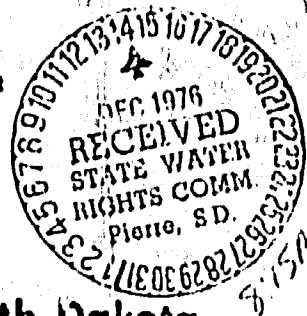


Water Right Number 3540-3

1. Considered 2.23, 19 77
2. Name of Applicant SPRING VALLEY COLONY
3. Post Office Address WESSINGTON SPRINGS
4. Amount of Water claimed 7.2
5. Source of Water supply 5-58', 60' & 80' DEEP WELLS
6. Water to be used for IRRIGATION
- Acres to be irrigated 575
7. Water to be diverted and used in JERARD County
about 6 1/2 miles 15 of GANN VALLEY
8. Proof of Publication Received 2-17-77
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application

10. Remarks:

No. 3540-3Map No. 2820-3 Water Division No. 3 MISSOURI RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriative Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of applicant Spring Valley Colony
 Postoffice address Wesington Springs State South Dak.
 If a corporation show date and place of incorporation _____

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

3. Name of diversion work Spring Valley Colony Irrigation4. Amount of water claimed (cubic feet per second) 17.3950 gal per minute5. Source of water supply Wells

6. Location of point of diversion Spring Valley Colony Crow Town Ship
 S. 1/2 Sec 38, T. 14 N., R. 11 W.
 S. 1/2 Sec 39, T. 14 N., R. 11 W.

County Gerrard7. Annual period or periods during which water is to be used June July August Sept8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Corn alfalfa Total number of acres to be irrigated 525

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.
Crow Township N-E-1/4-34	135	L. C. GAN N-W-1/4-4	135
1/2 Sec 38	135		
1/2 Sec 39	135		
1/2 Sec 40	135		

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 Appropriative Water publication Wesington Spring

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. Turbine Pump IndependenceB. Works proposed to transport water to place of use. under ground pipe lineC. Works proposed to apply water to beneficial use. center pivot systemEstimated Total Cost \$ 175,000

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

STATE OF SOUTH DAKOTA

County of Buffalo

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

Signed John M. SmithSubscribed and sworn to before me this 13 day of December, 1976

Mary D. Nelson
 Notary Public (or other qualified officer)

My commission expires May 11, 1984

WATER RIGHT APPLICATION APPROVAL

WATER RIGHTS COMMISSION

Whereby approves Water Right Application No.

3540-3

SPRING VALLEY COLONY

(Applicant)

WESSINGTON SPRINGS

(Post Office Address)

SOUTH DAKOTA 57382

(State)

With the following modifications:

The irrigation wells 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

DECEMBER 14, 1976

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

DECEMBER 14, 1976

Date of receipt of corrected application

JANUARY 18, 1977

Approved

FEBRUARY 23, 1977

Recorded in Book

17

Page

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WATER RIGHT PERMIT NO.

3540-3

WATER RIGHTS COMMISSION

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3540-3 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 DECEMBER 14, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before AUGUST 23, 1978
3. The whole of said work is to be completed on or before FEBRUARY 23, 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is FEBRUARY 23, 1982
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 7.2 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 23, 1982; said water to be used during the following described annual period: JUNE THRU SEPTEMBER.

Witness my hand this

14TH

day of

APRIL

1977

WATER RIGHTS COMMISSION

By:

John Hatch

Chief Engineer, Executive Officer

Certificate of Construction Issued

19

Water License Issued

19

Well No 1

12. Principal Features of the Proposed Water Supply System (Continue on 3)

D. Well Information (See Instructions)

- (1) Drill Hole Diameter 2.8" Depth 60 ft
- (2) Casing Type Stainless Steel Diameter 15 3/4 Thickness
(Ground anchors, if drilled)
- (3) Perforated Screen
Type Stainless Steel Diameter 15 3/4 Length 20 ft
- (4) Gravel Pack Thickness 16" Length of gravel pack 50 ft

E. Dugout Information (See Instructions)

- (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

0-2 ft Top Soil 16-30 Sand

2-10 ft Yellow clay 30-50 coarse Gravel

10-16 ft Blue clay 50-60 Rocks & Gravel

Depth to top of water bearing material 38 ftDepth to bottom of water bearing material 60 ftThickness of water bearing material 32 ftDepth to water (ground surface to water level) 15 ft

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

On same owner's property 320 rds. Or property owned by others 480 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.

Well no 1 450 g.p.m.

Spring Valley Colony
By Mike Stahle
Signature of Applicant

Well no 2

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 2 1/2", Depth 58 ft
 (2) Casing, Type Stainless (wood, concrete, steel, etc) Diameter 1 5/8" Thickness
 (3) Perforated Screen.
 Type Stainless Steel Diameter 1 5/8" Length 20 ft
 (4) Gravel Pack, Thickness 7", Length of gravel pack 45 ft

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

0-2 ft Top Soil 24-58 coarse gravel
2-16 ft Yellow clay
16-24 ft Blue clay

Depth to top of water bearing material 24 ft

Depth to bottom of water bearing material 58 ft

Thickness of water bearing material 34 ft

Depth to water (ground surface to water level) 16 ft

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

On same owner's property 480 rds. On property owned by others 400 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.

