

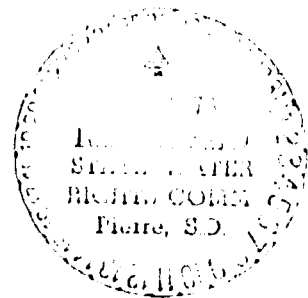
Water Right Number 3146.3

1. Considered 11-17, 1915
2. Name of Applicant GENE WARRENTHIEN
3. Post Office Address WILLOW LAKE
4. Amount of water claimed 3.25
5. Source of water supply 108' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 300
7. Water to be diverted and used in CLARK County
about 3N, 3W Miles 1 of WILLOW LAKE
8. Proof of Publication
Received 1st
Not received _____
Approved _____
Subject to _____
Not approved _____
Action deferred _____
9. Application
10. Remarks:

Form 2 - Application for Permit to Appropriate Water, Original (Includes Approval and Permit)

No. 3146-3

Map No. 2487-3 Water Division No. 5 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)

Gene Warkenthien

1. Name of Applicant _____

Postoffice address Star Route, Willow Lake, State South Dakota

If a corporation show date and place of incorporation _____

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

2. Name of diversion work Gene Warkenthien #2

4. Amount of water claimed (cubic feet per second) 3.25

5. Source of water supply Ground Water

6. Location of point of diversion 130 rods East and 120 rods South of the NW Corner,
Section 20, T114N, R57W

County Clark

7. Annual period or periods during which water is to be used April thru November

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 300

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 $\frac{1}{4}$, Section 20, T114N, R57W	144		
SW $\frac{1}{4}$, Sec. 20, T114N, R57W	156		

Attach sheet if more space is needed
5

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 3 years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Clark County Courier, Clark, S.D.

