

Water Right Number 5888-3

1. Considered 5-26, 77
2. Name of Applicant VIRGIL RHODY & TODD WERTINK
3. Post Office Address CASTLEWOOD
4. Amount of water claimed NO ADDITIONAL
5. Source of water supply 83' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 320
7. Water to be diverted and used in HAMLIN County
about 2E, 3S Miles of CASTLEWOOD
8. Proof of Publication
Received 4-28-77
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

RHODY — 2579-3
WERTINK — 2888-3

Map No. 3147.3 Water Division No. 3 Big Sioux River District
 (Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Virgil Rhody & Todd Woertink
 Postoffice address Castlewood, State South Dakota 57223
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
 3. Name of diversion work Virgil Rhody & Todd Woertink - Unit # 1
 4. Amount of water claimed (cubic feet per second) NO ADDITIONAL
 5. Source of water supply Ground Water
 6. Location of point of diversion NW 1/4 NE 1/4 SECTION 18, T114N, R51W

County Hamlin

7. Annual period or periods during which water is to be used March - 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 320

List below each forty acre's division, 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 of 17-114-51	160		
NE 1/4 of 18-114-51	160		

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 Watertown Public Opinion, Watertown, SD
 12. Principal Features of the Proposed Water Supply System.

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

Pump Bowl

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

Main Line

C. Works proposed to apply water to beneficial use.

Center Pivot

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

County of Hamlin

I, Virgil Rhody & Todd Woertink 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 Virgil RhodySubscribed and sworn to before me this 7 day of April 19 77

Notary Public (or other qualified officer)

COMMISSION EXPIRES
 MARCH 4, 1984

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3888-3

VIRGIL RHODY & TODD WERTINK CASTLEWOOD
(Applicant) (Post Office Address)

SOUTH DAKOTA 57223
(State)

With the following modifications:

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

Date of first receipt of application APRIL 11, 19 77
Date of return to applicant for correction, amendment or changes required —, 19 —
Date of receipt of corrected application —, 19 —
Approved MAY 26, 19 77, Recorded in Book 18 Page 285

WATER RIGHT PERMIT NO. 3888-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3888-3 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 APRIL 11, 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 NO ADDITIONAL 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: MARCH - NOVEMBER

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

WATER RIGHTS COMMISSION

By:

John H. H. H.
Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

Virgil Rhody & Todd Woertink

NE½ - 18-114-51

3-31-77

19

Steve Kuehl.

JOB NAME

LOCATION

DATE _____

RIG NO.

FOREMAN

[illegible]

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. *Log will be furnished by driller

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

Character of Water bearing materials _____

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 640 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.

x Virgil R. Hickey
Signature of Applicant
Virgil R. Hickey

2888-3

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 Virgil Rhody & Todd Woertink
ADDRESS Castlewood, South Dakota 57223
COUNTY Hamlin

LEGAL DESCRIPTION

1. WELL LOCATION NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of 18-114-51
2. LOCATION OF AREA TO BE IRRIGATED NW $\frac{1}{4}$ of 17-114-51, NE $\frac{1}{4}$ of 18-114-51

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn and Alfalfa

WATER QUALITY

5. SAMPLE NUMBER 77-559
6. SALINITY (EC X 10⁶) 665
7. SODIUM (SAR) 0.23
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 Hamlin Co. 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.

Todd Woertink
APPLICANT'S SIGNATURE
Virgil Rhody
Albert J. [Signature]
APPROVED/DISAPPROVED

SUBSCRIBED AND SWORN BEFORE ME THIS
7 DAY OF April 19 77.

Karl [Signature]
(TITLE OR SEAL)

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

Submitted by: Todd Woertink & Virgil Rhody Date Rec'd April 12, 1977
 Address: Castlewood, SD 57223 Sample No. 77-559
 Identification Well-90'
NE 1/4, Sec. 18, T 114N, R 51W

WATER ANALYSIS

Calcium (Ca)	120	ppm*	6.00	me/l**
Magnesium (Mg)	19	ppm	1.57	me/l
Sodium (Na)	10	ppm	0.44	me/l
Potassium (K)	1	ppm	0.03	me/l
Sulfate (SO ₄)	118	ppm	2.47	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	322	ppm	5.28	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)	264	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	665	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.23			
Sodium	5.47	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	8.03			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 8.04 me/l
 Total anions 7.82 me/l

By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-559

Amount Enclosed \$

Signed

April 22, 1977

Mr. Todd Woartink & Mr. Virgil Rhody
Castlewood, SD 57223

Dear Mr. Woartink & Mr. Rhody:

Your water sample (Lab. No. 77-559) 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 WL-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. Fink

L. O. Fink
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission
D. Pahl, Extension Service

THIS APPLICATION IS FOR
AN ADDITIONAL DIVERSION
POINT TO IRRIGATE THE
SAME LANDS COVERED
UNDER PERMITS N° 2061-3
& 2888-3.

