

Water Right Number 3185-3

1. Considered 11-17, 1976
2. Name of Applicant DAVID E. WITTE
3. Post Office Address SIOUX FALLS
4. Amount of water claimed 1.70
5. Source of water supply 45' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 120
7. Water to be diverted and used in BROOKINGS County
about 1 SEKTION Miles 1ST of
8. Proof of Publication Received 1ST
Not received
Approved
Subject to
Not approved
Action deferred
9. Application
10. Remarks:

Map No. 2448-3 Water Division No. 3 BIG SIOUX RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant DAVID A. WITTE
Postoffice address 1523 S 2ND AVE, City SIOUX FALLS, S. DAK.
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor). CONTRACT
3. Name of diversion work IRRIGATION WELL
4. Amount of water claimed (cubic feet per second) 1.5
5. Source of water supply UNDERGROUND WATER
6. Location of point of diversion FROM THE SE. CORNER OF SECTION 28,
1378 FT NORTH, THENCE 1644 FT WEST
County BROOKINGS
7. Annual period or periods during which water is to be used JUNE, JULY, AND AUGUST
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 120

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SW 1/4 SE 1/4 28 109 47	40		
NW 1/4 SE 1/4 28 109 47	40		
NE 1/4 SE 1/4 28 109 47	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 6 MONTHS years. Additional time required to complete application of water to the proposed beneficial use 6 MONTHS years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication BROOKINGS REGISTER
12. Principal Features of the Proposed Water Supply System.