12. Principal Features of the Proposed Water Supply System.

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

Well and pumping system

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

underground pipelines

C. Works proposed to apply water to beneficial use.

sprinkler irrigation system

Estimated Total Cost \$ 50,000.00

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

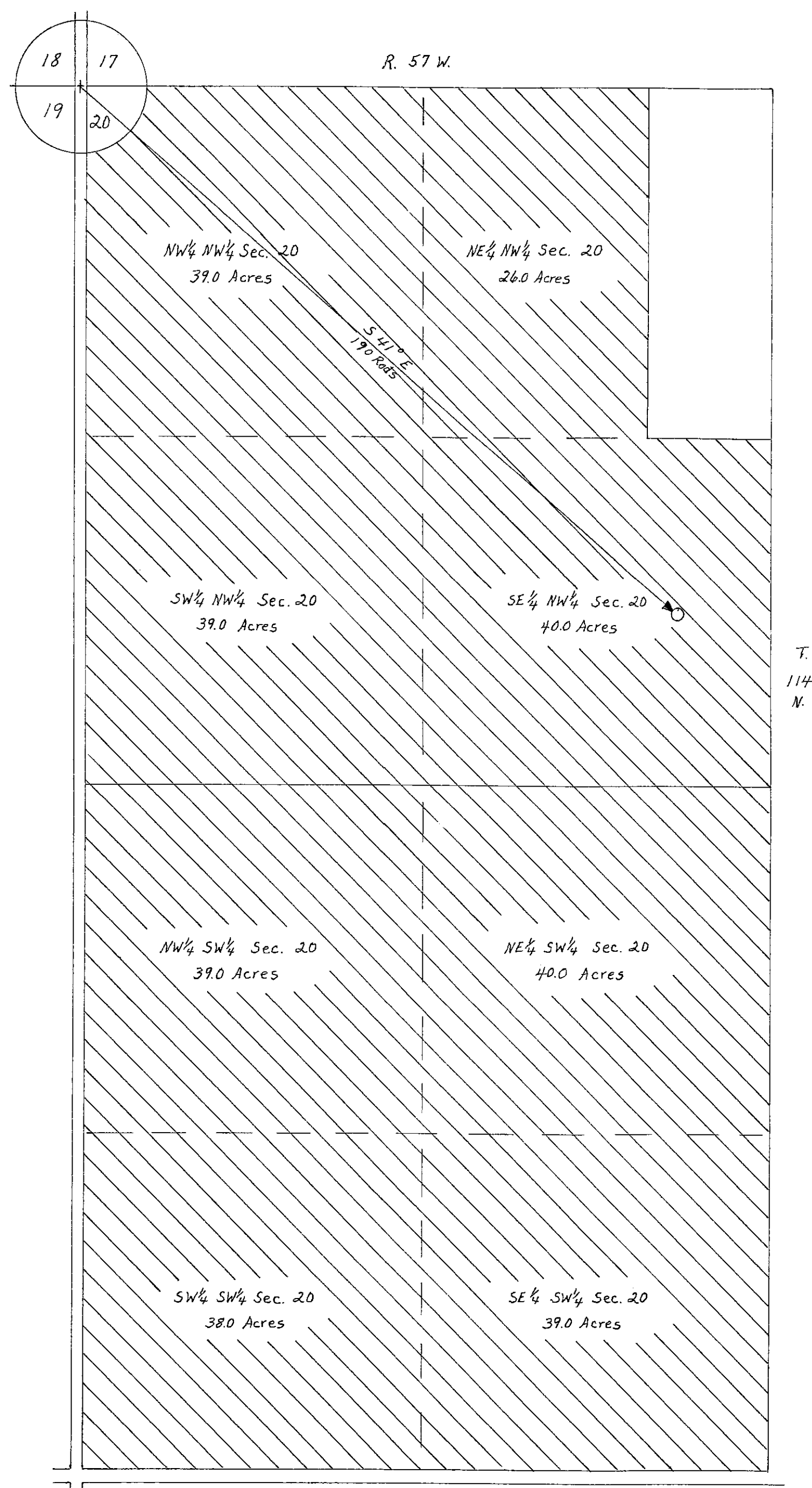
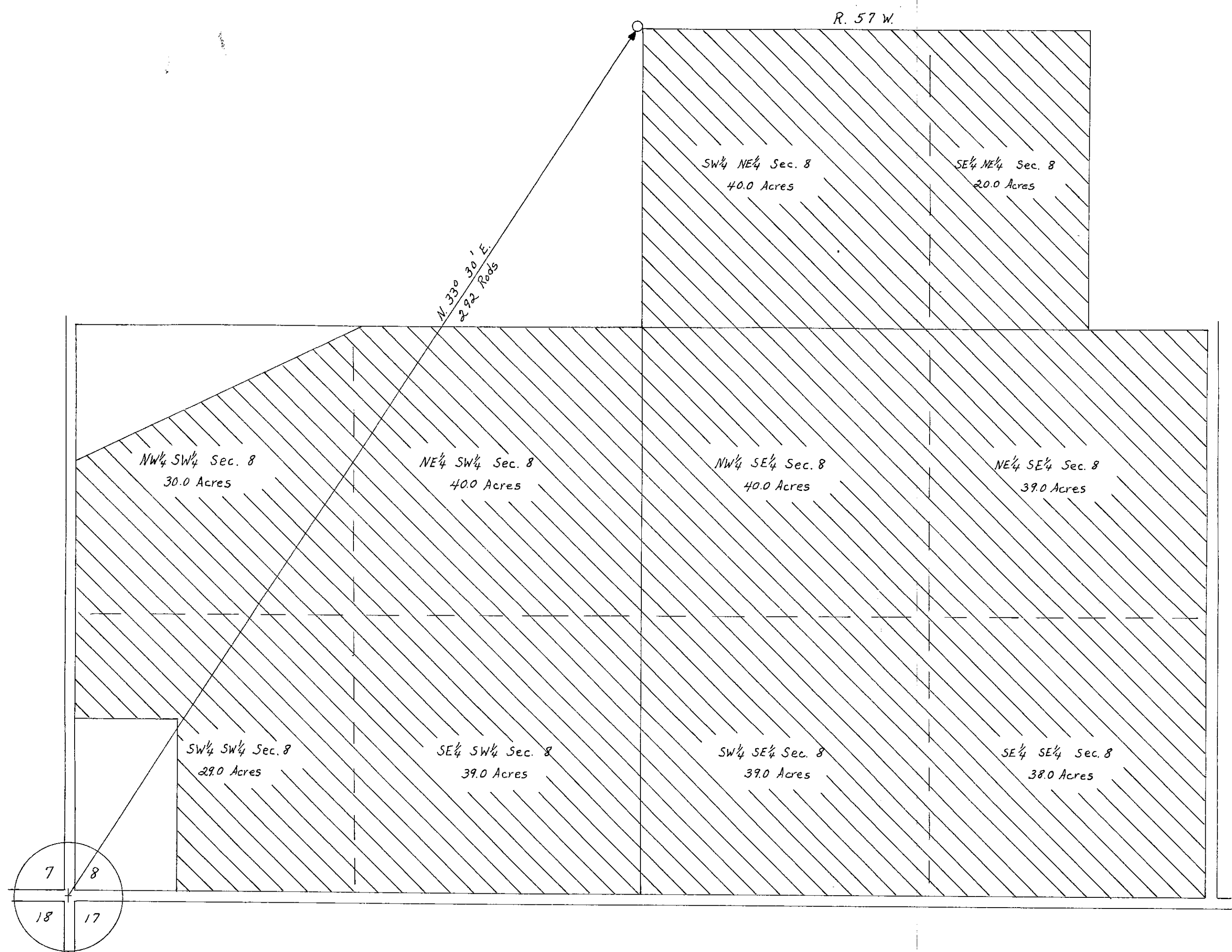
STATE OF SOUTH DAKOTA)
County of Clark) ss.

