

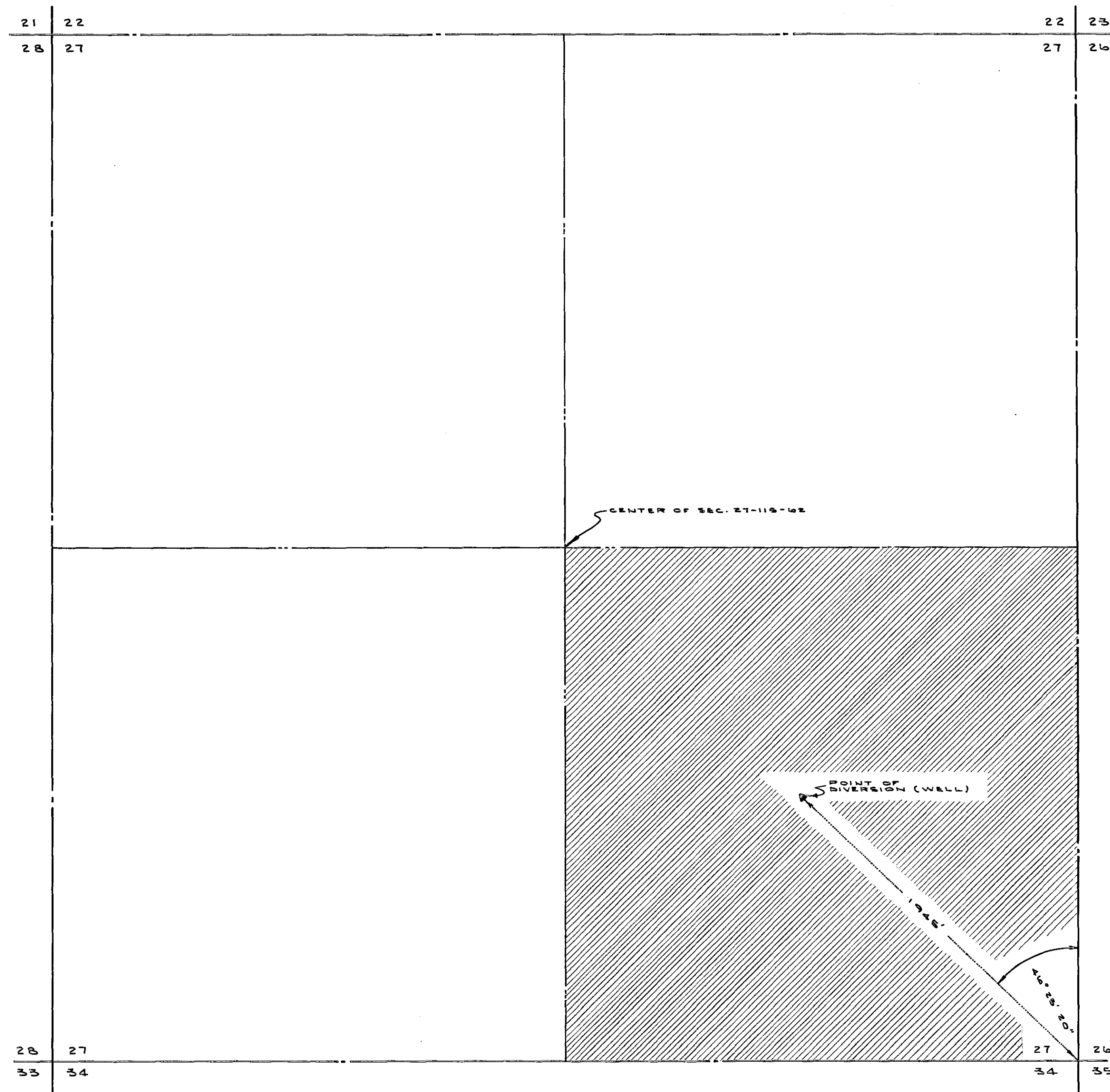
Water Right Number 3272-3

1. Considered 2-23, 1977
2. Name of Applicant SPINK COLONY
3. Post Office Address FRANKFORT
4. Amount of Water claimed 2.0
5. Source of Water supply 110' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in SPINK County  
about 10 S, 2 E miles of FRANKFORT
8. Proof of Publication Received 2-16-77  
Not Received \_\_\_\_\_
9. Application Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action Deferred \_\_\_\_\_

10. Remarks:



# SPINK COLONY IRRIGATION PROJECT NO. 7



MAP

SHOWING AREAS TO BE IRRIGATED AND POINT OF DIVERSION FROM THE WELL WHERE WATER WILL BE DIVERTED - FOR PERMIT TO APPROPRIATE WATER.

AREA BY LEGAL SUBDIVISION:

Section 27, Township 115 North, Range 62 West of the 5th Principal Meridian,  
Spink County, South Dakota: The Southeast 1/4 - 160 acres

STATE OF SOUTH DAKOTA)  
COUNTY OF BEADLE ) SS

I, Jack T. Vosler, a registered and licensed land surveyor, in and for the State of South Dakota, do hereby certify that, at the request of the owner, I have shown the lands proposed to be irrigated by a well within its ownership, for which application to appropriate water is made, and that this map is a true representation thereof. In witness whereof I place my hand and seal this 5th day of November, A.D., 1976.

