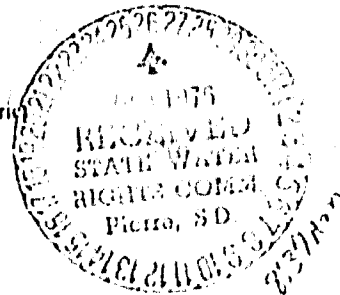


Water Right Number 3468-3

1. Considered 2-23, 19 77
2. Name of Applicant SPINK COLONY
3. Post Office Address FRANKFORT
4. Amount of Water claimed 2.0
5. Source of Water supply 100' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 320
7. Water to be diverted and used in SPINK County
about 1E, 7S miles of FRANKFORT
8. Proof of Publication Received 2-16-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
- Approved 2-24-77*

10. Remarks:

No. 3468-3Map No. 2748-3 Water Division No. 3 JAMES RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Spink Colony
 Postoffice address Fremont, State S.D.
 If a corporation show date and place of incorporation S.D.
2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor
3. Name of diversion work Spink Colony #9
4. Amount of water claimed (cubic feet per second) 2 CFS
5. Source of water supply city water
6. Location of point of diversion SE 1/4 Sec 16 R62W T115N
- County Spink
7. Annual period or periods during which water is to be used April - Nov
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 320A

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.
<u>SW 1/4 SECTION 15</u>	<u>160</u>		
<u>NE 1/4 SECTION 21</u>	<u>160</u>		
<u>T115N, R62W</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Huron Daily Plainman
12. Principal Features of the Proposed Water Supply System.

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

well

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

pipe

C. Works proposed to apply water to beneficial use.

center pivotEstimated Total Cost \$50,000Attachment: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

