

Water Right Number 3975-3

1. Considered 7.27, 19 77
2. Name of Applicant LAWRENCE SPILDE
3. Post Office Address ESTELLINE
4. Amount of Water claimed 2.0
5. Source of Water supply 4:2' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 40 (ADDITIONAL)
7. Water to be diverted and used in HAMLIN County
about 4N, 18N miles of ESTELLINE
8. Proof or Publication Received - 7-25-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

HAS PERMITS

700-3, 2419.3, 2420.3

2421-3

10. Remarks: THIS WELL IS FOR
CONVENIENCE, PLUS
THE APPL REQUESTS
40 ACRES OMITTED
FROM PREVIOUS APPL.

No. 3975-3
 Map No. 539-3 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 Lawrence Spilde
 Postoffice address Estelline, State South Dakota 57234
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
 3. Name of diversion work Spilde Supplemental Well
 4. Amount of water claimed (cubic feet per second) 2.0 (Additional .57 c.f.s.)
 5. Source of water supply ground water
 6. Location of point of diversion 2620 ft. West and 1320 ft. North of the SE Corner,
Section 3, T113N, R51W
 _____ County Hamlin
 7. Annual period or periods during which water is to be used April thru October
 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 40

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.
Supplemental NE $\frac{1}{4}$ SW $\frac{1}{4}$			
& W $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SW $\frac{1}{4}$	40		
Sec. 3-T113N, R51W			

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 4 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Estelline Journal
 12. Principal Features of the Proposed Water Supply System.

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

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

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)
) ss.
 County of Hughes)

I, Lawrence Spilde 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 Lawrence SpildeSubscribed and sworn to before me this 24th day of May 19 77

Betty Westlund
 Notary Public (or other qualified officer)

BETTY WESTLUND, Land/Water Clerk II

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3975-3
LAWRENCE SPILDE ESTELLINE
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57234 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.

PORTIONS OF THE LANDS COVERED UNDER THIS PERMIT ARE COVERED UNDER PERMITS NO 700-3, 2419-3, 2420-3 AND 2421-3. COMBINATIONS OF DIVERSIONS UNDER THESE PERMITS SHALL NOT EXCEED THE STATUTORY LIMIT OF 1 CFS FOR EACH 70 ACRES IRRIGATED.

Date of first receipt of application MAY 24, 19 77
 Date of return to applicant for correction, amendments or changes required —, 19 —
 Date of receipt of corrected application —, 19 —
 Approved JULY 27, 19 77, Recorded in Book 19 Page 18

WATER RIGHT PERMIT NO. 3975-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3975-3 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 MAY 24, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 27, 19 80
3. The whole of said work is to be completed on or before JULY 27, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 27, 19 86
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 2.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JULY 27, 19 86; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 5TH day of AUGUST, 19 77

WATER RIGHTS COMMISSION

By: John Hatch
 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 36", Depth 40'
(2) Casing, Type plastic, Diameter 16", Thickness _____
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type Johnson, Diameter 16", Length 15'
(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 _____
sands and gravel

Depth to top of water bearing material 6'

Depth to bottom of water bearing material 40'

Thickness of water bearing material 34'

Depth to water (ground surface to water level) 6'

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

On same owner's property 60 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.

Lawrence F. Spilato
Signature of Applicant

SEE 2419-3, 2420-3 & 2421-3

FOR WATER QUALITY DATA

(SAME AREA COVERED UNDER 100-3)

Publish first publication, on or before July 10, 1977

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 13, 1977

Notice is hereby given that Lawrence Spilde whose

post office address is Estelline, South Dakota, has made an application 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, ~~Future Use 46-5-39, Temporary Permit 46-5-39, 46-5-40~~; Ground Water 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, ~~Future Use 52:01:01:21~~

~~thru 52:01:01:24~~, for a permit to appropriate for beneficial use 2.0 cubic feet

of water per second of time from ~~the~~ ground water through

the Spilde Supplemental Well, the point of diversion of which is

to be located in the Center of S $\frac{1}{2}$

of Section 3, Twp. 113N, Rang. 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 3, T113N, R51W

This Application No. 3975-3 will be considered by the Water Rights Commission the Staurolite Inn, Brookings, S.D.

at ~~the Staurolite Inn, Brookings, S.D.~~ upon the 27th day of July, 1977, at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1 26 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS COMMISSION

JAMES WINTERTON

Water Rights Specialist

cc:

Lawrence Spilde, Estelline, S.D. 57234

*Sook
Hamber
AC*

No. 3975-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hamlin) ss.

I, M. R. HAWMAN hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the ESTELLINE Journal

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

Pity of ESTELLINE

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

June 23, 1977

June 30, 1977

M. R. Hawman
(Signature)

Editor
(Title)

7/31/77
(Date Signed)

NOTICE OF HEARING ON APPL--
ICATION TO APPROPRIATE WA-
TER

Pierre, South Dakota 57501
June 13, 1977

Notice is hereby given that Lawrence Splide whose post office address is Estelline, South Dakota, has made an application 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; Ground water 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, for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from ground water through the Splide Supplemental Well, the point of diversion of which is to be located in the Center of S1/2 of Section 3, Twp. 113N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land: W1/2, SE 1/4, E1/2, SW1/4, Section 3, T113N R51W.

This application No. 3975-3 will be considered by the Water Rights Commission at the Staurolite Inn, Brookings, S.D. upon the 27th day of July, 1977, at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

Water Rights Commission
JAMES WIMERTON
Water Rights Specialist
Publ. June 23, 30, 1977



3975-3

Lawrence Spide

6-24-78

Sta. 3 - Inland concrete well

440 acres in the permit. Area

all with gravity and covered by CP.

well on to line in C. in 1949.

Well depth 32 ft deep 1 ft to water.

Pumping 700 gpm for 5 ft.

Other well pump 900 gpm under
in use.

Engine 6 cyl. Pils. Diesel

HP = 58.5 RPM 2200

No 1011 R 6 A 27

Pump - Western Pump & Eng.