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

WELL AND LINE SHAFT TURBINE PUMP

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

6" ALUMINUM AND PLASTIC PIPE

C. Works proposed to apply water to beneficial use.

GUN OR CENTER PIVOTEstimated Total Cost \$20,000 - TO 40,000

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

STATE OF SOUTH DAKOTA

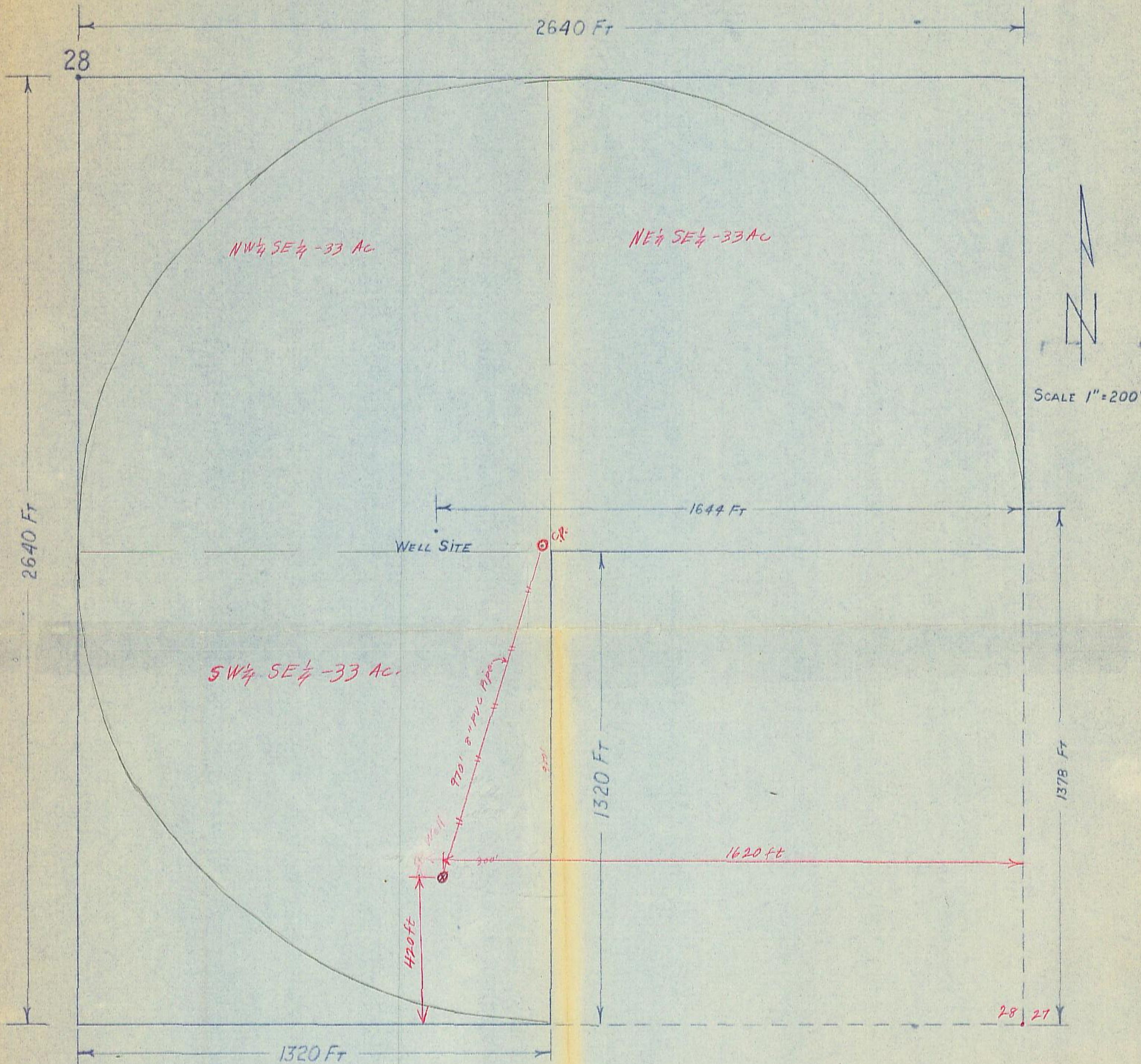
County of _____

I, DAVID A. WITTE 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 David A. WitteSubscribed and sworn to before me this 26 day of Oct 19 76

Notary Public (or other qualified officer)

MAP N^o 2448-3 (APP. N^o 3185-3)



LAND IRRIGATION MAP

N 1/2 SE 1/4 & SW 1/4 SE 1/4
SEC 28 TWP 109 N RANGE 47 W
BROOKINGS COUNTY, SO. DAK.
LAND TO BE IRRIGATED - 120 A
OWNER - D.A. WITTE

I hereby certify that I have surveyed and located the proposed well site as shown on this plat.

Dated this 27th day of October, 1976.

R. N. Jorgensen
Registered Professional Engineer
& Land Surveyor

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3185-3
DAVID A. WHITE 23 S 2ND AVE, SIOUX FALLS
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57105 With the following modifications:
 (State)

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

Date of first receipt of application OCTOBER 29, 1976
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____
 Approved NOVEMBER 18, 1976 Recorded in Book 152 Page 254
 WATER RIGHT PERMIT NO. 3185-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3185-3 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 29, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before FEBRUARY 18, 1977
3. The whole of said work is to be completed on or before MAY 18, 1977
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 18, 1977
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 1.7 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 18, 1977; said water to be used during the following described annual period: JUNE THRU AUGUST

Witness my hand this 23RD day of DECEMBER 1976

WATER RIGHTS COMMISSION

By: John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 4, 1979
 Water License Issued APRIL 4, 1979

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

D Well Information or Estimates

- (1) Drill Hole, Diameter 22", Depth 45'
- (2) Casing, Type STEEL Diameter 14" Thickness .255
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type GALK Johnson Irrigator Diameter 14" Length 10'-15' DETERMINED BY WELL LOG
- (4) Gravel Pack, Thickness 3" to 4", Length of gravel pack 20'

E Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F Fill out for Either a Well or a Dugout

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

Character of Water bearing materials TEST BORE LOGS good.
SEE ATTACHED TEST BORE LOGS
(GRAVEL ANALYSIS SHEETS)
2 TEST BORE

Depth to top of water bearing material STATIC 17' +/-

Depth to bottom of water bearing material 45' (BL CLAY)

Thickness of water bearing material 28'

Depth to water (ground surface to water level) 17' +/-

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

On same owner's property NONE rds. On property owned by others 100 +/- 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.

Paul A. M. W.
Signature of Applicant

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: SE 1/4 NW 1/4 SE Section 28 Township 109N Range 41W

Well owner DAVE WITTE (Name) SIOUX FALLS, SD (Address)

Date well drilling completed 11-11-76 Purpose of well IRRIGATION
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	
<u>0-8"</u>	<u>top soil</u>	<u>21'</u>	ft.
<u>8" to 21'</u>	<u>Rusty rock & sand</u>	<u>21'</u>	ft.
<u>21' to 47'6"</u>	<u>coarse rusty gravel</u>	Name of producing aquifer (if known)	
		Total depth of drill hole	<u>47'6"</u> ft.
		Depth to bottom of casing	<u>47'6"</u> ft.
		Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.	
		<u>37'6" x 14" x 1/4" WALL STEEL</u>	
		<u>CASING</u>	
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.	
		<u>10' x 14" x 100 JOHNSON</u>	
		<u>IRRIGATOR</u>	
		If a flowing well, flow of completed well _____ G.P.M.	

Attach sheet if more space is needed

ED H LACEY & SONS
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump WESTERN LAND ROLLER HP 60

Type of pump TURBINE Capacity of installed pump 700 G.P.M.

Depth of pump placement 37' ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Name of Pump Installation Contractor

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: NE 1/4 SW 1/4 SF Section 28 Township 109 Range 47

Well owner Dave White
(Name) (Address)

Date well drilling completed 2-19-77 Purpose of well Irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
0-2	Topsoil	Depth to static water level _____ 14' ft.
2-9	Rocky	Name of producing aquifer (if known) _____
9-14	Rusty Sand	Total depth of drill hole _____ 61' ft.
14-61	Bright Rusty Sand	Depth to bottom of casing _____ 62' ft.
Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.		
47' x 14" x 1/4" steel casing		
Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.		
15' x 14" x #25 Johnson		
If a flowing well, flow of completed well _____ G.P.M.		

Attach sheet if more space is needed

If a flowing well, flow of completed well _____ G.P.M.