I, Gene Warkenthien, 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 _____

Subscribed and sworn to before me this 12th day of October, 1976

Notary Public (or other qualified officer)



All Lands Described Are Owned By Gene Warkenthien

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
SW 1/4 NE 1/4	8	114	57	40.0
SE 1/4 NE 1/4	8	114	57	20.0
NW 1/4 SW 1/4	8	114	57	30.0
NE 1/4 SW 1/4	8	114	57	40.0
SW 1/4 SW 1/4	8	114	57	29.0
SE 1/4 SW 1/4	8	114	57	39.0
NW 1/4 SE 1/4	8	114	57	40.0
NE 1/4 SE 1/4	8	114	57	39.0
SW 1/4 SE 1/4	8	114	57	39.0
SE 1/4 SE 1/4	8	114	57	38.0
NW 1/4 NW 1/4	20	114	57	39.0
NE 1/4 NW 1/4	20	114	57	26.0
SW 1/4 NW 1/4	20	114	57	39.0
SE 1/4 NW 1/4	20	114	57	40.0
NW 1/4 SW 1/4	20	114	57	39.0
NE 1/4 SW 1/4	20	114	57	40.0
SW 1/4 SW 1/4	20	114	57	38.0
SE 1/4 SW 1/4	20	114	57	39.0
Total				654.0

LAND TO BE IRRIGATED
PUMP SITES

Scale: 1" = 400'

SURVEYOR'S CERTIFICATE

I, Franklin I. Fite DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF Gene Warkenthien, Irrigation Project No. 1, AND HAS BEEN PREPARED BY:

SIGNATURE: Franklin I. Fite

TITLE: District Conservationist Soil Conservation Service

SUBSCRIBED AND SWORN TO BEFORE ME THIS 22nd DAY OF October, 1976, A.D.

Doreen M. Fite
NOTARY PUBLIC

MY COMMISSION EXPIRES April 2, 1979.

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3146-3GENE WARKENTHIEN
(Applicant)STAR ROUTE, WILLOW LAKE
(Post Office Address)SOUTH DAKOTA 57278
(State)

- With the following modifications:

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 26, 19 76

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

Date of receipt of corrected application _____, 19 _____

Approved NOVEMBER 18, 19 76, Recorded in Book 16 Page 224WATER RIGHT PERMIT NO. 3146-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3146-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is OCTOBER 26, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 18, 19 79
3. The whole of said work is to be completed on or before NOVEMBER 18, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 18, 19 84
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 3.25 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is

actually and beneficially applied for irrigation on or before NOVEMBER 26, 19 84; said water to be used during the following described annual period: APRIL THRU NOVEMBER

