

1. Considered 5-26, 1977

2. Name of Applicant HARLAN STADHEIM

3. Post Office Address WATER TOWN

4. Amount of water claimed 5.9

5. Source of water supply *160' DEEP WELL*

6. ¹/₂ Water to be used for IRRIGATION

Acres to be irrigated 270

7. Water to be diverted and used in Carpington county

about 13 N. & W. miles of WATERTOWN

6. Proof of Publication ~~WIP~~ Received 4-22-77

Not received

9. Application

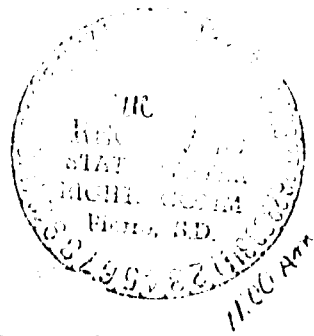
Approved

Subject to

Not Approved

Action deferred

10. Remarks:

No. 3229-3Map No. 2491-3 Water Division No. 3 BIG SIOUX RIVER District
(Blanks to be filled by the Engineer for the W. H. 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 Harlan Stadheim
Postoffice address Route 2, Watertown, 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) _____
3. Name of diversion work Stadheim #3
3.9
4. Amount of water claimed (cubic feet per second) _____
5. Source of water supply Ground water
6. Location of point of diversion a point in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, T11N, R52W

- County Codington
7. Annual period or periods during which water is to be used April thru October
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 270 3/4

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 $\frac{1}{4}$ NW $\frac{1}{4}$	40	NE $\frac{1}{4}$ NE $\frac{1}{4}$	10
NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40
SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40
SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 ac. Attach sheet if more space is needed All in Sec. 9-119N-R52W

10. Time required to complete construction of water supply system five years. Additional time required to complete application of water to the proposed beneficial use four years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Public Opinion, Watertown, SD
12. Principal Features of the Proposed Water Supply System.

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

Well, Pump and motor

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

Mainline

C. Works proposed to apply water to beneficial use.

Center Pivot sprinkler system

Estimated Total Cost \$ _____

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 Hughes)I, XXXXXXXXXX Harlan Stadheim 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 Harlan StadheimSubscribed and sworn to before me this 20th day of August, 19 76Notary Public
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3229-3

HARLAN STADHEIM
(Applicant)

ROUTE 2, WATERTOWN
(Post Office Address)

W SOUTH DAKOTA 57201 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.

That the irrigation will be located and/or constructed to eliminate the possibility of a flowing well.

Land covered under this Permit is also covered under Permit No. 2171-3. Combinations of diversions under the two permits shall not exceed the Statutory limit of 1 c.f.s. for each 70 acres of land to be irrigated.

Date of first receipt of application AUGUST 20 19 76

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

Date of receipt of corrected application _____ 19 _____

Approved MARCH 23 19 78, Recorded in Book 19 Page 287

WATER RIGHT PERMIT NO. 3229-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3229-3 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 on which applicant may claim right is AUGUST 20 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPT. 28 19 80
3. The whole of said work is to be completed on or before MARCH 28 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 28 19 87
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 3.9 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 28 19 87 said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 5th day of APRIL 19 78

WATER RIGHTS COMMISSION

By:

John H. H. H.
Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

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

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

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 _____

See well log

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property none rds. On property owned by others 3/4 mile 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.

Henry A. Graham
Signature of Applicant

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

Irrigation System: _____
Water Quality: _____
Soils Capability: _____
Approved: M. S. Hall
Disapproved: _____
12/19/64

0152-00

NAME: WARLAN STADHEIM (STADHEIM)

ADDRESS: RT 2 - WATERTOWN, S. DAK.

COUNTY: POCONTO

LEGAL DESCRIPTION

1. WELL LOCATION: N 1/2 NW 1/4 NW 1/4 10-119-52 & 304 SW 1/4 NW 1/4
10-119-52
2. AREA TO BE IRRIGATED: N 1/2 Sec 9-119-52 & NW 1/4 SE 1/4 9-119-52

TYPE OF IRRIGATION

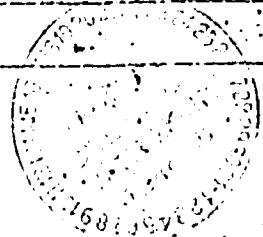
3. GRAVITY SPRINKLER (Indicate Type): Center Pivot
4. CROPS TO BE IRRIGATED: CORN & Small Grain

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 3c (Brackish, silty clay loam) 0-2% slope (Class I-3)
Kr-B (Knoxburg silty clay loam) - 3-6% slope (Class II-3)
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Class I - Very light, fine medium
textured or moderately fine textured soils that are moderately permeable.
Class IIc - North sloping, fine medium textured or moderately fine textured soils
that are moderately permeable.

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 74-977
8. SALINITY: EC = 630 (medium)
9. SODIUM: SAR = 0.38 (low)



Bertam: Harlan had been
called and said you could
take analysis.

Also I'm about out of corn
maybe I should stay a bit longer.

Sent in 20 more wt's to

State. Please give commission

His morning (Saturday)

Good luck

John

file with
weight
analysis

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

Submitted by: H. J. Smith
Address: Interden, S.D. 5701
15

Date Rec'd: Jan 19, 1975
Sample No. 7-200
Identification 111-120
cc. 10, T 1195, B 922

WATER ANALYSIS

Calcium (Ca)	120	ppm*	6.00	me/l**
Magnesium (Mg)	49	ppm	4.02	me/l
Sodium (Na)	30	ppm	1.30	me/l
Potassium (K)	2	ppm	0.06	me/l
Sulfate (SO ₄)	104	ppm	7.16	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	56	ppm	9.12	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		me/l
Alkalinity (Methyl Orange)	456	ppm (as CaCO ₃)		g.p.g.***
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	980	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.58			
Sodium	11.33	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.30			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 11.33 me/l
Total anions 11.36 me/l

By: Barney Kitten

Service Performed

Amount Due

Installation on 1/20/75

16.00 PAID



No. 3229-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

June 6, 1977

Marlan Stadheim
R.R. 2
Watertown, S.D. 57201

Dear Mr. Stadheim:

The Water Rights Commission deferred action on your Application

No. 3229-3 at the May 25-26, 1977 Commission meeting, pending investigation by the Commission Staff.

Although your Application has been deferred, it does retain the original priority date established when the Application was received. You will be notified when the Application will be reconsidered by the Commission.

If you have any questions, feel free to contact this Office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw

No. ~~XXXXX~~ 3229-3

Publish first publication, on or before May 12, 1977.

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 1, 1977

Notice is hereby given that Harlan Stadheim
whose post office address is Watertown, 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
3.3 cubic feet of water per second of time from the ground water through the
Stadheim # 3, the point of diversion of which is to be located in the

NW 1/4, NW 1/4
of Section 10, Twp. 115N, Range 52W. Said water to be used for the purpose
of providing irrigation on the following described land:

NW 1/4, NE 1/4, NW 1/4 SE 1/4, Section 9, T115N, R52W

This application No. 3229-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of May, 1977, at 11:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERSON
Water Rights Specialist

BEJ/bw

cc: Harlan Stadheim, R.R. # 2, Watertown, SD 57201

No. 3229-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Codington)

I, John A. Lowrie hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Watertown Public Opinion.

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 Watertown

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

April 13th, 1977

April 20th, 1977

(Signature)

General Manager

(Title)

April 20th, 1977

(Date Signed)

PUBLIC NOTICE

**NOTICE INTENT TO
APPROPRIATE WATER**

Pierre, South Dakota 57501

April 1, 1977

Notice is hereby given that Harlan Stadheim whose post office address is Watertown, 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 3.3 cubic feet of water per second of time from ground water through the Stadheim No. 3, the point of diversion of which is to be located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Twp. 11N, Range 52W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 9, T. 11N, R. 52W.

This application No. 3729-3 will be considered by the Water Rights Commission at their office at Pierre upon the 26th day of May, 1977, at 11:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION 3140

By: James Winterlon 2/5

Water Rights Specialist

Specialist 100 = 17.26
(April 13, 20, 1977)



1

REPORT ON
AREA OF CONTROVERSY IN CODINGTON AND GRANT COUNTIES
March 20, 1978

Controversy developed in northern Codington and southern Grant counties during the spring and summer of 1976. This was the beginning of the first full year of irrigation in the area and coincidentally was one of the driest years on record. There are two distinct hydrologic conditions associated with the controversy which are not related. Concern has been expressed regarding the shallow water table glacial outwash sand and gravel deposit under water table conditions associated with the Big Sioux River and its tributaries, and the other problem is associated with a deeper glacial outwash sand and gravel deposit under artesian conditions (see figures A, B, & C).

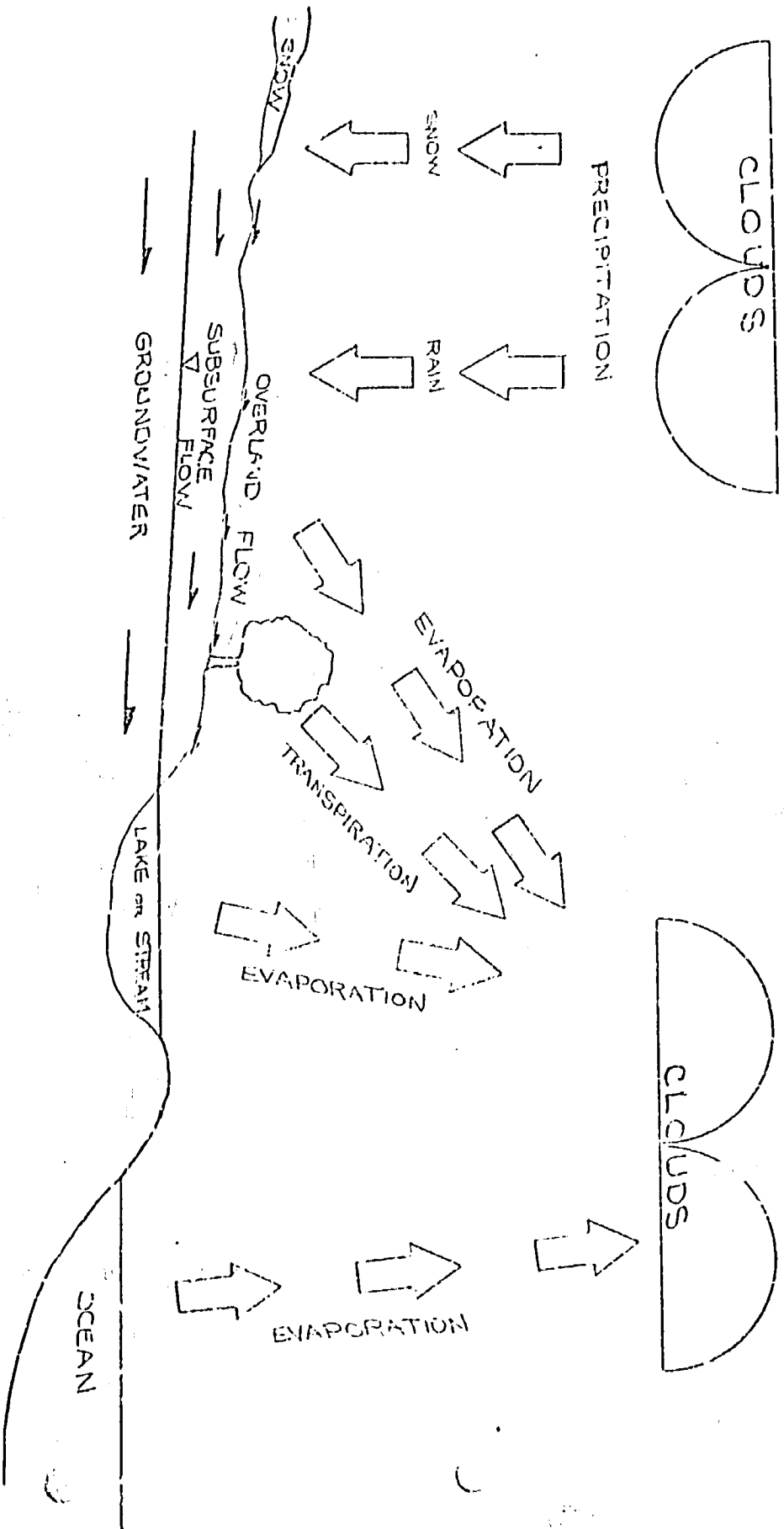
Codington and Grant Counties Water Use
(Sioux River Basin)