Ed H. Lacey & Sons
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump WESTERN LAND ROLLER HP. 50

Type of pump Turbine Capacity of installed pump 600 G.P.M.

Depth of pump placement 55 ft., Date of pump installation _____

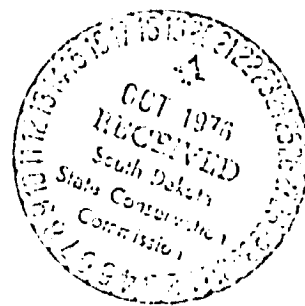
(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Ed. H. Love + Sons
Name of Pump Installation Contractor

October 19, 1976



Mr. David A. Witte
1523 E. 2nd Ave.
Sioux Falls, SD 57105

Dear Mr. Witte:

Your water sample (Lab. No. 76-1516) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AMS pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

The WI-1, soils information, and a copy of the water analysis are being forwarded to the State Conservation Commission for their action.

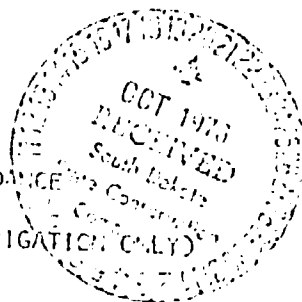
Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckh
Enclosures
cc: State Conservation Commission

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



NAME David A. Witte
ADDRESS 1523 S 2nd Ave Sioux Falls, SD 57105
COUNTY LINCOLN

LEGAL DESCRIPTION

1. WELL LOCATION NW 1/4 of SE 1/4 Sec 28 T109N R77W
2. LOCATION OF AREA TO BE IRRIGATED N 1/2 SE 1/4 and SW 1/4 SE 1/4 28-109-77

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED CORN, BEANS, ALFALFA

WATER QUALITY

5. SAMPLE NUMBER 76-1516
6. SALINITY (EC x 10⁶) 63.5 (medium)
7. SODIUM (SAR) 0.26 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0.87

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 Soil Survey 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
31 DAY OF Sept 1976.