WATER QUALITY DATA IS
IN THE ABOVE PERMITS

Form 6 - Notice of Intent to Appropriate Water

No. 3888-3

Publish first publication, on or before May 12, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 15, 1977

Notice is hereby given that Virgil Rhody & Todd Woertink

whose post office address is Castlewood, 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

No ~~Additional~~ cubic feet of water per second of time from ~~the~~ ground water through the

V. Rhody & T. Woertink # 1, the point of diversion of which is to be located in the _____

NW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 18, Twp. 114N, Range 51W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:

NW $\frac{1}{4}$, Section 17; NE $\frac{1}{4}$, Section 18; T114N, R51W

This application No. 3888-3 will be considered by the Water Rights Commission at their office at Pierre upon the 26th day of May, 1977, at 11:00 A. M. All interested persons may appear and be heard

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

Virgil Rhody & Todd Woertink, Castlewood, S. Dak. 57223

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hamlin) ss.

I, Jean Norman hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Hamlin County Republican

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

April 21, 1977

April 28, 1977

Jean Norman
(Signature)

Bus. Mgr.
(Title)

April 28, 1977
(Date Signed)



NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501
April 15, 1977

Notice is hereby given that Virgil Rhody and Todd Woertink, whose post office address is Castlewood, 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 no additional water per second of time from ground water through the Virgil Rhody & T. Woertink #1, the point of diversion of which is to be located in the NW 1/4 NE 1/4 of Section 18, Twp. 114N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NW 1/4, Section 17; NE 1/4, Section 18; T114N, R51W

This application No. 3888-3 will be considered by the Water Rights Commission at their office at Pierre upon the 26th day of May, 1977, at 11:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By: Burton F. Jones
Water Rights Specialist
(April 21-28)



3888-3

Veget. Photo 4' tall W. of track

6-28-78

Well is same as East well on
Photo Permit # 2061-3.

CP. Electrogator Cove 13.2 Acres

Permit No. 3888-3
 Water Division 3 Big Sioux River Water District

REPORT 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 VIRGIL RHODY & TODD WERTINK of CASTLEWOOD holder of Permit No. 3888-3, bearing date of priority of APRIL 11, 1977 authorizing the diversion of _____ cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in HAMLIN 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:

76' DEEP WELL WITH 16" STEEL CASING - 15' SS SCREEN BY RON JACKSON 2" PUMP #771H7439, POWERED BY 75HP US ELECTRIC MOTOR

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

4760' OF 10" BURIED PVC PIPE TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

ELECTROGATOR 1280' LONG, WITH NELSON #150 BAND GUN HAS PEERLESS PUMP #4AD11 FOR BOOSTER AT PIVOT, POWERED BY 40HP TOSHIBA ELEC MOTOR

The system is in the following condition: GOOD

The point of diversion is located S 60° W 23.00' FROM THE NE CORNER, SECTION 18, T114N, R51W

The works are capable of diverting and conveying to the place of use 2.0

cu. ft. per second of water which is to be used for IRRIGATION

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

FOR IRRIGATING A 135 ACRE CIRCLE IN THE NW 1/4, SECTION 17, T114N, R51W

comprising a total of 135 acres of land.

THIS WELL IS ALSO USED TO IRRIGATE THE NE 1/4, SECTION 18, T114N, R51W, OWNED BY VIRGIL RHODY. THIS PORTION OF THE PERMIT IS COVERED UNDER WATER LICENSE NO 2061-3.

Date

JUNE 10, 1981

(Signature)

3888-3

**South Dakota Department of
Water & Natural Resources**
Jon Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
Water Resources Engineer
605 773-3352

March 7, 1984

NOTICE

Dear Sir:

The Water Management Board has directed that all owners of Water Permits not in compliance with the requirement:

"All irrigation Permit owners.....shall submit the Irrigation Questionnaire mailed to them each year by the Chief Engineer."

be notified of this requirement.

