

Water Right Number 3748-3

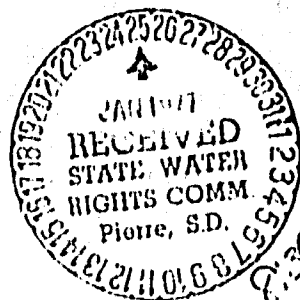
1. Considered 5.25, 19 77
2. Name of Applicant CLARENCE WIFE
3. Post Office Address FRANKFORT
4. Amount of Water claimed 2.2
5. Source of Water supply 110' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in SPINK County
about 6E, 8S miles 6 of FRANKFORT
8. Proof of Publication Received 4-18-77
Not Received _____
9. Application Approved 1-31-79
Subject to Well Interf
Not Approved _____
Action Deferred _____

10. Remarks:

Form 2-A Application for Permit to appropriate Water (Original (Includes Approval and Permit))

No. 374B-3

Map No. 3013-3 Water Division No. 3 JAMES RIVER District _____
(Blanks to be filled by the Engineer for the W. H. C.)



APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

- Name of Applicant C. Larson & Co. Inc.
Postoffice address Frankfort State S.D.
If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) Direct labor
- Name of diversion work well
- Amount of water claimed (cubic feet per second) 2.2 CFS
- Source of water supply aquifer
- Location of point of diversion center of NE 1/4 of Sec 20 115-61

- County Spink
- Annual period or periods during which water is to be used April - Nov
 - Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
 - For irrigation use, Total number of acres to be irrigated 160A

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.
NE 1/4 of NE 1/4	40		
NW 1/4 of Sec 20	40		
SE 1/4 of 115-61	40		
SW 1/4	40		

Attach sheet if more space is needed

- 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.
- Choice of newspaper for Notice of Intent to appropriate Water publication Redfield Press
- 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 pivot

Estimated Total Cost \$ 30,000

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 Spink

I, Estelene Tripp 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 Estelene Tripp

Subscribed and sworn to before me this 24 day of January 1971

W. L. K. K. K.
Notary Public (or other qualified officer)

My Commission Expires Nov. 13, 1974

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3748-3
CLARENCE WIPE 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 JANUARY 25, 19 77
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved JANUARY 31, 19 79, Recorded in Book 20 Page 132
 WATER RIGHT PERMIT NO. 3748-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3748-3 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 25, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 31, 19 80
3. The whole of said work is to be completed on or before JANUARY 31, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 31, 19 84
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 2.2 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 JANUARY 31, 19 84; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 12th day of FEBRUARY, 19 79

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 20-32", Depth 116'
(2) Casing, Type Fiberglass slinkies (wood, concrete, steel, etc) Diameter 10-16" Thickness 12 gauge
(3) Perforated Screen.
Type Fiberglass slinkies, Diameter 10-16", Length 40'
(4) Gravel Pack, Thickness 10", Length of gravel pack 9.8'

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 gravel --- coarse sand ---
fine gravel

Depth to top of water bearing material 32'

Depth to bottom of water bearing material 116'

Thickness of water bearing material 89'

Depth to water (ground surface to water level) 18'

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

On same owner's property 100 rds. On property owned by others 260 rds.

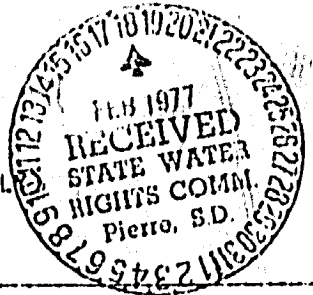
G. Water Storage Dams.

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.

Chance 21st
Signature of Applicant

ATION
71

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 John A. ...
ADDRESS ...
COUNTY ...

LEGAL DESCRIPTION

1. WELL LOCATION ...
2. LOCATION OF AREA TO BE IRRIGATED ...

TYPE OF IRRIGATION

3. GRAVITY ... TOWLINE ... CENTER PIVOT X GUN ...
4. CROPS TO BE IRRIGATED ...

WATER QUALITY

5. SAMPLE NUMBER 77-165
6. SALINITY (EC X 10⁶) 12.53 (high)
7. SODIUM (SAR) 2.29 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) ...