[Signature]
(CLERK OR SEAL) _____

By Commission Expires Sept 19 1978

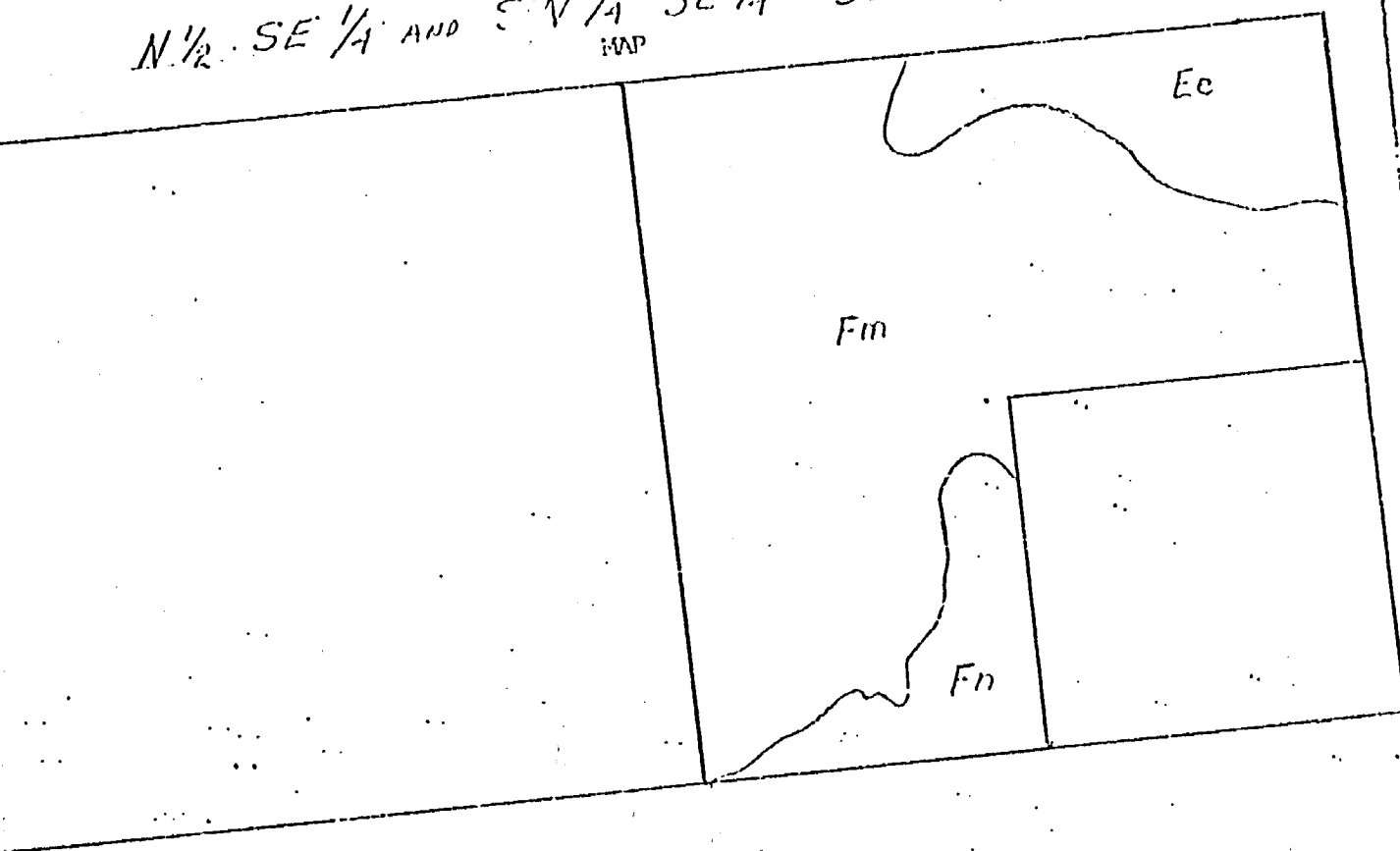
[Signature]
APPLICANT'S SIGNATURE

I hereby certify that this project can be carried out successfully in all circumstances. Individual management will to a large degree, determine the relative success of this venture.

[Signature]
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

N $\frac{1}{2}$ SE $\frac{1}{4}$ AND SE $\frac{1}{4}$ SEC 28 T109N R47W



NARRATIVE

Fin - FORDVILLE LOAM, NEARLY LEVEL 0-2% SLOPES
SANDY LOAM UNDERLAIN WITH SAND AND GRAVEL.

Fm - FORDVILLE LOAM, GENTLY UNDULATING 3-6% SLOPES
SANDY LOAM UNDERLAIN WITH SAND AND GRAVEL.

Ec - ESTELLINE SILT LOAM, NEARLY LEVEL 0-2% SLOPES
SILT LOAM UNDERLAIN WITH LOAMY SAND AND GRAVEL.

* SOILS INFORMATION OBTAINED FROM:
SOIL SURVEY, BROOKINGS COUNTY
SERIES 1955, No 3 ISSUED JANUARY 1959

Reid A. Smith

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

Submitted by: David A. Witte Date Rec'd October 1, 1976
 Address 1523 S. 2nd Ave. Sample No. 76-1516
Sioux Falls, SD 57105 Identification Well
SE 1/4, Sec. 28, T 109N, R 47W

WATER ANALYSIS

Calcium (Ca)	68	ppm*	3.40	me/l**
Magnesium (Mg)	27	ppm	1.17	me/l
Sodium (Na)	9	ppm	0.39	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	36	ppm	0.75	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	5	ppm	0.14	me/l
Bicarbonate (HCO ₃)	332	ppm	5.44	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)	272	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	635	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.26			
Sodium	7.78	% of cations		
Residual sodium carbonate	0.37	me/l		
pH	7.83			
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g.p.g.=grains per gallon

COMMENTS: Total cations 5.01 me/l
 Total anions 6.33 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

ED H. LACEY & SONS
Trent, SD 57065

GRAVEL ANALYSIS

NAME: Barn. W. W.

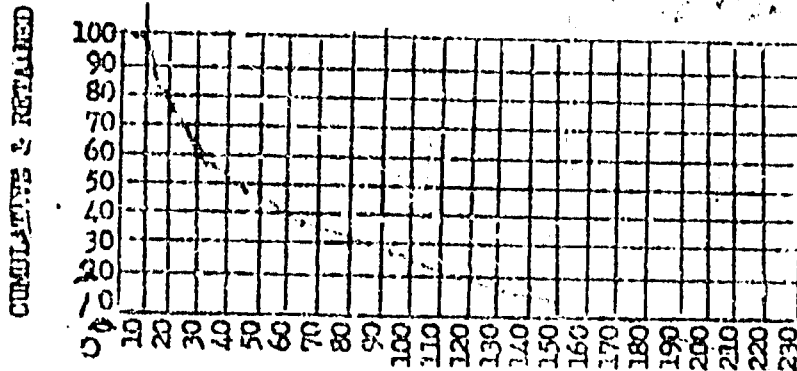
DATE: 9-2-58

ADDRESS: Clinton S.D. Farm

700 Bare Sample

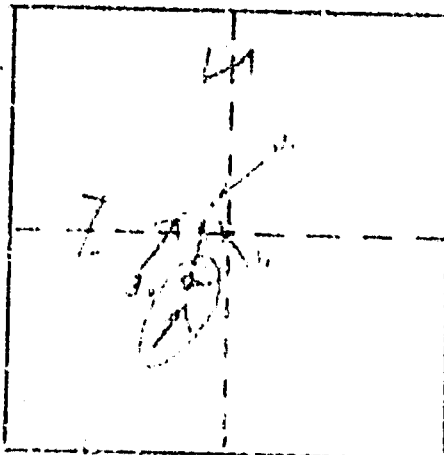
LEGAL DESCRIPTION: NW 1/4 SE 1/4 S. 20 T. 129 N. 100 W.