Witness my hand this 22ND day of DECEMBER, 19 76

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 78'
(2) Casing, Type Steel Diameter 16" Thickness .250
(wood, concrete, steel, etc)
(3) Perforated Screen
Type Johnson Irrigator, Diameter 16", Length 30'
(4) Gravel Pack, Thickness 7", Length of gravel pack 78'

E. Dugout Information or Estimates

(1) Surface dimensions NA, Depth NA

F. Fill out for Either a Well or Dugout.

(1) Water Bearing Materials (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

0-1 Top soil 29-40 Sand & gravel

1-3 Sandy clay 40-57 Clay

3-29 Clay 57-78 Sand & gravel

Depth to top of water bearing material 29'

Depth to bottom of water bearing material 78'

Thickness of water bearing material 32'

Depth to water (ground surface to water level) 11'

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

On same owner's property 110 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.

André Walker
Signature of Applicant

Conservation
Commission
Form WI 21

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

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: *[Signature]*

Disapproved: _____

NAME: Gene Warkenthien

ADDRESS: Willow Lake, South Dakota 57278

COUNTY: Clark

LEGAL DESCRIPTION

1. WELL LOCATION: NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 20 - T 114 N ; R 57 W of the 5th P.M.
2. AREA TO BE IRRIGATED: South half of the northwest quarter of Sec. 20 and the North half of the southwest quarter of Sec. 20 - 114-57 Clark Co nty S $\frac{1}{2}$ Section 8, "4-57

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Pivot type
4. CROPS TO BE IRRIGATED: Corn-Alfalfa - wheat - oats - Barley - rye - Flax
Sunflower

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 2 to 6 %
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Soil Mapping symbol = 2BAG - 4 - 1
Soil Series - Forman loam . Intake family
0.3 taken from Irrigation guide for S. Dak. Soil group 3 in irrigation guide.
Deen, well drained loam soils having moderately slow to slowly permeable clay loam
underlain by clay loam or loam till.

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-907
8. SALINITY: EC = 954 μ mhos/cm (moderately high)
9. SODIUM: SAR = 0.38 (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 Service- Clark County conservation District

and:

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

Anders K. K. K.

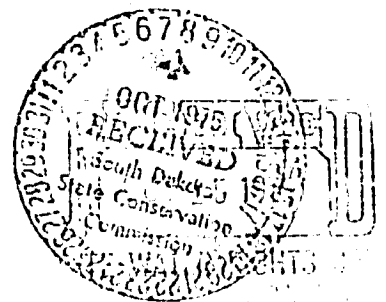
Subscribed and sworn before me this

22 day of September 1975.

A. V. K. K.

Notary Public

(Title)



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

Submitted by: Gene Markenthien
 Address: Star Route
Willow Lake, SD 57278

Date Rec'd: September 22, 1975
 Sample No.: 75-907
 Identification: Well-30'
NW 1/4, Sec. 20, T. 114N, R. 57E

WATER ANALYSIS

Calcium (Ca)	120	ppm*	6.00	me/l**
Magnesium (Mg)	52	ppm	4.26	me/l
Sodium (Na)	20	ppm	0.85	me/l
Potassium (K)	7	ppm	0.18	me/l
Sulfate (SO ₄)	225	ppm	4.68	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.11	me/l
Bicarbonate (HCO ₃)	361	ppm	5.92	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)	296	ppm (as CaCO ₃)		
Alkalinity (Phenolphthaleim)	0	ppm (as CaCO ₃)		
Electrical Conductivity	954	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.38			
Sodium	7.52	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.22			
Others:				

*ppm=parts per million

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

**me/l=milliequivalents per liter

COMMENTS: Total cations 11.29 me/l
 Total anions 10.71 me/l

By: Shirley Mittan

Service Performed

Amount Due

Irrigation analysis

\$6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-907

Amount Enclosed \$

Signed

625-5244

October 6, 1975

Mr. Gene Warkenthien
Willow Lake, SD 57278

Dear Mr. Warkenthien:

The irrigation water sample you submitted some time ago has been analysed and the results are reported herewith on the report of analysis sheet for sample #75-907. This is your copy, please keep it in a safe place. We have received your WI-1 form and the application materials, including copies of this letter, and the water analysis will be sent to the State Conservation Commission.