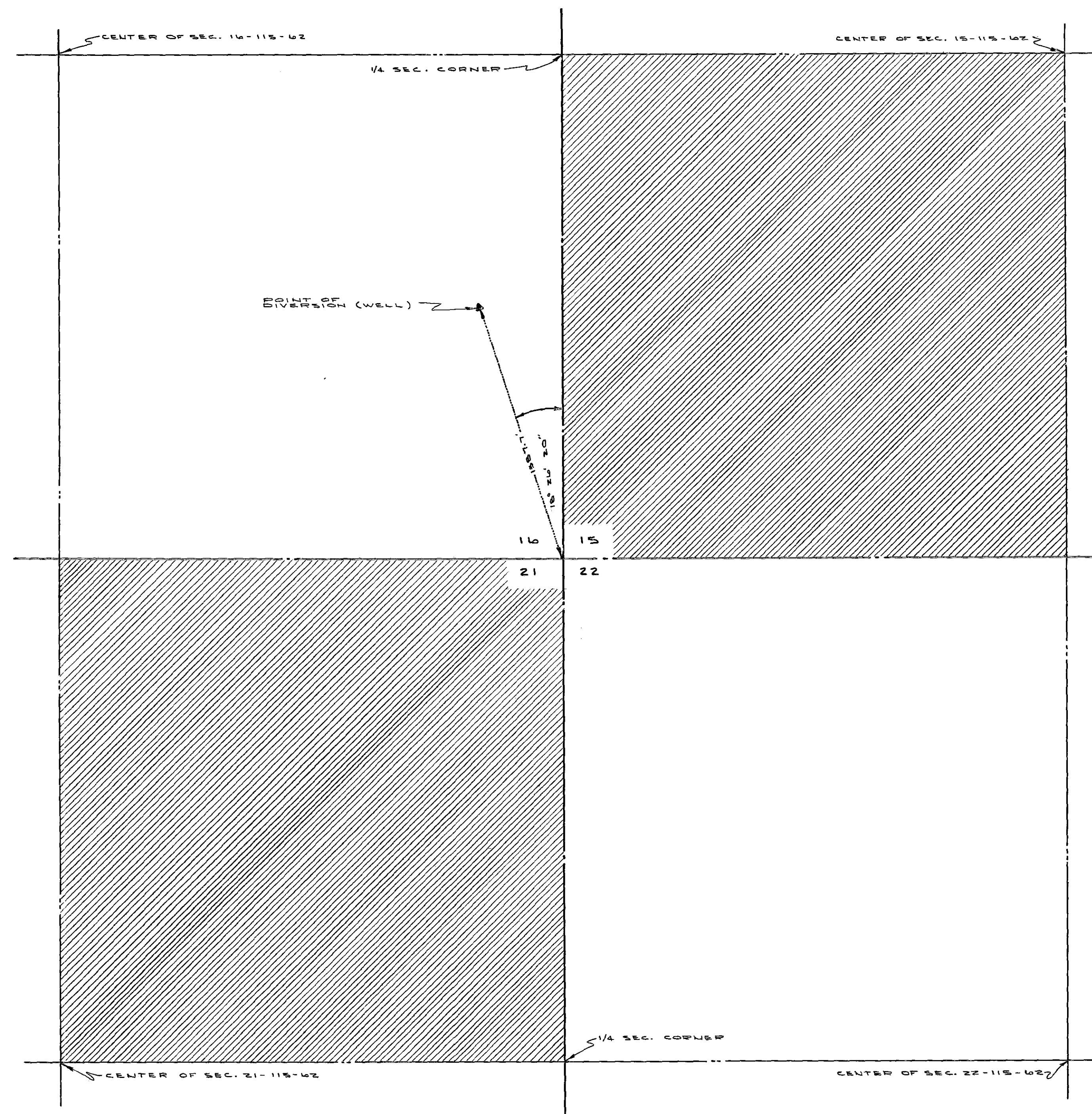
STATE OF SOUTH DAKOTA

County of SpinkI, John J. Huff, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and I intend, and am able to complete the necessary construction.

Signed

John J. HuffSubscribed and sworn to before me this 25 day of October, 1976Walter K. Kell
Notary Public (or other qualified officer)

SPINK COLONY IRRIGATION PROJECT NO. 9



MAP

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

WELL LOCATION: Southeast 1/4 Section 16, Township 115 North, Range 62 West of the 5th Principal Meridian
Spink County, South Dakota

AREAS TO BE IRRIGATED, BY LEGAL SUBDIVISION:

Section 15, Township 115 North, Range 62 West of the 5th Principal Meridian, Spink County, South Dakota - the Southwest 1/4:	160 acres
Section 21, Township 115 North, Range 62 West of the 5th Principal Meridian, Spink County, South Dakota - the Northeast 1/4:	160 acres
TOTAL ACREAGE	320 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 4th 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 4th 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.

Donald J. Doyle
Notary Public, Beadle County, South Dakota July 30, 1980
commission expires

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3468-3
SPINK COLONY FRANKFORT
 (Applicant) (Post Office Address)

SOUTH DAKOTA 57440 With the following modifications:
 (State)

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

Date of first receipt of application OCTOBER 26, 19 76
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application JANUARY 11, 19 77
 Approved FEBRUARY 24, 19 77, Recorded in Book 18 Page 93

WATER RIGHT PERMIT NO. 3468-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3468-3 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 JANUARY 11, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before AUGUST 18, 19 78
3. The whole of said work is to be completed on or before FEBRUARY 24, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is FEBRUARY 24, 19 82
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 effected 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 FEBRUARY 24, 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 Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 26", Depth 100'
- (2) Casing, Type stainless steel (wood, concrete, steel, etc) Diameter 16" Thickness 12 gauge
- (3) Perforated Screen.
Type stainless steel, Diameter 16" Length 12 gauge
- (4) Gravel Pack, Thickness 10", 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 to gravel

Depth to top of water bearing material 25'

Depth to bottom of water bearing material 100'

Thickness of water bearing material 75'

Depth to water (ground surface to water level) 35'

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

On same owner's property 1.5 mi rds. On property owned by others 2 mi rds.