Co. # C 77836, Head # 6 A 3 10 C H

C. P. Electric Motor Model 2-6 E 5

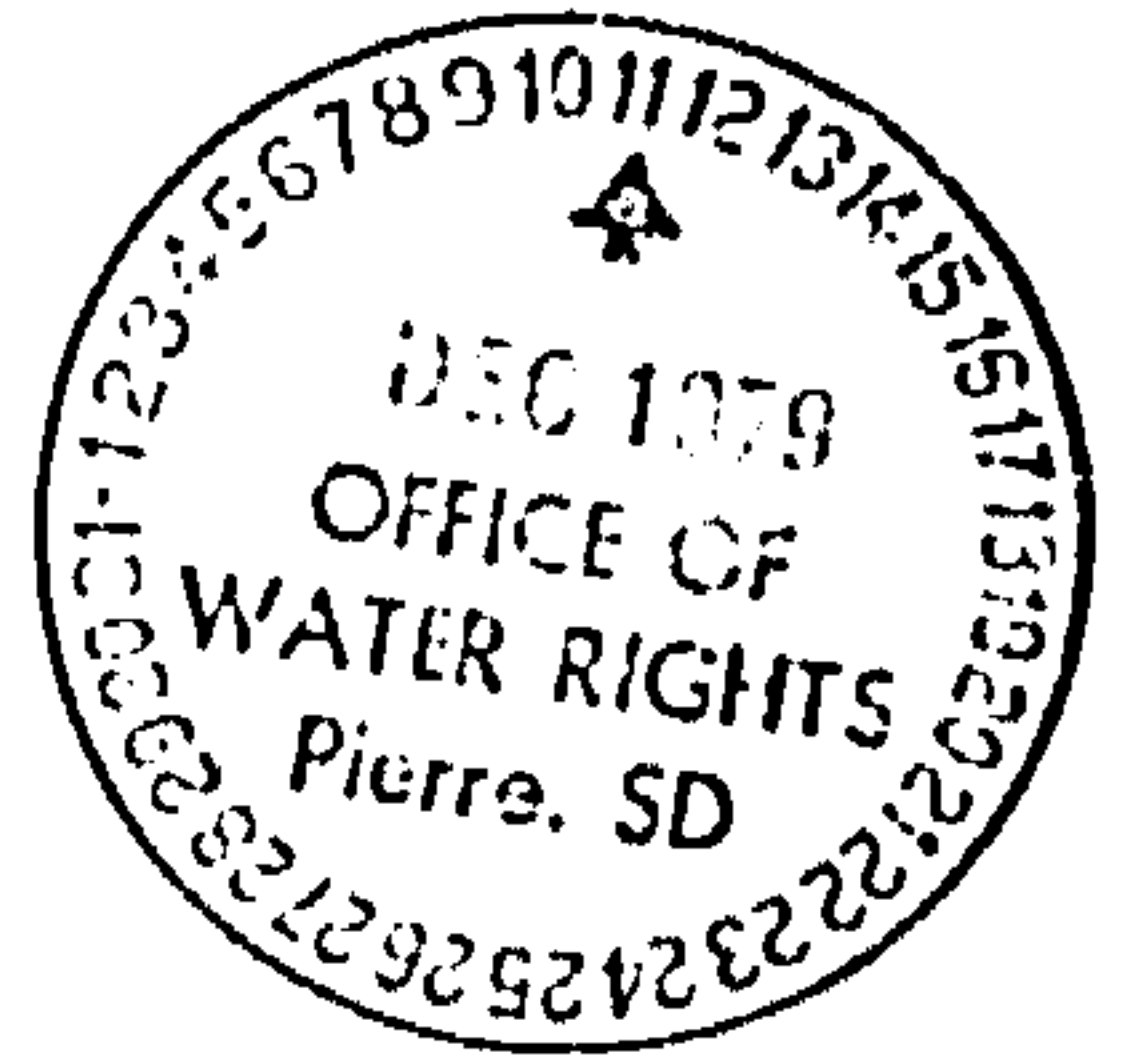
Per # 577C 4503

System length 1254' 700 gpm @ 52'

over 132 AC @ 55'

Form 10.

No. 3975



NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE
DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT

DIVISION OF WATER RIGHTS

JOE FOSS BUILDING

PIERRE, SOUTH DAKOTA 57501

Post Office Estelline
Date 12/8/79

TO: Water Resources Commission
State Office Building No. 2
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. 3975-3.

Water Right Permit No. 3975-3 states that the diversion system is to be constructed by Feb 27, 1980 and that the water is to be put to beneficial use by July, 1986.

The diversion system was completed on Aug 15, 1977. Applying the water to beneficial use was completed on Aug 15, 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.

Lawrence F. Spilak
(Signature)

Water Rights Division
Pierre

I have completed all
water permits and intentions
Should this be for notes &
license at this time?

Lawrence F. Gieble
Estelline

R 1 Box 144

57234

2419-3
2421-3
3975-3

November 30, 1984

Lawrence F. Spilde
RR#1, Box 144
Estelline, South Dakota 57234

Dear Mr. Spilde:

This will acknowledge receipt of, and thank you for the return of your 1984 Irrigation Questionnaires. In response to your inquiry concerning licensing of your permits, after the project is inspected, licenses can be issued.

We will endeavor to schedule an inspection of your water use system as time permits. The intervening time between the actual inspection and issuance of a water license has no bearing on your water permits. You have completed the requirements of your water permits by notifying our office of the completion of the project. The inspection and licensing process is now our responsibility.