*Jack T. Vosler*  
Jack T. Vosler, Land Surveyor - So. Dak. Reg. No. 956

STATE OF SOUTH DAKOTA)  
COUNTY OF BEADLE ) SS

On this 5th day of November, A.D., 1976, before me, a notary public, personally appeared Jack T. Vosler, known to me to be a registered land surveyor and the person who executed the foregoing instrument, and he acknowledged to me that he executed the same as his own free act and deed.

*Bill J. Doyle* *July 30, 1978*  
Notary Public, Beadle County, South Dakota My Commission Expires

## WATER RIGHT APPLICATION APPROVAL 3272-3

The Water Rights Commission hereby approves Water Right Application No. 3272-3SPINK, CECILY  
(Applicant)FRANKFORT

(Post Office Address)

SOUTH DAKOTA 57440  
(State)

With the following modifications:

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

Date of first receipt of application OCTOBER 26 19 76  
 Date of return to applicant for correction, amendments or changes required — 19 —  
 Date of receipt of corrected application NOVEMBER 10 19 76  
 Approved MARCH 23 19 77, Recorded in Book 18 Page 86

WATER RIGHT PERMIT NO. 3272-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3272-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is OCTOBER 26 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 23 19 78
3. The whole of said work is to be completed on or before MARCH 23 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23 19 82
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior rights of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.0 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 23 19 82; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 25TH day of APRIL 19 77

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 2 1/2", Depth 110'
- (2) Casing, Type stainless (wood, concrete, steel, etc) Diameter 1 1/2" Thickness 12 gauge
- (3) Perforated Screen  
Type stainless steel, Diameter 1 1/2", Length 12 gauge
- (4) Gravel Pack, Thickness 16", 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 coarse sand

Depth to top of water bearing material 25'

Depth to bottom of water bearing material 160'

Thickness of water bearing material 85'

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

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

On same owner's property 7.2 mi fds. On property owned by others 3.1 mi fds.

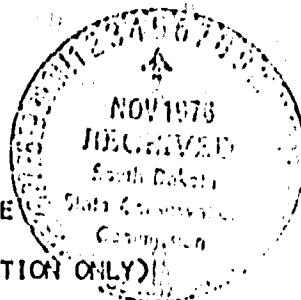
G. Water Storage Dams.

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.

Spink Colony  
John J. Spink  
Signature of Applicant

CONSERVATION  
COMMISSION  
FORM W1 #1

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



NAME Spencer Colangelo  
ADDRESS 4400 West 1st St. Rapid City, SD 57701  
COUNTY Spink

LEGAL DESCRIPTION

1. WELL LOCATION SE 27 115-62  
2. LOCATION OF AREA TO BE IRRIGATED SE 27

TYPE OF IRRIGATION

3. GRAVITY \_\_\_\_\_ TOWLINE \_\_\_\_\_ CENTER PIVOT X GUN \_\_\_\_\_  
4. CROPS TO BE IRRIGATED Alfalfa - Corn

WATER QUALITY

5. SAMPLE NUMBER 76-1693  
6. SALINITY (EC X 10<sup>6</sup>) 1668 (high)  
7. SODIUM (SAR) 2.96 (good)  
8. RESIDUAL SODIUM CARBONATE (mmol/L) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:  
the soils information has been acquired from Spink 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.

George G. Alden  
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS  
20th DAY OF Oct 19 76

Kathy [Signature]  
(TITLE OR SEAL)

Approved/Disapproved by the Commission, he carried  
out the investigation and the results of the investigation  
success of this investigation

[Signature]

APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Syink Colony  
 Address: Frankfort, SD 57440

Date Rec'd: October 25, 1976  
 Sample No.: 76-1693  
 Identification: Well-95'  
Box 1, Sec. 27, T 115N, R 62W

**WATER ANALYSIS**

|                                       |       |                             |      |           |
|---------------------------------------|-------|-----------------------------|------|-----------|
| Calcium (Ca)                          | 174   | ppm*                        | 8.70 | me/l**    |
| Magnesium (Mg)                        | 48    | ppm                         | 3.94 | me/l      |
| Sodium (Na)                           | 171   | ppm                         | 7.44 | me/l      |
| Potassium (K)                         | 10    | ppm                         | 0.26 | me/l      |
| Sulfate (SO <sub>4</sub> )            | 365   | ppm                         | 7.59 | me/l      |
| Nitrate (as N)                        |       | ppm                         |      | me/l      |
| Chloride (Cl)                         | 95    | ppm                         | 2.66 | me/l      |
| Bicarbonate (HCO <sub>3</sub> )       | 576   | ppm                         | 9.44 | me/l      |
| Carbonate (CO <sub>3</sub> )          |       | ppm                         |      | me/l      |
| Iron (Fe)                             |       | ppm                         |      | me/l      |
| Fluoride (F)                          |       | ppm                         |      | me/l      |
| Hardness (EDTA as CaCO <sub>3</sub> ) |       | ppm                         |      | g.p.g.*** |
| Alkalinity (Methyl Orange)            | 472   | ppm (as CaCO <sub>3</sub> ) |      |           |
| Alkalinity (Phenolphthalein)          | 0     | ppm (as CaCO <sub>3</sub> ) |      |           |
| Electrical Conductivity               | 1668  | micromhos per cm at 25° C.  |      |           |
| Sodium Adsorption Ratio               | 2.96  |                             |      |           |
| Sodium                                | 36.57 | % of cations                |      |           |
| Residual sodium carbonate             | 0.00  | me/l                        |      |           |
| pH                                    | 7.51  |                             |      |           |