Our records show we have not received the 1983 Irrigation Questionnaire for your Permit. The questionnaire was requested:

- 1) November, 1983 initial request
- 2) December, 1983 followup request

Owners of Water Permits not in compliance with the annual Irrigation Questionnaire requirement are being given until April 2, 1984 to submit the 1983 questionnaire. The Board will consider disciplinary action April 25, 1984 including amending those permits for which the 1983 questionnaire has not been received by April 2 with the following qualification:

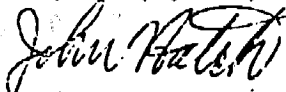
"This Permit amended April 25, 1984 is subject to the Irrigation Questionnaire being submitted each year."

Amendment of a Permit will mean that a Permit can be suspended for up to one year for continued violation of the Irrigation Questionnaire requirement.

The hearing before the Water Management Board April 25, 1984 will be at 10:45 am, Room 216, Joe Foss Building, Pierre SD. The amendment may be made pursuant to SDCL 46-1-14.

Enclosed is an additional questionnaire. Please advise if you have any questions, or you do not believe our records are correct.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

enclosure

Equal Opportunity Employer

**South Dakota Department of
Water & Natural Resources**

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

Water Rights Division
605 773-3352

March 14, 1984

2061-3
2578-3
2579-3
3888-3
4440-3
4682-3

Rhody Brothers
Rt 2, Box 117
Castlewood SD 57223

Dear Sirs:

This letter will acknowledge receipt of and thank you for the return of your 1983 Irrigation Questionnaires. A notice was sent to you March 7, 1984 regarding the Irrigation Questionnaire submittal violation of Permit No. 4682-3 and the date hearings are to be held before the Water Management Board to determine any action to be taken concerning this violation. Notice was also sent concerning possible Board action to amend Water Permit Nos. 2061-3, 2578-3, 2579-3 (Virgil Rhody), 3888-3 (V Rhody & Todi Woertink), and 4440-3 (Rhody Brothers) if the questionnaires were not submitted. Our records now show that you have returned these 1983 Irrigation Questionnaires and are no longer in violation.

Please disregard the notices sent to you dated March 7, 1984. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:GM:ke

Equal Opportunity Employer



3888-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

TODD WOERTINK-VIRGIL RHODY
RR #2 BOX 117
CASTLEWOOD SD 57223

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 3888-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3888-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before April 1, 1994, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 5, 6, 7, 8 & 9.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to: **3888-3**

TODD WOERTINK-VIRGIL RHODY
RR #2 BOX 117
CASTLEWOOD SD 57223

5. Signature (Addressee)
[Signature]

6. Signature (Agent)

! also wish to receive the following services (for an extra fee):

1. ☒ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number
P 837 1692 555

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
2-7-94

8. Addressee's Address (Only if requested and fee is paid)
RR #2 Box 117
Castlewood SD 57223

PS Form 3811, December 1991 • U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



3888-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1994

Virgil Rhody
Rhody Brothers
RR #2 Box 117
Castlewood, SD 57223

RE: Irrigation Questionnaires for Water Permit Nos. 2578-3, 2579-3, 3888-3, 4440-3 and
4682-3

Dear Mr. Rhody:

I am writing to acknowledge receipt of your 1993 irrigation questionnaires. You may disregard the February 16, 1994, **Notice of Violation of Water Permits and the 1993 Irrigation Questionnaire Requirements.**

The questionnaires were 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 Division
(605) 773-3352



3888-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181www.state.sd.us/denr

March 17, 2000

Todd Woertink
46224 184th St
Castlewood, SD 57223

Dear Mr. Woertink:

I am writing in follow-up to our March 16th telephone conversation concerning ownership and licensing of Water Permit No. 3888-3.

The acreage you irrigate is described in Water Right No. 2061-3 and Water Permit Nos. 2888-3 & 3888-3. Below is a description of each:

- **Water Right No. 2061-3, Virgil Rhody:** authorizes diversion of 2.00 cubic feet of water per second (cfs) from two wells (one in the NE $\frac{1}{4}$ & one in the NW $\frac{1}{4}$) to irrigate the N $\frac{1}{2}$ Section 18, T114N, R51W;
- **Water Permit No. 2888-3, Todd Woertink:** authorizes diversion of 2.00 cfs from a well in the NW $\frac{1}{4}$ Section 17 to irrigate the NW $\frac{1}{4}$ Section 17, T114N, R51W;
- **Water Permit No. 3888-3, Todd Woertink & Virgil Rhody:** authorizes use of a change in diversion point (for No. 2888-3) in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13 to irrigate the NW $\frac{1}{4}$ Section 17 and the NE $\frac{1}{4}$ Section 18, T114N, R51W. No. 3888-3 did not authorize an additional appropriation of water over No. 2888-3.