	1977 Reported Acreage	1977 CFS Reported	1977 Permits & Acreage	1977 Permit CFS
Irrigation Surface water	135	2.01	4 586.0	5.38
Irrigation Ground water	2926.0	32.42	47 10633.7	114.12
Watertown Municipal				18.12 with 12.85F/U
Other Municipal Industrial and Commercial uses Rural Water				9.752 With 8.0 F/U

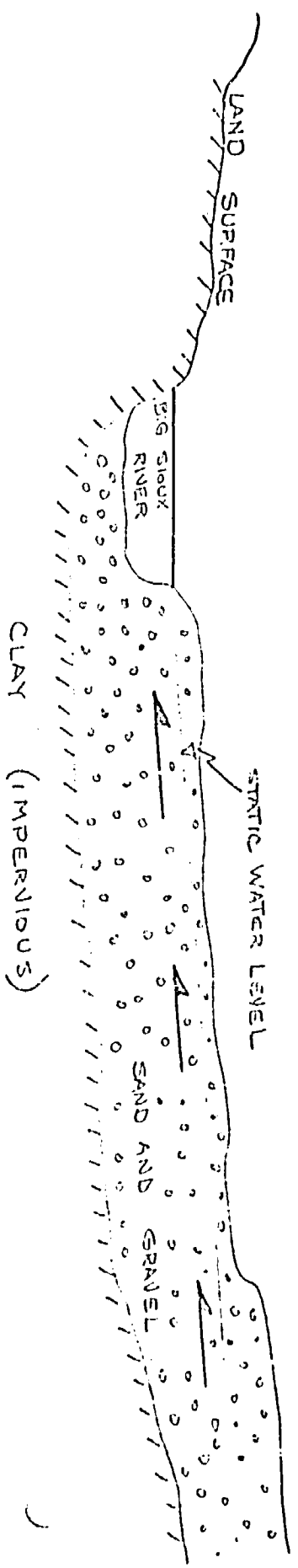
F/U - Future Use

There have been many questions and complaints concerning the Big Sioux River. The Water Rights Commission has adopted a river and well spacing policy which requires that future high capacity wells into a water table aquifer be located at least 660 feet from a river. This policy was adopted all along the Big Sioux River. This helps to diminish the effect of high capacity well pumping

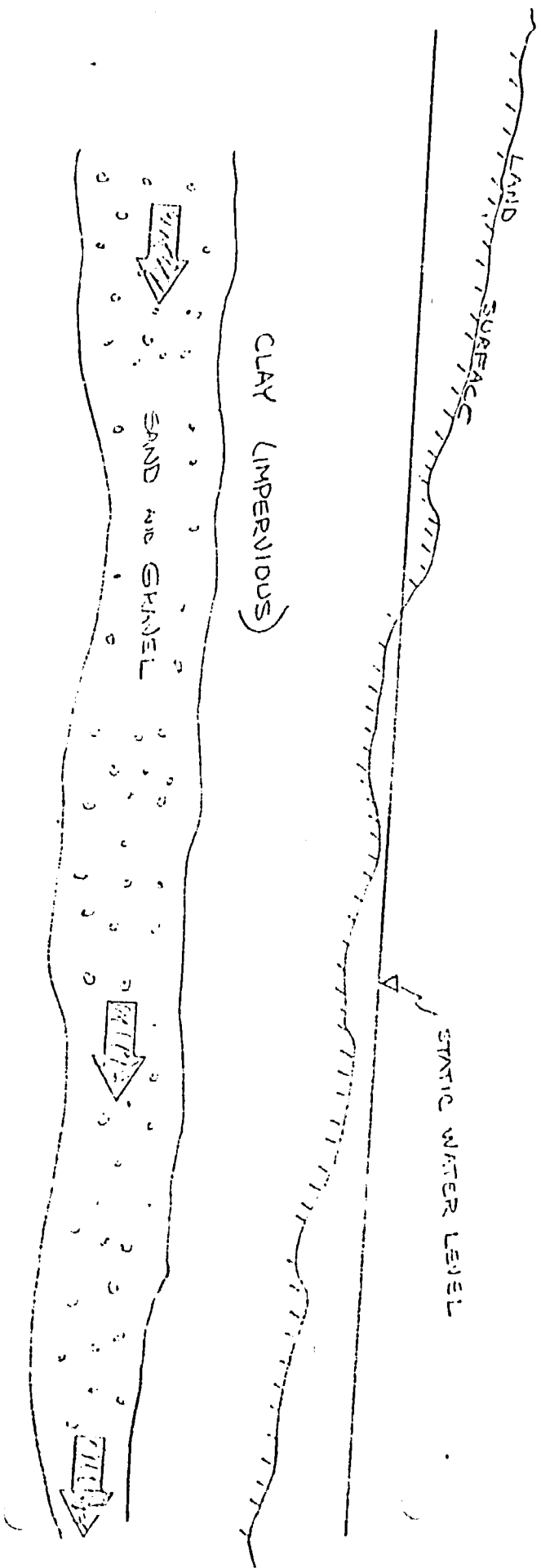
HYDROLOGIC CYCLE



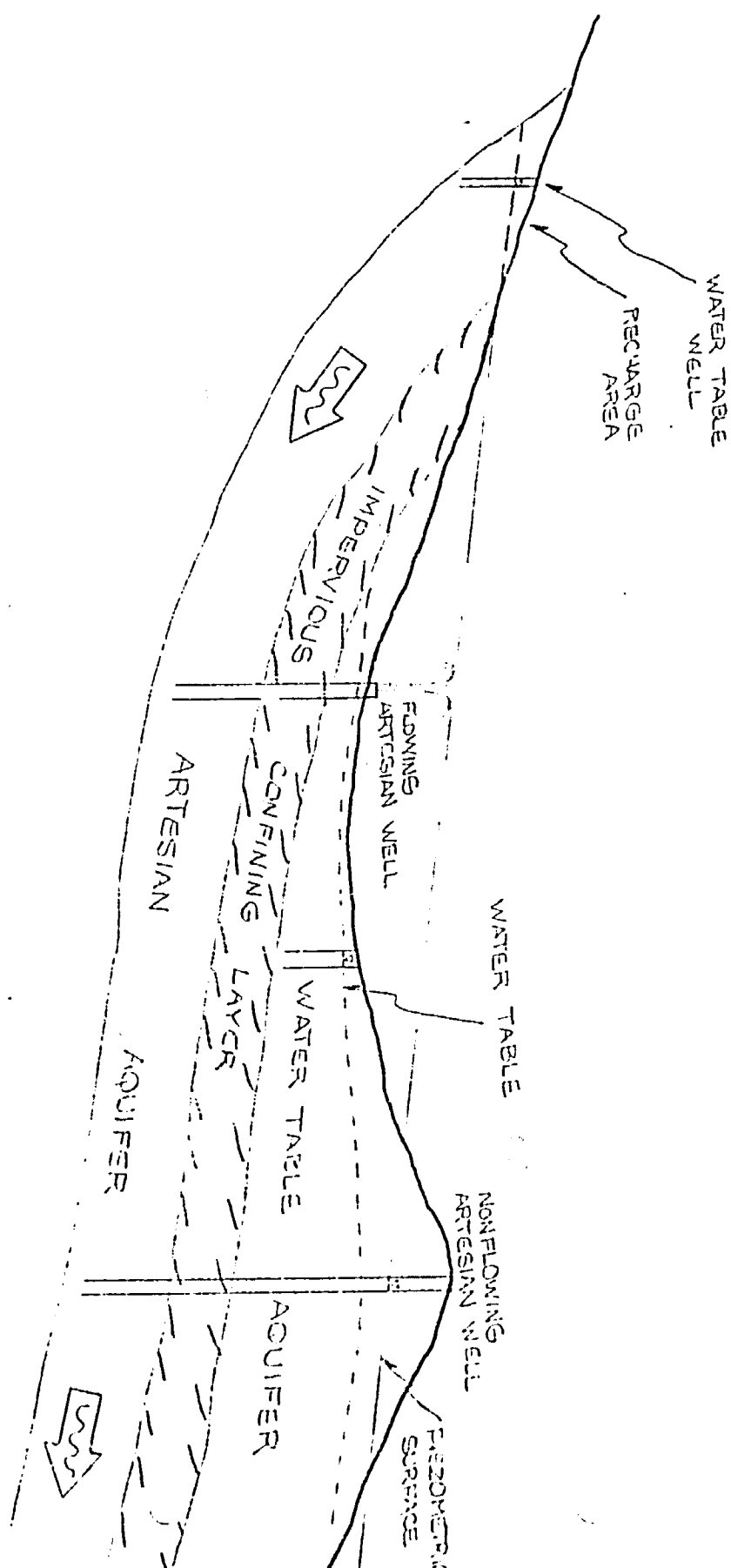
A
WATER TABLE CONDITIONS



13
ARTESIAN CONDITIONS



10



upon the river. There is no doubt that irrigation pumping may affect streamflow; however, the question becomes how much can be attributed to drought and how much to pumping? Under normal conditions, during dry weather, the aquifer discharges water into streams. This action continues whether high capacity pumping is going on or not. The preponderance of information collected, indicates the aquifer levels are being maintained.

WATER LEVEL INFORMATION

During 1976, the Water Rights Commission Staff measured a combination of 18 observation wells and domestic wells. Seven of the wells were in the artesian aquifer and 11 were in the water table aquifer. After reviewing this information, the Commission Staff discontinued the measuring of some of the domestic wells. In addition, the Commission Staff drilled 14 observation wells in 1977 (see figure 1). The new observation wells allow the aquifer water levels to be monitored.