Well No 2 450 G.P.M.

Spring 2 by Carolyn
 By Mike Stahl
 Signature of Applicant

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

Well No 3

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 2-7", Depth 40 ft
 (2) Casing, Type Stainless Steel (wood, concrete, steel, etc) Diameter 15 3/4" Thickness
 (3) Perforated Screen.
 Type Stainless Steel, Diameter 15 3/4", Length 70 ft
 (4) Gravel Pack, Thickness 7", Length of gravel pack 25 ft

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

0-2 ft top soil
2-12 ft yellow
12-40 ft coarse gravel

Depth to top of water bearing material

Depth to bottom of water bearing material

Thickness of water bearing material 2-8 ft

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

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

On same owner's property 39.0 rds On property owned by others 480 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.

Well No 3 300 G.P.M.

Spring Valley Colony

Mike Staker

Signature of Applicant

Well No 4

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 2' 8", Depth 6' 8" ft
 (2) Casing, Type Stainless steel Diameter 15 3/4" Thickness
 (wood, concrete, steel, etc)
 (3) Perforated Screen.
 Type Stainless steel, Diameter 15 3/4", Length 70 ft
 (4) Gravel Pack, Thickness 7", Length of gravel pack 30 ft

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

0-2 ft top soil

2-15 ft yellow clay

15-58 ft good coarse gravel

Depth to top of water bearing material

Depth to bottom of water bearing material

Thickness of water bearing material

Depth to water (ground surface to water level)

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

On same owner's property 480 rds. On property owned by others 320 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.

Well No 4 450 G.P.M.

Spring Valley Catong
 By Mabe Stabe
 Signature of Applicant

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 7.8", Depth 80"
 (2) Casing, Type Stainless Steel (wood, concrete, steel, etc.) Diameter 1.5 3/4" Thickness
 (3) Perforated Screen
 Type Stainless Steel, Diameter 1.5 3/4", Length 9-0 ft
 (4) Gravel Pack Thickness 7", Length of gravel pack 5-5 ft

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
0-9 feet top soil 25-40 Sand
9-15 Yellow 40-80 gravel
15-25 blue clay

Depth to top of water bearing material

Depth to bottom of water bearing material

Thickness of water bearing material

Depth to water (ground surface to water level)

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

On same owner's property 320 rds. On property owned by others 60 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.

This well approximately 1500 G.P.M.

Spring Valley Colony
By Mike Stahl
 () Signature of Applicant

CONSERVATION
COMMISSION
FORM WI 41

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 Spring Valley Colony

ADDRESS Wessington Springs, South Dakota 57382

COUNTY Jerauld

LEGAL DESCRIPTION

I have asked The Colony to call Griffiths and this is the result.

1. WELL LOCATION _____

2. LOCATION OF AREA TO BE IRRIGATED Legal Description on Reverse Side

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN _____

4. CROPS TO BE IRRIGATED _____

WATER QUALITY

5. SAMPLE NUMBER 76-1112

6. SALINITY (EC x 10⁶) 846 (med - hi)

7. SODIUM (SAR) 0.81 (Low)

8. RESIDUAL SODIUM CARBONATE (mg/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 Jerauld County 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.

John W. Smith
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
15 DAY OF August 1976.

Paul W. Rompage
(TITLE OR SEAL) Notary Public
South Dakota
Commission Expires
March 1, 1980 (SOILS INFORMATION ON REVERSE SIDE)

Alvin Stapp
APPROVED/DISAPPROVED

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

Submitted by: Spring Valley Colony
 Address: Washington Blvd S, SD
57382

Date Rec'd.: Sept 23, 1976
 Sample No.: 76-1112
 Identification: _____

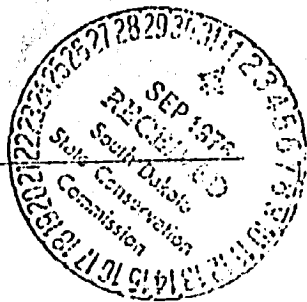
WATER ANALYSIS

Calcium (Ca)	96	ppm*	4.80	me/l**
Magnesium (Mg)	33	ppm	2.71	me/l
Sodium (Na)	36	ppm	1.57	me/l
Potassium (K)	6	ppm	0.16	me/l
Sulfate (SO ₄)	214	ppm	4.45	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	17	ppm	0.48	me/l
Bicarbonate (HCO ₃)	288	ppm	4.72	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)	236	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	846	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.81			
Sodium	16.99	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.20			

Others:
 *ppm=parts per million
 **me/l=millequivalents per liter

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

COMMENTS: Total cations 9.24 me/l
 Total anions 9.65 me/l



By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1112

Amount Enclosed \$ _____

Signed _____



October 1, 1976

Spring Valley Colony
Wessington Springs, SD 57382

Dear Sir:

Your water sample (Lab. No. 76-1200) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

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

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

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

Sincerely yours,

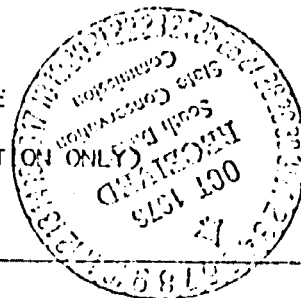
L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission

ION
ION
W141

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)



NAME Spring Valley Colony

ADDRESS Wassington Springs, South Dakota 57382

COUNTY Jerauld

LEGAL DESCRIPTION

1. WELL LOCATION NW of 30
2. LOCATION OF AREA TO BE IRRIGATED N 1/2 30

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED alfalfa & corn

WATER QUALITY

5. SAMPLE NUMBER 76-1200
6. SALINITY (EC X 10⁶) 6.66 (medium)
7. SODIUM (SAR) 0.61 (low)
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 Jerauld County 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.