This water is moderately high in total salt, but low in sodium. There is a slight chance that there will be times and areas in the soil which you are going to irrigate in which salt may show up as a gray or whitish crust. Accompanying this you will see delayed germination or plants and poorer performance of some crops than on salt-free soil. If this becomes extensive, or covers an area enough to be important, you should either delay or reduce frequency of irrigation or get in touch with someone in water resources or soils work here at SDSU for possible salt reduction techniques or leaching operations. If there is a possibility of a tile outlet, these soil areas may need to be tiled. I anticipate no severe problem, however, if good management is used and you irrigate rather infrequently but in as large quantities as possible each time that you do use the water. If there are further questions, please get in touch with us.

You will see that on the back cover of extension circular 654, we have designated the approximate quality of this water for irrigation by means of a red cross. This red cross denotes the 2 characteristics, total salinity and sodium content, of the water.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission
D. Pahl
George Schanck, County Extension Agent



No. 3146-3

Publish first publication, on or before
November 4, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 29, 1976

Notice is hereby given that Gene Warkenthien

whose post office address is Willow Lake, 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 3.25 cubic feet of water per second of time from the ground water through the

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

SE 1/4 NW 1/4

of Section 20, Twp. 114N, Range 57W. Said water to be used for the purpose of providing irrigation on the following described land:

W 1/2, Section 20, T114N, R57W

This application No. 3146-3 will be considered by the Water Rights Commission at the Marvin Hughitt Hotel on Huron, South Dakota

upon the 17th day of November, 1976 at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc: Gene Warkenthien, Star Route, Willow Lake, S.D. 57278

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

No. 3146-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clark) ss.

I, Bert Kowalski hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Clark County Courier

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 Clark

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

November 4, 1976

November 11, 1976

Bert Kowalski
(Signature)

Editor

(Title)

November 12, 1976

(Date Signed)

Notice Of Intent To
Appropriate Water
Pierre, South Dakota 57501
October 29, 1976

Notice is hereby given that
Gene Warkenthien whose post
office address is Willow Lake,
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
3.25 cubic feet of water per
second of time from ground
water through Warkenthien No.
2, the point of diversion of which
is to be located in the SE1/4NW1/4
of Section 20, Twp. 114N, Range
57W. Said water to be used for the
purpose of providing irrigation on
the following described land:
W1/2, Section 20, T114N, R57W.

This application No. 3146-3 will
be considered by the Water
Rights Commission at the Marvin
Hughitt Hotel in Huron, South
Dakota upon the 15th day of
November, 1976 at 10:00 A.M. All
interested persons may appear
and be heard.

Water Rights Commission
By: Burton F. Jones,
Water Rights Specialist
11-4-21





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

Post Office WILLOW LAKE, SOUTH DAKOTA

Date March 15, 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. 3146 - 3.

Water Right Permit No. 3146 - 3 states that the diversion system is to be constructed by November 15, 1981 and that the water is to be put to beneficial use by November 15, 1984 19 .

The diversion system was completed on June 20, 1977, 19 .
Applying the water to beneficial use was completed on June 20, 1977, 19 .

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.

Jane Markenthien
(Signature)

Jane Markenthien

No. 3146-3
E 3145-3

 **Department of
Water & Natural Resources**

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

October 13, 1982

Gene Warkenthein
Star Route
Willow Lake 57278

Dear Mr. Warkenthein:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Rights

3146-3
No. & 3145-3 has been completed. Your final water right document, the Water License, can now be issued.

each
Statutes require that we charge a \$50.00 fee for ~~the~~ inspection and issuing of each
Water License. Upon receipt of the \$50.00 fee from you, your Water License
will be sent to you. (total \$100.00 for the two permits)

You will also receive the Certificate of Construction as required by statute.