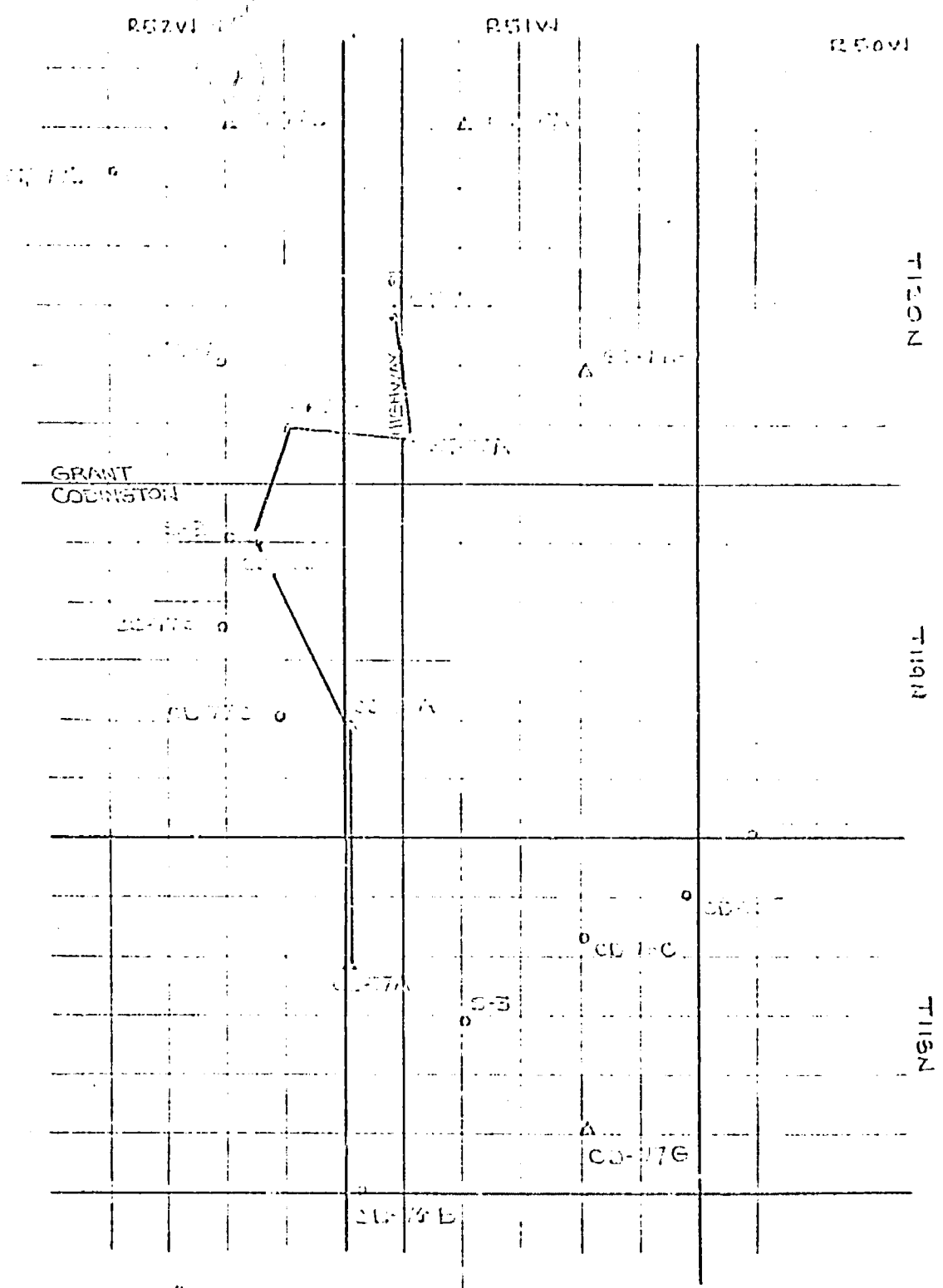
WATER TABLE AQUIFERS

There is historical information available concerning the shallow aquifers. The following chart is a summary of the readings from the shallow aquifer observation wells.

Well	Seasonal Fluction	High Reading	Low Reading	Present Reading
S-1(1957)	1 - 2'	7.1 7- 9-62	14.6 2- 8-77	11.6 12- 1-77
S-2(1957)	1 - 2'	6.6 7- 9-62	13.1 12- 7-66	10.9 10-18-77
S-3(1957)	1 - 2'	10.9 5- 2-73	18.6 10-29-68	14.8 12- 1-77
S-4(1957)	1 - 2'	2.4 4-22-69	16.9 9- 8-77	16.2 12- 2-77
** S-5(1957)	1 - 2'	15.15 8-29-57	23.8 8-17-77	21.7 12- 2-77
WA-1(1960)	1 - 2'	7.2 7- 9-62	12.2 2- 3-77	10.5 12- 1-77
WA-2(1960)	2 - 3'	2.7 7- 9-62	11.00 7-13-67	5.3 12- 1-77
WA-3(1960)	1 - 2'	3.5 7-18-72	15.8 10-26-60	8.2 12- 2-77
WA-4(1960)	2 - 3'	3.0 7-18-72	10.4 8- 3-76	5.5 12- 2-77

** Well is within 200 feet of rural water system well

Typically water table wells fluctuate only a few feet during a year, declining steadily during summer months; recharge usually occurs during spring snowmelt. Also, drought periods cause a gradual decline and during extended drought periods the decline is compounded by lack of large scale runoff conditions. Any period of heavy runoff recharges water table aquifers.



SCALE 1" = 2 MILES

● WATER TABLE OBSERVATION WELL

▲ ARTESIAN OBSERVATION WELL

ARTESIAN AQUIFER

There are two years of water level information available from the artesian aquifer. The storage, thickness and extent of the aquifer are unknown, but the addition of 10 observation wells into this aquifer indicates excellent irrigation potential. Thus far, the aquifer has been traced for a distance of 18 - 20 miles, with a width of a few miles and the thickness of the gravel is variable from a few feet up to 60 feet. The following is a summary of the water level data collected thusfar:

OBSERVATION WELL RECORDS (ARTESIAN AQUIFER)

DATE	CD-76D	CD-76A	GT-76B	GT-76C	GT-77A
6-16-76	5.8				
6-24-76	14.9				
7-2-76	16.5				
7-8-76	18.2				
7-14-76	18.8				
7-22-76	18.7				
7-28-76	20.6				
8-3-76	20.6				
8-11-76	24.8				
8-17-76	26.4				
8-26-76	26.6				
9-8-76	27.8				
9-22-76	21.5				
10-21-76	16.0				
11-1-76	12.9				
12-1-76	9.1				
2-8-77	(frozen)				
4-7-77	5.6				
6-16-77	17.0	14.2	29.0	68.7	
6-21-77	12.0	14.4	22.7	66.2	
6-29-77	10.0	13.9	21.7	64.6	
7-6-77	15.9	14.3	35.5	68.5	
7-21-77	20.1	15.5	40.7	72.0	93.8
8-3-77	24.3	17.1	42.8	73.6	96.9
8-17-77	20.3	18.6	34.6	76.0	
9-8-77	12.9	16.4	23.1	67.0	90.7
9-20-77	10.2	15.2	20.2	64.5	88.1
10-18-77	8.5	13.0	18.5	61.8	85.0
12-1-77	5.6	11.5	15.6	60.0	83.0
1-17-78	(frozen)	10.8	14.9	59.1	82.2

Note that all water levels have returned to the previous spring levels. Figure 2 and Figure 3 are plots of these same 5 observation wells. Figure 2 is a water level elevation plot showing the fluctuation due to irrigation withdrawals and Figure 3 is a diagrammatic cross-section showing the formation and water level (see figure 1). The slope of the water is generally to the south (this is called the hydraulic gradient) which indicates that the water movement is in that direction. The actual land surface has no influence upon the water levels under artesian conditions as is common under water table conditions.

PUMPING DATA FROM THE ARTESIAN AQUIFER:

The following discussion relates to what happens in and around the irrigation wells during pumping. The data from the area is incomplete and therefore suspect. A comparison between the drawdowns recorded in the observation wells and the computed or anticipated drawdowns do compare favorably with one another. A complete aquifer test would provide better information concerning aquifer characteristics.

Initially in 1976, there was only one irrigation well pumping and the Commission only had one observation well located approximately 1 1/2 mile to the south of the irrigation well. By plotting the drawdowns which occurred in the observation well (CD-76D) versus the duration of time (figure 4) some of the basic characteristics of the aquifer may be determined. Using the information obtained from the drawdown-time plot, the distance-drawdown curve (figure 5) can be constructed. This step shows how much drawdown can be expected after x number of days pumping at x gallons per minute and how far from the pumping well the drawdown extends. Figure 6, figure 7 and figure 8 are plots showing the effect of the irrigation pumping upon the aquifer with the present number of wells. These plots are simply variations of the same data. Notice that expected drawdowns anywhere around the well field can be predicted.

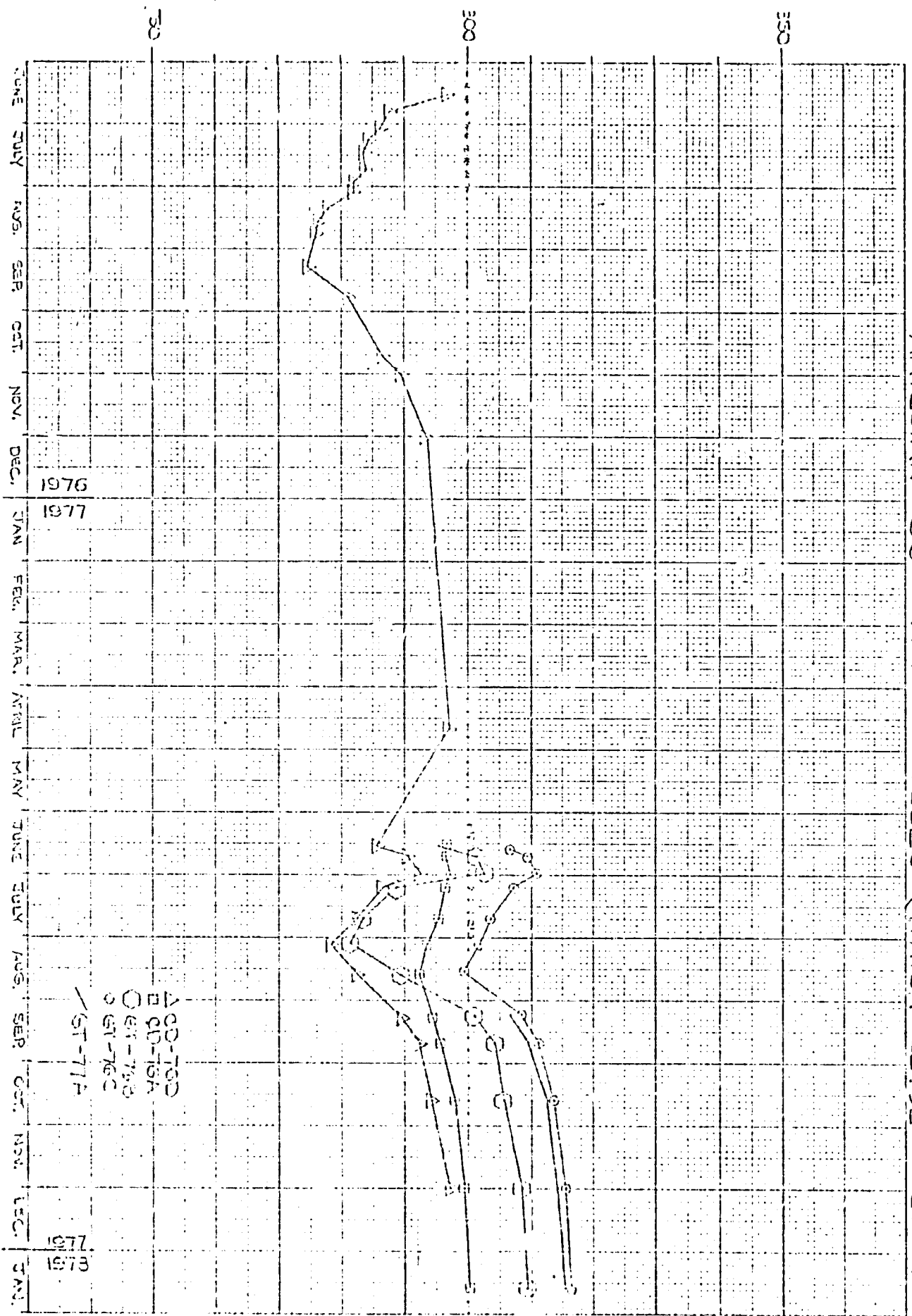
The plotted data assumes a constant rate of pumping and for a continuous time interval. Under actual field conditions, this never occurs. One system may be off a few days for some reason or another. Therefore, the plots should represent a conservative outlook. Under the present well field configuration pumping of existing irrigation wells continuously for 30 days would produce a drawdown of 30 - 35 feet in observation well CD-76D. This may necessitate the lowering of pumps in domestic wells within this area. A continuation of pumping could begin to affect the output of the irrigation wells themselves. For this reason it is important that standard spacing of high capacity wells be maintained.