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.

...
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
24 DAY OF January 19 77
...
(TITLE OR SEAL)

...
APPROVED/RECOMMENDED

(SEE INFORMATION ON REVERSE SIDE)

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

Submitted by: Clarence Wip2
 Address: Frankfort, SD 57440

Date Rec'd: January 31, 1977
 Sample No.: 77-165
 Identification: Well
HEA, Sec. 20, T 115N, R 61W

WATER ANALYSIS

Calcium (Ca)	128	ppm*	6.40	me/l**
Magnesium (Mg)	47	ppm	3.85	me/l
Sodium (Na)	119	ppm	5.38	me/l
Potassium (K)	10	ppm	0.26	me/l
Sulfate (SO ₄)	300	ppm	6.24	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.35	me/l
Bicarbonate (HCO ₃)	537	ppm	8.80	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)	440	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1253	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.29			
Sodium	33.01	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.28			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 15.69 me/l
 Total anions 15.39 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$15.00
	- 8.00 paid
	\$ 7.00 Due

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-165

Amount Enclosed

Signed

February 3, 1977

Mr. Clarence Wipf
Frankfort, SD 57440

Dear Mr. Wipf:

Your water sample (Lab. No. 77-165) 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

LOP:ckb

Enclosures

cc: State Conservation Commission

P.S. The soil area 29 on the west side of the quarter will not take water as readily as the remainder (except 103 when the water table is high). Perhaps it would be wise to keep soils 29 and 103 in permanent hay crops such as alfalfa-grass.

No. 5748-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.

I, Roberta A. Jurek hereby

Water was taken from the Redfield Press.

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

herein after stated, has been and is printed and published in the _____
City of Redfield
County of Spink and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

April 7, 1977

April 14, 1977

Robert G. Overbeck
(Signature)

Clark
(Title)

4/14/77
(Date Signed)

No. 25

11-11-58 No. 3748-3

**NOTICE OF
INTENT TO
APPROPRIATE WATER**
Pierre, South Dakota 5750

Pierre, South Dakota 57501

March 31, 1977

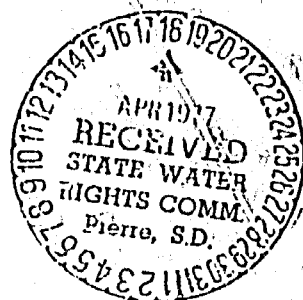
Notice is hereby given, that Clarence Wipf, whose post office address is Frankfort, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 12.2 cubic feet of water per second of time from ground water throughout the Clarence Wipf No. 2, the point of diversion of which is to be located in the Center of NE 1/4 of Section 20, Twp. 115N, Range 61W. Said water to be used for the purpose of providing irrigation on portions of the following described land: Tract 1, 1/4 Sec. 20, T. 115N, R. 61W, NE 1/4
NE 1/4, Section 20-T115N-R61W.
This application No. 3748-S will be considered by the Water Rights Commission at their office at Pierre upon the 25th day of May, 1977, at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

BY: ~~6/10/2011~~

JAMES WINTERTON
Water Rights
Specialist

cc: Clarence Wiuf, Frankfort,
South Dakota 57440
(April 7, 14)



Publish first publication, on or before 11-1-77, 1977**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

11-1-77, 1977

Notice is hereby given that Clarence Wipf
whose post office address is Frankfort, South Dakota, 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

2.2 cubic feet of water per second of time from the ground water through the
Clarence Wipf #1, the point of diversion of which is to be located in the _____

Center of NE 1/4
of Section 20, Twp. 115N, Range 61W, Said water to be used for the purpose
of providing irrigation on the following described land:

NE 1/4, Section 20-T115N-R61W

This application No. 3740-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 15th day of May, 1977, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERICE
Water Rights Specialist

BFJ/bw

cc: Clarence Wipf, Frankfort, South Dakota 57440



James H. Hight
SPINK COUNTY DEFERRED

3748-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

January 16, 1978

TO: Holders of Deferred Applications in Spink County
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred Spink County Water Right Applications at 3:00 P.M., January 25, 1978 at the South Dakota Education Association Building, 411 E. Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These Applications were deferred by the Water Rights Commission during 1977, pending Staff investigation.