I am enclosing copies of the investigation report and maps for your review. If you would, please look them over and let me know which parts pertain to the land you own. Once we clarify the diversion points, rates and acreage that belong to you, Water License No. 3888-3 can be issued. The license will incorporate the applicable portions of Nos. 2061-3 and 2888-3.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change with Nos. 2061-3 and 3888-3. No. 2061-3 will be divided and reissued as No. 2061A-3 and 2061B-3 to reflect separate ownership. No. 3888-3 can be transferred to you in its entirety.

The transfer forms will need to be signed in the presence of a notary public and returned to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the filing fees can be made payable to the "Water Rights Program."

If you have any questions when reviewing the enclosed materials, please let me know.

Sincerely,

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



Thank you

Vinton L. Blodgett

(793-2404)

10/10/95 Mrs Rhody said land is in process
being sold - send everything in care of Rhody Brothers

File No. 3888-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Todd Woertink

DATE: March 16, 2000

TELEPHONE: 605 793-2440

RE: ownership & licensing

COMMENTS:

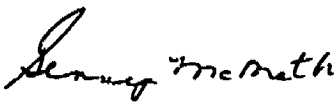
Mr. Woertink returned my call concerning the transfer and licensing of Nos. 2061-3, 2888-3 and 3888-3. At one time, all of the above numbers were inspected for licensing and were to be incorporated into No. 3888-3. The license was never issued due to a questions involving the diversion point locations (wells) and the ownership of the land.

The land involved is the N $\frac{1}{4}$ Section 18 and the NW $\frac{1}{4}$ Section 17, T114N, R51W. Mr. Woertink owns the NE $\frac{1}{4}$ Section 18 and the NW $\frac{1}{4}$ Section 17. The NW $\frac{1}{4}$ Section 18 (formerly owned by Virgil Rhody) has now been sold to Les Hanson. The quarter that was sold includes one well.

Mr. Woertink stated he irrigates the NE $\frac{1}{4}$ Section 18 and the NW $\frac{1}{4}$ Section 17 with a well (approximately 95 feet deep) located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18. He used to use a well in the approximate center of the NE $\frac{1}{4}$ Sec 18, but that well is boarded over and no longer used. I visited with Mr. Woertink about either capping or plugging the abandoned well if he no longer used it.

I told Mr. Woertink that I would send him copies of the maps and investigation report for him to review and let us know which parts still pertain to his irrigation system. He also needs to complete a transfer of ownership for No. 3888-3 and portions of No. 2061-3.

We should be able to proceed with licensing once the ownership of each of the permits is clarified. This will involve reissuing No. 2061-3 prior to licensing.



Genny McMath
Environmental Scientist

NAME OF PERSON OR FILE: Virgil Rhady & Todd Woertink

ADDRESS: Castlewood SD COUNTY Hamlin

DATE: July 25, 1991 TELEPHONE _____

RE: Inspection of water permits/right

COMMENTS:

Subject to approval by Mr. Rhady & Mr. Woertink
Water Right No. 2061-3, Permit Nos 2888-3 and 3888-3
should be incorporated into one license. The acreage
located in the 1/2 section 18 should retain the priority
date authorized by No. 2061-3 for up to 216 acres.

Any additional acreage should have a priority date
established by No. 3888-3. The acreage located in the
1/4 section 17 should retain the priority date
established by No. 3888-3 since the well authorized
by No. 2888-3 was not developed. Permit No. 2888-3
should not be cancelled because authorization for an
additional diversion point by No. 3888-3 is based on
No. 2888-3. The 2.0 cfs authorized by No. 2888-3
could have been used from the well authorized by No.
2888-3, if developed, or from the additional diversion
point authorized by No. 3888-3, which is the same well
authorized by No. 2061-3. Under current Board rules,
Permit No. 3888-3 would have retained the priority
established by No. 2888-3; however, the priority dates
should remain unchanged since the procedure used at
that time is correct. Additional diversion points were
automatically assigned new priority dates.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Don



3888-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 13 2001

Todd Woertink
46224 184th St
Castlewood SD 57223

Dear Mr. Woertink:

Enclosed are reissued Water License No. 2061A-3 and Water Permit/License No. 6243-3. These are the final water right documents completing your process of obtaining a Water Right.