Spring Valley Colony
Mike J. J. J.
APPLICANT'S SIGNATURE
I hereby certify that this project can be carried out under the supervision of individual management to a large degree, defining the relative success of this venture.

SUBSCRIBED AND SWORN BEFORE ME THIS
14 DAY OF September 19 76.

Bruce D. Bonyea
(TITLE OR SEAL)
Notary Public, State of South Dakota
My Comm. Expires June 29, 1984

APPROVED/DATE

(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: Spring Valley Colony
Address: Wessington Springs, SD
57382

Date Rec'd August 30, 1976
Sample No. 76-1200
Identification Well-
11, Sec. 30

WATER ANALYSIS

Calcium (Ca)	77	ppm*	3.85	me/l**
Magnesium (Mg)	23	ppm	1.89	me/l
Sodium (Na)	40	ppm	1.04	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	59	ppm	1.85	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	8	ppm	0.22	me/l
Bicarbonate (HCO ₃)	349	ppm	5.72	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	2.5	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	666	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.61			
Sodium	14.87	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.56			

*ppm=parts per million
**me/l=millequivalents per liter

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

COMMENTS: Total cations 1.79 me/l
Total anions 7.79 me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	18.00 1.10

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion to the laboratory

Sample No. 76-1200

Amount Enclosed \$

Signed

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 Spring Valley Colony

ADDRESS Wessington Springs, South Dakota 57382

COUNTY Jerauld

LEGAL DESCRIPTION

1. WELL LOCATION SW $\frac{1}{4}$ 34 SE $\frac{1}{4}$ 34 107-67
2. LOCATION OF AREA TO BE IRRIGATED SW $\frac{1}{4}$ 33 NE $\frac{1}{4}$ 34 - 107-67 NW $\frac{1}{4}$ 4 106-67

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT x GUN _____

4. CROPS TO BE IRRIGATED Corn and alfalfa

WATER QUALITY

5. SAMPLE NUMBER #76-1201 SW $\frac{1}{4}$ Sec 34 76-1202 SE $\frac{1}{4}$ Sec 34
6. SALINITY (EC X 10⁶) 1556 (hi) 1498 (hi)
7. SODIUM (SAR) 1.57 (low) 1.79 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0 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 Jerauld County 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.

Spring Valley Colony
By Mike J. Stahl
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
14 DAY OF September 1976.

Brad D. Bonnyne
(TITLE OR SEAL) Notary Public S.D.

Approval does not constitute that this project can be carried
out successfully in all circumstances. Individual man-
agement will be required to degree, determine the relative
success of this venture.

APPROVED/DISAPPROVED

My Comm. Expires March
29, 1984

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Spring Valley Colony
 Address: Hessington Springs, SD
57382

Date Rec'd August 30, 1976
 Sample No. 76-1202
 Identification Well-
SE4, Sec. 34

WATER ANALYSIS

Calcium (Ca)	169	ppm*	8.45	me/l**
Magnesium (Mg)	47	ppm	3.85	me/l
Sodium (Na)	102	ppm	4.44	me/l
Potassium (K)	31	ppm	0.81	me/l
Sulfate (SO ₄)	500	ppm	10.40	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.35	me/l
Bicarbonate (HCO ₃)	547	ppm	8.96	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	443	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	1458	micromhos per cm at 25° C.		
Electrical Conductivity	1.79			
Sodium Adsorption Ratio	25.29	% of cations		
Sodium	0.00	me/l		
Residual sodium carbonate	8.00			
pH				
Others:				

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

COMMENTS: Total cations 17.55 me/l
 Total anions 19.71 me/l

By: Shirley Eittan

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1202

Amount Enclosed \$.....

Signed.....

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

Submitted by: Spring Valley Colony
Address: Wessington Springs, SD
57382

Date Rec'd August 30, 1976

Sample No. 76-1201

Identification Well-

SW1, Sec. 34

WATER ANALYSIS

Calcium (Ca)	172	ppm*	8.60	me/l**
Magnesium (Mg)	47	ppm	3.85	me/l
Sodium (Na)	90	ppm	3.92	me/l
Potassium (K)	27	ppm	0.70	me/l
Sulfate (SO ₄)	470	ppm	9.78	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.32	me/l
Bicarbonate (HCO ₃)	544	ppm	8.92	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	446	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1556	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.57			
Sodium	22.96	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.14			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 17.07 me/l
 Total anions 19.02 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1201

Amount Enclosed \$

Signed

October 4, 1976

Spring Valley Colony
Wessington Springs, SD 57382

Dear Sir:

Your water sample (Lab. No. 76-1201, 1202) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

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

This water is marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

(1) It will be used no more than 3 times (preferably less) in any growing season.

(2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.

(3) Water applications will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.