100



SIEVE SIZE IN THOUSANTHS

TOTAL WEIGHT	Dust	.0032	.0116	.0164	.0232	.0328	.046	.065	.093	.131
644	(43)	36	76	76	77	59	72	64	68	111
WEIGHT										
RETAINED		5.5	11.8	11.8	12.7	9.1	11.6	8.9	12.5	17.1
TOTALS		996	74.1	82.3	70.6	68.3	49.1	34.6	27.7	17.1



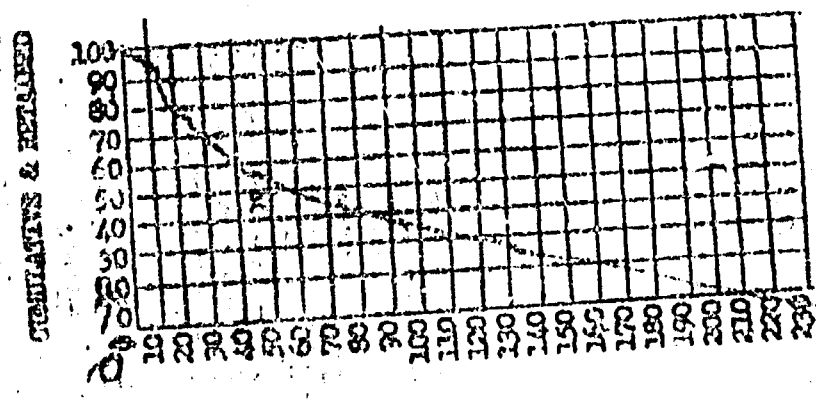
ED H. LACEY & SONS
 TRONT, MD 57065

4/5/64

GRAVEL ANALYSIS

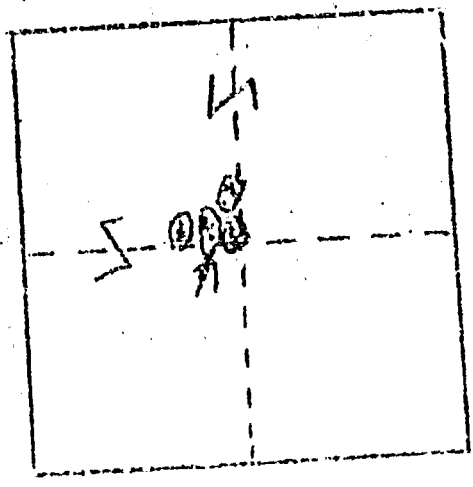
NAME: Dave White
 ADDRESS: Clinton Farm
 LOCAL DESCRIPTION: 7W¹ SE¹ 3-2-3.8
comp. 104 R 47 H

DATE: 9-24-
42 pint Core Sample
Bottom 10' 0"
70.25% .029



SIEVE SIZE IN THOUSANDS

		.0032	.0116	.0161	.0232	.0328	.046	.065	.093	.131
TOTAL WEIGHT	Dist									
WEIGHT	38	32	53	67	66	72	65	65	76	182
RETAINED		4.7	7.8	10.1	9.7	10.5	9.5	9.5	11.1	26.7
TOTALS		39.6	74.9	87.1	77	67.3	56.8	42.3	37.8	24.7



1N

ED H. LACEY & SONS
Trent, SD 57065

GRAVEL ANALYSIS

NAME: Dora W. K.

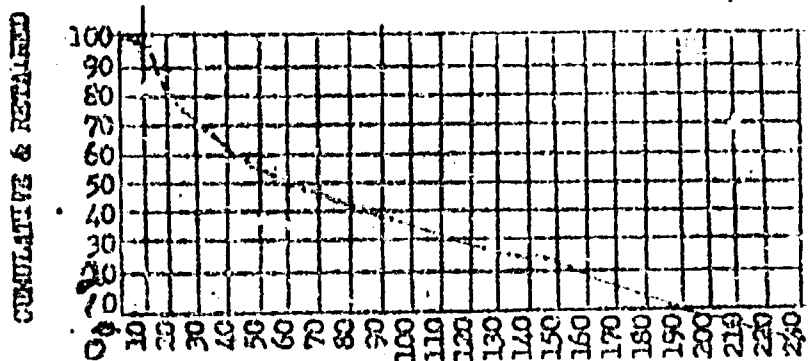
DATE: 7-2-61

ADDRESS: Elkton S. D. Fair

70-1 Core Sample

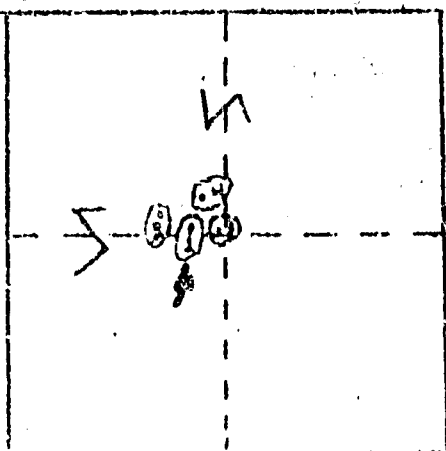
LEGAL DESCRIPTION: NW 1/4 Sec 22
TWP 10N R. 27E