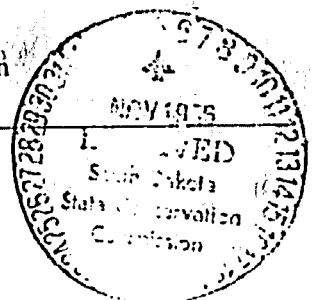
Others:

\*ppm=parts per million

\*\*me/l=millequivalents per liter

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

COMMENTS: Total cations 20.34 me/l  
 Total anions 19.69 me/l



By: Shirley Mitten

| 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

Sample No. 76-1693

Amount Enclosed \$.....

Signed.....

Form 6 - Notice of Intent to Appropriate Water

No. 3272-3

Publish first publication, on or before February 10, 1977

**NOTICE  
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

February 3, 1977

Notice is hereby given that Spink Colony  
whose post office address is Frankfort, South Dakota, has made an application in accordance  
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

2.0 cubic feet of water per second of time from the ground water through the  
Spink Colony # 10, the point of diversion of which is to be located in the

Center of SE 1/4

of Section 27, Twp. 115N, Range 62W. Said water to be used for the purpose  
of providing irrigation on portions of the following described land:

SE 1/4, Section 27, T115N, R62W

This application No. 3272-3 will be considered by the Water Rights Commission at their office at  
Pierre upon the 23 day of February, 1977, 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: Spink Colony, Frankfort, South Dakota 57440

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

No. 3272-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County \_\_\_\_\_ ) ss.

I, Brenda Zakett hereby

certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the Huron Daily Plainsman

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

city of Huron

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

2-6-77

2-15-77

Brenda Zakett  
(Signature)

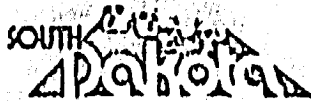
Bookkeeper

2-15-77  
(Title)

(Date Signed)

F.P. 2-6-77 11:00 AM L.P. 2-15-77  
NOTICE INTENT TO  
APPROPRIATE WATER  
Pierre, South Dakota 57401  
February 3, 1977  
Notice is hereby given that Spink  
Colony whose post office address is  
Frankfort, South Dakota, has  
made an application in accordance  
with the provisions of the water  
laws of South Dakota for a permit  
to appropriate for beneficial use  
20 cubic feet of water per second  
of time from ground water through  
the Spink Colony No. 10, the point  
of diversion of which is to be  
located in the center of SE1/4 of  
Section 27, Twp. 115N, Range 67W.  
Said water to be used for the  
purpose of providing irrigation on  
portions of the following described  
land: SE1/4, Section 27, T115N,  
R12W.  
This application No. 3272-3 will  
be considered by the Water Rights  
Commission at their office at  
Pierre upon the 23 day of  
February, 1977, at 10:00 A.M. All  
interested persons may appear  
and be heard.  
WATER RIGHTS COMMISSION  
BURTON F. JONES  
Water Rights Specialist  
No. 99 (adv.)





3272-3

# Department of Natural Resource Development

## WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

March 18, 1977

John Wipf  
Spink Colony  
Frankfort, South Dakota 57440

Dear Mr. Wipf:

As requested, your deferred Application No. 3272-3 will be reconsidered by the Water Rights Commission during their March 23-24, 1977 meeting, at 9:30 A.M. March 23, 1977. At the time you were in on this application it was my understanding that you were authorized two wells under Water Right No. 2375-3 for the West one-half of Section 26-T115N-R62W. I have now reviewed the records and the minutes for the November, 1975 Water Rights Commission Meeting state that only one well for 2.22 c.f.s. was approved, which was developed. Therefore, we can not recommend that a second undeveloped well for additional water which you thought had been approved be cancelled and a new permit No. 3272-3 be approved for SE $\frac{1}{4}$ , Section 27-T115N-R62W as we discussed when you were here.

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

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Commission

JH/bw

**SOUTH DAKOTA**  
**Department of**  
**Water & Natural Resources**  
Jon Foss Building  
523 East Capitol  
Pierre, South Dakota 57501  
WATER RIGHTS DIVISION  
Phone (605) 773-3352

1979-3  
2375-3  
2396-3  
3272-3  
3468-3  
4195-3

March 2, 1983

Spink Hutterian Brethern, Inc.  
Frankfort, South Dakota 57440

Dear Sir:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Permit Nos. 1979-3, 2375-3, 2396-3, 3272-3, 3468-3, and 4195-3 has been completed.

Your final water right documents, the Water Licenses can now be issued.

Statutes require that we charge \$50.00 fee for the inspection and issuing of the Water License for each, a total of \$300.00 for six Licenses. Upon receipt of the \$300.00 fee from you, your Water License will be sent to you.

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

Sincerely,

Genny Young  
Water Rights Specialist

GY:ms

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

Permit No. 3272-3Water Division 3 JAMES RIVER Water District  
10160006REPORT OF EXAMINATION OF WORKS  
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by SPINK HUTTERIAN  
BRETHERN, INC. of FRANKFORT holder.of Permit No. 3272-3, bearing date of priority of OCTOBER 26, 1976authorizing the diversion of 2.00 cu. ft. per second of the waters of GROUNDWATER  
for IRRIGATION purposes, in SPINK County.