(4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

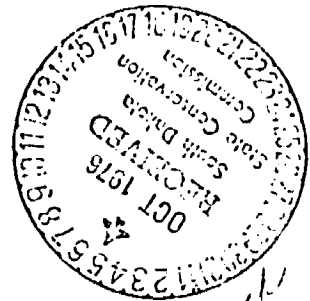
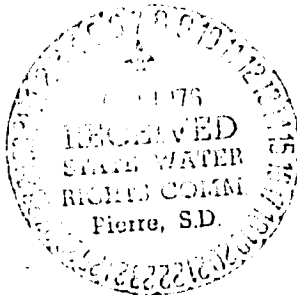
L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission



*Send my thanks
per L. O. Fine*

Form 6 - Notice of Intent to Appropriate Water

No. 3540-3

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

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

February 2, 1977

Notice is hereby given that Spring Valley Colony
whose post office address is Wessington Springs, 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

7.2 cubic feet of water per second of time from the ground water through the
are
Spring Valley # 2, the point of diversion of which is to be located in the _____

SW 1/4 SE 1/4, Section 34; SW 1/4 SW 1/4, Section 34 and SW 1/4 NE 1/4

of Section 30, Twp. 107N, Range R57W. Said water to be used for the purpose
of providing irrigation on the following described land:

N 1/4, Section 20; SW 1/4, Section 22; NW 1/4, Section 24, T107N R67W

NW 1/4, Section 4, T106N, R57W

This application No. 3540-3 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: Spring Valley Colony, Wessington Springs, South Dakota 57362

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Jerauld.) ss.

I, A. E. Webb hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Wessington Springs Independent

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

9 February 1977

16 February 1977

(Signature)

(Title)

(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER

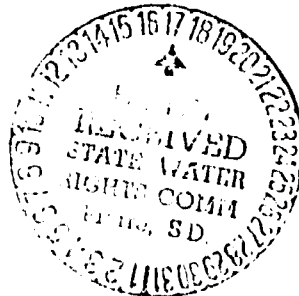
Pierre, S.D. 57501

February 2, 1977

Notice is hereby given that
Spring Valley Colony whose
post office address is Wes-
sington Springs, South Dako-
ta, has made an application in
accordance with the provi-
sions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
7.2 cubic feet of water per
second of time from ground
water through the Spring
Valley #2, the points of diver-
sion of which are to be
located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 34; SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 34 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of
Section 30, Twp. 107N, Range
67W. Said water to be used
for the purpose of providing
irrigation on portions of the
following described land:

N $\frac{1}{2}$, Section 30; SW $\frac{1}{4}$,
Section 33; NE $\frac{1}{4}$, Section 34.
T107N, R67W NW $\frac{1}{4}$, Section
4, T106N, R67W.

This application No. 3540-3
will be considered by the
Water Rights Commission at
their office at Pierre upon the
23rd day of February, 1977,
at 10:00 a.m. All interested
persons may appear and be
heard. —Water Rights Com-
mission. By: —Burton F.
Jones, Water Rights Spec-
ialist. c-20-21



Permit No. 3540-3Water Division 3 MISSOURI RIVER Water DistrictREPORT 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 Sam Waldner SPRING VALLEY HUTTERIANBRETHREN, INC. of WESSINGTON SPRINGS holderof Permit No. 3540-3, bearing date of priority of DECEMBER 14, 1976authorizing the diversion of 7.2 cu. ft. per second of the waters of GROUNDWATERfor IRRIGATION purposes, in JERAULD County.I have to report on the condition of the same as follows: EAST SYSTEM - WELLS #2 & #4 - BOTH 80' DEEP WITH 16"The Water Use System consists of, PLASTIC CASING - 20' 3/4" SCREEN. WELL #2 HAS 7 1/2 HP GOULD SUBMERSIBLE
PUMP. WELL #4 HAS BERKELEY 6" PUMP #610 KLN, POWERED BY 50HP
NEWMAN ELECTRIC MOTOR @ 1760 RPM. 3 HELPER WELLS ALL ABOUTA. Works used to divert the water: 80' DEEP - TWO WITH 8" PLASTIC CASING AND ONE WITH 6" PLASTIC CASING,
ALL WITH 20' PLASTIC SCREEN, AND ALL ARE EQUIPPED WITH 8HP GOULD SUBMERSIBLE PUMPS. WELL #2
IS PUMPED @ 90 GPM, WELL #4 @ 150 GPM, TWO 8" WELLS @ 40 GPM EACH & 5" WELL @ 30 GPM. WELLS
ARE ALL WITHIN ABOUT 800' OF EACH OTHER AND ACT AS A "CLUSTER" TYPE WELL.
WEST SYSTEM - 3 WELLS 56' TO 58' DEEP. WELLS #1 & #3 BOTH WITH 16" PLASTIC CASING & 20' 3/4" SCREEN,
HELPER WELL #4 PLASTIC CASING WITH 20' PLASTIC SCREEN. WELL #1 HAS BERKELEY 6" PUMP #610 KLN,
WITH 40HP GE ELECTRIC MOTOR @ 1760 RPM, WELL #3 HAS BERKELEY 6" PUMP #610 KLN, POWERED BY