G. Water Storage Dams.

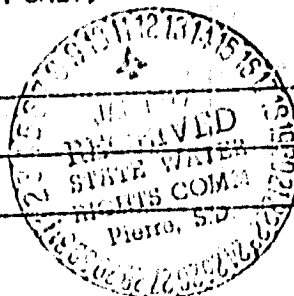
If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Spink Colony
John J. Wright
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 Spink Colony
ADDRESS Frankfort SD
COUNTY Spink



LEGAL DESCRIPTION

1. WELL LOCATION rate of SE 1/4 of Sec 16-62-115
2. LOCATION OF AREA TO BE IRRIGATED SW 1/4 of Sec 15 - 62 - 115 and NE 1/4 of Sec 21 - 62 - 115

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED corn, alfalfa, small grains

WATER QUALITY

5. SAMPLE NUMBER 76-1904
6. SALINITY (EC X 10⁶) 1997 (high)
7. SODIUM (SAR) 4.55 (lo-med)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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

SUBSCRIBED AND SWORN BEFORE ME THIS
20 DAY OF December 19 76.

Leola R. Reed
(TITLE OR SEAL)

Spink Colony
APPLICANT'S SIGNATURE

Mike J. Wipf

Albert J. Wipf

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: Brink Colony
 Address: Frankfort, SD 57440

Date Rec'd: November 22, 1976
 Sample No.: 76-1904
 Identification: 621
Box, Sec. 16, T. 115N, R. 62W

WATER ANALYSIS

Calcium (Ca)	167	ppm*	8.35	me/l**
Magnesium (Mg)	48	ppm	3.94	me/l
Sodium (Na)	259	ppm	11.27	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	287	ppm	5.97	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	201	ppm	4.18	me/l
Bicarbonate (HCO ₃)	700	ppm	11.48	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	574	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1997	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	4.55			
Sodium	47.41	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.78			
Others:				

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

COMMENTS: Total cations 23.77 me/l
 Total anions 21.63 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1904

Amount Enclosed \$

Signed

Form 6 - Notice of Intent to Appropriate Water

(No. 3468-3)

Publish first publication, on or before February 10, 1977.

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 7, 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 # 9, the point of diversion of which is to be located in the _____

SE 1/4 Sec 14

of Section 16, Twp. 115N, Range 62W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

SW 1/4 SECTION 14, NE 1/4 Section 21 - T115N-R62W

This application No. 3468-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 23 day of February, 19 77, 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

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County _____) ss.

Water was taken from the Huron Daily Plainman
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

2-8-77

2-15-77

(Signature)

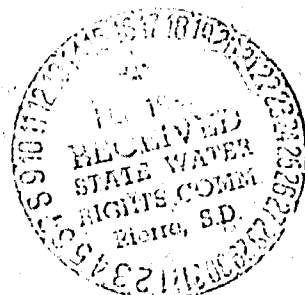
Bookkeeper

2-1E (Title)

2-15-77

(Date Signed)

F.P. 2477, 1977, S.D. P.
NOTICE INTENT TO
APPROPRIATE WATER
PIETRE, South Dakota
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 its beneficial use
2.0 cubic feet of water per second of
time from ground water through
the Spink Colony No. 9, the point of
diversion of which is to be located
in the SE 1/4, SW 1/4 of Section 12,
T13N, R42W, Range 42W. Said water
to be used for the purpose of
providing irrigation on portions of
the following described lands: SW 1/4
SECTION 15, NE 1/4 Section 21,
T13N, R42W, Range 42W.
This application No. 2463 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. 98 (adv.)



**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. 3468-3Water 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 BROTHERN, INC. of FRANKFORT holder of Permit No. 3468-3, bearing date of priority of JANUARY 11, 1977 authorizing the diversion of 2.0 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:

170' DEEP WELL WITH 16" FIBREGLAS CASING - 50' SLOTTED FIBREGLAS SCREEN
WESTERN LAND ROLLER 8" PUMP - SERIAL # KB76611, POWERED BY
15HP GE ELECTRIC MOTOR @ 1770 RPM.