The applicable portions of 2061A-3, 2888-3 and 3888-3 are incorporated into Water Right No. 6243-3.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6243-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

NOT TO SCALE

3888-3 NW

No Per SW Poinsett
Colony

3888-3 TODD WOERTINK

0 579-47-L

← 2888-3

17

POINSETT COLONY

8.0

56.7

LEWIS MENNENGA

114-51

3.0

135.5

Water Right No.
3888-3

152.8

34

35

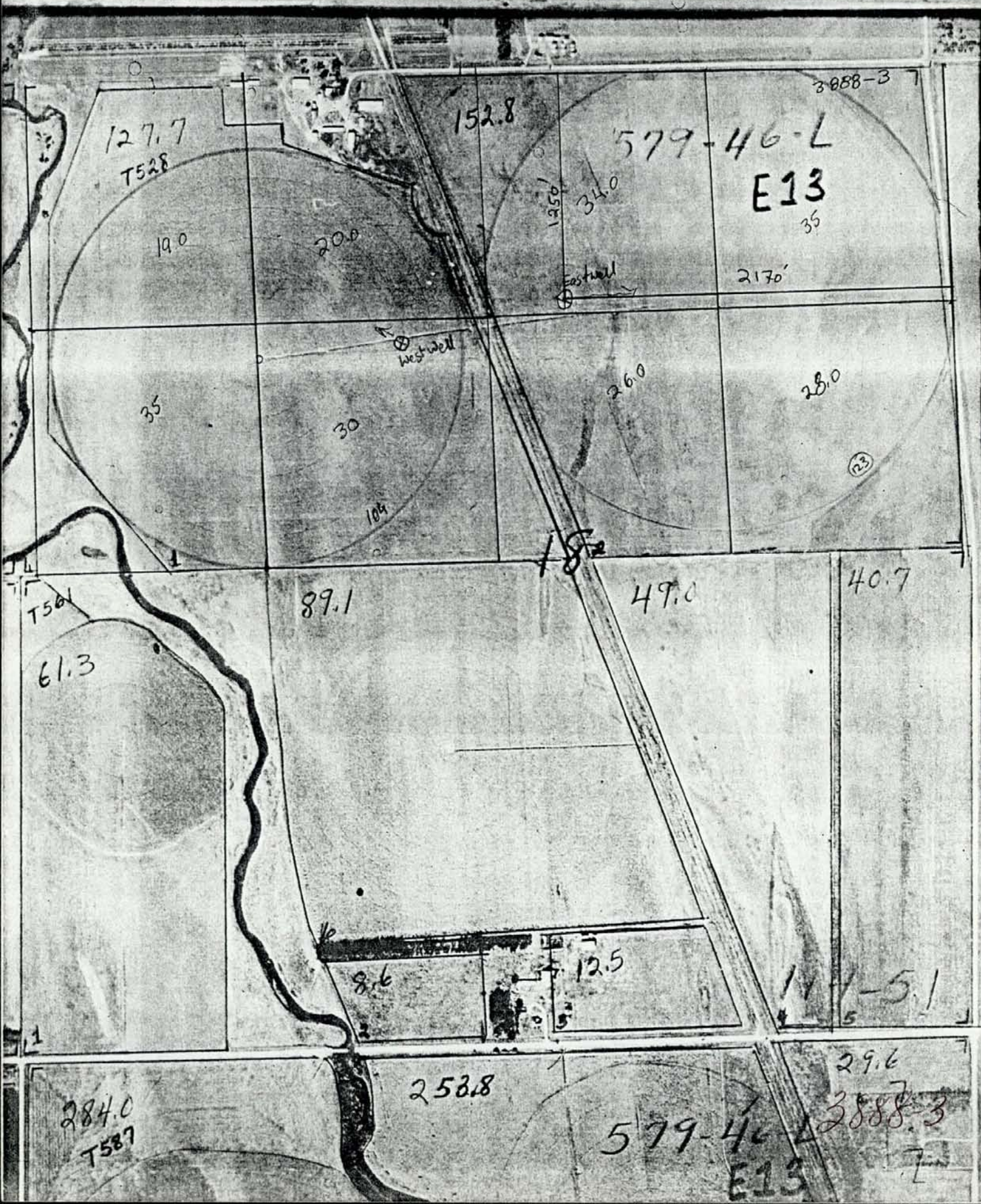
30

33

143.3

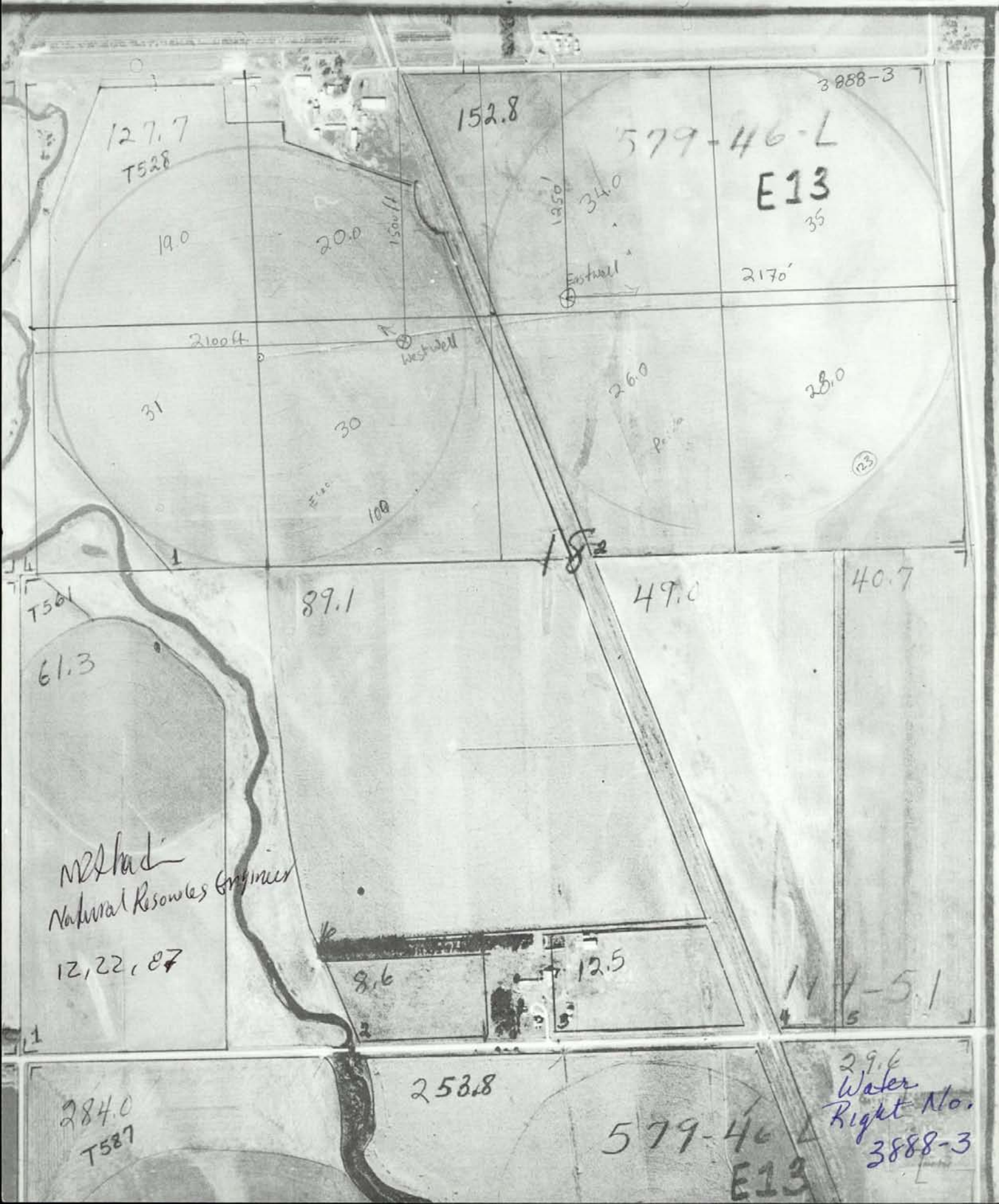
NRAdi
Natural Resources Engineer
12/22/87