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

EAST SYSTEM - WELLS #2 & #4 TIED TOGETHER WITH 550' OF 8" BURIED PVC, WITH 6" BURIED
PVC TYING HELPER WELLS TO 8" LINE. 2650' OF 8" BURIED PVC FROM WELL #2 TO PIVOT IN NW 1/4
WEST SYSTEM - 3100' OF 8" BURIED PVC FROM WELL #2 TO PIVOT PAD IN SW 1/4 SECTION 33, T107N,
R67W, 850' OF 6" BURIED PVC FROM HELPER WELL TO WELL #1, AND 3150' OF 6" BURIED PVC FROM WELL #1
TO 8" LINE FROM WELL #3. 2100' OF 8" BURIED PVC FROM PIVOT PAD IN SW 1/4 SECTION 33 TO THE PIVOT
C. Works used to apply water to beneficial use. PAD IN THE NW 1/4, SECTION 4, T106N, R67WE. SYSTEM - ZIMMATIC 7 TOWER LOW PRESSURE SYSTEM SET UP TO PUMP 350 GPM
W. SYSTEM - ZIMMATIC 7 TOWER LOW PRESSURE SYSTEM IS TOWED BETWEEN THE SW 1/4
SECTION 33, T107N, R67W & NW 1/4, SECTION 4, T106N, R67W. SYSTEM IS SET UP TO PUMP
400 GPMThe system is in the following condition: GOODEAST SYSTEM - WELLS ARE CLUSTERED 4 IN THE SW 1/4 & 1 IN THE SE 1/4,The point of diversion is located SECTION 34, T107N, R67W - ALL WITHIN 800' OF EACH OTHER.WEST SYSTEM - WELL #1 - 850' W & 950' S; WELL #3 - 800' W & 1450' S, AND HELPER WELL 400' W AND
100' S ON THE E 1/4 CORNER, SECTION 33, T107N, R67WThe works are capable of diverting and conveying to the place of use 1.66 (E. SYSTEM - 350 GPM)
(W. SYSTEM - 400 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:

T107N, R67W - SECTION 34 - NE 1/4 124 ACRES (OFFSET SO ABOUT 3 ACRES ARE IN SE 1/4)SECTION 33 SW 1/4 134 " (offset East about 4 acres in SE 1/4)T106N, R67W SECTION 4 NW 1/4 124comprising a total of 402 acres of land.* BY 50HP NEWMAN ELECTRIC MOTOR @ 1760 RPM. HELPER WELL HAS 7 1/2 HP GOULD
SUBMERSIBLE PUMP. WELL #1 PUMPS 200 GPM, WELL #2 PUMPS 140 GPM AND
HELPER WELL PUMPS 60 GPM. THESE THREE WELLS CAN ALSO BE CLASSIFIED
AS A "CLUSTER" WELL. WELL #3 & HELPER WELL ARE WITHIN 850' OF WELL #1.Date NOVEMBER 17, 1982[Signature]
(Signature)

1/3/83 - Informal Sec 34 acres not covered - a.k.
and area 100' wide - no problem with Sec.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3540-3.

(1) WHEREAS, On the 14th day of December A. D. 19 76
Sam Waldner, Spring Valley Hutterian Brethren, Inc.

made Water Right Application No. 3540-3 for a permit to use 7.20 cubic feet per second of the waters
of groundwater

County of Jerauld, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 23rd day of February A. D. 19 77
Permit No. 3540-3, with a date of priority of December 14, 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 February A. D. 19 80 and for the
application to beneficial use of said water on or before the 23rd day of February 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 1.66 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 acreage in

Section 34, T107N, R67W				Section 4, T106N, R67W			
NE $\frac{1}{4}$ NE $\frac{1}{4}$	31 Acres	(AA)		NE $\frac{1}{4}$ NW $\frac{1}{4}$	33.50 Acres	(BA)	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	31 "	(AB)		NW $\frac{1}{4}$ NW $\frac{1}{4}$	33.50 "	(BB)	
SW $\frac{1}{4}$ NE $\frac{1}{4}$	36 "	(AC)		SW $\frac{1}{4}$ NW $\frac{1}{4}$	33.50 "	(BC)	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	33 "	(AD)		SE $\frac{1}{4}$ NW $\frac{1}{4}$	33.50 "	(BD)	
NW $\frac{1}{4}$ SE $\frac{1}{4}$	2 "	(DB)					
NE $\frac{1}{4}$ SE $\frac{1}{4}$	1 "	(DA)					
				TOTAL	402 ACRES		
Section 33, T107N, R67W							
NE $\frac{1}{4}$ SW $\frac{1}{4}$	35 Acres	(CA)					
NW $\frac{1}{4}$ SW $\frac{1}{4}$	30 "	(CB)					
SW $\frac{1}{4}$ SW $\frac{1}{4}$	30 "	(CC)					
SE $\frac{1}{4}$ SW $\frac{1}{4}$	35 "	(CD)					
NW $\frac{1}{4}$ SE $\frac{1}{4}$	2 "	(DB)					
SW $\frac{1}{4}$ SE $\frac{1}{4}$	2 "	(DC)					

(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 Sam Waldner, Spring Valley Hutterian Brethren, Inc., Route #2, Box 70

_____ of Wessington Springs, South Dakota 57382
the holder S and owner S of said permit No. 3540-3 a water right, dating from December 14, 1976
_____ to use of 1.66 cubic feet per second of the waters
of groundwater

in the County of Jerauld and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at East system-wells are clustered - 4 in the SW 1/4 SE 1/4 &
1 in the SE 1/4 SE 1/4, Section 34, T107N, R67W - all within 800' of each other. West
system Well #1 - 850'W & 950'S; Well #2 - 300'W & 1450'S, and helper well - 900'W
and 100'S of the E 1/4 Corner Section 33, T107N, R67W

and conducted to and upon portions of land in Section 33 & 34, T107N, T67W and
Section 4, T106N, R67W more fully described on the face of this license.