If you have any further questions, please contact us.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms

Certificate of Examination of Works

Report of Licensed Engineer

3975-3

LAWRENCE F. SPILDE
HAMLIN

ESTELLINE

700-3

700-3

MARCH 5

60

2.5

GROUND WATER

IRRIGATION

The system consists of WELL #1 - 48' DEEP w/ WESTERN LAND
ROLLER 8" & ALLIS CHALMERS 20 H.P. ELECTRIC MOTOR.
WELL #2 - 38' DEEP w/ WESTERN LAND ROLLER 8" PUMP
(1-12 BHC 8" PUMP - w/ 15 H.P. U.S. ELECTRIC MOTOR
5000' OF 8" GATED PIPE - (40" GATES) w/ LAND LEVELLED
and the system is in the following condition: EXCELLENT

The point of origin is WELL #1 N 45° W - 1600' FROM SE CORNER; WELL #2
N 17° E, 2100' FROM SW CORNER, SECTION 3, T113N, R51W
The area is 3.5

which is IRRIGATED

The land is divided into four sections: ALL IN SECTION 3, T113N, R51W
NW¹SW¹, 24 AC.; NE¹SW¹, 40 AC.; NW⁴SE¹, 40 AC.;
SW¹SE¹, 39 AC.; SE¹SE¹, 58 AC.

181

20TH

JUNE

1969

WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

3975-3

GRIMSHAW DRILLING CO.

DRILLING
LOG

924 South Melrose
Sioux Falls, S.D. 57105
Phone 605-332-6974

Name LAWRENCE SPILDE Date 6-1-77
Address ESTELLINE S DAK
County HAMLIN Sec. 3 Twp. 13-N Range R-51-W

NO	FT.	DIA	RATE	COSING	TOTAL
33		30"	25.00	DRILLING	

BALANCE DUE:

0 ft. to 2 ft. TOP SOIL
2 ft. to 8 ft. SAND
8 ft. to 12 ft. SAND & GRAVEL
12 ft. to 32 ft. SAND & GRAVEL
32 ft. to 34 ft. BLUE CLAY

STAT WATER LEVEL

REMARKS

15
17
24

3975-3

Permit No. WL # 700-3Big Sioux River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Lawrence Spilde
1811 B. 111
 of Estelline SD 57234 holder of
 Permit No. WL # 700-3 bearing the priority of March 5 60
3975-3 May 24 77 authorizing
 the diversion of 2.5 .57 cu. ft. per second of the waters of ground water
 for irrigation purposes, in Hamlin County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

- 700-3 { #1 48' Deep w/ Western Land Roller 5" & Allis Chalmers 20HP Electric Motor
 #2 38' Deep w/ Western Land Roller 8" - 1-12 BAC. - w/ 15HP U.S. Electric Motor
 3975-3 #3 28HP Western Land Roller 6" SN- C77836 & Lister Diesel Model N 5P111 HP2 SN-101HR6A27

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

#1 & 2 5000' of 8" Gated Pipe

#3 8" PVC - 60' long

C. Works used to apply water to beneficial use:

#1 & 2 40" Gates on 8" Gated Pipe with Land Level

#3 Reinke Model 60 Center Pivot w/ 8 towers and 1320' long, end gun and
 capable of 880 gpm
 The system is in the following condition good

The point of diversion is located #1 1450' West and 1320' N of SE corner #2 595' E + 1550' N of
 SW corner #3 2500' E + 1590' N of SW corner Section 3-T113N-R51W

The works are capable of diverting and conveying to the place of use $\frac{\#1 \& 2 \ 3.5}{\#3 \ 1.95} = 5.45$

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: Sec. 3-T113N-R51WNW 1/4 SW 1/4 - 31 AcresSW 1/4 SE 1/4 - 32 AcresNE 1/4 SW 1/4 - 40 AcresSE 1/4 SE 1/4 - 36 AcresSE 1/4 SW 1/4 - 34 AcresNW 1/4 SE 1/4 - 34 Acrescomprising a total of 207 acres of land and the license should be issued for 2.95 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date 6/18/91

Norma C. Webb
 (signature)

LICENSE FOR PERMIT NUMBER 3975-3

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm Crimshaw Well Drilling

Completion Report Yes ___ No X No. of Wells 1 Depth 40

Casing a) diameter 18" Screen a) type Stainless Steel

b) length _____ b) length _____

c) type PVC Static Water Level _____

Pump a) make Western Land Roller Motor a) make Lister Diesel

b) model SN: A77836 b) model No. S111 HP2 SN: 101HK6A27

c) size 6M-HEAD c) horsepower rating 88

d) capacity 880 gpm

e) turbine pump - no. of stages _____

f) operating PSI 35

3. Distribution lines or canals

a) size 8"

b) type PVC

c) length 60'

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

Well information for Well 1 is contained on the attached sheet 3975-3.

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make Reinke Model 80
- 2) number of towers 8
- 3) distance between towers _____
- 4) overall length 1320
- 5) end gun (Y/N) Y
- 6) high or low pressure low
- 7) make & size of nozzles _____

- 8) capacity (GPM) 880

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project WL #700-3

Yes	No	Check Items
<u>X</u>	---	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	---	2. Special qualifications to permit being abided by?
<u>X</u>	---	3. All structures, wells and lands on map?
<u>X</u>	---	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
---	<u>X</u>	5. Is chemigation used?
---	---	6. If yes, does equipment comply with chemigation rules?

REMARKS:



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

April 28, 1992

3975-3

Lawrence Spilde
RR #1 Box 144
Estelline, SD 57234

Dear Mr. Spilde:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 3975-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Right No. 700-3 will be incorporated into License No. 3975-3.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

A handwritten signature in cursive script, which appears to read "Genny McMath".

Genny McMath
Natural Resources Analyst
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT
Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, _____, 19__

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. _____	20	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	00

By _____
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

September 24, 1992

Lawrence Spilde
P.O. Box 46
Estelline, SD 57234

Dear Mr. Spilde:

I am writing regarding the licensing of Water Permit No. 3975-3 and incorporation of this Permit with Water Right No. 700-3. It came to our attention that Water Permit No. 3975-3 was issued in 1977 prior to you receiving the necessary Soil Water Compatibility Permit.

Water Permit No. 3975-3 appropriates an additional 0.57 cubic feet of water per second to irrigate 40 additional acres in the S1/2 Section 3, T113N, R51W. An inspection by Norma Job found that you were irrigating 202 acres in the S1/2 Section 3, which is authorized by Water Right No. 700-3 and Water Permit No. 3975-3. Prior to licensing and incorporation of these water permits, the Soil Water Compatibility Permit issue must be resolved.