70% 54 = 3780



SIEVE SIZE IN THOUSANDTHS

TOTAL WEIGHT	Dist	.0082	.0116	.0164	.0232	.0328	.046	.065	.093	.131
4476	(34)	20	39	49	43	44	50	52	64	115
RETAINED		11.2	8	10.2	9	9.1	10.5	10.9	13.4	20
TOTALS		100	97.4	87.4	78	69	58.8	48.3	37.4	24



1N

ED H. LACEY & SONS
Trent, SD 57065

GRAVEL ANALYSIS

NAME: Dave White

DATE: 9-24-71

ADDRESS: Elston Farm

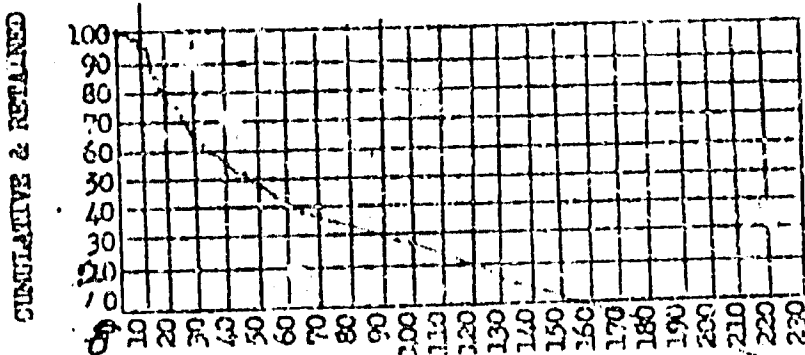
LEGAL DESCRIPTION: NW 1/4 Sec 28

TWP 109 R 14 W

Plot Bore Sample

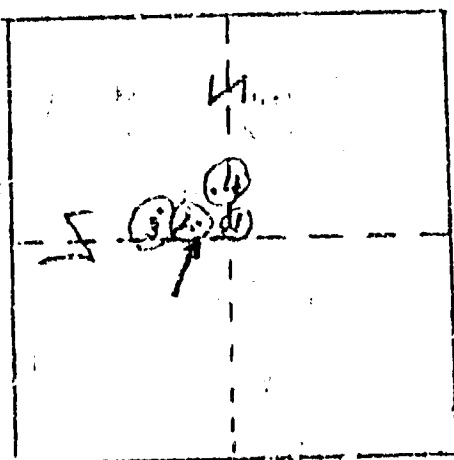
Bottom 5'

70% SIZE = 0.075



SIEVE SIZE IN THOUSANDTHS

TOTAL WEIGHT	Post	.0082	.0116	.0164	.0232	.0328	.046	.065	.093	.131
247	22	11	21	30	31	27	30	26	27	41
%RETAINED		4.5	8.6	12.3	16.7	11	12.3	10.6	11	16.8
TOTALS		99.8%	95.3	86.7	74.4	61.7	52.7	38.4	27.8	16.8



1N

WATER LICENSE NO. 3185-3

(1) WHEREAS, On the 29th day of October A. D. 1976

David A. Witte

made Water Right Application No. 3185-3 for a permit to use 1.71 cubic feet per second of the waters of ground water

County of Brookings, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 23rd day of December A. D. 1976

Permit No. 3185-3, with a date of priority of October 29, 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 May A. D. 1977 and for the application to beneficial use of said water on or before the 10th day of November A. D. 1977

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 1.41 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

for irrigating the following land in Section 28, T109N, R47W

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 33 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 33 "

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 33 "

TOTAL 99 acres

(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 David A. Witte

_____ of Sioux Falls

the holder _____ and owner _____ of said permit No 3185-3 a water right, dating from October 29, 1976

_____ to use of 1.41 cubic feet per second of the waters

of ground water

in the County of Brookings _____ and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at 420'N and 1620'W of the SE Corner,

Section 28, T109N, R47W

and conduct to and upon portions of Section 28, T109N, R47W, Described on the face
of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3185-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 4th day of April A. D.

Nineteen Hundred and Seventy - nine

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 3185-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

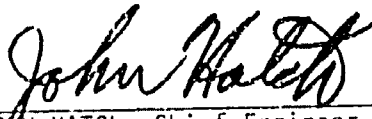
This is to Certify, That David A. Witte

_____ the holder _____ of
Permit No. 3185-3, issued upon Application No. 3185-3, bearing date of priority of _____
October 29, 1976 authorizing the diversion of 1.7 cu. ft. per second of the waters of _____
ground water County of Brookings, State of South Dakota at _____
420'N and 1620'W of the SE Corner, Section 28, T109N, R49W

_____, for irrigation

_____, has S 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 1.56 cu. ft. per second of water.

Date April 4, 1979


JOHN HATCH, Chief Engineer
Water Rights Commission

No. 3185-3

Publish first publication, on or before

November 9, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 2, 1976

Notice is hereby given that David A. Witte
whose post office address is Sioux Falls, 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 1.7 cubic feet of water per
second of time from ~~the~~ ground water through the
Witte #1, the point of diversion of which is to
be located in the NW 1/4 SE 1/4

of Section 28, Twp. 109N, Range 47W. Said water to be used
for the purpose of providing irrigation on the following described land:
W 1/2 SE 1/4, NE 1/4 SE 1/4, Section 28, T109N, R47W

This application No. 3185-3 will be considered by the Water Rights
Commission at the Marvin Hughitt Hotel in 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: David A. Witte, 1523 S. 2nd Ave., Sioux Falls, SD 57105

No. 3185-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brookings) ss.