After reconsideration of the deferred Applications the Commission can approve, defer, or deny all or part of any of these Applications.

Very truly yours,

A handwritten signature in cursive script, reading "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/BFJ/bw



3748-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

January 30, 1978

TO: Holders of Deferred Applications in Spink County
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

This is to inform you that the Water Rights Commission reviewed your Water Right Application at the January 25-26, 1978 meeting and decided, at this time, that it remain in a deferred status pending further investigation by the Commission Staff.

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

Sincerely,

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

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/BW/gy



Department of Natural Resource Development

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

January 16, 1979

TO: Holders of Deferred Applications in Certain Aquifers in Spink,
 Hand and Beadle Counties

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred water right applications proposing diversions from the Tulare, Hitchcock, and East James aquifers in Spink, Hand and Beadle counties at 4:00 p.m., January 31, 1979 at the South Dakota Education Association Building, 411 E. Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These applications were deferred by the Water Rights Commission during 1977 and 1978, pending Staff investigation.

After reconsideration of the deferred applications, the Commission can approve, defer, or deny all or part of these applications.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Commission may be appealed to the courts as provided by law.

Very truly yours,

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

JOHN HATCH, Chief Engineer
 Water Rights Commission

JH/gy

Permit No. 3748-3Water Division 3 JAMES 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 CLARENCE
WIPF of FRANKFORT holder
 of Permit No. 3748-3, bearing date of priority of JANUARY 25, 1977
 authorizing the diversion of 2.2 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:

118' DEEP WELL WITH 16" FIBREGLAS CASING - 20' FIBREGLAS SCREEN
 WESTERN LAND ROLLER 8" PUMP, WITH AMARILLO GEAR HEAD
 @ 1760 RPM, POWERED BY JOHN DEERE 440 DIESEL MOTOR
 RATED @ 75HP. FIDELITY ELECTRIC GENERATOR - 440 VOLT IS
 OPERATED BY DIESEL MOTOR

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

1140' OF 8" BURIED PVC TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

LOCKWOOD 7 TOWER CENTER PIVOT WITH NELSON #100 ENDGUN
 1 - 1/4 MILE 4" TOWLINE WITH RAINBIRD #35 SPRINKLER HEADS
 @ 40' SPACINGS - SOME 1/64 & SOME 5/32 NOZZLES.

The system is in the following condition: GOOD

The point of diversion is located 1070' W & 150' S OF THE NE CORNER,
SECTION 20, T115N, R61W

The works are capable of diverting and conveying to the place of use 1.55 (700 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: ALL IN SECTION 20, T115N, R61W

NW ¹ NE ⁴	22 ACRES
NE ¹ NE ⁴	39 "
SW ¹ NE ⁴	13 "
SE ¹ NE ⁴	28 "

comprising a total of 112.102 ^{sq.} acres of land.

Date AUGUST 17, 1982
[Signature]
 Signature

WATER LICENSE NO. 3748-3

(1) WHEREAS, On the 25th day of January A. D. 19 77
Clarence Wlpf

made Water Right Application No. 3748-3 for a permit to use 2.20 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 31st day of January A. D. 19 79
Permit No. 3748-3, with a date of priority of January 25, 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 31st day of January A. D. 19 82 and for the application to beneficial use of said water on or before the 31st day of January A. D. 19 84