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3540-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 27 th day of December A. D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 3540-3

Water Diversion No. 3 Missouri River Water District
10140105

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Sam Waldner, Spring Valley Hutterian Brethren, Inc.

_____ the holder _____ of
Permit No. 3540-3, issued upon Application No. 3540-3, bearing date of priority of December 14,
1976 authorizing the diversion of 7.20 cu. ft. per second of the waters of _____
groundwater County of Jerauld, State of South Dakota at _____
East system - wells are clustered 4 in the SW 1/4 SE 1/4 & 1 in the SE 1/4 SE 1/4
Sec 34, T107N, R67W - all within 800' of each other. West system - Well #1 -
850'W & 950'S; Well #2 - 300'W & 1450'S, and helper well - 900'W and 100'S
of the E 1/4 corner Section 33, T107N, R67W
_____, for irrigation

_____ purposes, he ve complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.66 (E system 350 gpm & W system 400 gpm)
cu. ft. per second of water.

Date December 27, 1982



JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9084

PIERRE, December 27, 1982

Spring Valley Hutterian Brethren Inc, Rt 2, Box 70, Wessington Springs SD

RECEIVED OF the following amount in fees for services rendered as provided for by law: 57382

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	3540-3	50 00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.	3540-3	
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL		50 00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

No. 3540-3

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 (605) 773-3352

December 27, 1982

Sam Waldner
Spring Valley Hutterian Brethren, Inc.
Rt 2 Box 70
Wessington Springs SD 57382

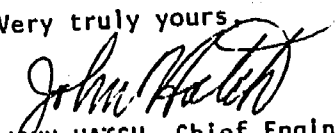
Dear Mr. Waldner:

Enclosed herewith are, Water License No. 3540-3 and Certificate of Construction.