I, James M. McLellan Jr. hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Brookings Daily Register

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 Brookings

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

Nov. 9, 1976

Nov. 16, 1976

James M. McLellan Jr.
(Signature)

Editor-General Manager
(Title)

11-16-76

(Date Signed)

Legal No. 538 — Nov. 9 & 16

NOTICE OF INTENT TO
APPROPRIATE WATER

Notice is hereby given that David A. Witte whose post office address is Sioux Falls, 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 1.7 cubic feet of water per second of time from ground water through the Witte No. 1, the point of diversion of which is to be located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Twp. 109N, Range 47W. Said water to be used for the purpose of providing irrigation on the following described land: W $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 28, T109N, R47W. This application No. 3185-3 will be considered by the Water Rights Commission at the Marvin Hughitt Hotel in 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
Burton F. Jones,
Water Rights Specialist



Form 10. }

No. _____



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

Post Office Sioux Falls, South Dakota

Date June 14, 1977

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. 3185-3.

Water Right Permit No. 3185-3 states that the diversion system is to be constructed by May 15, 19 77 and that the water is to be put to beneficial use by Nov. 18, 19 77.

The diversion system was completed on May 12, 19 77.
Applying the water to beneficial use was completed on _____,
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.

David A. Witte
(Signature)

David A. Witte
1523 South Second Avenue
Sioux Falls, South Dakota 57105

57002

3185-3 David A. Wette, Jr.
11-3-77 Yammato - CP. 7000
Model 307, Ser # 107108

garden
fence

Motor & E Model 5 K6254 X M501A
Ser # CNT302386 - 60HP

Western Land Recl. Corp.

1-9-74
got with info
etc. by phone
communication
with title

the top

Underground pipe to CP.
pipe line 5 lines x 50 ft long

Well 300 ft West & 900' S of CP.
5 x 180' bottom line S of CP.

Well Depth = 60'

Static level = 2.7'

Pump capacity = 700 -

Capacity = 700 gpm
Number of wells

Permit No. 3185-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by David A. Witte
1523 S. 2nd Ave.
 of Sioux Falls, South Dakota 57105 holder
 of Permit No. 3185-3, bearing date of priority of October 29, 1976
 authorizing the diversion of 1.7 cu. ft. per second of the waters of One Well.
 for Irrigation purposes, in Brickings 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:

Motor - GE, Model FR6254 X M.501A, Ser. # CNJ.302.386
60 H.P.
Western Land Roller Pump - pumping 700 gpm

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

970 ft 8" dia. PVC Pipe underground

C. Works used to apply water to beneficial use.

Zinnatic Center Pivot, Model 307, Ser. # 407108

The system is in the following condition: Good

The point of diversion is located 420 ft N and 1620 ft W of the SE
Corner of Section 28, T109N R47W

The works are capable of diverting and conveying to the place of use 1.78 1.56
 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:

All in Section 28, T109N R47W, NW 1/4 SE 1/4 - 33 ac
SW 1/4 SE 1/4 - 33 ac, NE 1/4 SE 1/4 - 33 ac

comprising a total of 99 acres of land.

Well depth 60 ft
 static 77 ft
 Pumping 700 gpm
 Capacity 700 gpm

Date Feb 9, 1977
LeRoy J. McNaught
 (Signature)



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

April 17, 1979

Mr. David A. Witte
1525 S. 2nd Ave.
Sioux Falls, SD 57105

Dear Mr. Witte:

Enclosed herewith are, Water License No. 3185-3 and Certificate of Construction.

Water License No. 3185-3 is the final water right document completing your process of obtaining water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH:ht

Enclosures

NOTE: Your pump capacity is 1.56 cfs (700 gpm) and based upon the acreage actually irrigated you are entitled to only divert 1.41 cfs (633 gpm). Any diversion in excess of 1.41 cfs would be a violation of your Water Right.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6819

PIERRE, February 26, 1979

RECEIVED OF David L. Witten, 1522 S 2nd Avenue, Sioux Falls, SD 57105
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) _____	2185-		
Fee for inspecting Construction, and issuing Cert. of Construction No. _____	2185-	50	10
Fee for inspecting Beneficial Use, and issuing Water License No. _____			
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 John Hatch
Chief Engineer, Executive Officer
JOHN HATCH gy

3185-3
4726-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

David A. Witte
1701 S. Spring Ave
Sioux Falls, SD 57105

Dear Mr. Witte:

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

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

The new standards include:

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

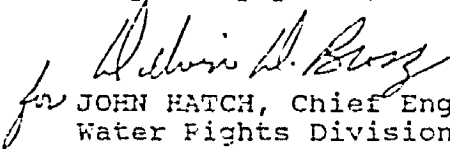


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

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

Very truly yours,


for JOHN HATCH, Chief Engineer
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 20, 1996

3185-3

David Ahlers
R 2 Box 156
Flandreau, SD 57028

Dear Mr. Ahlers:

I am contacting you in regard to the 1996 irrigation questionnaire for Water Right No. 3185-3, listed in the name of David Witte. The water right authorizes irrigation of 99 acres in the W $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, T109N, R47W.