Sincerely,

KAREN SCHLAAK
Administrative Secretary

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

WNR-814-7/79

Notification of Water License Ready for Issuing (\$50.00)

Warkenthien's

FEED LOT
Willow Lake, South Dakota 57278
Phono 625-5244

Gene and Delores
Barbara, Brenda, Steven, and Dwight



November 19, 1982

South Dakota Department of Water and Natural Resources
Joe Foss Building
Pierre, South Dakota

Yoren Schlaak
Administrative Secretary

Dear Madam:

I am in receipt of your recent letter. Enclosed please
find check in payment on inspection and issuing of water licenses
3145 3 and 3145 - 5.

As per your letter I will be expecting the Water Licenses and the
Certificate of Construction.

Sincerely,

Gene Warkenthien
Gene Warkenthien
St. Cl. Boy 9

Permit No. 3146-3
 Water Division 3 BIG SIOUX RIVER Water District
JAMES RIVER
10170201

REPORT 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 GENE
WARKENTHEIN of WILLOW LAKE holder
 of Permit No. 3146-3, bearing date of priority of OCTOBER 26, 1976
 authorizing the diversion of 3.25 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:

78' DEEP WELL WITH 16" STEEL CASING - 30' SS SCREEN
BYRON JACKSON 8" PUMP 4-12BCH, POWERED BY 60 HP
GE ELECTRIC MOTOR @ 1765 RPM

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

1200' OF 8" BURIED PVC FROM WELL TO PIVOT PAD

C. Works used to apply water to beneficial use

10 TOWER OLSON CENTER PIVOT SYSTEM WITH
NELSON #100 END GUN

The system is in the following condition. GOOD

The point of diversion is located 2430' E & 2150' S OF THE NW CORNER,
SECTION 20, T114N, R57W

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 N²SW⁴
& S²NW⁴, SECTION 20, T114N, R57W

comprising a total of 132 acres of land.

Date SEPTEMBER 23, 1982

Anton J. Jones
 (Signature)

WATER LICENSE NO. 3146-3

(1) WHEREAS, On the 26th day of October A. D. 1976
Gene Varkenthlen

made Water Right Application No. 3146-3 for a permit to use 3.25 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 18th day of November A. D. 1976

Permit No. 3146-3, with a date of priority of October 26, 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 18th day of November A. D. 1981 and for the application to beneficial use of said water on or before the 18th day of November A. D. 1984

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 Irrigation a 132 acre circle in the N1/4 SW1/4 (66 acres) and S1/4 NW1/4 (66 acres)
Section 20, T114N, R57W

(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 Gene Varkenthien

_____ of Willow Lake, South Dakota

the holder _____ and owner _____ of said permit No. 3146-3 a water right, dating from October 22, 1976

_____ to an 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 hereinafter mentioned, to be diverted at a point 2430 feet east and 2150 feet

south of the NW corner, Section 20, T114N, R57W (SE 1/4 NW 1/4)

and conducted to and upon a 132 acre circle located in S 1/2 NW 1/4 and N 1/2 SW 1/4, Section

20, T114N, R57W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3146-3 and subject to the laws of the State of South Dakota.

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

this 23rd day of November A. D.

Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 3146-3

Water Diversion No. 3 Big Sioux River Water District

10170201

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Gene Warkenthien, St Rt, Box 9, Willow Lake SD 57278

1 the holder Gene Warkenthien of
Permit No. 3146-3, issued upon Application No. 3146-3, bearing date of priority of October 26,
1976 authorizing the diversion of 3.25 cu. ft. per second of the waters of the
groundwater (one well) County of Clark, State of South Dakota at a
point 2430 feet east and 2150 feet south of the NW corner, Section 20,
T114N. R57W (SE 1/4 NW 1/4)
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 1.78 (800 gpm) cu. ft. per second of water.

Date November 23, 1982

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9038

PIERRE, November 22, 1982

RECEIVED OF Gene Marbentien, St. E., Box 9, Mill Lake SD 57770
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. 1146-3 -----	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1146-3 -----		
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: *W. J. J. J.*
Chief Engineer, Executive Officer

1000 7700 7700

 **Department of
Water & Natural Resources**

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

#3145-3

#3146-3

#3147-3

February 17, 1989

Gene Warkenthein
St. Rt. Box 9
Willow Lake, SD 57278

Dear Mr. Warkenthein:

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

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

The new standards include:

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



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

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

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

Very truly yours,

John Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 27, 2001

3145-3
3146-3

Gene Warkenthien
HC 3 Box 9
Willow Lake, SD 57278

Dear Mr. Warkenthien:

Thank you for getting in touch with me regarding the change of ownership for Water Right Nos. 3145-3 and 3146-3.