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

1000' OF 10" BURIED PVC TO JUNCTION AT SE CORNER, SECTION 16
1850' OF 8" BURIED PVC TO PIVOT IN NE⁴, SECTION 21
1850' OF 8" BURIED PVC TO PIVOT IN SW⁴, SECTION 15

C. Works used to apply water to beneficial use.

10 TOWER T & L CENTER PIVOT SYSTEM WITH NELSON #100
END GUN ON SW⁴, SECTION 15.

TOWABLE PIVOTS UNDER PERMIT NO 2396-3 USED ON NE⁴, SECTION 21
(SYSTEMS PUMPED ALTERNATELY)

The system is in the following condition: GOOD

The point of diversion is located 900' N & 400' W OF THE SE CORNER,
SECTION 16, T115N, R62W (00)

The works are capable of diverting and conveying to the place of use 1.78 (800GPM)
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 SW⁴, SECTION 15,
AND A 136 ACRE CIRCLE IN THE NE⁴, SECTION 21, T115N, R62W

comprising a total of 272 acres of land.

THE NE⁴, SECTION 21 IS ALSO COVERED UNDER PERMIT NO 2396-3
TO PUMP FROM THE JAMES RIVER. WATER UNDER THIS PERMIT
USED ON THIS LAND IS BASICALLY A SUPPLEMENTAL SUPPLY
WHEN FLOWS IN THE JAMES RIVER ARE LOW.

SEE 1724 & 2115-3 FOR
AERIAL PHOTOS.

AUGUST 26, 1982
Durston Jones
(Signature)

WATER LICENSE NO. 3468-3

(1) WHEREAS, On the 26th day of October A. D. 1976
Spink Hutterian Brethren

made Water Right Application No. 3468-3 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 24th day of February A. D. 1977

Permit No. 3468-3, with a date of priority of January 11, 1977
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 24th day of February A. D. 1980 and for the
application to beneficial use of said water on or before the 24th day of February A. D. 1982

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 1.67 (800 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 T115N, R62W

Section 15 NE 1/4 SW 1/4 34 acres (CA)				Section 21 NE 1/4 NE 1/4 34 acres (AA)			
NW 1/4 SW 1/4	34	"	(CB)	NW 1/4 NE 1/4	34	"	(AB)
SW 1/4 SW 1/4	34	"	(CC)	SW 1/4 NE 1/4	34	"	(AC)
SE 1/4 SW 1/4	34	"	(CD)	SE 1/4 NE 1/4	34	"	(AD)
TOTAL of 272 acres							

~~NOTE: The above described land is irrigated on a 136 acre circle in the SW 1/4 of~~
~~Section 15 and a 136 acre circle in the NE 1/4 Section 21.~~

The NE 1/4, Section 21 is also covered under Permit No. 2396-3 to pump from the James
River. Water under this Permit used on this land is basically a supplemental supply
when flows in the James River are low.

(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 John J Wipf, Frankfort SD 57440
the holder _____ and owner _____ of said permit No. 3498-3 a water right, dating from January 11, 1977
_____ to use of 1.73 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 hereinbelow mentioned, to be diverted at a point 900'N and 400'W of the SE corner,
Section 16, T115N, R62W (DD)

and conducted to and upon portions of Sections 15 and 21, 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. 3468-3 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:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

RECEIPT

WATER RIGHTS COMMISSION

No 4 9186

State of South Dakota

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, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 3468-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3468-3		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *John Wipf*
Chief Engineer, Executive Officer
JOHN WIPF (ms)

No. 3468-3

 **Department of
Water & Natural Resources**

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

March 29, 1983

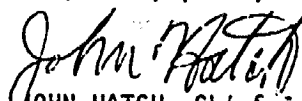
Spink Hutterian Brethren, Inc.
John J Wipf
Frankfort SD 57440

Dear Mr. Wipf:

Enclosed herewith is, Water License No. 3468-3. 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,


JOHN HATCH, Chief Engineer
Water Rights Division

JH: ka

Enclosures

3468-3

**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.

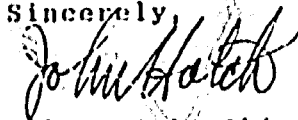
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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 that reads "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
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.