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

The Water Use System consists of,

## A. Works used to divert the water:

96' DEEP WELL WITH 16" STAINLESS STEEL CASING-30'SS SCREEN  
WESTERN LAND POWER 8" PUMP (NO TAG) POWERED BY  
15 HP GE ELECTRIC MOTOR @ 1760 RPM

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

20' OF 10" ALUMINUM PIPE FROM WELL TO CENTER OF  
PIVOT

## C. Works used to apply water to beneficial use.

10 TOWER T & L CENTER PIVOT SYSTEM, WITH NELSON  
#1, 70 END GUNThe system is in the following condition: GOODThe point of diversion is located 20' SE OF THE CENTER OF THE SE<sup>4</sup>  
SECTION 27, T115N, R62WThe works are capable of diverting and conveying to the place of use 1.88 (850 GPM)  
cu. ft. per second of water, which is to be used for IRRIGATION

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

FOR IRRIGATING A 136 ACRE CIRCLE IN THE SE<sup>4</sup>  
SECTION 27, T115N, R62Wcomprising a total of 136 acres of land.DATE AUGUST 26, 1982  
[Signature]  
(Signature)

## STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 3272-3

(1) WHEREAS, On the 26th day of October A. D. 19 76  
Spink Hutterian Brethren, Inc.

made Water Right Application No. 3272-3 for a permit to use 2.00 cubic feet per second of the waters of groundwater (one well)

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

(2) WHEREAS, On the 23rd day of March A. D. 19 77  
 Permit No. 3272-3, with a date of priority of October 26, 1976

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 23rd day of March A. D. 19 80 and for the application to beneficial use of said water on or before the 23rd day of March A. D. 19 82

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 1.86 (850 gpm) cubic feet per second of water for beneficial use and,

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

**to irrigate the following land all in Section 27, T115N, R62W**

NE $\frac{1}{4}$  SE $\frac{1}{4}$  34 acres (DA)

NW $\frac{1}{4}$  SE $\frac{1}{4}$  34 " (DB)

SW $\frac{1}{4}$  SE $\frac{1}{4}$  34 " (DC)

SE $\frac{1}{4}$  SE $\frac{1}{4}$  34 " (DD)

**TOTAL 136 acres**

**NOTE: The above described land is irrigated as a 136 acre circle in the**  
**SE $\frac{1}{4}$**

(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 Spink Hutterian Brethren, Inc.

\_\_\_\_\_ of Frankfort SD 57440  
the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 3272-3 a water right, dating from October 26, 1976  
\_\_\_\_\_ to use of 1.88 cubic feet per second of the waters  
of groundwater (one well)  
in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the  
purposes hereinafter mentioned, to be diverted at a point 20' SE of the center of the SE 1/4 of Section  
27, T115N, R62W (DD)

and conducted to and upon portions of land in Section 27, T115N, R62W more fully  
described on the face of this License

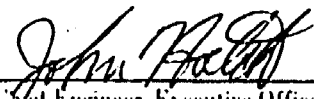
for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3272-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 28th day of March A. D.  
Nineteen Hundred and Eighty-three

WATER MANAGEMENT BOARD

By:

  
\_\_\_\_\_  
Civil Engineer, Executive Officer  
JOHN HATCH

# RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9184

PIERRE, March 15, 1983

RECEIVED OF Spink Hutterian Brethren, Inc., (John J. Wipf) Frankfort, SD 57440  
the following amount in fees for services rendered as provided for by law:

|                                                                                                                       |  |       |
|-----------------------------------------------------------------------------------------------------------------------|--|-------|
| Fee for Application for Permit to Appropriate Water No. .... (examination,<br>processing, recording and filing) ..... |  |       |
| Fee for inspecting Construction, and Issuing Cert. of Construction No. <u>3272-3</u>                                  |  |       |
| Fee for inspecting Beneficial Use, and Issuing Water License No. <u>3272-3</u>                                        |  | 50 00 |
| Fee for Issuing Location Certificate-Dry Draw, No. ....                                                               |  |       |
| Fee for filing .....                                                                                                  |  |       |
| Fee for certified copy of .....                                                                                       |  |       |
| Fee for Print copy of map .....                                                                                       |  |       |
| Fee for Certifying .....                                                                                              |  |       |
| Fee for .....                                                                                                         |  |       |
| (any other work as provided by law)                                                                                   |  |       |
| TOTAL                                                                                                                 |  | 50 00 |

WATER RIGHTS COMMISSION

By John Hatch  
Chief Engineer, Executive Officer  
JOHN HATCH MS

3272-3

No. \_\_\_\_\_



Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501

WATER RIGHTS DIVISION  
Phone (605) 773-3352

March 29, 1983

Spink Hutterian Brethren, Inc.  
John J Wipf  
Frankfort SD 57440

Dear Sir:

Enclosed herewith is, Water License No. 3272-3. This is the final water right document completing your process of obtaining a 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,

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

JOHN HATCH, Chief Engineer  
Water Rights Division

JH: ka

Enclosures

WNR-817 3/83  
Transmittal of Water License

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

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181  
January 29, 1988

JOHN J WIPF- SPINK COLONY  
RR 1 BOX 84  
FRANKFORT, SD 57440

**NOTICE**

Re: Violation of Water Permit No(s). 2276-3A and 1987 Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 2276-3A. 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). 2276-3A qualification:

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

The hearing will also be to determine if Permit No(s) 4195-3, 1538-3, 2375-3, 2396-3, 3467-3, 3468-3, 1979-3, 3272-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

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

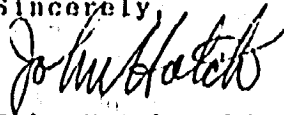
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 2276-3A until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 4195-3, 1538-3, 2375-3, 2396-3, 3467-3, 3468-3, 1979-3, 3272-3 also held by JOHN J WIPF- SPINK COLONY to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

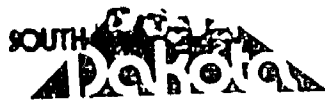
The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided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

Sincerely,

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

John Hatch, Chief Engineer  
Water Rights Division

Note: If the questionnaire(s) are 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

February 5, 1988

|         |        |
|---------|--------|
| 3468-3  | 3467-3 |
| 4195-3  | 3272-3 |
| 2375-3  | 1979-3 |
| 2276-3A | 2396-3 |
| 1538-3  |        |

Spink Colony  
c/o John J Wipf  
Frankfort SD 57440

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 1538-3, 1979-3, 2276-3A, 2375-2, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

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



# Department of Water & Natural Resources

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

# 3272-3  
# 3467-3  
# 3468-3  
# 4195-3  
# 2276-3A

February 17, 1989

John J. Wipf Spink Colony  
RR 1, Box 84  
Frankfort, SD 57440

Dear Mr. Wipf:

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

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

The new standards include:

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

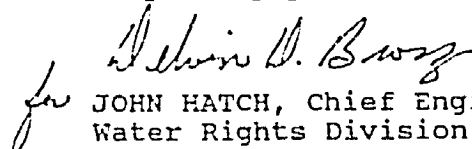


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

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

Very truly yours,

  
for JOHN HATCH, Chief Engineer  
Water Rights Division

3272-3

Department of Agriculture  
Water  
5-317

SOL/WATER COMPATIBILITY PERMIT  
Division of Conservation

Office Use Only

4755-A

WR#

OWNER'S NAME \_\_\_\_\_ OWNERS ADDRESS \_\_\_\_\_ GENERAL DELIVERY  
FRANKFORT SD 57440

COUNTY LAND LOCATED IN \_\_\_\_\_ PHONE 572-3369

LEGAL DESCRIPTION \_\_\_\_\_ ☒ Well ☐ Surface

Depth \_\_\_\_\_

| Legal Description | Acres | Legal Description | Acres |
|-------------------|-------|-------------------|-------|
|                   |       |                   |       |
|                   |       |                   |       |
|                   |       |                   |       |
|                   |       |                   |       |

TYPE OF IRRIGATION: GRAVITY \_\_\_\_\_ FLOWLINE \_\_\_\_\_ CENTER PIVOT ☒ GUN: \_\_\_\_\_ OTHER: \_\_\_\_\_  
(Specify) \_\_\_\_\_

ACRES TO BE IRRIGATED \_\_\_\_\_

|                              |                          |
|------------------------------|--------------------------|
| WATER QUALITY                |                          |
| 1. WATER SAMPLE NUMBER _____ | 7. ADJUSTED (SAR): _____ |
| 2. WATER EC: _____           | 8. PERCENT SODIUM: _____ |
| 3. COMMENTS: _____           |                          |

Requirements



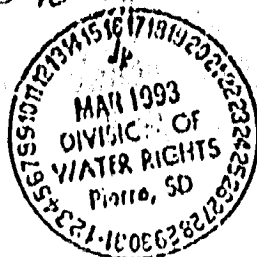
Russell J. Hane  
Director, Division of Conservation

☒ APPROVED ☒ REQUIREMENTS  
☐ DISAPPROVED  
☐ WAIVER

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

Date \_\_\_\_\_

3272-3



## Spink Colony Irrigation Management Plan 2 April, 1991

Presented to the South Dakota Conservation Commission

In the early 1970's we began irrigating. We have always been aware of the possibilities for sodium and salinity problems. Over the years we have observed negative impacts from salinity and sodium problems. We have experimented with several different practices to improve our salt problems. More recently We have been working with Shawn Thelen, an agronomist with the Wheat Growers, and we have been talking with Gregg Carlson, SDSU Extension Service, about irrigation management practices that will minimize our sodium and salinity problems. Because the irrigation water that we use is of marginal quality, we understand the importance of the use of good management for the maintenance of productivity.

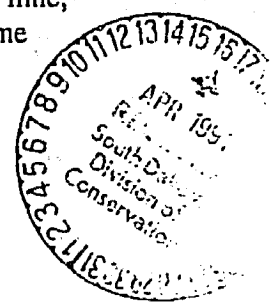
The irrigation water that we are using has an SAR of 10-20. Recent Soil tests have shown ESP's within the surface soil of, from as low as 3 to as much as about 15. The following are specific management practices, some of which we have used in the past and some planned for the future, that we believe will assure the maintenance of productivity on the land in question.

1). To assure adequate leaching we apply at least an inch and at times, as much as two inches (if possible without getting stuck or having excess runoff) of water each revolution of the pivot. This assures relatively deep percolation within the root zone and the continued leaching through the root zone.