SUMMARY OF DOMESTIC WELL QUESTIONNAIRES

Total sent	629	
Total response	232	
Well Types	{ Bored Drilled	216 74
Wells into Artesian Formation	36	

ARTESIAN OBSERVATION WELLS (WATER LEVEL ELEVATIONS)

FIG. 2



GT-76C

GT-7A

GT-76B

CD-76D

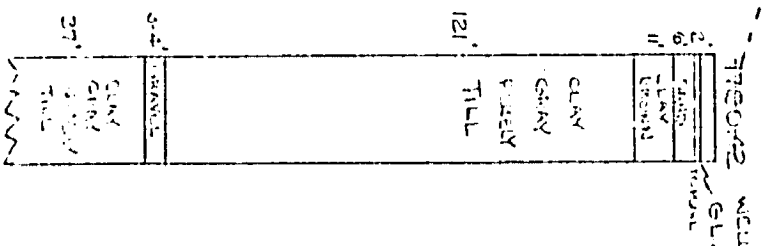
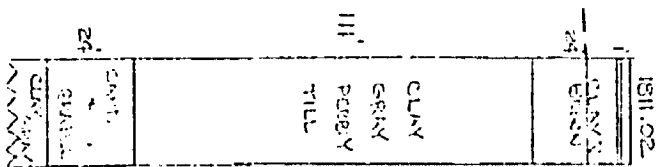
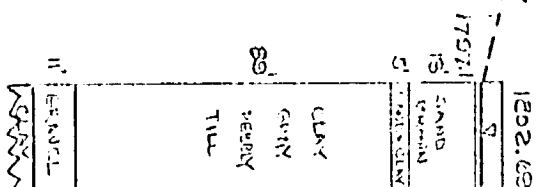
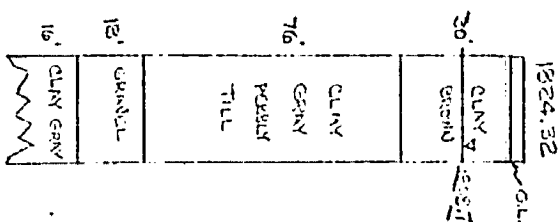
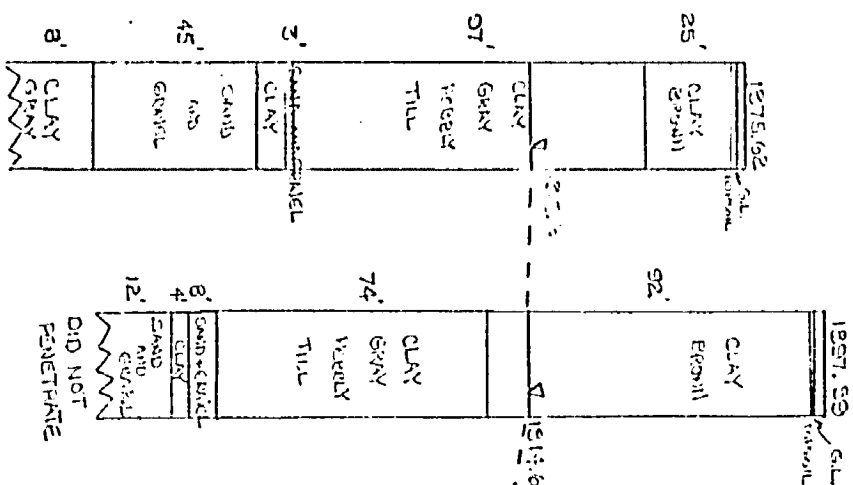
CD-76A

CD-77F

416.3

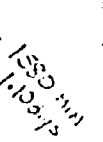
MEAN SEA LEVEL (Feet)

1950
1900
1850
1800
1750
1700
1650



G.L. — GROUND LEVEL
V — WATER TABLE

5104



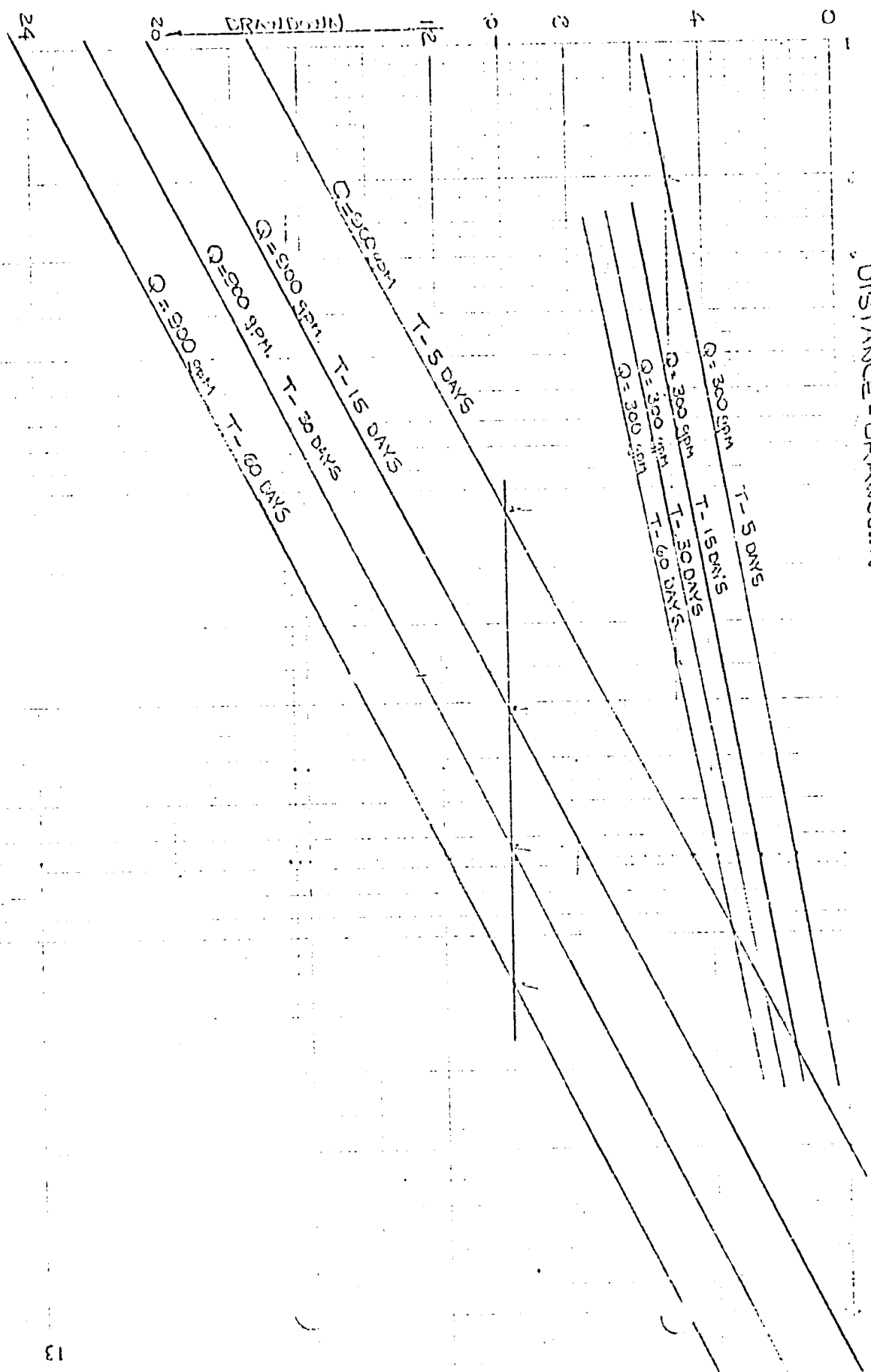
5

6. in

74

(4.650)

FIG. 5
DISTANCE-DRAWDOWN CURVE FROM TIME-DRAWDOWN CURVE



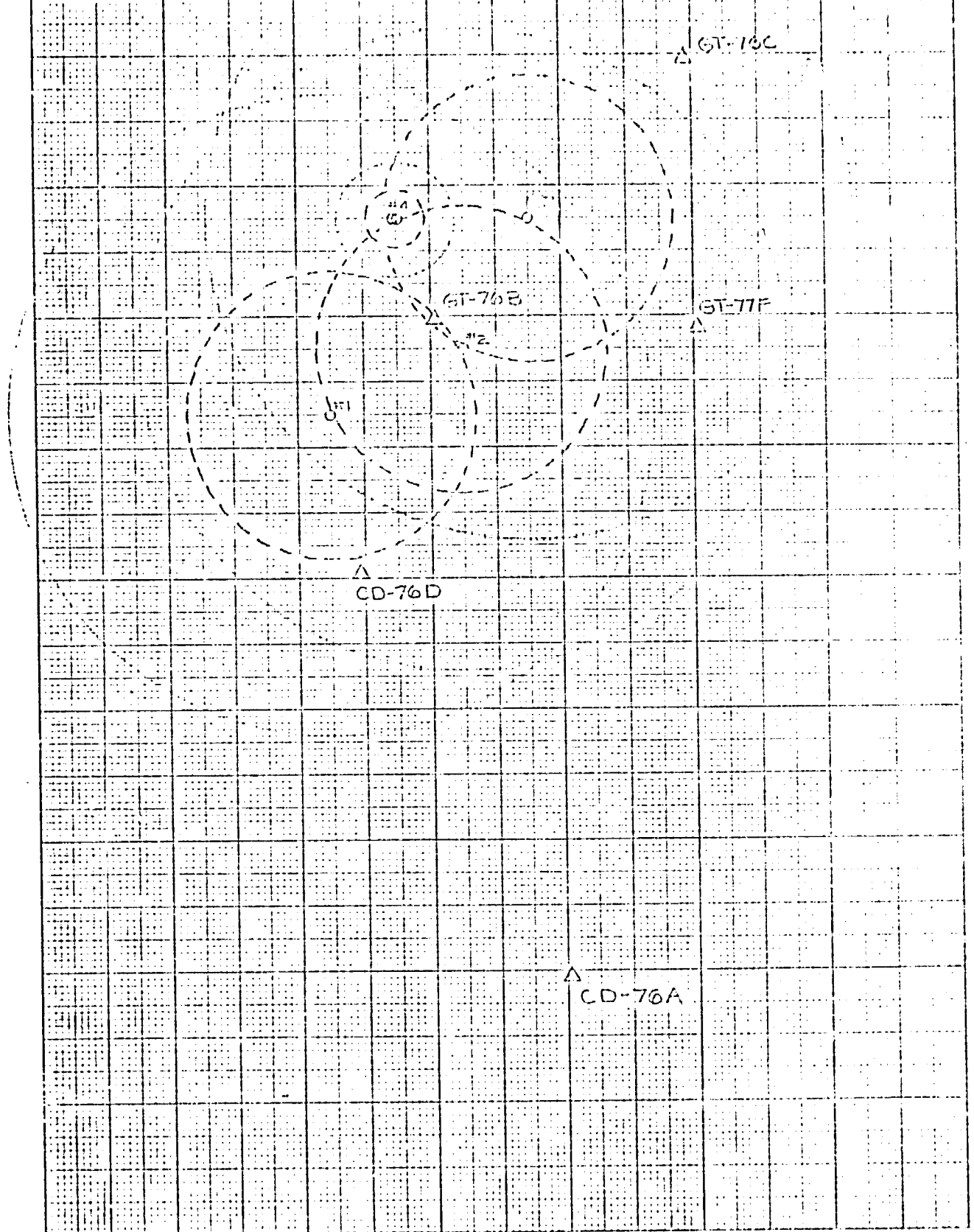
25
100

1000 DISTANCE FROM PUMPED WELL

FIG. 6

14

FIGURE 6 OF FIGURE 12 (1000) CONTOUR AFTER DAYS (Broken line)
 POINTS WERE AT, BE, BE, WILL BY GOOD EFFECT CONTOUR
 (17.5) AFTER 60 DAYS



46 1242

20 X 20 TO THE INCH 7 X 10 INCHES
 REUTEL & CO. NEW YORK

FIG. 7.