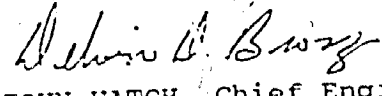


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

3468-3

Department of Agriculture
Water
1987

SOIL-WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4732-4

WR#

OWNER NAME _____ OWNERS ADDRESS _____ GENERAL DELIVERY _____
COUNTY AND LOCATION _____ PHONE _____

LEGAL DESCRIPTION _____ ☐ Well ☐ Surface
LOCATION _____
County _____

Legal Description	Acres	Legal Description	Acres

TYPE OF IRRIGATION: GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ G JN: _____ OTHER: _____
(Specify) _____
CROP TYPE PLANTED _____

WATER ANALYSIS	
1. WATER ANALYSIS NUMBER _____	7. ADJUSTED (SAR) _____
5. PERCENT SODIUM _____	8. PERCENT SODIUM _____
6. ADJUSTED SAR _____	

Requirements



☒ APPROVED ☒ REQUIREMENTS
☐ DISAPPROVED
☐ WAIVER

Director, Division of Conservation

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

Date

3468-3



Spink Colony Irrigation Management Plan 2 April, 1991

For submission 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.

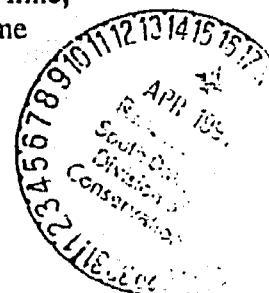
The irrigation water that we are using has an SAR of 10-20. Recent Soil tests have shown ESP's within the surface soil of, from as low as 3 to as much as about 15. The following are specific management practices, some of which we have used in the past and some planned for the future, that we believe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

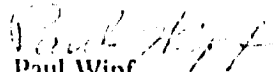
2). The maintenance of high concentrations of organic matter at the soil surface is an important part of maintaining surface soil structure. This last year we purchased a manure spreader truck so that we will be able to haul manure the 4 or 5 miles to our irrigated fields. It is our plan to apply 6 to 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 no-till farming practices to increase organic matter at the surface and to minimize soil disturbance that can aggravate the sodium problem. No-till 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



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

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



3468-3
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 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, 46-1-1', 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.



3468-3

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.



3468-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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



3468-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: 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.



3468-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2000

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



January 16, 2002

NOTICE

3468-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

3468-3

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

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

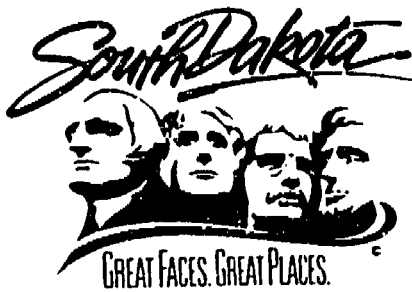
Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
Restricted Delivery? (Extra Fee) ☐ Yes

2. 7001 2510 0004

PS Form 3811, July 1999

102595-99 M-1789





3468-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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



2468-3
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

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

NOT TO SCALE

3468-3

7004124823

44.0

579-82A

47.0

16

2

59.5

115-62

173.0

579-82R

400'