I would suggest that you apply for a Soil Water Compatibility Permit for the entire 202 acres being irrigated in the S1/2 of Section 3, T113N, R51W. I have completed the application form for this Soil Water Compatibility Permit. If you are in agreement with proceeding this way, please sign and have the enclosed application form notarized.

I have contacted the Department of Agriculture that administers the Soil Water Compatibility Permitting process, and Jim Stukel from this program indicated that a water sample would be required. I have included an instruction sheet and mailing label for submitting a water sample. If you have a soils map of the the S1/2 of Section 3, that may also be helpful.

This application is not to appropriate water, so an application filing fee or published notice of hearing will not be required. The only expense you will incur is the cost of having the water sample analyzed.

Please feel free to contact me if you have any questions.

Sincerely,

Eric Gronlund
Eric Gronlund
Water Rights Division
(605) 773-3352

encl

cc: Jim Stukel



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

December 14, 1992

Lawrence Spilde
PO Box 46
Estelline SD 57234

Dear Mr. Spilde:

On September 24, 1992, you were sent a letter and application (copies enclosed) for a Soil Water Compatibility permit for irrigation of lands covered by Water Permit No. 3975-3. The letter stated what additional information was necessary in order to complete the application. To date, we have not received a response from you.

Obtaining a water permit ultimately benefits you by protecting your right to use water. Water Permit No. 3975-3 can not be licensed until this application for soil water compatibility is processed and a permit obtained to reflect your current water use in accordance with state statutes. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

If you have any questions, please contact this office.

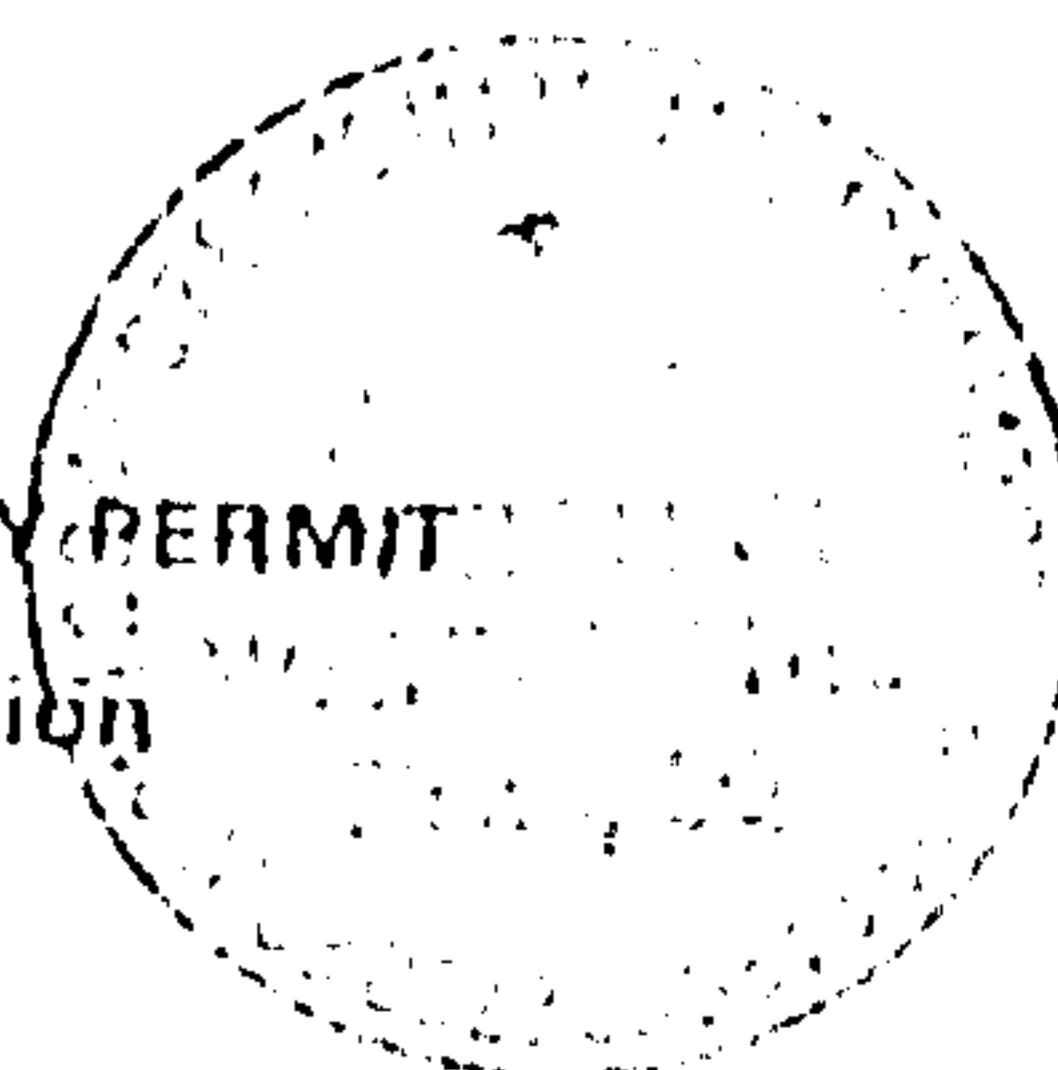
Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
(605) 773-3352

enclosure

SOIL WATER COMPATIBILITY PERMIT
Division of Conservation



WR:

COUNTY LAND LOCATED IN _____ PHONE _____

□ Well

☐ Surface

LEGAL DESCRIPTION _____

1 LOCATION _____

Depth _____

☒ Well ☐ Surface

Legal Description	Acres	Legal Description	Acres
1/2 SEC 34 T14N R10E	1.0		

2. TYPE OF IRRIGATION: GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN _____ OTHER _____ (Specify) _____

3 CROPS TO BE IRRIGATED 4.000

WATER QUALITY	
4. WATER SAMPLE NUMBER <u>1-1-107</u>	7. ADJUSTED (SAR) <u>0.7</u>
5. SALINITY (EC X 10 ³) <u>1.1</u>	8. PERCENT SODIUM <u>0.7</u>
6. SODIUM (SAR) <u>0.7</u>	

Requirements:

1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the underlying causes. Once the causes have been identified, the next step is to develop a plan to address the problem. This involves identifying the actions that need to be taken to address the problem and determining the resources that will be needed to implement the plan. Finally, the last step in the process is to implement the plan and monitor the results. This involves putting the plan into action and tracking the progress of the plan to ensure that the problem is being addressed effectively.