Water License No. 3540-3 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,

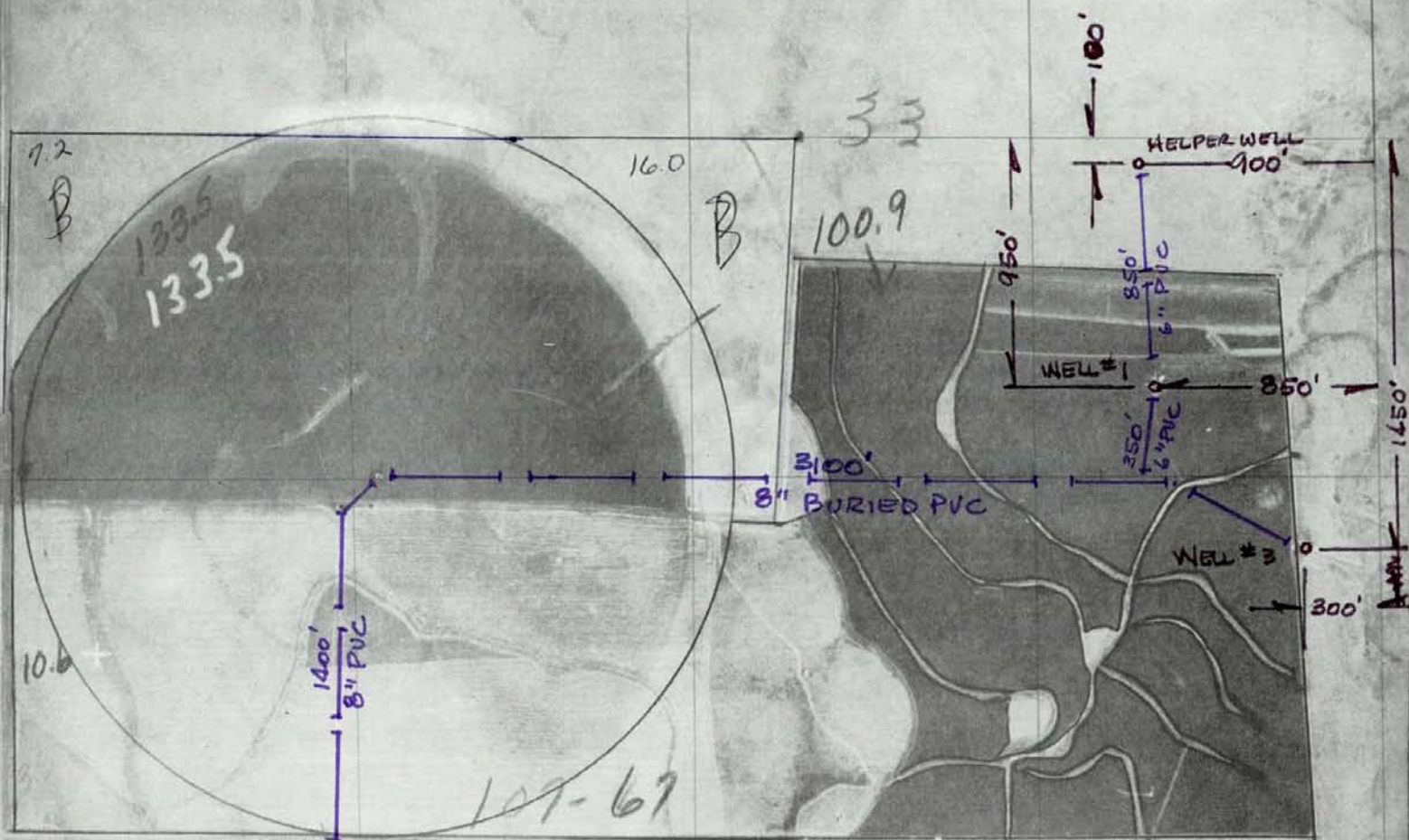

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosures

NOT TO SCALE

3540



Circle moved after photo taken

NOT TO SCALE

3540

107-67

63.8 78R

~~133.5~~

3.5

12.7

34

2650'
8" BURIED PVC

9.2

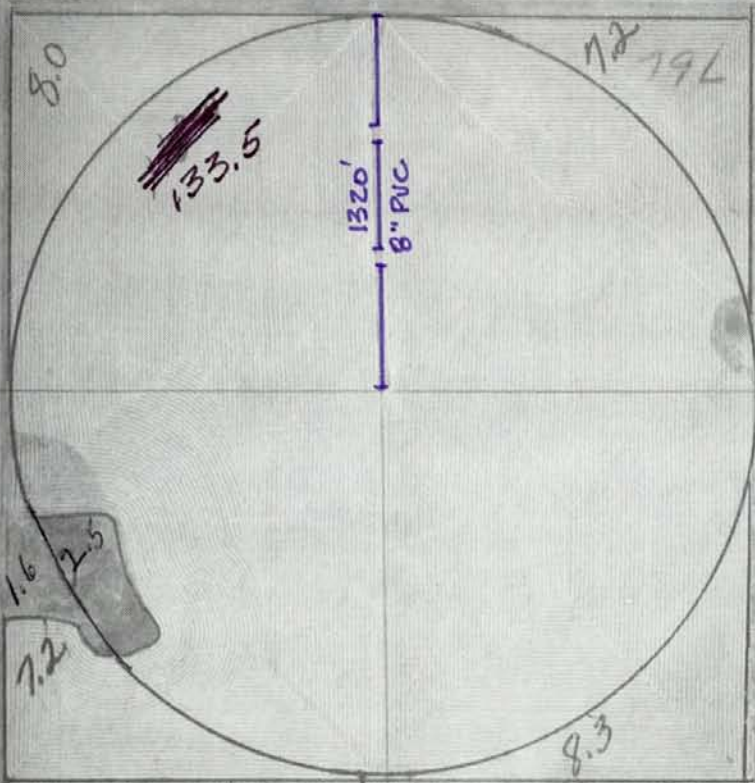
550'

WELL #2
8" CASED WELL
8" CASED WELL
5" CASED WELL
WELL #4

107-67

NOT TO SCALE

3540



190.4

106-67



January 26, 2007

NOTICE

3540-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: SPRING VALLEY HUTTERIAN, JOE W WALDNER, 23064 365TH AVE, WESS SPRINGS,
SD 57382 5506

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 3540-3 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) 4986-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4986-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3540-3 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 questionnaire(s) is(are) received in this office on/or before **March 1, 2007**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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.

3540-3

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Signature Confirmation[®] Receipt

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 7276

SPRING VALLEY HUTTERIAN
JOE W WALDNER
23064 365TH AVE
WESS SPRINGS SD 57382 5506

waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
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www.usps.com[®]
or call 1-800-222-1811

☐ Priority Mail[™] Service
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3540-3



January 30, 2007

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

3540-3
4986-3

Joe W Waldner
Spring Valley Hutterian
23064 365th Ave
Wessington Springs SD 57382-5506

Dear Mr. Waldner:

I have received your irrigation questionnaire for Water Right No. 3540-3. The Colony has two separate water rights and need to report for each one. It is fine to report all the irrigated acreage on one form but when doing that, please specify which acreage goes with which permit.

Enclosed are copies of Water Right Nos. 3540-3 and 4986-3 showing the acreage authorized for irrigation. Please review the water rights and write on the enclosed questionnaire which section of land the crops were that were irrigated.

Please return the questionnaire no later than February 25th. I am enclosing a postage paid envelope for your reply.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 2007

3540-3
4986-3

Joe W Waldner
Spring Valley Hutterian
23064 365th Ave
Wessington Springs SD 57382-5506

Dear Mr. Waldner:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 3540-3 and 4986-3.

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



3540-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: SPRING VALLEY HUTTERIAN, JOE W WALDNER, 23064 365TH AVE, WESS SPRINGS,
SD 57382 5506

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaires

Our records indicate that the 2007 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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) 3540-3 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) 4986-3 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 11, 2008** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 4986-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3540-3 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 questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

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

c: GREGG MAGERA, ATTORNEY AT LAW, PO BOX 490, ABERDEEN SD 57402-0490

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.