Enclosed are two partially completed "Notice of Transfer of Ownership" forms for use in filing the ownership changes. I have filled in most of the forms with the information contained in the water rights. Please review the forms for accuracy and complete as needed. The forms need to be signed in the presence of a notary public by the new owner.

Upon completion of the forms, please return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

417039

Pierre, January 2, 2002

RECEIVED OF Gene Warkenthien, HC 3 Box 9, Willow Lake, SD 57278
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3146-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By Harland Erbe
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. 3146-3

Date: 12-20-2001

I/We request that Water Right No. 3146-3

formerly owned by: Gene Warkenthien

be transferred to: (name & address)

Dwight Warkenthien
HC #3 Box 38 Willow Lake, S.D. 57278 Telephone No. 605-625-3342

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

132 acres - N 1/4 SW 1/4 and S 1/4 NW 1/4 Section 20, T114N, R57W

I/We understand that the validity of Water Right No. 3146-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Clack)

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

Dwight Warkenthien
(Signature of new owner)

Subscribed and sworn to before me this 31 day of December, 2001.

Jo Laine L. Symon
(Notary Public) 2-27-2007

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 7, 2002

3145-3
3146-3

Dwight Warkenthien
HC 3 Box 38
Willow Lake, SD 57278

Dear Mr. Warkenthien:

Thank you for following up on the ownership changes for Water Right Nos. 3145-3 and 3146-3. The transfers have been completed. The water rights formerly listed in the name of Gene Warkenthien are now listed in your name.

Enclosed are your Receipt Nos. 417038 and 417039. You may keep them for your records.

If I can answer any questions for you, please get in touch with me.