2). The maintenance of high concentrations of organic matter at the soil surface is an important part of maintaining surface soil structure. This last year we purchased a manure spreader truck so that we will be able to haul manure the 4 or 5 miles to our irrigated fields. It is our plan to apply 6 to 8 ton/acre of manure ever 4 years to these fields. We plan to use tillage practices that will maintain high organic matter close to the surface to minimize the impact of sodium. Shawn and I have been discussing the possibility of using notill farming practices to increase organic matter at the surface and to minimize soil disturbance that can aggravate the sodium problem. Notill farming should also eliminate water being held within the plow layer. There is evidence to suggest that tillage can break the transmitting macropore structure at the bottom of the plow layer. It is our plan to rotate small grain and alfalfa through some of our irrigated fields. On those fields that we grow corn on corn, we leave all corn stalks in the field.

3). Shawn, Dr. Carlson, and I have discussed the possibility of using beet lime, gypsum, and elemental sulfur as soil amendments. We have been applying beet lime and elemental sulfur in an attempt to resolve our problems.

4). It is our intention to work with the Wheat Growers, SDSU, and the



REDUCTION RATIO  
ROLL NUMBER  
DATE MICROFILMED  
CAMERA OPERATOR SIGNATURE

Department of Agriculture to continue to monitor the problems that we have and to look at alternative solutions. We plan take advantage of any new breakthroughs in Sodium management that are developed.

*Paul Wipf*  
Paul Wipf

Spink Colony  
Frankfort, South Dakota  
57440  
472-1269

copy to Shawn Thelen  
P.O. Box 126, Main Street  
Tulare, South Dakota  
57476  
596-4114(work) or 472-2410



3272-3

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

January 22, 1999

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT SD 57440

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

RE: Requirement to Report 1998 Chemical Use

The first notice to file chemigation report(s) for Permit No(s) 3272-3; 3467-3; 3468-3; 4195-3; 2276-3A; 1979-3 & 2375-3 was dated October 16, 1998. Our records indicate that we have not received your 1998 chemigation report(s). The Water Management Board has directed that owners of water permits who have not submitted the 1998 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing 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 application.

The hearing will be held at 9:45 am, March 3, 1999, Floyd Matthew Training Center, Joe Foss Building, 523 E 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 SDCL 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). 3272-3; 3467-3; 3468-3; 4195-3; 2276-3A; 1979-3 & 2375-3 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. Prior to March 3, 1999, contact the Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to March 1, 1999 you will no longer be in violation and your name will be deleted from the Board agenda.



January 22, 1999

**NOTICE**

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207  
FROM: Ron Duvall, Natural Resources Engineer  
for John Hatch, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 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) 2276-3A & 5737-3 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 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) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1999, 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.



3272-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

February 1, 1999

John J Wipf  
18206 Spink Lane  
Frankfort, SD 57440-7207

RE: Water Permit/Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3 3467-3,  
3468-3, 4195-3 and 5737-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires and chemical reporting forms. You may disregard the January 22, 1999, "Notices" concerning reporting requirements for Water Permit/Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3 3467-3, 3468-3, 4195-3 and 5737-3.

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

If you have any questions, please contact me.

Sincerely,

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



3272-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3131  
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207  
FROM: Ron Duvall, Natural Resources Engineer  
for Garland Erbele, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 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) 2276-3A & 5737-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 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) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 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, 2000, 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.



3272-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 19, 2000

John J Wipf  
Spink Colony  
18206 Spink Ln  
Frankfort, SD 57440-7207

RE: Water Permit Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3,  
4195-3 & 5737-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 & 5737-3.

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

If you have any questions, please contact me.

Sincerely,

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

3272-3



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 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) 2276-3A & 5737-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 8, 2002, 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.

3272-3

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SPINK COLONY  
JOHN J WIPF  
18206 SPINK LN  
FRANKFORT SD 57440 7207

2. 7001 2510 0004

PS Form 3811, July 1999

**COMPLETE THIS SECTION ON DELIVERY**

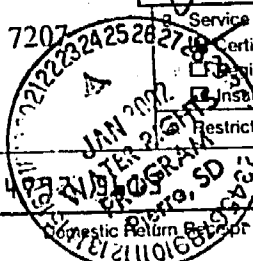
A. Received by (Please Print Clearly) John J. Wipf B. Date of Delivery 1-22-02

C. Signature X ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☒ Yes  
YES, enter delivery address below: ☐ No

John J Wipf

Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.  
 Restricted Delivery? (Extra Fee) ☐ Yes



102595-99 M-1789



3272-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 30, 2002

John J Wipf  
Spink Colony  
18206 Spink Lane  
Frankfort, SD 57740-7207

RE: Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 and 5737-3.

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 and 5737-3.

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

If you have any questions, please contact me.

Sincerely,

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



3272-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 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) 2276-3A & 5737-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 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, 2003, 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.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 24, 2003

John J Wipf  
Spink Colony  
18206 Spink Ln  
Frankfort SD 57440-7207

RE: Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3,  
3468-3, 4195-3 & 5737-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 & 5737-3.

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

If you have any questions, please contact me.

