

Water Right Number 3863-3

1. Considered MA 5.26 19 77
2. Name of Applicant CLINTON HORNIG
3. Post Office Address HURON
4. Amount of water claimed 2.2
5. Source of water supply 99' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 154
7. Water to be diverted and used in BEADLE County
about 6N, 11E Miles of HURON
8. Proof of Publication
Received 4.21.77
Not received
9. Application
Approved
Subject to
Not approved
Action deferred

10. Remarks:

Map No. 3122-3 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)

1. Name of Applicant Clinton Hornig
 Postoffice address Rt. 1, Huren State S. D. 57350
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
 3. Name of diversion work HORNIG #1
 4. Amount of water claimed (cubic feet per second) 2.2
 5. Source of water supply Ground water
 6. Location of point of diversion SW 1/4 Sec 35, 112-60

- County Beadle
 7. Annual period or periods during which water is to be used April to November
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, Total number of acres to be irrigated 154

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 NW 1/4 Sec 35, 112-60	40		
SW 1/4 NW 1/4 Sec 35, 112-60	40		
SE 1/4 NW 1/4 Sec 35, 112-60	38		
NE 1/4 NW 1/4 Sec 35, 112-60	36		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Daily Plainsman
 12. Principal features of the Proposed Water Supply System

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

Bowl pump

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

Main line

C. Works proposed to apply water to beneficial use.

Sprinkler system

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA }
 Beadle }
 County of _____ }

I, Clinton Hornig, 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 Clinton HornigSubscribed and sworn to before me this 2nd day of March, 1922

W. J. Brown
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3863-3

CLINTON HORNIG
(Applicant)

P.P. #1, HERON
(Post Office Address)

SOUTH DAKOTA 57350 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 MARCH 10, 19 77

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

Date of receipt of corrected application APRIL 4, 19 77

Approved MAY 26, 19 77, Recorded in Book 18 Page 263

WATER RIGHT PERMIT NO. 3863-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3863-3 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 MARCH 10, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 26, 19 79
3. The whole of said work is to be completed on or before MAY 26, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 26, 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 MAY 26, 19 84; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 14th day of JUNE, 19 77

WATER RIGHTS COMMISSION

By:

John M. [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 0 - 12 yellow clay
12 - 20 Blue clay
20 - 65 Sand streaks in blue clay
65 - 99 Sand

Depth to top of water bearing material 65'

Depth to bottom of water bearing material 99

Thickness of water bearing material 34

Depth to water (ground surface to water level) 15

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

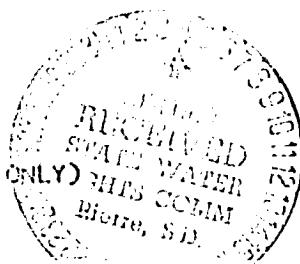
On same owner's property ----- rds. On property owned by others 160+ rds.

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.

Clinton Spring
Signature of Applicant

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 Clinton Hornig
ADDRESS Rt. 1, Huron, S. D. 57350
COUNTY Beadle

LEGAL DESCRIPTION

1. WELL LOCATION SW 1/4 NW 1/4 Sec 35, 112-60
2. LOCATION OF AREA TO BE IRRIGATED NW 1/4 Sec 35, 112-60

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ Sprinkler _____ CENTER PIVOT _____ GUN _____
4. CROPS TO BE IRRIGATED Alfalfa and corn

WATER QUALITY

5. SAMPLE NUMBER 77-338
6. SALINITY (EC X 10⁶) 1990 (high)
7. SODIUM (SAR) 1.68 (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 Beadle 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.

Clinton Hornig
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
22 DAY OF February 19 77.

Dick Nelson Beadle Conservation District Sec.
(TITLE OR SEAL)

Albert J. Hoff
APPROVED/STAMPED

(SOILS INFORMATION ON REVERSE SIDE)

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 Clinton Hornig
ADDRESS Rt. 1. Huron, S. D. 57350
COUNTY Beadle

LEGAL DESCRIPTION

1. WELL LOCATION SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 35, 112-60
2. LOCATION OF AREA TO BE IRRIGATED NW $\frac{1}{4}$ Sec 35, 112-60

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ Sprinkler _____ CENTER PIVOT _____ GUN _____
4. CROPS TO BE IRRIGATED Alfalfa and corn

WATER QUALITY

5. SAMPLE NUMBER _____
6. SALINITY (EC X 10⁶) _____
7. SODIUM (SAR) _____
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 Beadle 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.

Clinton Hornig
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
25 DAY OF February 19 77.