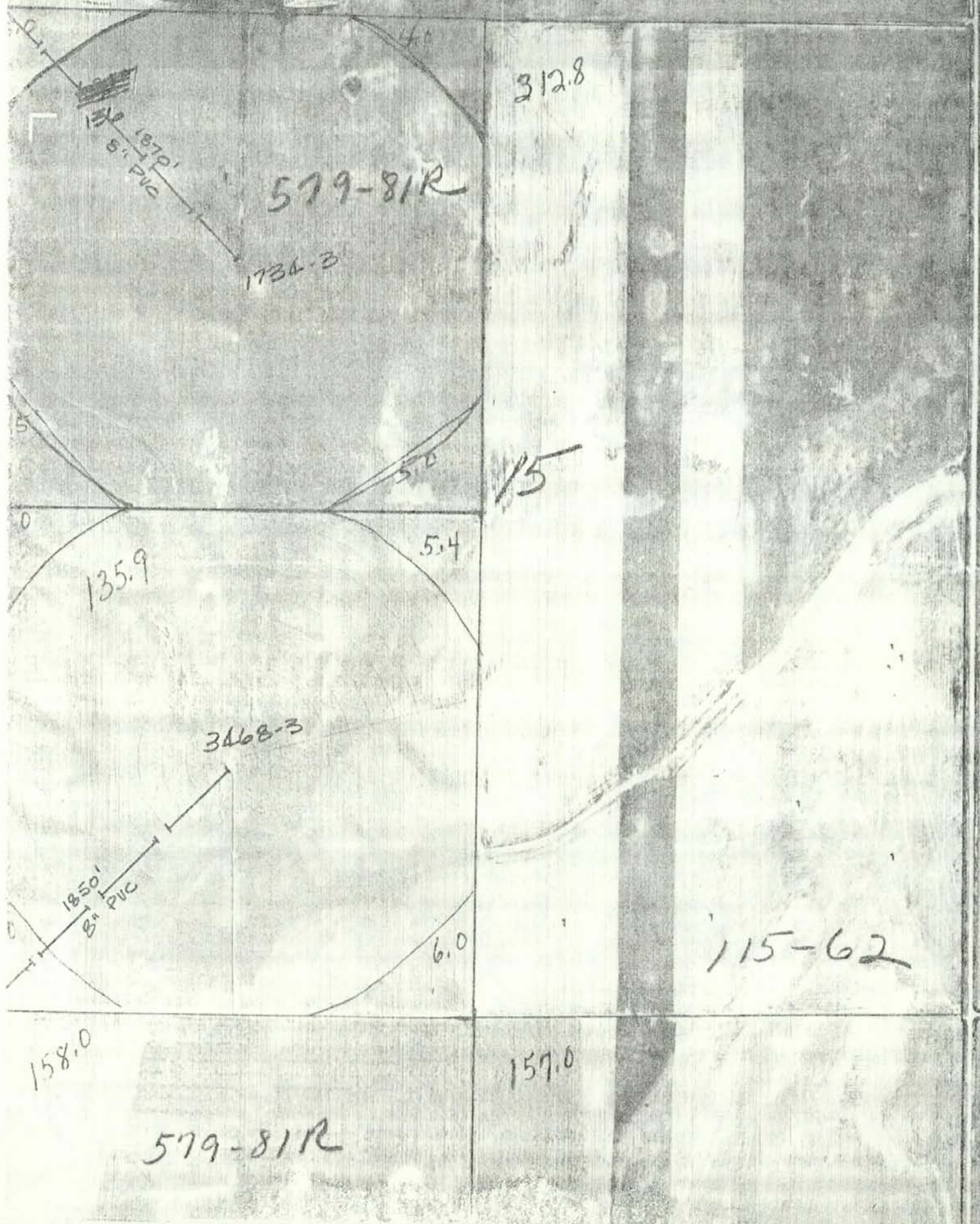
WELL

100'

100'

