & 4399-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



3028-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 21, 1996

Zack Wollman
Fordham Colony
RR 1 Box 28
Carpenter, SD 57322

RE: Water Permit/Right Nos. 2417-3, 3028-3, 4399-3, 5474-3 & 5475-3

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, Notice of Violation of Water Permits and the Requirements to Submit the 1995 Irrigation Questionnaires.

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

If you have any questions, please contact me.

Sincerely,

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



February 4, 1997

NOTICE

3028-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

TO: FORDHAM COLONY, ZACK WOLLMAN, RT 1 BOX 28, CARPENTER, SD 57322

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

SUBJECT: Violation of Water Permit No(s) 5474-3 & 5475-3, 2417-3 3028-3 & 4399-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 5474-3 & 5475-3, 2417-3 3028-3 & 4399-3. The request for the Questionnaires was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2417-3 3028-3 & 4399-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5474-3 & 5475-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5474-3 & 5475-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2417-3 3028-3 & 4399-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



3028-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 21, 1997

Zack Wollman
Fordham Colony
RR 1 Box 28
Carpenter, SD 57322

RE: Water Permit/Right Nos. 2417-3, (3028-3), 4399-3, 5474-3 & 5475-3

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation of Water Permits and 1996 Irrigation Questionnaire Requirements.

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

Thank you and if you have any questions, please contact me.

Sincerely,

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

3028-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 1999

NOTICE

TO: FORDHAM COLONY, ZACK WOLLMAN, RT 1 BOX 28, CARPENTER, SD 57322

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 2417-3 3028-3 & 4399-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2417-3 3028-3 & 4399-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



3028-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 2, 1999

2417-3
3028-3
4399-3

Zack Wollman
Fordham Colony
RR 1 Box 28
Carpenter, SD 57322

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right Nos. 2417-3, 3028-3 and 4399-3.

I completed questionnaires for you based on my March 2nd telephone conversation with Gary. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you and if you have any questions, please contact me.

Sincerely,

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



3028-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: FORDHAM COLONY, ZACK WOLLMAN, RT 1 BOX 28, CARPENTER, SD 57322

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 2417-3, 3028-3 & 4399-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 1:30 pm, March 1, 2000, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2417-3, 3028-3 & 4399-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



3028-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2000

2417-3
3028-3
4399-3

Zack Wollman
Fordham Colony
RR 1 Box 28
Carpenter, SD 57322

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 2417-3, 3028-3 and 4399-3.

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

If you have any questions, please contact me.

Sincerely,

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



3028-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: FORDHAM COLONY, SAM GLANZER, RT 1 BOX 28, CARPENTER, SD 57322

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

SUBJECT: Reporting Requirement for 2002 Irrigation QuestionnaireS

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 2417-3, 3028-3 & 4399-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 5, 2003, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2417-3, 3028-3 & 4399-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2003, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2003

2417-3
3028-3
4399-3

Sam Glanzer
Fordham Colony
RR 1 Box 28
Carpenter SD 57322

Dear Mr. Glanzer:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 2417-3, 3028-3 and 4399-3.

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

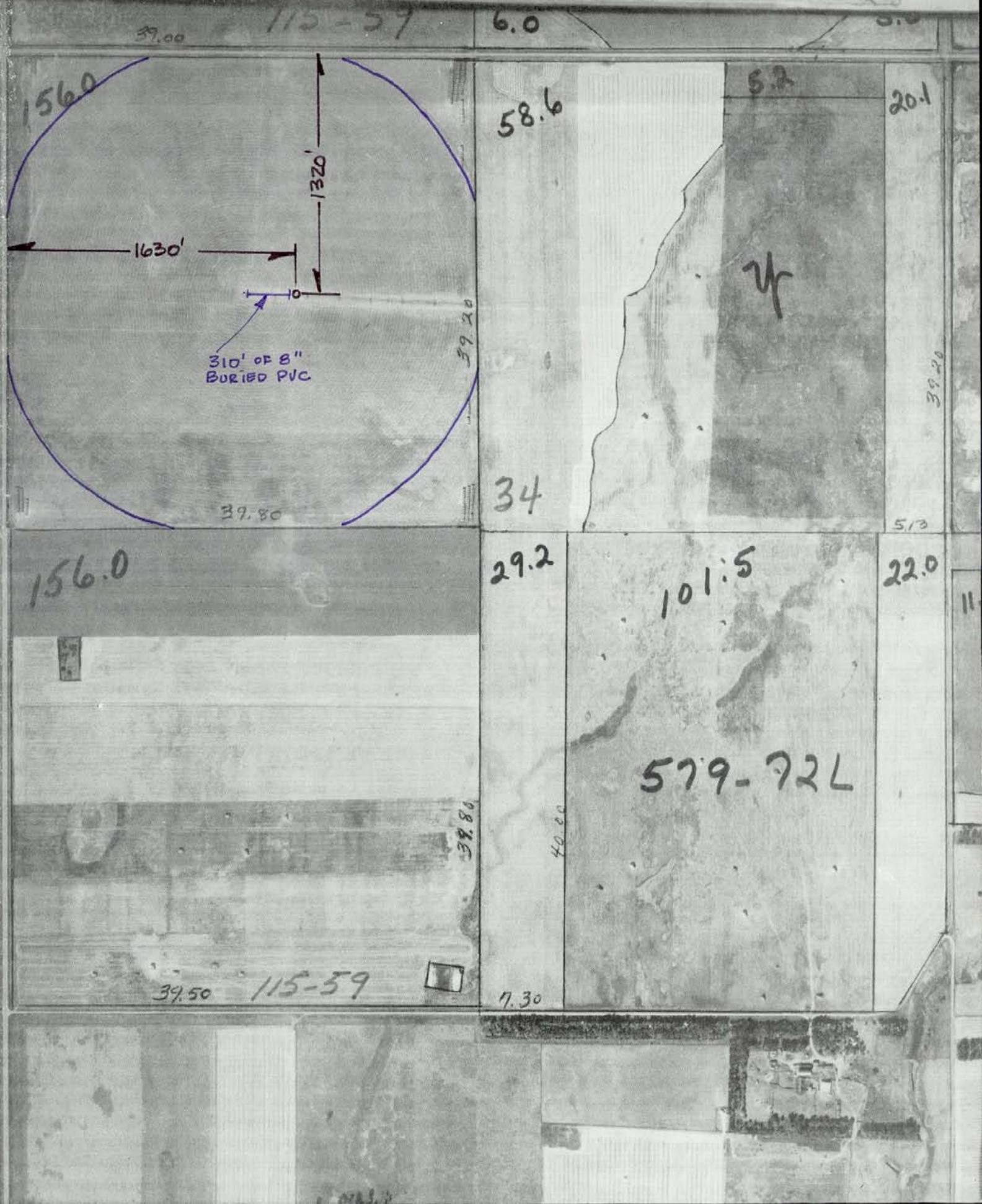
If you have any questions, please contact me.

Sincerely,

Genny McMath

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

NOT TO SCALE





3028-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: FORDHAM COLONY, SAM GLANZER, 533 FORDHAM DR, CARPENTER, SD 57322

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire has not been submitted for Permit Nos. 2417-3, 3028-3 & 4399-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 4, 2015**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2417-3, 3028-3 & 4399-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2015

2417-3
3028-3
4399-3

Sam Glanzer
Fordham Colony
533 Fordham Dr
Carpenter SD 57322

Dear Mr. Glanzer:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 2417-3, 3028-3 & 4399-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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