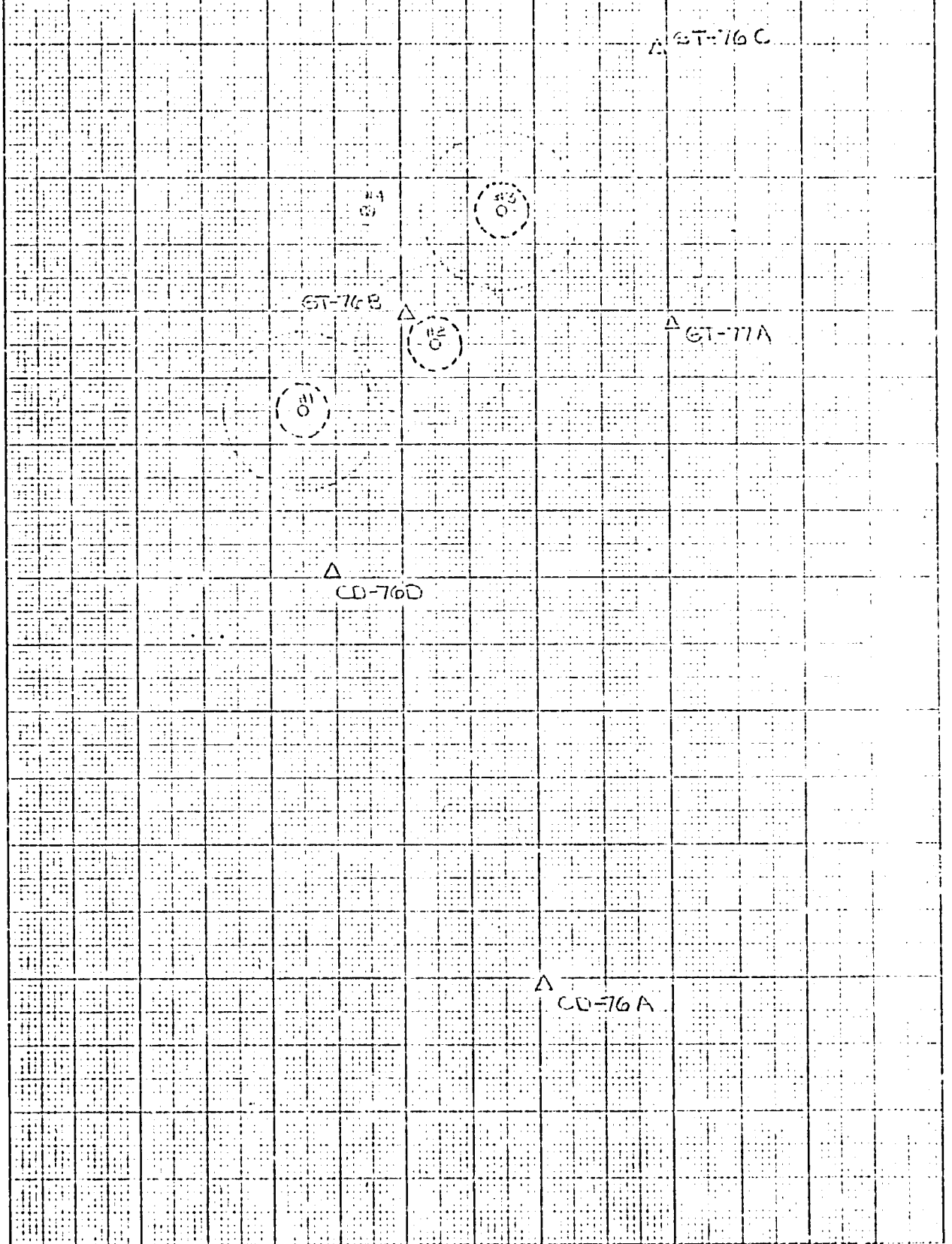
15

(BROKEN LINE)

HEIGHT OF 10 FEET CONTOUR OF DRAINAGE AFTER 5 DAYS
PUMPING WELLS #1, #2, #3 WELL #4 SHOWS 5 FEET CONTOUR

(SOLID)

AFTER 15 DAYS



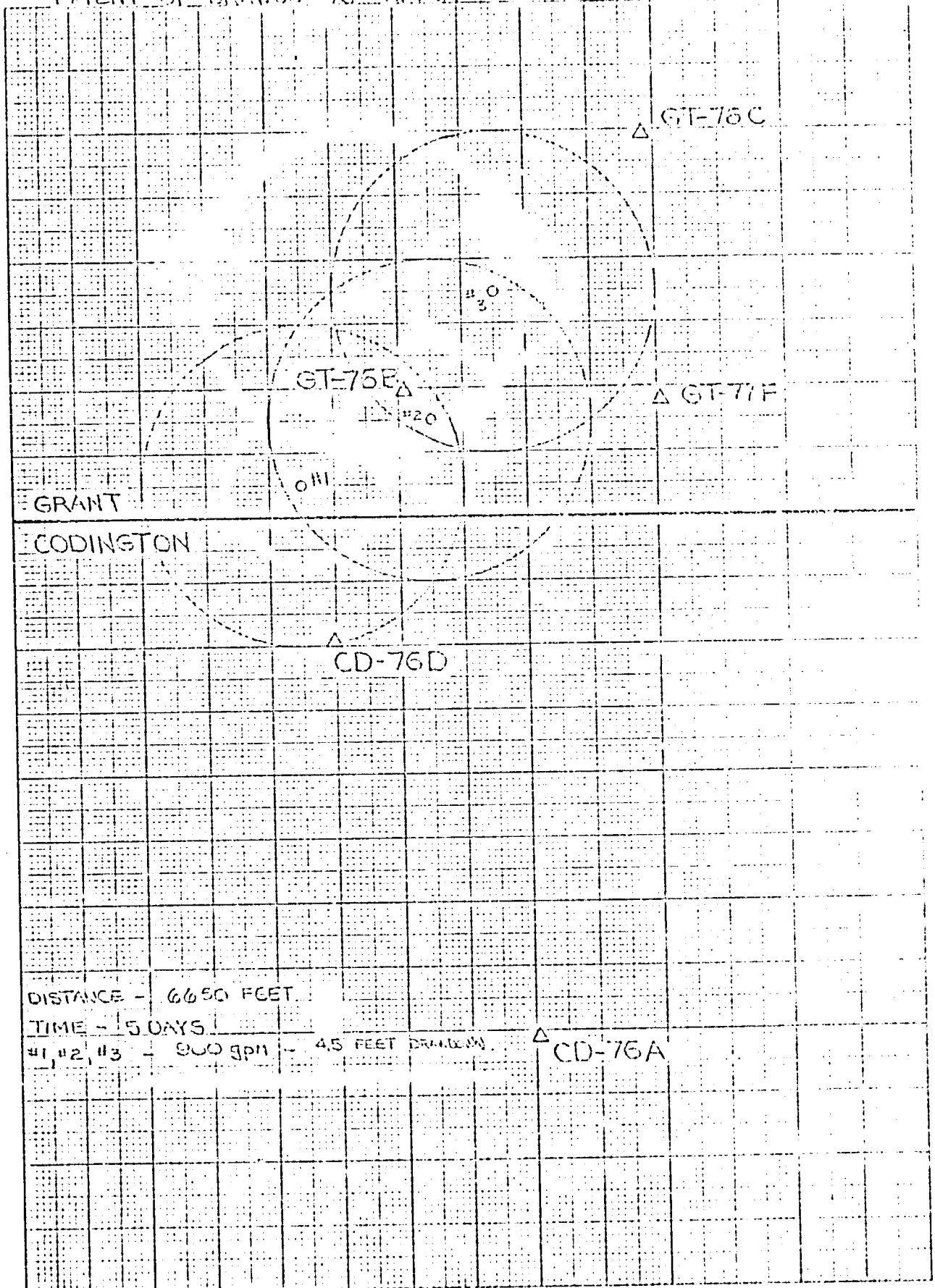
45 1242

20 X 20 TO THE INCH 7 X 10 INCHES
KRAFT & SUTHERLAND CO. MADE IN U.S.A.

10

FIG. 8.

EXTENT OF DRAWDOWN AFTER 5 DAYS CONTINUOUS PUMPING



46 1242

20 X 20 TO THE INCH - 7 X 10 INCHES
 REUFILL & ESSER CO. MADE IN U.S.A.

Generally the information obtained from the questionnaire was helpful, although there were few people who actually knew much about their wells. Even so, there are approximately 36 domestic wells which are located in the artesian aquifer. These wells may be affected if further irrigation permits are granted. Many of these wells are adequate and the pumps can be lowered, but a few are inadequate. The inadequate wells may need to be replaced.

Many of the wells reported appear to be seepage wells. That is, no aquifer is penetrated and the water is obtained from leakage from the surrounding material. These wells are not affected by high capacity well pumping. Probably the best indication of a seepage well is if that well can be pumped dry in a few hours. The owner is depending upon the storage capacity of the well for a water supply. Typically these wells give the owners problems during dry weather.

Listing of Deferred Applications:

Permit No.	County	For	CFS Amount*	Wells	Acreage	Priority Date
3229-3	CD	Harlan Stadhiem	3.90	1	270	8-20-76
* 3225-3	GT	Clifford Grinols	2.28	1	160	10- 5-76
* 3226-3	GT	Clifford Grinols	2.28	1	160	10- 5-76
3227-3	CD	Falk Farms	2.28	1	160	10- 5-76
** 3231-3	CD	David McElhany	4.10	2	289	9- 9-76
3342-3	GT	Joseph P. Amdahl	5.0	2	468	12- 7-76
3745-3	CD	Owen Thacker	2.20	1	160	12-27-76
3502-3	GT	John LaBarr	2.0	1	135	12-28-76
3503-3	GT	Bernard L. Lee	4.9	3	345	12-28-76
4153-3	GT	Falk Farms	4.0	2	312	9-15-77
4184-3	GT	R.E., Ina, Scott Kahnke	4.4	2	312	10-27-77
3941-3	CD	Gary Zemlicka	.57	Dugout ***	40	
4180-3	CD	R.E. Kahnke	additional diversion points			(2)
4181-3	CD	R.E. Kahnke	additional diversion point			(1)
4182-3	CD	R.E., Ina, Scott Kahnke	additional diversion point			(1)
4183-3	CD	R.E., Ina, Scott Kahnke	.15	Trailer Court Well		

* No test hole - Logs are not available

** Already has a permit for shallow water for same land.

*** Dugout located in stream bed - intermitten flows in stream

DISCUSSION OF APPLICATIONS:

1. Applications 3941-3, 4180-3, 4181-3, and 4183-3 are all for water table wells. The historical water level data indicates there is water available in the shallow water table aquifers. There should be no noticeable effect upon domestic water supplies, if these applications are approved.

2. The water level data from the deeper artesian aquifer indicates there is water available for appropriation. Problems do exist, however, as to the correct high capacity well spacing in order to prevent excessive well interference. Until an aquifer pump test is conducted, the Commission Staff will recommend at least $1\frac{1}{2}$ mile spacing between the high capacity wells. In fact, under intensive development this spacing may prove inadequate. There is a maximum number of wells that can be allowed in any aquifer even though this spacing could be maintained. The Commission Staff is not able to determine the total number of high capacity wells which can be allowed at this time.
 - A. The well for Application No. 3229-3 is more than $3\frac{1}{2}$ miles from the nearest existing irrigation well. This acreage is also covered under Permit No. 2171-3.
 - B. The wells for Applications 3225-3 and 3226-3 are located $\frac{1}{2}$ mile and 1 mile respectively from an existing irrigation well.
 - C. The well for Application No. 3227-3 is approximately $1\frac{1}{2}$ miles from an existing irrigation well.
 - D. The wells for Application No. 3231-3 are more than 10 miles from an existing irrigation well. This land is already covered under Water Right No. 2203-3 for shallow wells. Also the proposed irrigation wells are less than $\frac{1}{2}$ mile apart.
 - E. The wells for Application No. 3342-3 are 3 miles from the nearest existing irrigation well. The individual wells are $\frac{1}{2}$ mile apart.
 - F. The well for Application No. 3745-3 is more than 3 miles from a location with a priority right.
 - G. The well for Application No. 3502-3 is approximately 1 mile from an existing irrigation well.
 - H. The wells for Application No. 3503-3 are more than 3 miles from an existing irrigation well and less than 1 mile apart individually.
 - I. The wells for Application No. 4153-3 are approximately $\frac{1}{2}$ mile from an existing well and $\frac{1}{2}$ mile apart.
 - J. The wells for Application No. 4184-3 are approximately $\frac{1}{2}$ mile from an existing irrigation well and only $\frac{1}{2}$ mile apart.

RECOMMENDATIONS:

1. The Water Rights Commission Staff recommends approval of Water Right Application Nos. 3941-3, 4180-3, 4181-3, 4182-3, and 4183-3 with the following qualifications:

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.