There is nothing, however, to suggest that the "little red book" is a political tool. Our records show that the book is a collection of the "little red book" of the local government office.

Director, Division of Conservation

Date _____

☐ APPROVED ☐ REQUIREMENTS
☐ DISAPPROVED
☐ WAIVER

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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3975-3

(1) Lawrence Spilde, of RR #1 Box 144, Estelline, SD 57234 made Application No. 3975-3, May 24, 1977 for a water permit to appropriate 0.57 cubic feet of water per second from groundwater (one well), Hamlin County, South Dakota for irrigation purposes. Permit No. 3975-3, with a priority date of May 24, 1977 was approved July 27, 1977 and issued to the applicant(s) for diversion of water with construction of the described water supply system to be completed on or before July 27, 1982 and for the application to beneficial use of said water on or before July 27, 1986.

Water Permit No. 3975-3 authorized supplemental irrigation to portions of land described in Water Right No. 700-3. No. 700-3 authorizes diversion of 2.50 cubic feet of water per second (cfs) from two wells to irrigate 181 acres.

The applicable portions of Water Right No. 700-3 have been incorporated into this Water License No. 3975-3. A priority date of March 5, 1960 is retained for a diversion rate of 2.50 cfs (established under No. 700-3), and a priority date of May 24, 1977 is retained for the remaining diversion rate of 0.45 cfs (as established under No. 3975-3).

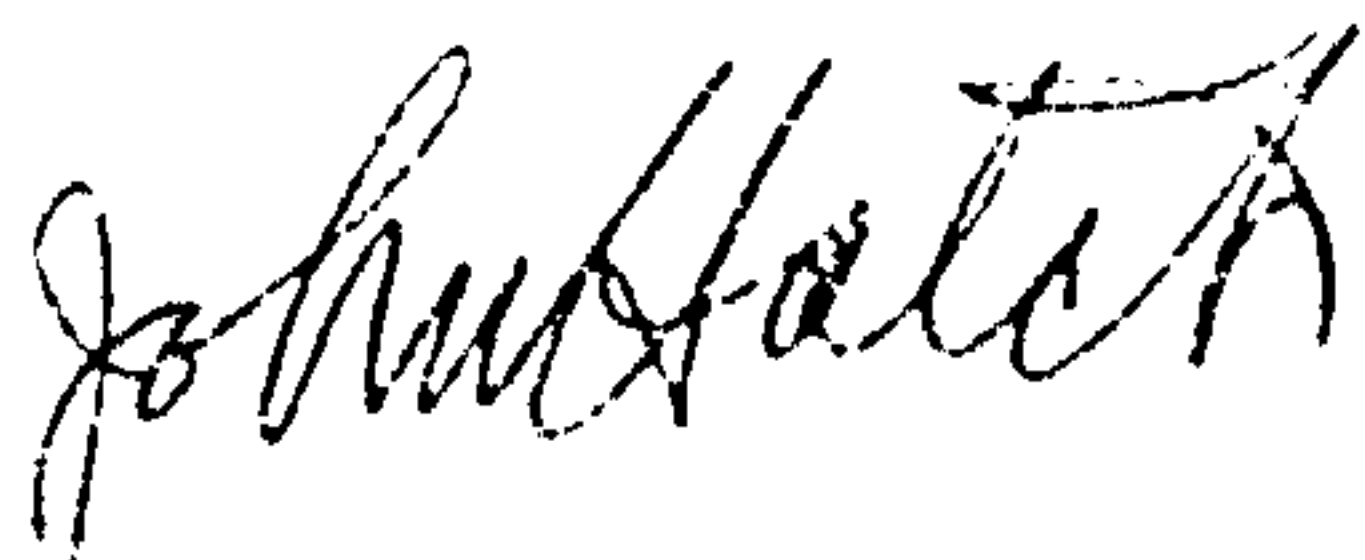
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.95 cubic feet of water per second for beneficial use. The location of the diversion points are Well #1 - 1450 feet west and 1320 feet north of the SE corner, Well #2 - 595 feet east and 1550 feet north of the SW corner and Well #3 - 2500 feet east and 1390 feet north of the SW corner, all in Section 3, T113N, R51W.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T113N, R51W	Section 3	NW 1/4 SW 1/4	31 acres
		NE 1/4 SW 1/4	40 acres
		SE 1/4 SW 1/4	34 acres
		NW 1/4 SE 1/4	34 acres
		SW 1/4 SE 1/4	32 acres
		SE 1/4 SE 1/4	36 acres
		Total	207 acres

Water License No. 3975-3
Page 2

(4) Pursuant to South Dakota Water Law 46-5-30.1 Lawrence Spilde of RR #1 Box 144, Estelline, SD 57234 the holder(s) and/or owner(s) of Water Permit No. 3975-3 is issued a license to appropriate water, the right to use 2.95 cubic feet of water per second from groundwater (three wells) with priority dates of March 5, 1960 (2.5 cfs) and May 24, 1977 (0.45 cfs) from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 3975-3 and subject to South Dakota State Law.



APR 12 1993

JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources



APR 12 1993

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

3975-3

Lawrence Spilde
RR 1, Box 144
Estelline, SD 57234

Dear Mr. Spilde:

Enclosed is Water License No. 3975-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413205 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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. 3975-3, 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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

gm
enclosures

3975-3

COPY

October 31, 2001

Gerald Spilde
19073 464th Avenue
Estelline SD 57234

Dear Mr. Spilde:

I am writing in regard to the irrigation of land authorized by Water Right No. 3975-3 held in the name of Lawrence Spilde. You called Genny McMath of the Water Rights Program regarding discrepancies on the listed irrigated acreage. The acres were listed on the annual irrigation questionnaire you were to send in. Genny asked you to write down the differences on the irrigation questionnaire and we would review to see how to best handle.