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

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

to irrigate the following land all in Section 20, T115N, R61W

NW¼ NE¼	22 acres
NE¼ NE¼	39 "
SW¼ NE¼	13 "
SE¼ NE¼	28 "
TOTAL 102 acres	

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Clarence Wlpf

_____ of RR #1, Box 63, Frankfort SD
the holder _____ and owner _____ of said permit No. 3748-3 a water right, dating from January 25, 1977
_____ to use of 1.46 cubic feet per second of the waters
of groundwater
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 1076'W & 150'S of the NE corner, Section
20, T115N, R61W (AA)

and conducted to and upon portions of Section 20, T115N, R61W more fully described
on the face of this License

for the purpose of irrigation

subject to any limitations listed in Water Right Permit No. 3748-3 and subject to the laws of the State of South Dakota

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 22nd day of November A. D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 3748-3

Water Diversion No. 3 James River Water District
10160006

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Clarence Wipf

_____ the holder _____ of
Permit No. 3748-3, issued upon Application No. 3748-3, bearing date of priority of January 25,
1977 authorizing the diversion of 2.2 cu. ft. per second of the waters of _____
groundwater (one well) County of Spink, State of South Dakota at _____
a point 1070'W & 150'S of the NE corner, Section 20, T115N, R61W (AA)

_____, for Irrigation

purposes, has _____ 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 1.55 cu. ft. per second of water.

Date November 22, 1982

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 9036

PIERRE, November 12, 1982

RECEIVED OF Clarence Vipf, RR#1, Box 63, 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. 3748-2	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3748-3		
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: *(Signature)*
Chief Engineer, Executive Officer
JOHN WATKINS



3748-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 11, 1994

No. 1724-3
3748-3

Clarence Wipf
RR 1, Box 63
Frankfort, SD 57440

Dear Mr. Wipf:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1724-3 and 3748-3. The water rights are currently listed in the name of Clarence Wipf.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 per transfer, a total of \$5.00.

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

If you have any questions, please contact me.

Sincerely,

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

enclosure

3748-3

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 3748-3

Date: 3-15-94

I/We request that Water Right No. 3748-3

formerly owned by: Clarence Wipf, RR #1 Box 63, Frankfort, SD 57440

be transferred to: (name & address) Glendab Colony RR 1 Box 85
Frankfort SD 57440 (Telephone No) 605 472-0772

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

102 acres - NE 1/4 Section 20, T115N, R61W

I/We understand that the validity of Water Right No. 3748-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Spink)

I/We Glendab Colony being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Jerry K. Kinsman
(Signed)

Subscribed and sworn to before me this 15th day of March, 19 94.

Craig Olson
(Notary Public)

My commission expires 2-4-98

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

3748-3
414092

Pierre, _____ March 17 _____, 19 94

RECEIVED OF Glendale Lutheran Brethren, RR 1 Box 85, Frankfort, SD 57440-9650

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 3748-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

John Hatchcock
Chief Engineer



3748-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501 3181

March 23, 1994

No. 1724-3

3748-3

Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

Dear Sirs:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 1724-3 and 3748-3.

Our records now show you as the owner of Water Right Nos. 1724-3 and 3748-3.

Sincerely,

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

enclosure

3748-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 16, 1994

Jerry Kleinsasser, Secretary
Glendale Colony
RR #1 Box 85
Frankfort, SD 57440

Dear Mr. Kleinsasser:

Enclosed are the 1994 irrigation questionnaires for Water Right Nos. 1724-3 and 3748-3. The forms were mis-sent to Clarence Wipl, the previous owner of the land.

Water Right No. 1724-3 authorizes irrigation of 128 acres in the SE 1/4 Section 17, T115N, R61W. Water Right No. 3748-3 authorizes irrigation of 102 acres in the NE 1/4 Section 20, T115N, R61W.

The completed forms are due back to our office December 16, 1994. If you have any questions, please contact me.