2. The Commission Staff recommends approval of Application No. 3229-3 from the artesian aquifer with the following qualifications:

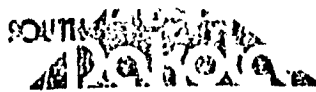
That irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate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

That the location of the irrigation well be moved to the west and north of the proposed location to eliminate a potential flowing well.

Because of the improper spacing, the Commission Staff recommends the continued deferral of Application Nos. 3225-3 and 3226-3. These applications have priority to any of the following Application Nos. 3227-3, 3231-3, 3342-3, 3745-3, 3502-3, 3503-3, 4152-3, and 4184-3 even though spacing is not a problem with some of these applications.

Until information is available to confirm the spacing recommendation, the Commission Staff does not believe the Commission should pass over the prior rights. For this reason, the Commission Staff recommends continued deferral of these applications.

James Goodman
Hydrologist



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

March 22, 1978

TO: Persons concerned with deferred applications in Codington & Grant Counties

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of deferred applications in Codington & Grant Counties

The Water Rights Commission will reconsider Water Rights Applications in Codington and Grant Counties at 2:00 p.m., March 28, 1978 at the Guest House, 101 North Broadway, Watertown, 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.

The Applications were deferred by the Water Rights Commission during 1976, 1977 and 1978, pending Staff investigation.

After reconsideration of the Applications, the Commission can approve, defer, or deny all or parts of the Applications. A copy of the "Report on Area of Controversy in Codington & Grant Counties" is enclosed for your information.

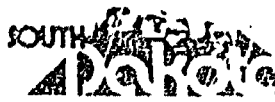
Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw

enclosure



Department of Water & Natural Resources

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

March 31, 1986

Notice

Harlan Stadhelm
RR 2, Box 55
Watertown, SD 57201

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 2171-3, 3229-3, and 2497-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 p.m., May 14, 1986 in Room 216, Joe Foss Building, Pierre, South Dakota.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 2171-3, 3229-3, and 2497-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

Sincerely,

John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.



Department of Water & Natural Resources

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Harlan Stadheim
RR 2 Box 55
Watertown SD 57201

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Amendment to Water Permit No(s). 2497-3, 3229-3 & 2171-3

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 2497-3, 3229-3 & 2171-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Equal Opportunity Employer

SOUTH DAKOTA
Department of
Water & Natural Resources

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

Attachment to Water Permit No. 3229-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 3229-3 to add the following qualification:

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

Equal Opportunity Employer



Department of Water & Natural Resources

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

January 29, 1988

HARLAN STADHEIM
RR #2 BOX 55
WATERTOWN, SD 57201

NOTICE

Re: Violation of Water Permit No(s). 2497-3, 3229-3, 2171-3

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 2497-3, 3229-3, 2171-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2497-3, 3229-3, 2171-3 qualification:

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

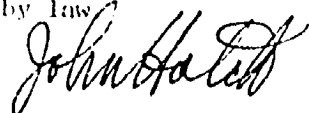
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 2497-3, 3229-3, 2171-3 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of
Water & Natural Resources

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

March 14, 1988

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: HARLAN STADHEIM
RR #2 BOX 55
WATERTOWN, SD 57201

FROM: John Hatch, Chief Engineer
Water Rights Division
605-773-3352

SUBJECT: One Year Suspension Of Water Permit No(s). 3229-3,
2171-3, 2497-3

Pursuant to the provisions of the notice dated January 29, 1988,
and following the hearing of March 2, 1988, the Water Management
Board has ordered:

That Water Permit No(s). 3229-3, 2171-3, 2497-3 be **SUSPENDED**
until December 31, 1988.

Suspension of a permit means water may not be pumped during the
1988 irrigation season. Decisions of the Board may be appealed
to the Circuit Court and the Supreme Court as provided by law.

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

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

April 14, 1988

NOTICE

TO: Harlan Stadheim, RR #2 Box 55, Watertown, SD 57201

FROM: JOHN HATCH, Chief Engineer *John Hatch*
Water Rights Division
605 773-3352

SUBJECT: Notice of Hearing to Consider Request for
Reconsideration of Suspended Water Right No. 2171-3,
Water Permit Nos. 2497-3 and 3229-3

The hearing on your March 27, 1988 request to the Water Management Board to reconsider suspension of Water Right No. 2171-3 and Water Permit Nos. 2497-3 and 3229-3 has been scheduled for 9:15 am, May 11, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, SD.

As stated in the notice to you dated January 29, 1988, the hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permits, defer action or taken no action. The hearing is an adversary proceeding and any party 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 at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

cc: Harold Deering, Assistant Attorney General

South Dakota Dept of
Water & Natl Resources
Pierre, S.D.



3-27-88

Dear Mr. Member of the Water Board:
John Hatch.

I was quite shocked the day we
received your Certified letter dated 3-14-88
permit no. 2497-3 & 3229-3 for the year of
1988 have been expiring.

We are sorry we forgot to send in
the questionnaire in time. I'm sorry to say
that we never received a letter of notice
dated Jan 29, 1988 as of stated on 3-14-88.
The reason we were left for a trip out
likeshon Jan 17-88 & got back Feb. 9-88. While
we were gone our son's daughter-in-law &
grandchildren stayed there & took care of
the mail. That might explain why we
didn't know of your hearing 3-3-88.
If we knew we would have responded
I still don't know what that 1-29-88 letter
said. I have looked everywhere for it.
The day we received your letter I
called your office twice & talked with John
Hatch regarding this matter & he said
you are having a meeting May 11, 1988.

and I should come and appear before
you if we want and permit back. I've
really need these permits and I have
written 1 permit to a potato farmer and
a lot of expenses involved.

We will be mean then happy
to appear before the board May 18th and
if you can restate the permits some
it would be real helpful.

Questions are enclosed. please
be advised Permit No. 2173 - 3 (11-13) will be
no longer being used.

Yours Truly
Harlan Harkness

Harlan Stadheim
Water Right No. 2171-3
Water Permit Nos. 2497-3 & 3229-3

GENERAL

Application No. 2171-3 submitted by: Harlan Stadheim
RR #2
Watertown, SD 57201

Permit Approved: January 22, 1975

Permit Licensed: October 9, 1975

Application No. 2497-3 submitted by: Harlan Stadheim
RR #2
Watertown, SD 57201

Permit Approved: January 22, 1976

Application No. 3229-3 submitted by: Harlan Stadheim
RR #2
Watertown, SD 57201

Permit Approved: March 28, 1978

The above Water Right and Water Permits were Amended May 14, 1986 to include the Irrigation Questionnaire Qualification for violation of the requirement to submit the 1985 irrigation questionnaire

FIVE YEAR HISTORY OF IRRIGATION QUESTIONNAIRE RETURNS

<u>Year</u>	<u>Date Request Mailed</u>	<u>Date Irrigation Questionnaires Returned</u>	<u>Date of Any Board Action</u>
*1983	November, 1983	May 14, 1985	none
*1984	October, 1984	May 14, 1985	none
1985	November, 1985	did not return forms	May 14, 1986
1986	November, 1986	February 6, 1987	none
1987	October, 1987	March 31, 1988	March 2, 1988

*On May 14, 1985, Mr. Stadheim returned a 1983 questionnaire for Water Right No. 2171-3, no forms were received for Water Permit Nos. 2497-3 and 3229-3. The data for these may have been included on the form for No. 2171-3. Also on this date, he returned the 1984 questionnaires for No. 2171-3, No. 2497-3 and No. 3229-3.

The 1983 questionnaire contained an address correction to add Box 55 to RR #2, Watertown, SD.

PAST VIOLATIONS

1. Violation of Requirement to Submit 1985 Irrigation Questionnaire:

March 31, 1986, Mr. Stadheim was given notice of violation of the requirement to submit the 1985 irrigation questionnaires and of the hearings scheduled before the Water Management Board to be held May 14, 1986.

May 14, 1986, The Water Management Board amended Water Right No. 2171-3 and Permit Nos. 2497-3 and 3229-3 to add the Irrigation Questionnaire Qualification.

May 20, 1986, Mr. Stadheim was notified of the Board action amending Water Right No. 2171-3 and Water Permit Nos. 2497-3 and 3229-3.

2. 1987 Irrigation Questionnaire Violation

January 29, 1988, Mr. Stadheim was given notice of permit violation for non-return of his 1987 irrigation questionnaires and of the hearings scheduled before the Water Management Board to be held March 2, 1988.

March 2, 1988, The Water Management Board suspended Water Right No. 2171-3 and Permit Nos. 2479-3 and 3229-3 until December 31, 1988.

March 14, 1988, Mr. Stadheim was notified of the Board action to suspend his water right and permits.

March 31, 1988, the 1987 irrigation questionnaires were received along with a letter explaining his reasons for not returning the questionnaires and requesting time to meet with the Water Management Board.

April 14, 1988, Mr. Stadheim was sent a Notice of Hearing to Consider Request for Reconsideration of Suspended Water Right No. 2171-3 and Water Permit Nos. 2497-3 and 3229-3.

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

May 13, 1988

NOTICE

TO: Harlan Stadheim
RR 2, Box 55
Watertown SD 57201

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352



SUBJECT: Reinstatement of Suspended Water Permits and Notice of
One Year Suspension Without Reinstatement for Future
Irrigation Questionnaire Violations

The Water Management Board, following the May 11, 1988, hearing
passed the following motion:

"That the owners of Water Permits No. 1372-2 (Earl Sonnenschein & Sons); 1731-2 (Buckles Ranch); 235-3 (Russell Doolittle); 2171-3, 2497-3, 3229-3 (Harlan Stadheim); 2174-3, 2175-3, 2413-3, 3223-3, 4353-3, 5026-3, 5038-3 (Poinsett Hutterian Brethern); 3264-3 (John Heber); 3479-3, 4237-3 (Bob Kohnen) 3825-3 (Rod Page, operator); 4017-3 (Martin Ronning); 4257-3 (Patricia Ronning & Jeanette Hurrell); 4521-3 (Tom/William Maher & Harvey Buhl); 4564-3, 4611-3 (Wendell Bishop); 4660-3 (Dihl Grohs); 4732-3 (Gerald Benjamin); 4741-3 (Lois J Elsinger); 4827-3 (Gary Smith); 4844-3 (Gerald Goetsch); 4966-3 (Delano Hofer); 4985-3, 4992-3, 5043-3, 5044-3 (Ray & David Hanson); 4754-3 (Richard Beare); and 375-2 (Rhea Brill), have now submitted the 1987 irrigation questionnaires for these permits, that a 60 day suspension period has been completed and that these permits are reinstated effective immediately. The owners of the permits are also NOTIFIED that failure to submit future required irrigation questionnaires will result in a one year suspension without reinstatement."

If you have any questions, please contact us.

cc: Water Management Board





Department of Water & Natural Resources

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

July 19, 1988

3229-3

Harlan Stadheim
RR 2, Box 55
Watertown SD 57201

Dear Mr. Stadheim:

During the week of July 12-15 an investigation of domestic well complaints was conducted in Codington and Grant Counties. In all instances, the domestic wells were completed into the Prairie Coteau Aquifer (artesian aquifer) and the water levels were being affected by irrigation withdrawals. One of the complaints was that irrigation systems were wasting water by spraying on county roads and highways. This is not necessary and needs to be prevented. Not only is this a hazard to motorists with potential liability for the irrigator, but it is poor public relations.

I am requesting that you prevent the end guns from spraying on the county roads and highways. Technically, spraying roads is a waste of water and legislation could be introduced and passed by the Legislature that could be difficult to live with.

Very truly yours,

John A. Hatch
FOR JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



#2447-3

#3229-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Harlan Stadheim
RR 2, Box 55
Watertown, SD 57201

Dear Mr. Stadheim:

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 W. Bowar
for JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

March 13, 1990

2171-3
3229-3

Casco Corporation
RR #3 Box 138B
Watertown, SD 57201

Dear Sir:

Our office has been notified by Harlan Stadheim that you now own the land described in Water Right No. 2171-3 and Water Permit No. 3229-3. I have enclosed copies of these for your review.