The final water right was issued based on the acreage irrigated at the time of the licensing investigation conducted by Norma Job of our office in 1991. A color coded copy of that map is enclosed for your information. On this map, the area shaded in GREEN is the area listed by Water Right No. 3975-3 for irrigation.

On the questionnaire, you indicate that the entire 40 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ (DB) has been irrigated by gravity since the 1960's. You request that 6 acres be added to the water right to cover these acres. The 1991 site visit showed that the entire quarter-quarter was not irrigated. As you can see from the map, the eastern edge shown in BLUE was not listed as being irrigated. Was this an error made on our part at the time of conducting the on-site investigation?

Finally, you indicate that 8.0 acres are irrigated in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3. I have highlighted in RED the acres I assume you are referring to. These acres are not covered by the water right. If these acres are being irrigated, a water permit application should be filed to cover these irrigated acres. At that time, the 6 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ (blue highlighted area) can also be added to the water right. I have enclosed a water right permit application for filing for these additional acres if you so choose.

Once you've had a chance to review this information, please feel free to call Genny McMath or myself if you have questions or need assistance completing the application.

Sincerely,



Eric Gronlund
Water Rights Program
(605) 773-3352

enclosure

2001 Water Management Board Irrigation Questionnaire

Please fill out and return before December 1, 2001

No. 3975-3

LAWRENCE F SPILDE
PO BOX 46
ESTELLINE SD 57234 0046

Lawrence Spilde

Any address corrections?

Telephone No. 605-813-2610

Return the completed form to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352

1. Is the system constructed? *yes ☒ no ☐

*Type of system used (check all that apply):

center pivots ☒ towlines ☐ big gun ☐
flood ☒ sprinklers ☐ other ☐

3. Is land enrolled in CRP? *yes ☐ no ☒

*If yes, through what year? _____

4. Did you apply chemicals or fertilizer through the system in 2001? yes ☐ no ☒

5. If permitted for more than one water source, circle each source used. 1: GROUNDWATER

2:

3:

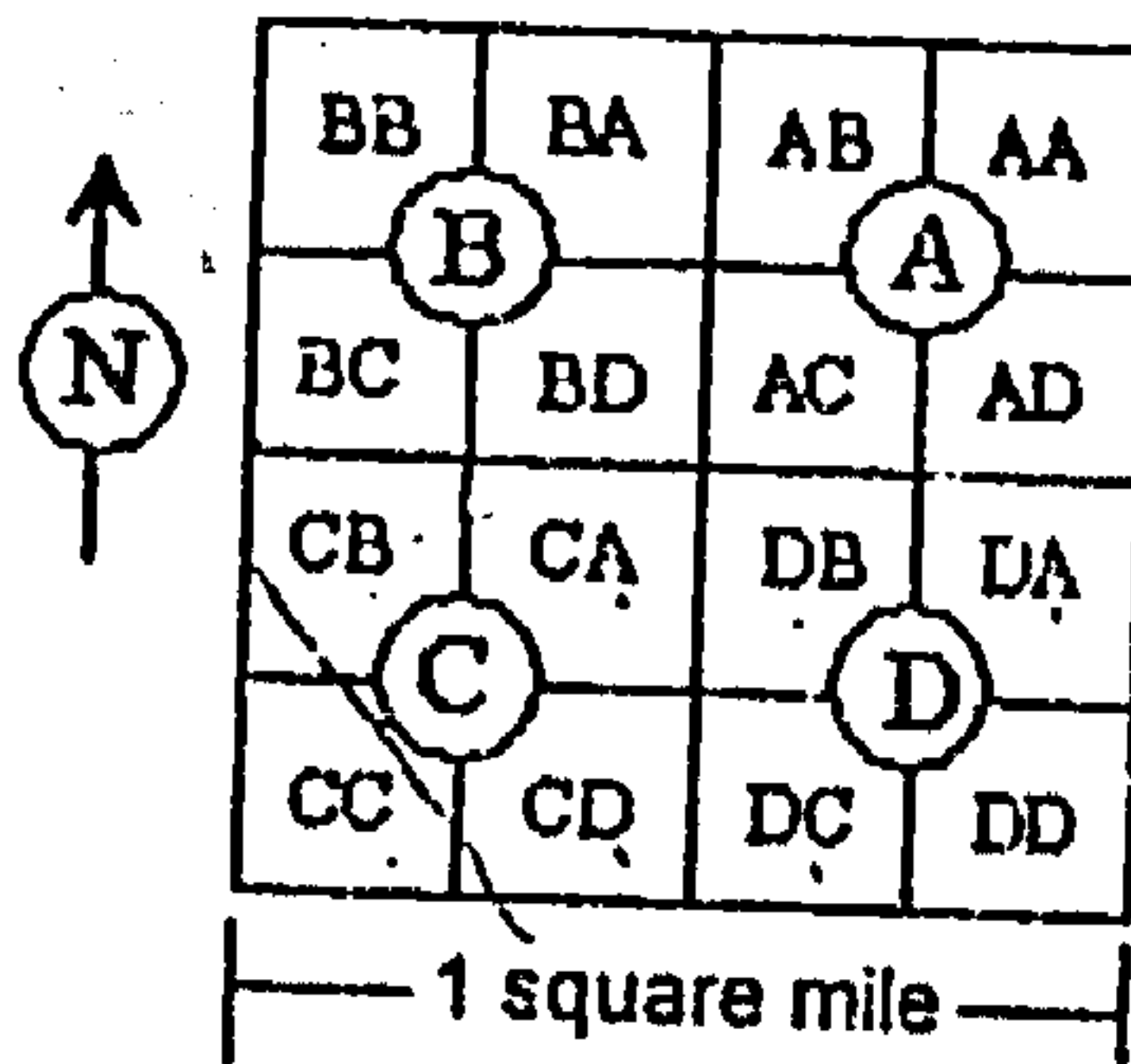
2. Did you irrigate in 2001? *yes ☒ **no ☐