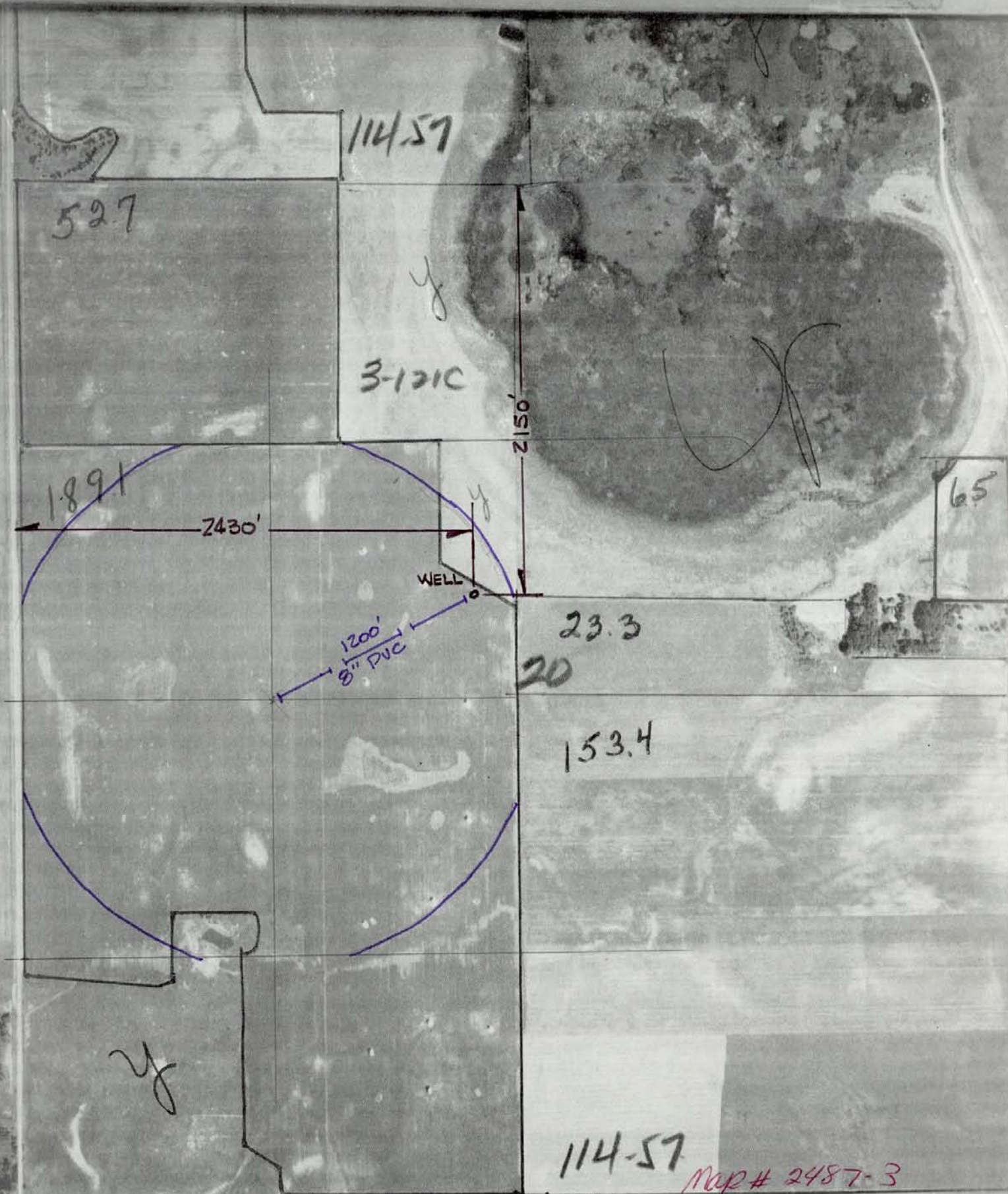
Sincerely,

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

enclosures

NOT TO SCALE

3146-3



Map # 2487-3

App # 3146-3



3146-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: DWIGHT WARKENTHIEN, HC 3 BOX 38, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 3145-3 & 3146-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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 10:30 am, March 2, 2006, 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) 3145-3 & 3146-3 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 24, 2006**, 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.



2146-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2006

3145-3
3146-3

Dwight Warkenthien
HC Box 38
Willow Lake SD 57278

Dear Mr. Warkenthien:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 3145-3 and 3146-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2008

NOTICE

TO: DWIGHT WARKENTHIEN, 18596 425TH AVE, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 3145-3 & 3146-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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 11, 2008**, 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) 3145-3 & 3146-3 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 3, 2008**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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**

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

January 29, 2008

3145-3

3146-3

Dwight Warkenthien
18596 425th Ave
Willow Lake SD 57278

Dear Mr. Warkenthien:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 3145-3 and 3146-3.

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



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 23, 2009

NOTICE

TO: DWIGHT WARKENTHIEN, 18596 425TH AVE, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 3145-3 & 3146-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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 11, 2009**, 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) 3145-3 & 3146-3 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 6, 2009**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pd>

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.

3146-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: **2303 2160 0000 0802 6005**
Status: **Delivered**

Your item was delivered at 10:34 AM on January 24, 2009 in WILLOW LAKE, SD 57278. The item was signed for by D WARKENTHIEN.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

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Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 6005

DWIGHT WARKENTHIEN
18596 425TH AVE
WILLOW LAKE SD 57278

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

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Form 383, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 2009

3145-3
3146-3

Dwight Warkenthien
18596 425th Ave
Willow Lake SD 57278

Dear Mr. Warkenthien:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 3145-3 and 3146-3.

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,

A handwritten signature in cursive script that reads "Genny McMath".

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



3146-3
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 22, 2010

NOTICE

TO: DWIGHT WARKENTHIEN, 18596 425TH AVE, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 3145-3 & 3146-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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 10, 2010**, 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) 3145-3 & 3146-3 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 5, 2010**, you will no longer be in violation of your permit and your name will be deleted 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: <https://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
www.state.sd.us/denr

February 2, 2010

3145-3
3146-3

Dwight Warkenthien
18596 425th Ave
Willow Lake SD 57278

Dear Mr. Warkenthien:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 3145-3 and 3146-3.

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,

A handwritten signature in cursive script that reads "Genny McMath".

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