Sincerely,

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

**START**

**OF**

**RETAKE**



3272-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 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) 2276-3A & 5737-3 qualification:

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

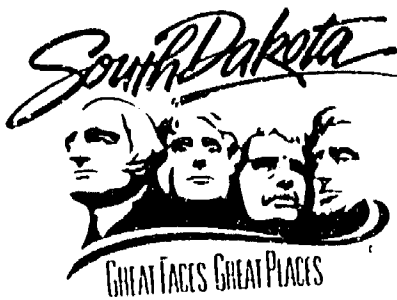
The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to 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) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 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, 2003, 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.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 24, 2003

John J Wipf  
Spink Colony  
18206 Spink Ln  
Frankfort SD 57440-7207

RE: Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3,  
3468-3, 4195-3 & 5737-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 & 5737-3.

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

If you have any questions, please contact me.

Sincerely,

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

**END**

**OF**

**RETAKE**

NOT TO SCALE

3272-3

map # 25157-3

126.0

NE 30.0

80.0

579-81L

27

13.9

66.0

153.1

29.0

8.1

WELL

115-62

NE

3.0

17.0

N64

4.6

83.3

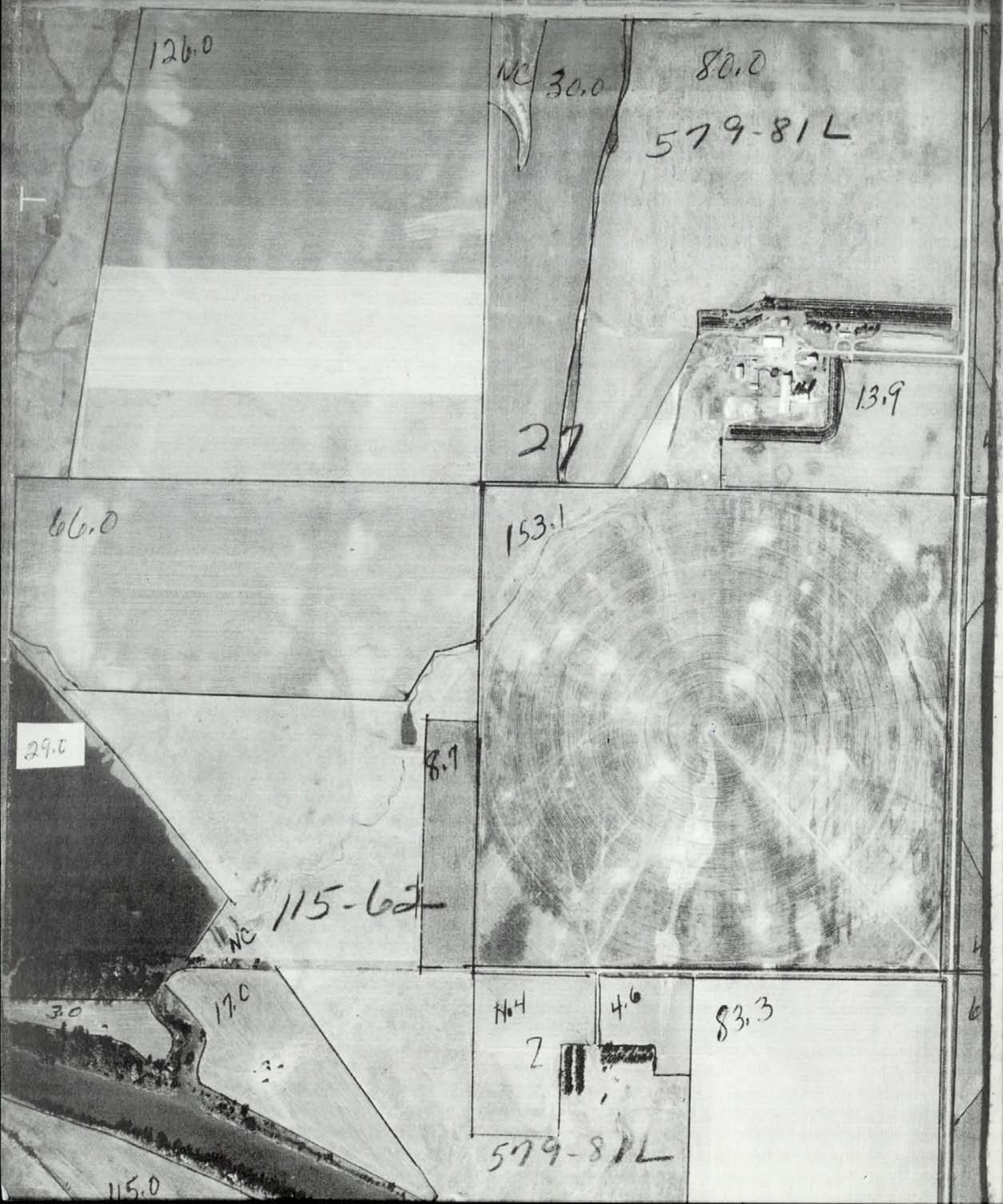
2

579-81L

115.0

NOT TO SCALE

3212

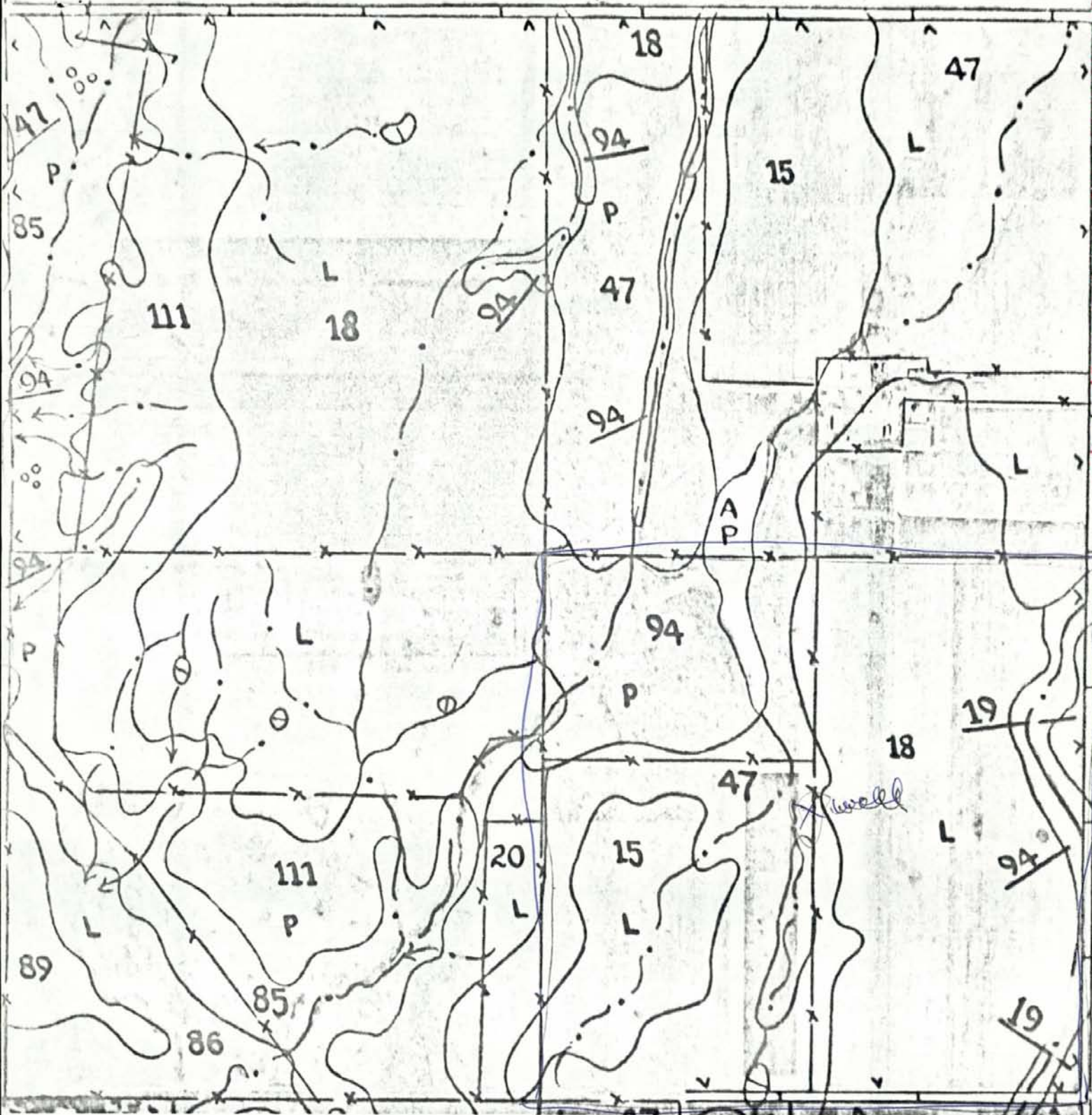


LINCOLN

T115N

R62W

S27



Map No. 2557-3, Annex 5272-3

David Stout  
Co. Asst.

## NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

DEC 18 2013

WATER RIGHTS  
PROGRAM

Mail to: PMB 2020  
DENR - Water Rights Program  
523 E Capitol Ave  
Pierre, SD 57501-3182

Water Right/Permit No. 3272-3Date: 12-17-13I/We request that Water Right/Permit No. 3272-3 formerly owned by:

Spink Hutterian by Paul P Wipf  
**Collins Hutterian Brethren, Inc.**

be transferred to:

New Owner Name: 19606 Collins AveAddress: Iroquois, SD 57353

City, State, Zip

Telephone No. 605-625-3121

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

SE of 27-115-62

☒ I understand that the validity of Water Right/Permit No. 3272-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

**Collins Hutterian Brethren, Inc.**

19606 Collins Ave  
Iroquois, SD 57353

I, \_\_\_\_\_, the new owner, certify that the above information is true and correct.

Joey Wipf  
(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 12/26, 20 13

RECEIVED OF Collins HB 19606 Collins Ave Iroquois SD 57353

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>3272-3</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. _____                                             | 50    | 00    |
| 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. 06550

By Jeanne Goodman *28*  
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](http://www.denr.sd.gov)

January 6, 2014

1979-3  
2375-3  
3272-3

Joey Wipf  
Collins Hutterian Brethren, Inc.  
19606 Collins Ave  
Iroquois SD 57353

Dear Mr. Wipf:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 1979-3, 2375-3 and 3272-3.

The ownership changes have been completed. The above listed water rights formerly held by Spink Hutterian Brethren are now listed in the name of Collins Hutterian Brethren Inc.

Enclosed for your records are Receipt Nos. 06550, 06551 and 06552 in the amounts of \$50 each. If I can answer any questions for you, please give me a call.

Sincerely,

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

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

enclosures