*If yes, number of acres irrigated 99

**If no, list reason(s) in comment section:

Comment Section

*Excessive Spring rains
S.O had 13000 prevented
planting on Section 3*



Office use only



Acreage permitted for irrigation under No. 3975-3 (see above section map for help reading legal descriptions)

sec 03-T113N-R51W, CA - 31.00 acres
sec 03-T113N-R51W, CB - 40.00 acres
sec 03-T113N-R51W, CD - 34.00 acres
sec 03-T113N-R51W, DB - 34.00 acres
sec 03-T113N-R51W, DC - 32.00 acres
sec 03-T113N-R51W, DD - 36.00 acres

CC 8.00

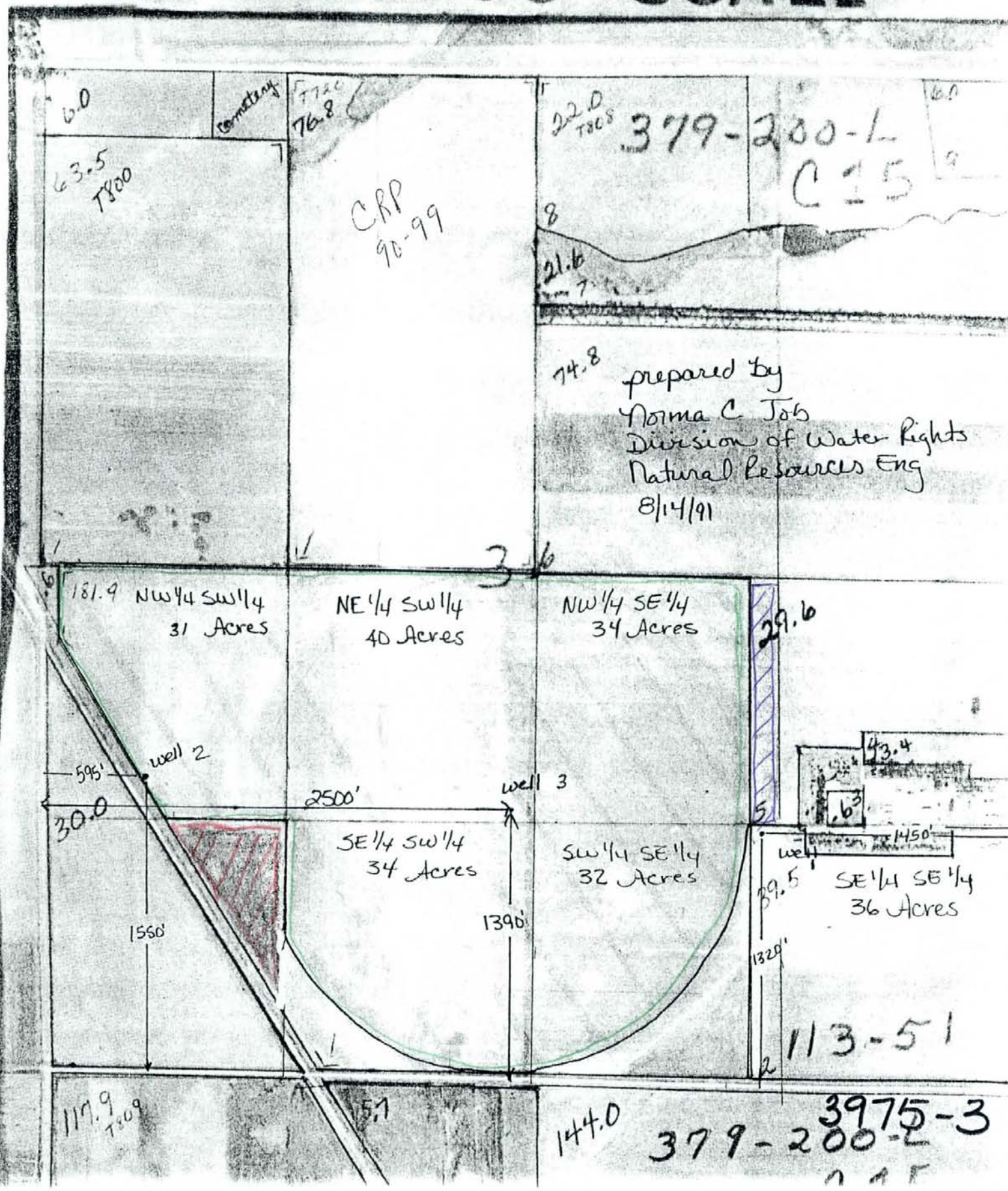
CB

corner

*irrigated by gravity since
1960's
ie add
6 acres
please*

Please provide your 2001 water use to irrigate the above acreage on the REVERSE side of this form.
For a sample completed questionnaire, please refer to the reverse side of your cover letter.