3540-3

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Status: **Delivered**

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SPRING VALLEY HUTTERIAN
JOE W WALDNER
23064 365TH AVE
WESS SPRINGS SD 57382 5506

Waiver of Signature ☐ YES ☐ NO

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3540-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 2008

3540-3
4986-3

Joe W Waldner
Spring Valley Hutterian
23064 365th Ave
Wessington Springs SD 57382-5506

Dear Mr. Waldner:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 3540-3 and 4986-3.

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

c: Greg Magera, Attorney at Law

3540-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 26, 2008

3540-3
4986-3

Joe W Waldner
Spring Valley Hutterian
23064 365th Ave
Wessington Springs SD 57382-5506

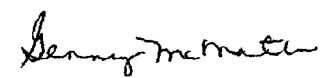
Dear Mr. Waldner:

Enclosed are your 2008 irrigation questionnaires for Water Right Nos. 3540-3 and 4986-3.

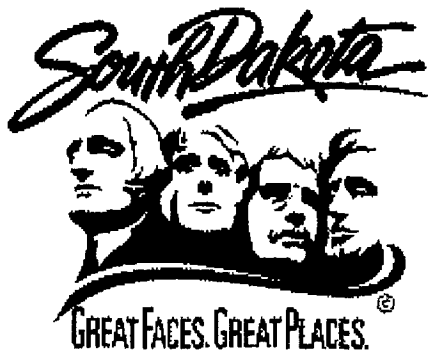
On both forms you indicated that irrigation took place but it is unclear which acreage the water was applied to and under what water right. Your note on the front of the questionnaire for Water Right No. 4986-3 states that a total of 874,800 gallons was pumped. This information is what we need however we need to know which acreage the water was applied to and also how many acres were irrigated.

Please include more specific information on the forms and return them by **December 12th**.
Thank you in advance for your help.

Sincerely,


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

enclosures



RECEIVED
DEC 31 2008
WATER RIGHTS
PROGRAM

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 26, 2008

3540-3
4986-3

Joe W Waldner
Spring Valley Hutterian
23064 365th Ave
Wessington Springs SD 57382-5506

Dear Mr. Waldner:

Enclosed are your 2008 irrigation questionnaires for Water Right Nos. 3540-3 and 4986-3.

On both forms you indicated that irrigation took place but it is unclear which acreage the water was applied to and under what water right. Your note on the front of the questionnaire for Water Right No. 4986-3 states that a total of 874,800 gallons was pumped. This information is what we need however we need to know which acreage the water was applied to and also how many acres were irrigated.

Please include more specific information on the forms and return them by **December 12th**.
Thank you in advance for your help.

Sincerely,

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

enclosures

*272 acres where irrigation with
the 874,800 gal.
Thank you
Ja*

*1/15/09 spoke with Joe -
he inserted the 272
acres were irrigated under
both water rights.*



3540-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 22, 2010

NOTICE

TO: SPRING VALLEY HUTTERIAN, JOE W WALDNER, 23064 365TH AVE, WESS SPRINGS,
SD 57382 5506

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaires

Our records indicate that the 2009 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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) 2721-3, 3540-3 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) 4986-3 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 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 4986-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2721-3, 3540-3 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 questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq.aspx>

c: GREGG MAGERA, ATTORNEY AT LAW, PO BOX 490, ABERDEEN SD 57402-0490

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**

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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 28, 2010

2721-3
3540-3
4986-3

Joe W Waldner
Spring Valley Hutterian
23064 365th Ave
Wessington Springs SD 57382 5506

Dear Mr. Waldner:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 2721-3, 3540-3 and 4986-3.

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

If you have any questions, please contact me.

Sincerely,

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

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

c: Gregg Magera, Attorney At Law



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2012

NOTICE

TO: SPRING VALLEY HUTTERIAN, JOE W WALDNER, 23064 365TH AVE, WESS SPRINGS,
SD 57382 5506

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaires

Our records indicate that the 2011 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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) 2721-3, 3540-3 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) 4986-3 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 7, 2012** 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) 4986-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2721-3, 3540-3 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 questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

c: GREGG MAGERA, ATTORNEY AT LAW, PO BOX 490, ABERDEEN SD 57402-0490

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 27, 2012

2721-3
3540-3
4986-3

Joe W Waldner
Spring Valley Hutterian
23064 365th Ave
Wessington Springs SD 57382 5506

Dear Mr. Waldner:

I am writing to acknowledge receipt of your 2011 irrigation questionnaires.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right Nos. 2721-3, 3540-3 & 4986-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

c: Gregg Magera, Attorney at Law



3540-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: SPRING VALLEY HUTTERIAN, JOE W WALDNER, 23064 365TH AVE, WESS SPRINGS,
SD 57382 5506

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 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) 2721-3, 3540-3 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) 4986-3 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 7, 2013** 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) 4986-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2721-3, 3540-3 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 questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link:

<http://denr.sd.gov/iq.aspx>

c: GREGG MAGERA, ATTORNEY AT LAW, PO BOX 490, ABERDEEN SD 57402-0490

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2013

2721-3
3540-3
4986-3

Joe W Waldner
Spring Valley Hutterian
23064 365th Ave
Wessington Springs SD 57382 5506

Dear Mr. Waldner:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 2721-3, 3540-3 and 4986-3. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Gregg Magera, Attorney at Law