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right No. 2171-3 and Water Permit No. 3229-3. Please check over the forms and sign them in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (\$5.00 total).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

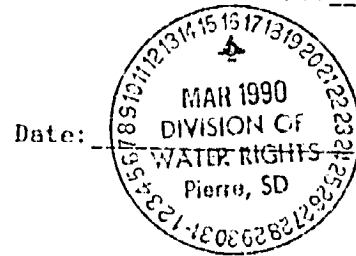
GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 3229-3

TO: Chief Engineer
Water Rights Division, DWNR
523 East Capitol
Pierre, SD 57501-3181



Date:

I/We request that Water Permit/Right No. 3229-3

formerly owned by: Harlan Stadheim

be transferred to: (name & address) CSS Company, R.R. 3 Box 13813
W. A. Adams SD (telephone No.) 876-2577

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

N 1/2 Section 9, T119N, R52W

I/We understand that the validity of Water Permit/Right No. 3229-3 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Codington)

(I/We Richard R. Spence 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.

CSS Company
by Bill R. [Signature]
(Signed)

Subscribed and sworn to before me this 15th day of March, 1990.

[Signature]
(Notary Public)

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 water 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.

412100

South Dakota Department of Water and Natural Resources

Pierre, March 19, 1920

RECEIVED OF Casco Corporation, RR #3 Box 138B, Watertown, SD 57201

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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>Water Permit No. 3223-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	2	50

By

Chief/Engineer



Department of Water & Natural Resources

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

March 28, 1990

2171-3

3229-3

Richard Spevak
Casco Corporation
RR #3 Box 138B
Watertown, SD 57201

Dear Mr. Spevak:

Enclosed are Receipt Nos. 412150 and 412151 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 2171-3 and 3229-3.

Our records now reflect you as the owner of these Water Rights.

Sincerely,

MARIE R. ARTHUR
Secretary
Water Rights Division
(605) 773-3352

enclosure



Department of Water & Natural Resources

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

May 17, 1990

MEMO FAXED TO:

Mary Johnson
Norwest Equipment Finance
(FAX # (701) 293-3937)

FROM:

Genny McMath, Natural Resources Analyst
Division of Water Rights *Genny McMath*
(605) 773-3352

Milt Carter, with CASCO Company, Watertown, SD has requested that we fax the following copies to you:

1. Water Right No. 2171-3, issued to Harlan Stadheim
2. Notice of Transfer of Ownership for Water Right No. 2171-3
3. Water Permit No. 3229-3, issued to Harlan Stadheim
Notice of Transfer of Ownership for Water Permit No. 3229-3

The copies being sent to you are microfilm copies. If they are not legible after being faxed, please contact me.

The paper copies of the above are being sent to Milt Carter with CASCO Company.

Big Spring River Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by CSS Company
214 NW 3rd Street of Water town SD 57201 holder of
Permit No. 3229-3 .. bearing the priority of August 20 19 76 authorizing
the diversion of 3.9 cu. ft. per second of the waters of ground water
for irrigation purposes, in Codington County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

used to divert the water:
1 125 HP 12" Goulds pump Model # 58895-6 capable of
1400 gpm. using a U.S. Electric Motor Model # 405 TP
It's pumping 1200 gpm. for the pivot

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

12" PVC piping to center pivot

C. Works used to apply water to beneficial use:

used to apply water to beneficial use:
 Lindsey Cornering Unit ^{with} 8 towers plus 2 cornering units
 has an end gun. This center pivot is capable of 1200 gpm

The system is in the following condition above

The point of diversion is located Section 10-T14N-R152E 330' east and 1220'
South of the NW corner

The works are capable of diverting and conveying to the place of use _____ 2.66 _____
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 9-TTAN-R52N

NW ¹ / ₄ NW ¹ / ₄ = 21 acres	NW ¹ / ₄ NE ¹ / ₄ = 40 acres
SW ¹ / ₄ NW ¹ / ₄ = 19 acres	SW ¹ / ₄ NE ¹ / ₄ = 40 acres
NE ¹ / ₄ NW ¹ / ₄ = 40 acres	NE ¹ / ₄ NE ¹ / ₄ = 12 acres
SE ¹ / ₄ NW ¹ / ₄ = 40 acres	SE ¹ / ₄ NE ¹ / ₄ = 12 acres

comprising a total of 224 acres of land and the license should be issued for 2.66 cfs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____ Date 5/6/1991

Date _____
Norma C. Solb
(Signature)

LICENSE FOR PERMIT NUMBER 3229-3

5/6/1991

1. Legal location of wells: NW 1/4 NW 1/4 Section 10-119-52R

dams & structures: _____

2. Well Information: Well Drilling Firm Stodheim Drilling Firm

Completion Report Yes No X No. of Wells 1 Depth 152

Casing a) diameter 16" Screen a) type fiberglass

b) length 107 b) length 15

c) type fiber-glass Static Water Level _____

Pump a) make Goulds Motor a) make US Electric

b) model 58895-6 b) Model No. 405 TP

c) size 12" c) horsepower rating 125

d) capacity 1400 gpm

e) turbine pump - no. of stages turbine

f) operating PSI 106

3. Distribution lines or canals

a) size 12"

b) type PVC

c) length _____

4. Dam Information:

a) height to crest _____ m) Outfall structures:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

5. System Type a) sideoil:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make Lindsey Cornering Unit
- 2) number of towers 8 + 2 corner units
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) Y
- 6) high or low pressure 45 PSI
- 7) make & size of nozzles _____
- 8) capacity (GPM) 1200

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
☒	___	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
☒	___	2. Special qualifications to permit being abided by?
☒	___	3. All structures, wells and lands on map?
☒	___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
☒	___	5. Is chemigation used?
☒	___	6. If yes, does equipment comply with chemigation rules?

REMARKS:

South Dakota



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 19, 1991

3229-3

Casco Corporation
Randy Spevak
RR 3, Box 138B
Watertown SD 57201

Dear Mr. Spevak:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 3229-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT
Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, December 30, 1931

RECEIVED OF Casco Corporation, RR 3, Box 138B, Watertown, SD 57201
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. <u>3229-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	00

By [Signature]
Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 3229-3

(1) Harlan Stadheim of RR 2, Watertown, SD 57201 made Application No. 3229-3, August 20, 1976 for a water permit to appropriate 3.9 cubic feet of water per second from groundwater, Codington County, South Dakota for irrigation purposes. Permit No. 3229-3 with a priority date of August 20, 1976 was approved March 28, 1978 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before March 28, 1983 and for the application to beneficial use of said water on or before March 28, 1987.

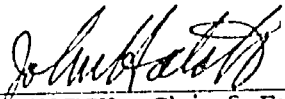
On March 16, 1990, Water Permit No. 3229-3 was transferred from Harlan Stadheim to CSS Company.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.66 cubic feet of water per second for beneficial use. The location of the diversion point is: 330'E and 1220'S of the NW corner of Section 10, T119N, R52W (R) (NW1/4 NW1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T119N, R52W Section 9 (R)	NW 1/4 NW 1/4	21 Acres
	SW 1/4 NW 1/4	19 Acres
	NE 1/4 NW 1/4	40 Acres
	SE 1/4 NW 1/4	40 Acres
	NW 1/4 NE 1/4	40 Acres
	SW 1/4 NE 1/4	40 Acres
	NE 1/4 NE 1/4	12 Acres
	SE 1/4 NE 1/4	12 Acres
	Total-----	224 Acres

(4) Pursuant to Section 46-5-30.1 CSS Company of 214 NW 3rd Street, Watertown, SD 57201 the holder(s) and/or owner(s) of Water Permit No. 3229-3 is issued a license to appropriate water, the right to use 2.66 cubic feet of water per second from groundwater (one well) with a priority date of August 20, 1976 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 3229-3 and subject to South Dakota State Law.


FEB 27 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

FEB 27 1992

3229-3

CSS Company
214 NW 3rd Street
Watertown, SD 57201

Dear Sirs:

Enclosed is Water License No. 3229-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412986 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 3229-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'John Hatch', is written over the typed name.

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

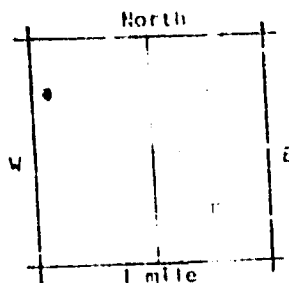
enclosures

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location (C) 111 Sec 11 Twp 111 Rg 54

County DeWitt

Please mark well location with an "X"



Well Completion Date 11-12-84

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling: Art. Drilling - Air

WELL CONSTRUCTION:

Diameter of hole 1 1/2 inches Depth 152 feet

Casing: ☐ Steel ☐ Plastic ☒ Other

Specify Fiber Glass

Pipe Weight 16 lb/ft Diameter 1 1/2 inches From 10 feet To 117 feet

Was a well screen used? ☒ Yes ☐ No

If Not Specify

Screen Type Fiber Glass Slot Size 1/8

Length 100 feet Diameter 1 1/2

Was Casing left open end? ☐ Yes ☒ No

Was a Packer or seal used? ☐ Yes ☐ No

If so what material?

Was well gravel packed? ☒ Yes ☐ No

Was well grouted? ☒ Yes ☐ No

Describe grouting procedure Pneum. Grout

To what depth? 100 feet

What was grouting material? Cement

If cement, how many sacks? 10

Location of packer(s) and screen or perforated pipe 117-152 - Reason for this

Was well plugged or abandoned? ☐ Yes ☒ No

If so how and with what material?

Well Owner:

Name Marion Stadelman

Address 603 S. 1st St. & Well Drilling

Well Log: Water, SD 57527

Formation	From	To
Free 1-1/2 30 Feet	0	30
Gravel Fill	30	35
Black	35	50
Gravel	50	117
Blue Clay	117	132
Coarse Gravel	132	135
Blue Clay	135	144
Coarse Gravel	144	152
Blue Clay	152	157

STATIC WATER LEVEL 3 FT Above 140 Feet

If flowing: closed in pressure psi

GPM flow 12 through 1 1/2 inch pipe

Controlled by ☐ Valve ☐ Reducers ☒ Other

If other; specify 70 High Casing

Can well be completely shut off? Yes - 15

HA HA

WELL TEST DATA:

☒ Pumped 111

☐ Bailed Describe:

☐ Other

Pumping Level 2 ft. After 2 Hrs. pumped

2 ft. After 2 Hrs. pumped GPM

2 ft. After 2 Hrs. pumped GPM

2 ft. After 2 Hrs. pumped GPM

Remarks: Ac. For To Drilling

111

This well was drilled under license # 111

and this report is true and accurate.

Drilling Firm Marion Stadelman

Date 11-12-84

Waterworks SD 57201



February 4, 1997

NOTICE

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

TO: CSS FARMS, MILT CARTER, 3334 9TH AVE SW, WATERTOWN, SD 57201

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

SUBJECT: Violation of Water Permit No(s) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3, 2120-3, 3672-3, 4041-3 & 4181-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3, 2120-3, 3672-3, 4041-3 & 4181-3. 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) 2120-3, 3672-3, 4041-3 & 4181-3 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) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3 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) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2120-3, 3672-3, 4041-3 & 4181-3 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.



February 4, 1997

322 9-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: MILT CARTER
CSE FARMS
3334 9TH AVE SW
WATERTOWN SD 57201

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Right's Program

RE: Failure to Report Chemical Use under Water Permit No(s) 2120-3; 3229-3; 3672-3; 3782-3; 4041-3;
4181-3; 4182-3; 4588-3A; 4604-3; 5166-3; 5173-3; 5174-3; 5332-3; 5338A-3; 5376-3; 5377-3; 5378-
3; 5379-3; 5586-3; 5723-3 & 5724-3

The first notice to file chemigation report(s) for Permit No(s) 2120-3; 3229-3; 3672-3; 3782-3; 4041-3; 4181-3; 4182-3; 4588-3A; 4604-3; 5166-3; 5173-3; 5174-3; 5332-3; 5338A-3; 5376-3; 5377-3; 5378-3; 5379-3; 5586-3; 5723-3 & 5724-3 was dated 10/24/96. Our records indicate that we have not received the 1996 chemigation report for any of the above listed permits. The Water Management Board has directed that owners of water permits who have not submitted the 1996 chemigation report(s) be given notice of violation and hearing before the board. The hearing held by the board is to determine what action is to be taken concerning violation of Administrative Rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical applied.