Sincerely,

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

enclosures

NE 20 ~~N~~ 115-61

11.5

TREES

89.2

permit #
3748-3
Map # 3018-3

127 A.

4.0

2613'

7.0

4.0

4.3

20

12A

2128'

S

NOT TO SCALE

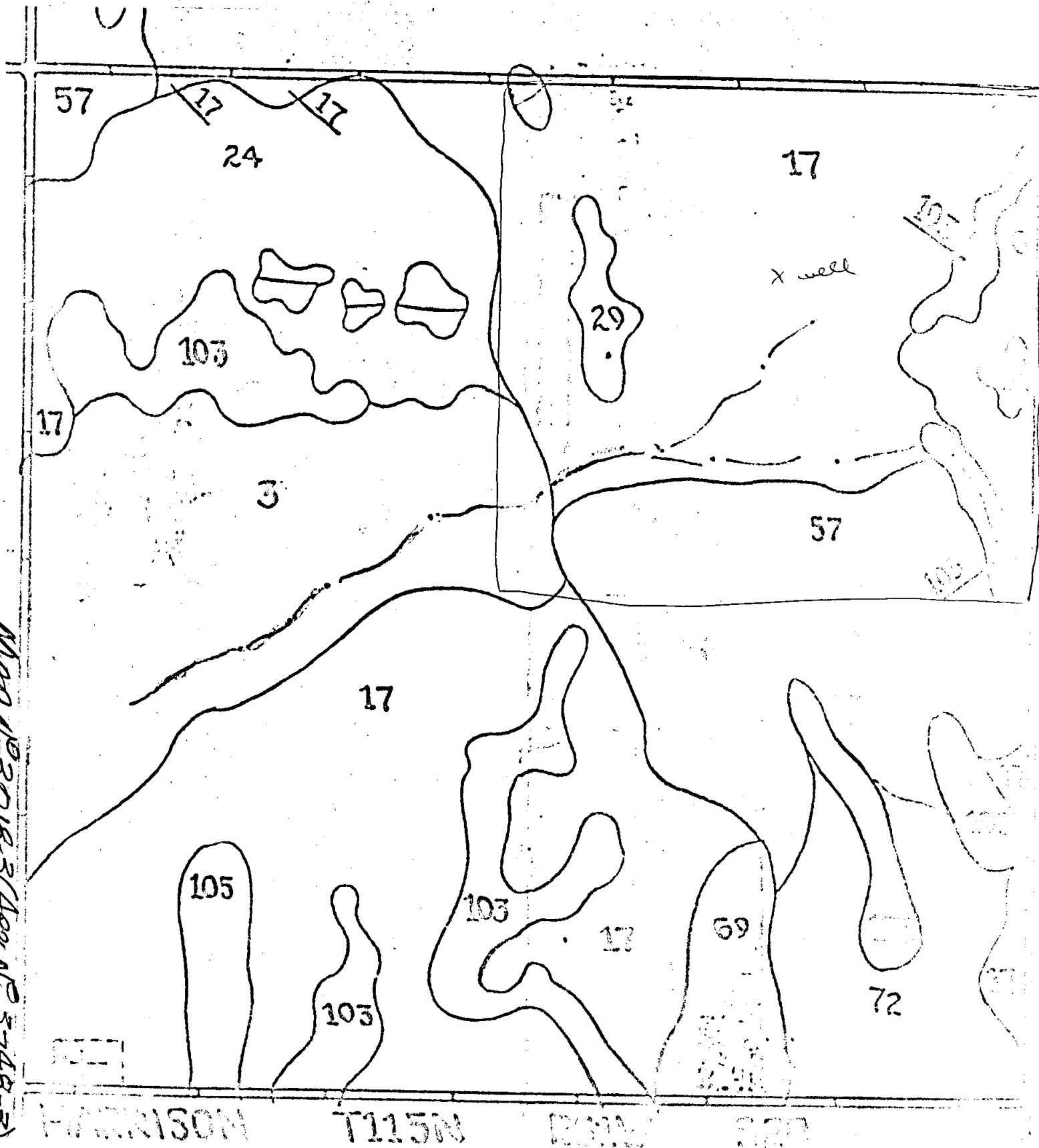
3748



Appl # 3748-3

~~RETRACTED~~

*David Stout
Co Agt.*



MAP NO 3018-3 (APP N-5748-3)

July 10. 2015

Chief Engineer
Water Rights Program, DENR
523 E Capitol Avenue
Pierre SD 57501

Dear Chief Engineer

I am now the President of Glendale Hutterian Brethren. Please put my name down as the contact person for all of Glendale's water rights/permits.