252.9

NOT TO SCALE

3888-3

1987

NOT TO SCALE

HURON DRILLING INC.
WELL LOCATION MAP

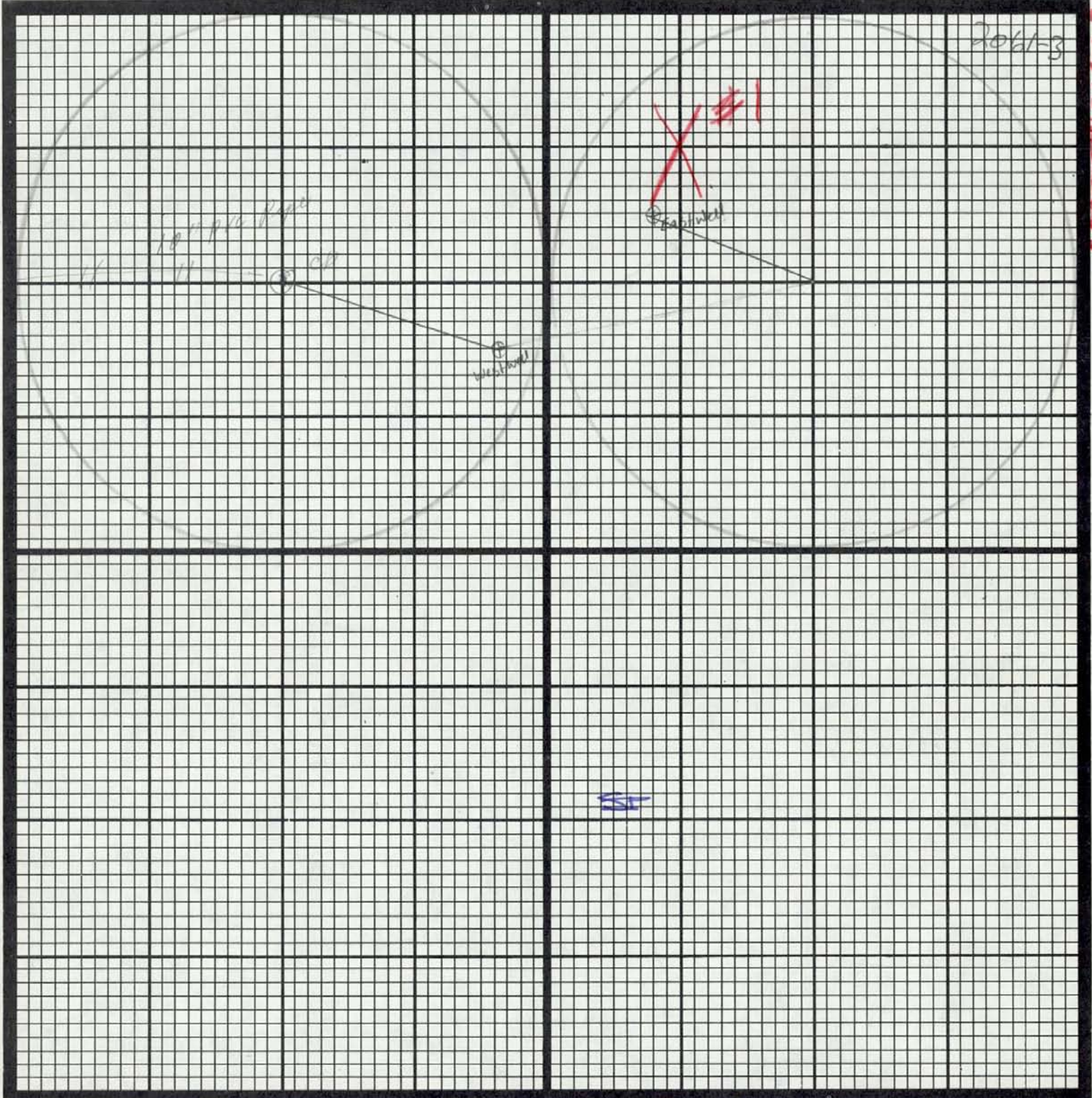
NAME Virgil Rohdy & Todd Woertink

DATE April 7 19 77

WELL NO. #1

NE QUARTER, SECTION 18

TWP. 114 RANGE 51 IN Hamlin COUNTY



X — PROPOSED LOCATION

Prepared By Dick Fadgen
Dick Fadgen
Beadle County Extension Agent

App. N° 3888-3
10/1/77