NOT TO SCALE

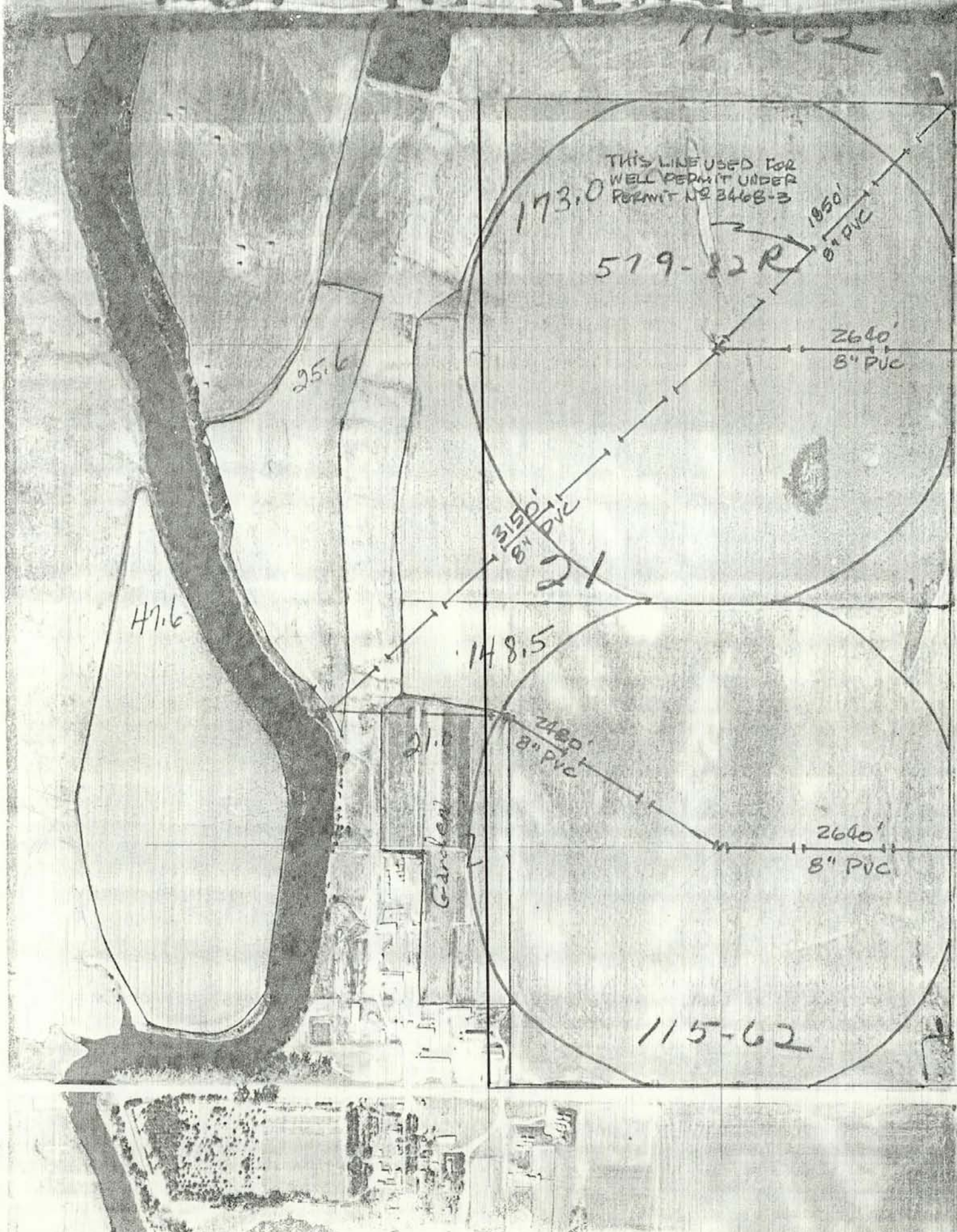
1734 GLENDALE
3468 SPIR



NOT TO SCALE

3468
2396

115-62



THIS LINE USED FOR
WELL PERMIT UNDER
PERMIT NO 3468-3

1950'
8" PVC

2640'
8" PVC

3150'
8" PVC

21

2480'
8" PVC

2640'
8" PVC

115-62

3468-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

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

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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, 2396-3 & 3468-3 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, 4195A-3, 5737-3, 7424-3, 7425-3 & 7427-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** 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, 4195A-3, 5737-3, 7424-3, 7425-3 & 7427-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 2396-3 & 3468-3 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 before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: KTKGUJ**

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.

3468-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 26, 2022

John J Wipf
Spink Colony
18206 Spink Ln
Frankfort SD 57440

RE: Water Right or Permit Nos. 1538-3, 2276-3A, 2396-3, 3468-3, 4195A-3, 5737-3, 7424-3,
7425-3 & 7427-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right/Permit Nos. 1538-3, 2276-3A, 2396-3, 3468-3, 4195A-3, 5737-3, 7424-3, 7425-3 & 7427-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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