Albert J. Hoff
(TITLE OR SEAL) Beadle Conservation District

Albert J. Hoff
APPROVED/NOT APPROVED

(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: Clinton Hornig
 Address: Rt. 1
Huron, SD 57350

Date Rec'd: February 28, 1977
 Sample No. 77-338
 Identification: NE 1/4, Sec. 35, T 112N, R 60W

WATER ANALYSIS

Calcium (Ca)	236	ppm*	11.80	me/l**
Magnesium (Mg)	78	ppm	6.40	me/l
Sodium (Na)	117	ppm	5.10	me/l
Potassium (K)	17	ppm	0.44	me/l
Sulfate (SO ₄)	800	ppm	16.64	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	18	ppm	0.50	me/l
Bicarbonate (HCO ₃)	549	ppm	9.00	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)	450	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1990	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.69			
Sodium	21.48	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.62			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 23.74 me/l
 Total anions 26.14 me/l

By: SHIRLEY FITTAN

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-338

Amount Enclosed \$15.00

Signed _____

OK
March 22, 1977

Mr. Clinton Hornig
R.R. #1
Huron, SD 57350

Dear Mr. Hornig:

Your water sample (Lab. No. 77-338) 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 AHS 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. Fino

L. O. Fino
Water Quality Lab

LOF:ckb

Enclosure

cc: State Conservation Commission

D. Pahl, Extension Service

P.S. Soil areas 18 and 29A must not be irrigated. Getting stuck, crops drowning and salt rise are the major problems. There may also be serious low wet spots within soil area 102. This is serious. Drainage probably is absolutely essential. You earlier received the original copy of the report of analysis, so a copy is not enclosed herewith.

STATE OF SOUTH DAKOTA)
) ss.
County _____)

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

4-12-77 4-19-77

(Signature)

Bookkeeper

(Title)
4-19-77

(Date Signed)

F. P. 41277 L. P. 41977
**NOTICE INTENT TO
 APPROPRIATE WATER**
 Pierre, South Dakota 57501
 April 1, 1977

Notice is hereby given that Clinton Hornig whose post office address is Huron, 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 ground water through the Hornig No. 1, the point of diversion of which is to be located in the SW¼ NW¼ of Section 35, Twp. 112N, Range 60W. Said water to be used for the purpose of providing irrigation on portions of the following described land NW¼, Section 35, T112N, R60W.

This application No. 3861.3 will be considered by the Water Rights Commission at their office at Pierre upon the 26th day of May, 1977, at 9:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION
JAMES WINTERSTON
 Water Rights Specialist
 No. 281 (adv.)



Form 6 - Notice Intent to Appropriate Water

No. 3863-3

Publish first publication, on or before May 12, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 7, 1977

Notice is hereby given that Clinton Hornig
whose post office address is Huron, 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
Hornig #1, the point of diversion of which is to be located in the _____

SW 1/4 NW 1/4
of Section 35, Twp. 112N, Range 60W. Said water to be used for the purpose
of providing irrigation on portions of
the following described land:

SW 1/4, Section 35, T112N, R60W

This application No. 3863-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of May, 19 77, at 9:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERTON
Water Rights Specialist

BEJ/hw

cc: Clinton Hornig, R.R. #1, Huron, SD 57350

Form 10.

No. _____



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Huron S. Dak R.R. 1

Date June 26-1978

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3863-3.

Water Right Permit No. 3863.3 states that the diversion system is to be constructed by May 26, 1982 and that the water is to be put to beneficial use by May 26, 1984.

The diversion system was completed on May, 1978.
Applying the water to beneficial use was completed on June, 1978.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Clinton Hornig
(Signature)

SOUTH DAKOTA

No. 3863-3

**Department of
Water & Natural Resources**

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

June 16, 1982

Clinton Hornig
RR 1
Huron SD 57350

Dear Mr. Hornig:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 3863-3 has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

KAREN SCHLAACK
Administrative Secretary

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

WNR-814-7/79

Notification of Water License Ready for Issuing (\$50.00)

Permit No. 3863-3Water 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 CLINTON
HORNIG of HURON holder
 of Permit No. 3863-3, bearing date of priority of MARCH 10, 1977
 authorizing the diversion of 2.2 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in BEADLE 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:

99' DEEP WELL WITH 16" FIBREGLAS CASING-25' FIBREGLAS SCREEN
 AURORA VERTILINE PUMP 6"-3 STAGE 12" BOWLS, POWERED
 BY 40 HP US ELECTRIC MOTOR @ 1800 RPM.

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

1500' OF 6" BURIED PVC TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

8 TOWER ELECTROGATOR CENTER PIVOT-1036' LONG
 WITH NELSON #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located 300' W & 500' N OF THE W 1/4 CORNER,
SECTION 35, T112N, R60W

The works are capable of diverting and conveying to the place of use 1.0 (450 GPM)cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SEC 35, T112N, R60W

NW ^{1/4} NW ^{1/4}	20 ACRES
NE ^{1/4} NW ^{1/4}	25 ACRES
SW ^{1/4} NW ^{1/4}	20 ACRES
SE ^{1/4} NW ^{1/4}	35 ACRES

comprising a total of 100 acres of land.