NOT TO SCALE

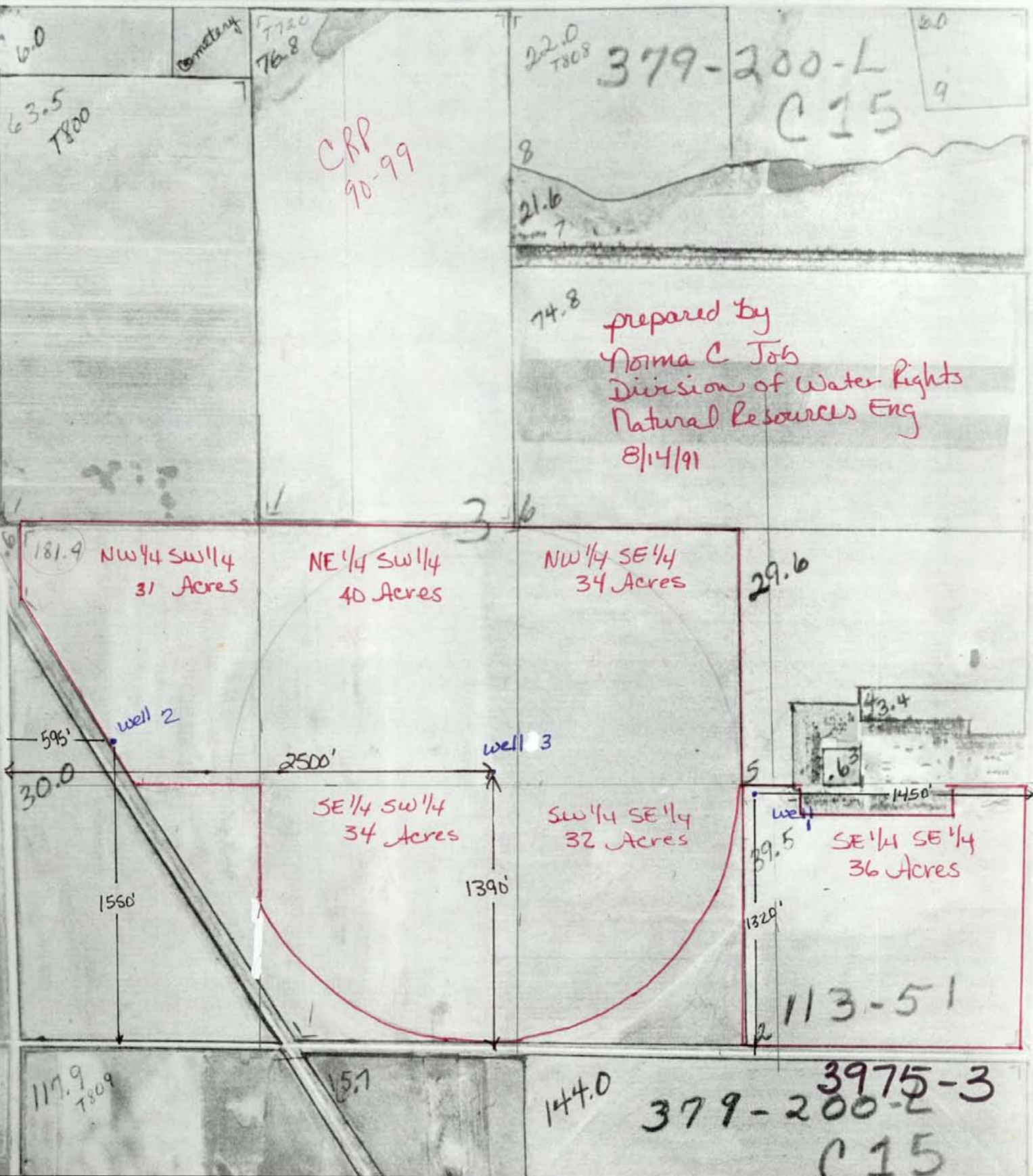


NOT TO SCALE

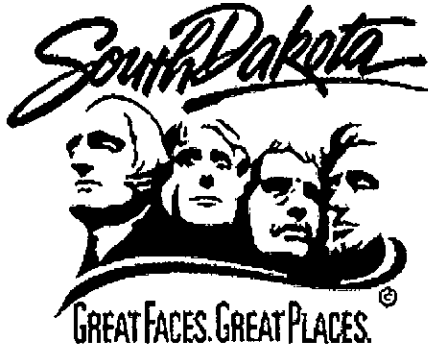
CRP
90-99

379-200-L
C15

prepared by
Norma C. Job
Division of Water Rights
Natural Resources Eng
8/14/91



3975-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 21, 2019

2419A-3
3975-3

Gerald Spilde
PO Box 46
Estelline SD 57234-0046

Dear Mr. Spilde:

Thank you for calling concerning the needed ownership change for Water Right No. 2419A-3. In looking at our records, I found another water right listed in Lawrence's name that may need to be changed as well. I have included copies of both water rights for your review.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing ownership changes. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

If Water Right No. 3975-3 should not be transferred, you can disregard the form. You may keep the copies of the water rights or toss them if you don't need them. Let me know if you have any questions.

Sincerely,

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

enclosures

PAID

OCT 25 2019

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

OCT 24 2019

WATER RIGHTS
PROGRAM

Ck# 1009

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

No. 3975-3

Date: 10/23/19

I/We request that Water Right No. 3975-3

formerly owned by: Lawrence Spilde

be transferred to: (name & address) GTS

PO Box 46

Estelline S.D. 57234 Telephone No. 605 873 2610

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

207 acres located in the S 1/2 Section 3, T113N, R51W

I/We understand that the validity of Water Right No. 3975-3 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 Fifty Dollars (\$50.00) 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 GTS, the new owner, certify that the above information is true and correct.

GTS

by Gerald Spilde
(Signed by new owner)

(personal representative)

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 October 25, 2019

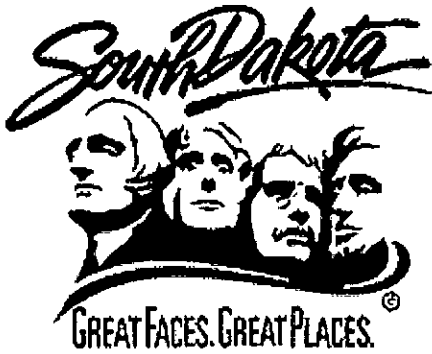
RECEIVED OF Gerald Spilde PO Box 46 Estelline SD 57234

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	50	00
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>3975-3</u>		
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	50 00

No. **09226**

By Jeanne Goodman
Chief Engineer *JM*



3975-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 30, 2019

2419A-3
3975-3

Gerald Spilde
PO Box 46
Estelline SD 57234-0046

Dear Mr. Spilde:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 2419A-3 and 3975-3.

The ownership changes have been completed. The above listed water rights formerly held by Lawrence Spilde are now listed under GTS (with you listed as personal representative).

Enclosed for your records are Receipt Nos. 09225 and 09226 in the amounts of \$50 each. If you have any questions, please let me know.

Sincerely,

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

enclosures