The hearing will be held at 2:30 PM on March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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 or up to three years for the 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). 2120-3; 3229-3; 3672-3; 3782-3; 4041-3; 4181-3; 4182-3; 4588-3A; 4604-3; 5166-3; 5173-3; 5174-3; 5332-3; 5338A-3; 5376-3; 5377-3; 5378-3; 5379-3; 5586-3; 5723-3 & 5724-3 in accordance with applicable provisions of SDCL 46-1-12;
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 chemigation report(s) is(are) received by this office on/or before February 28, 1997 your name will be deleted from the board agenda.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 East 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 57501-3181

February 12, 1997

Milt Carter
CSS Farms
3334 9th Ave S.W.
Watertown, SD 57201

Dear Mr. Carter:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires and chemical reporting forms. You may disregard the February 4, 1997, Notices of Violation.

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



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

December 9, 1997

Don Endries
919 Christine Ave
Brookings, SD 57006

Dear Mr. Endres:

I am contacting you in regard to ownership of Water Right No. 3229-3. The 1997 irrigation questionnaire for Water Right No. 3229-3, included a notation that the land and irrigation system were purchased by you.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review the form for accuracy and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

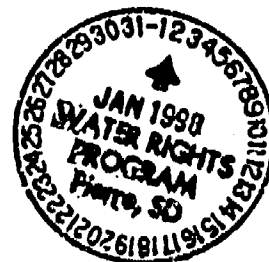
If you have any questions concerning the water right or submission of the transfer form, please contact me.

Sincerely,

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

encl

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 3229-3

Date: 12/21/97

I/We request that Water Right No. 3229-3

formerly owned by: CSS Farms, Inc., Watertown, SD

be transferred to: (name & address) Don Endres, 919 Christine Ave, Brookings, SD 57006

Telephone No. (605) 692-2407

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

224 acres - N 1/2 Section 9, T119N, R52W

I/We understand that the validity of Water Right No. 3229-3 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Brookings)

I/We DON ENDRES 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.

[Signature]
(Signed)

Subscribed and sworn to before me this 30 day of December, 19 97.

[Signature]
(Notary Public)
My Commission Expires January 2, 2004

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.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 415584

Pierre, _____ January 5, 19 98

RECEIVED OF Don Endres, 191 Christine Ave., Brookings, SD 57006
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 Water Right No. 3229-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By _____
Chief Engineer

Joe H. H. H.

3229-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3101

February 17, 1998

No. 3229-3

Don Endres
919 Christine Ave.
Brookings, SD 57006

Dear Mr. Endres:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 3229-3.

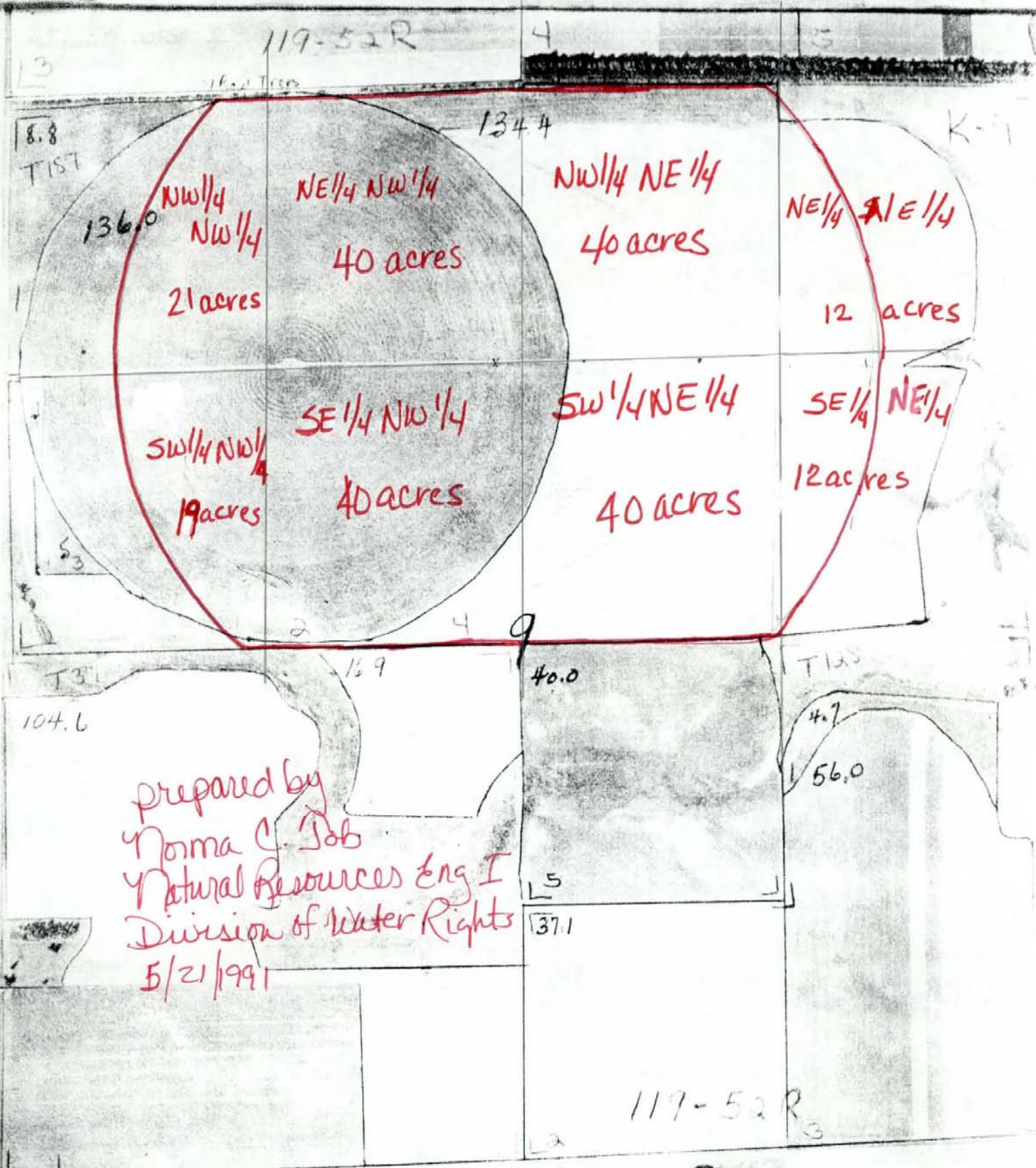
Our records now show you as the owner of Water Right No. 3229-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

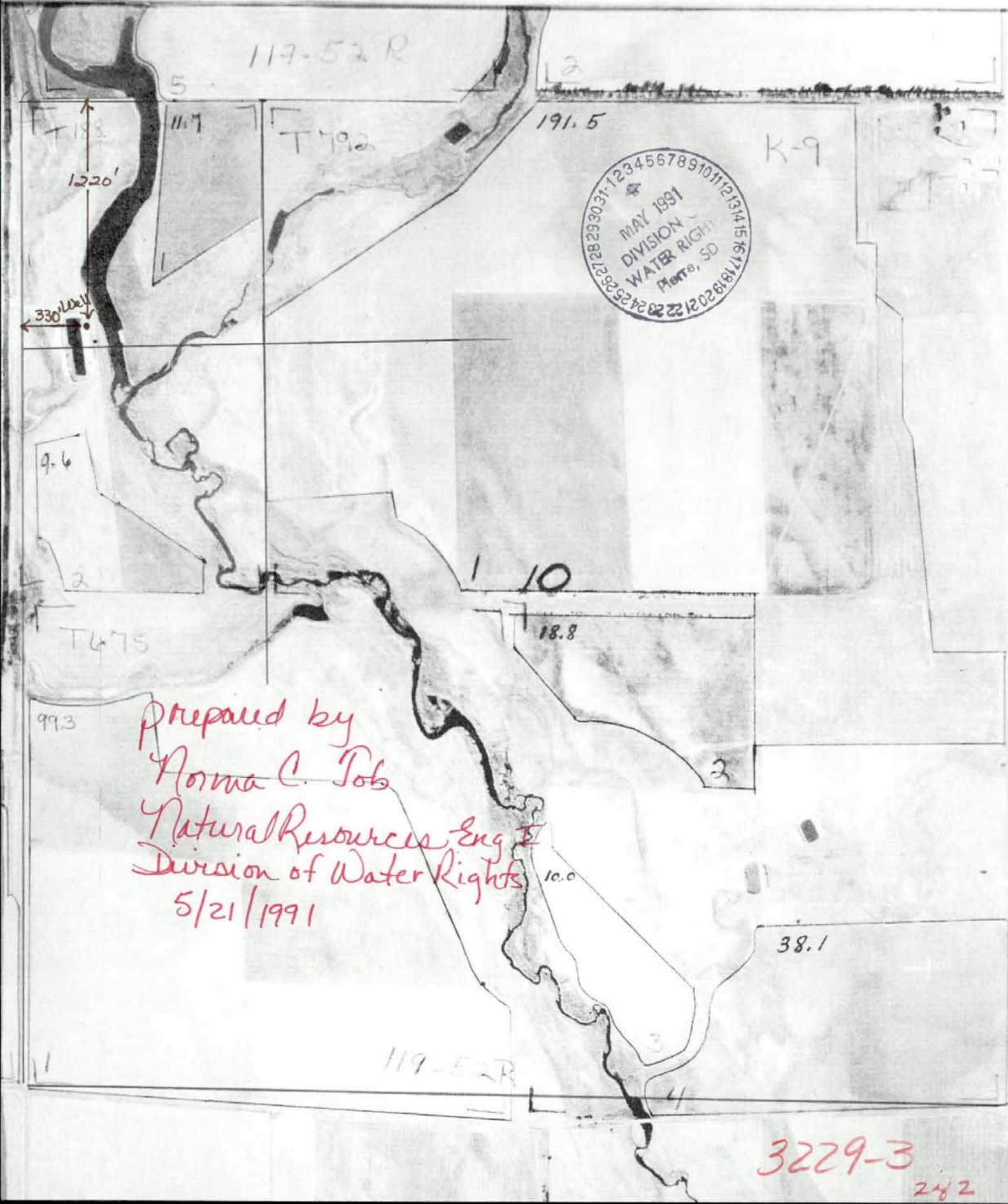
enclosure

NOT TO SCALE



prepared by
Norma C. Job
Natural Resources Eng I
Division of Water Rights
5/21/1991

NOT TO SCALE





3229-3

**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 26, 2007

NOTICE

TO: GREG ENDRES, MGR, 2011 S SERENITY DR, WATERTOWN, SD 57201

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3229-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3229-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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. 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) 3229-3 in accordance with applicable provisions of SDCL 46-1-12;
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, 2007, 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/E0455V5-IQ.pdf>

c: DON ENDRES, 919 CHRISTINE AVE, BROOKINGS SD 57006

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.



3229-3

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Signature Confirmation	
SIGNATURE CONFIRMATION NUMBER: 2301 3460 0000 8516 2487	GREG ENDRES, MGR 2011 S SERENITY DR WATERTOWN SD 57201
	Walver 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) ☐ Priority Mail® ☐ Package Services
PS Form 113, July 2001 (50c Reverse)	

3229-3

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Signature Confirmation	
SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 7443	DON ENDRES 919 CHRISTINE AVE BROOKINGS SD 57006 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) ☐ Priority MailSM Service ☐ First-Class MailSM parcel ☐ Package Services parcel	
PS Form 153, May 2002 (See Reverse)	



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 27, 2007

3229-3

Greg Endres
2011 S Serenity Dr
Watertown SD 57201

Dear Mr. Endres:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements.

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

c: Don Endres