Date

MAY 6, 1988
[Signature]
 (S)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3863-3

(1) WHEREAS, On the 10th day of March A. D. 19 77
Clinton Hornia

made Water Right Application No. 3863-3 for a permit to use 2.20 cubic feet per second of the water of groundwater (one well)

County of Beadle State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 26th day of May A. D. 19 77

Permit No. 3863-3 with a date of priority of March 10, 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 26th day of May A. D. 19 82 and for the application to beneficial use of said water on or before the 26th day of May 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 1.0 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 35, T112N, R60W

<u>NW1/4 NW1/4</u>	<u>20 acres (BB)</u>
<u>SE1/4 NW1/4</u>	<u>25 " (BA)</u>
<u>SW1/4 NW1/4</u>	<u>20 " (BC)</u>
<u>SE1/4 NW1/4</u>	<u>35 " (BD)</u>

TOTAL 100 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 Clinton Hornig

_____ of Huron SD

the holder _____ and owner _____ of said permit No. 3863-3 a water right, dating from March 10, 1977

_____ to use of 1.0 cubic feet per second of the waters

of groundwater (one well)

in the County of Bendle and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point 300'W and 500'N of the NW corner,

Section 35, T112N, R60W (30)

and conducted to and upon portions of Section 35, T112N, R60W more fully

described on the face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3863-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 6th day of July A. D.

Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 3863-3

Water Diversion No. 3 James River Water District

10160006

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Clinton Hornig

_____ the holder _____ of
Permit No. 3863-3, issued upon Application No. 3863-3, bearing date of priority of _____
March 10, 1977 authorizing the diversion of 2.20 cu. ft. per second of the waters of _____
groundwater (one well) _____ County of Beadle, State of South Dakota at _____
a point 300'W and 500'N of the NE corner, Section 35, T112N, R60W (BC)

_____, 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 _____ cu. ft. per second of water.

Date July 6, 1982

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

Nº 4 8884

PIERRE, July 6, 1982, 19

RECEIVED OF Clinton Hornig & Sons, Route 1, Huron SD 57350

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. 3863-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3863-3		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *John D. Smith*
Chief Engineer, Executive Officer
JOHN D. SMITH

3863-3

Huron S. Do. R.R. 1

March 11-1984

Dept. of water & natural resources.

Dear Sir;

I received a letter written March 7 that I hadn't send in irrigation questionnaire on permit no. 3863-3. I send questionnaire in sometime in Dec. 1983. I have another irrigation unit permit no. 4010-3 which I send at the same time, so maybe it is in the wrong file.

Let me know if you find it because I'm sure you have it cause I believe I send them in same envelope so if you have one questionnaire you should have both.

Sincerely

Clinton Horning

P.S.

Let me know because I can send another one but I'm sure you have it.



Water Rights Division
605 773-3352

March 13, 1984

3863-3

Clinton Hornig
RR #1
Huron SD 57350

Dear Mr. Hornig:

In reference to your letter of March 11, 1984, concerning submission of your 1983 Irrigation Questionnaires, a further check of our records reveals that we do have your questionnaires on file.

If apologize for the error and thank you for bringing this matter to our attention.

Sincerely,

Genny McMATH
Natural Resources Analyst

GM:ks

N
1

Nancy L Fletcher
BEADLE Co. Ext. Agent

X PROPOSED WELL
LOCATION

NOT TO SCALE

Horton & Herring

112-60

Wattman

20.9

13.2

116.8

Vernon & Basil

Baker

70.6

1500
6" PVC

178-268R

WELL

40.5

35

Horton & Herring

135.3

3.6

18.8

L. K. H. H. H.

2.5

9.6

13.1

59.3

18.5

4

112-60



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 12, 2007

3863-3
4010-3

Bill Hornig
41126 201st St
Yale SD 57386

Dear Mr. Hornig:

I am writing to acknowledge receipt of the 2007 irrigation questionnaires for Water Right Nos. 3863-3 and 4010-3. I note from the forms that an ownership change is needed for both water rights. They are currently listed in the name of Clinton Hornig.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review the forms and make any necessary corrections. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you concerning the water rights or completion of the enclosed forms, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures

RECEIVED

DEC 17 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3863-3

Date: _____

I/We request that Water Right No. 3863-3

formerly owned by: Clinton Hornig

be transferred to: (name & address) Billy Hornig, 41126 201st St, Yale SD 57386

Billy

Telephone No. 605 599-2373

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

90 acres – NW ¼ Section 35, T112N, R60W

I/We understand that the validity of Water Right No. 3863-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Billy Hornig, the new owner, certify that the above information is true and correct.

Billy Hornig

(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/17, 20 07

RECEIVED OF Hornig Farms Inc 41126 201st St Yale SD 57385

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>3863-3</u>	2	50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

03261

By

Michael Erbe
Chief Engineer

97



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 2008

3863-3
4010-3

Billy Hornig
41126 201st ST
Yale SD 57386

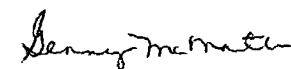
Dear Mr. Hornig:

The ownership changes for Water Right Nos. 3863-3 and 4010-3 have been completed. The water rights formerly held by Clinton Hornig are now listed in your name.

Enclosed are your Receipt Nos. 03261 and 03262 in the amounts of \$2.50 each. You may keep these for your records.

If you have any questions, please contact me.

Sincerely,


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