Mr. Witte notified our office that you rented the land from him and would have the information needed for the questionnaire. Enclosed is a 1996 irrigation questionnaire for No. 3185-3. Please complete the questionnaire and return it to our office by January 10, 1997.

If you have already mailed the questionnaire to our office that Mr. Witte forwarded to you, please disregard this letter. We have had problems receiving mail this week due to the recent snowstorm. Thank you for your assistance and if you have any questions, please contact me.

Sincerely,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 27, 2000

3185-3
4726-3

David A Witte
3001 W 33rd St Apt 205
Sioux Falls SD 57105-4286

Dear Mr. Witte:

Enclosed is a "Notice" dated October 20, 2000 concerning the 2000 irrigation questionnaire. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 31, 2011

3185-3
4726-3

Mary D Engen
3504 Westmoore Dr
Moorhead MN 56560

Dear Ms. Engen:

Thank you for returning the 2011 irrigation questionnaires for Water Right Nos. 3185-3 & 4726-3 and for letting us know ownership changes have occurred.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Upon completion, please sign and return the forms to our office with a required filing fee of \$50.00 each (total of \$100.00). The check or money order for the fee can be made payable to the Water Rights Program.

In the event you do not have them, I am sending along copies of the water rights. You may keep them for your records. If you have any questions, please contact me.

Sincerely,

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

enclosures

RECEIVED

NOV 14 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3185-3

Date: 11/6/11

I/We request that Water Right No. 3185-3

formerly owned by: David A Witte

be transferred to: (name & address) Witte Ag Partnership #1
3504 Westmoor Drive
Moorhead, MN 56560 Telephone No. 701-866-1269

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

99 acres - N 1/2 SE 1/4 and SW 1/4 SE 1/4 Section 28, T109N, R47W

I/We understand that the validity of Water Right No. 3185-3 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Mary Engen, the new owner, certify that the above information is true and
(general partner) correct.

Mary Engen
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/14, 20 11

RECEIVED OF Witte Ag Partnership #1 LTD 3001 W 33rd St # 205 Sioux Falls SD 57105

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3185-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05066**

By Charles E. Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 16, 2011

3185-3
4726-3

Mary D Engen
Witte Ag Partnership
3504 Westmoor Dr
Moorhead MN 56560

Dear Ms. Engen:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 3185-3 & 4726-3.

The ownership changes have been completed. The water rights formerly held by David A Witte are now listed as follows:

- Water Right No. 3185-3: Witte Ag Partnership #1
- Water Right No. 4726-3: Witte Ag Partnership #3

Enclosed for your records are Receipt Nos. 05066 and 05067 in the amount of \$50.00 each. If you have any questions, please contact me.

Sincerely,

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

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

enclosures

PAID

SEP 14 2020

NOTICE OF TRANSFER OF OWNERSHIP

Ck# 1003

RECEIVED

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

SEP 14 2020

WATER RIGHTS
PROGRAM

No. 3185-3

Date: August 31, 2020

I/We request that Water Right No. 3185-3

formerly owned by: Witte Ag Partnership #1, Mary Engen – General Partner

be transferred to: (name & address) Ronald K. Vaske Trust, 2449 Girard Ave S, Minneapolis,
Minnesota 55402

Telephone No. 612-597-0027

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

99 acres – N ½ SE ¼ and SW ¼ SE ¼ Section 28, T109N, R47W

I/We understand that the validity of Water Right No. 3185-3 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Ronald K. Vaske, Trustee, the new owner, certify that the above information is true and correct.

Ronald K Vaske, Trustee
(Signed by new owner)

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

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

3185-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date September 14, 2020RECEIVED OF Ronald K Vaske Trust 2621 Virginia Ave S Minneapolis MN 55426

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>3185-3</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law)	
TOTAL	\$50.00

By Eric Gronlund
Chief Engineervm



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 15, 2020

3185-3

Ronald Vaske
2449 Girard Ave S
Minneapolis MN 55402

Dear Mr. Vaske:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 3185-3.

The ownership change has been completed. Water Right No. 3185-3, formerly held by Witte Ag Partnership #1 is now listed under "Ronald K Vaske Trust".

The annual irrigation questionnaire will be directed to Jon Vaske, 21215 415th Ave, Elkton SD.

Enclosed is a receipt in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please let me know.

Sincerely,

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

enclosure