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

John Kleinsasser
Glendale Colony

Dewell, Amanda

From: Gronlund, Eric
Sent: Friday, December 20, 2024 1:54 PM
To: Dewell, Amanda
Subject: Glendale Colony

Follow Up Flag: Follow up
Flag Status: Flagged

Spoke with John Kleinsasser with Glendale Colony.

Glendale holds water right 3748-3 appropriating 1.46 cfs (655 gpm) for irrigation of 102 acres in NE $\frac{1}{4}$ Section 20, T115N, R61W. He wants to transfer diversion rate and acres to the SW $\frac{1}{4}$ Section 11, T115N, R62W.

WR 1876-3 appropriated 3.55 cfs to irrigate 272 acres in the SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E1/2 NW $\frac{1}{4}$ Section 11, T115N, R62W. The SW $\frac{1}{4}$ of Section 11 is the same land he's moving No. 3748-3. Therefore he wants to transfer 1.775 cfs and the land in the SW $\frac{1}{4}$ of Section 11 under 1876-3 to the SE $\frac{1}{4}$ Section 2, T115N, R62W. The reason for this instead of just moving 2748-3 to SE $\frac{1}{4}$ Section 2 is Section 2 is better land and he can fully utilize a full 136 acres pivot.

John fully understood that once 3748-3 is transferred, Glendale will be limited to 102 acres at a max rate of 1.46 cfs in the SW $\frac{1}{4}$ of Section 11.

I asked and he stated that both water rights have been in use each year.

This is from the Tulare:East James aquifer.

Told him after the holidays you'd send him partially completed application forms for him to complete. Two application to amend will be needed 1) to transfer 3748-3 and transfer a portion of 1876-3. Two \$300 application/licensing fees required.

Made no promises but transfers even from fully appropriated aquifer have not been a problem.

You can thank me later for making work for you. The flip side is them coming here and we'd still need to do the same amount of work to help them fill out the application

Eric Gronlund, PE
Chief Engineer
Water Rights Program, SD DANR
605 773-3352
eric.gronlund@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 10, 2025

1876-3

3748-3

Glendale Hutterian Brethren
c/o John Kleinsasser
17866 Glendale Dr
Frankfort SD 57440

Dear Mr. Kleinsasser:

Thank you taking the time to speak with the Water Rights Program regarding the relocation of acres and diversion points authorized by Water Right Nos. 1876-3 & 3748-3.

I understand that you wish to move the pivot currently located in the SW ¼ Section 11-T115N-R62W, authorized under Water Right No. 1876-3 to the SE ¼ Section 2-T115N-R62W and move the pivot from the SE ¼ Section 20-T115N-R61W, authorized under Water Right No. 3748-3 to the SW ¼ Section 11-T115N-R62W, as well as gain authorization of the second well already developed for irrigation under Water Right No. 1876-3, and a new well to supply the pivot in Section 2- T115N-R62W.

Additionally, in reviewing recent aerial imagery, it was discovered that the northern pivot authorized under Water Right No. 1876-3 has been shifted outside of the legal description originally described in the license.

All of these changes can be addressed by submitting applications to amend the current water rights. For your convenience, I have enclosed two partially completed applications outlining these amendments, with corresponding maps. Please review and complete the applications, outline the areas that will be irrigated on the map, indicate the current and proposed well locations, and return both sets of applications and maps with a check made payable to "SD Water Rights" in the amount of \$600.00 (\$300/amendment).

If you have any questions or concerns when you are reviewing the enclosed applications, please feel free to call either Eric Gronlund or myself.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures