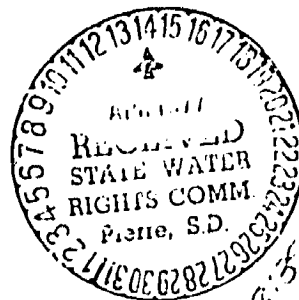


Water Right Number 4010-3

1. Considered 7-27, 19 77
2. Name of Applicant CLINTON HORNIG
3. Post Office Address HURON
4. Amount of Water claimed 2.28
5. Source of Water supply 63' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 264
7. Water to be diverted and used in BEADLE County
about 4N, 2E miles of YALE
8. Proof of Publication
Received 7-11-77
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

Map No. 3254-3 Water Division No. 3 JAMES 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 Clinton Hornig
 Postoffice address Rt. 1 Huron State South Dakota 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) 2.23
 5. Source of water supply Ground water
 6. Location of point of diversion About midpoint of NW 1/4 Section 20, 112N-59W
 _____ 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 264

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 of NW 1/4 Sec 20, 112-59	33	NW 1/4 of NE 1/4 Sec 20, 112-59	33
SW 1/4 of NW 1/4 Sec 20, 112-59	33	SW 1/4 of NE 1/4 Sec 20, 112-59	33
SE 1/4 of NW 1/4 Sec 20, 112-59	33	SE 1/4 of NE 1/4 Sec 20, 112-59	33
NE 1/4 of NW 1/4 Sec 20, 112-59	33	NE 1/4 of NE 1/4 Sec 20, 112-59	33

Attach sheet if more space is needed

5

10. Time required to complete construction of water supply system _____ 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

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 Beadle) ss.

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 11th day of April 1927

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4010-3
CLINTON HORNIG Rt #1, HURON
 (Applicant) (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 APRIL 14, 19 77
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application JUNE 21, 19 77
 Approved JULY 28, 19 77, Recorded in Book 19 Page 32
 WATER RIGHT PERMIT NO. 4010-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4010-3 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 JUNE 21, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 28, 19 80
3. The whole of said work is to be completed on or before JULY 28, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 28, 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 2.28 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 28, 19 84; said water to be used during the following described annual period: APRIL TO NOVEMBER

Witness my hand this 9TH day of AUGUST, 19 77

WATER RIGHTS COMMISSION

By:

John Hated
 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 - 2 Top soil
2 - 10 Yellow clay
10 - 30 yellow gravel
30 - 63 Good sand

Depth to top of water bearing material 10'

Depth to bottom of water bearing material 63'

Thickness of water bearing material 53'

Depth to water (ground surface to water level) 5' or 6'

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

On same owner's property 100 rds. On property owned by others 320+ rds.

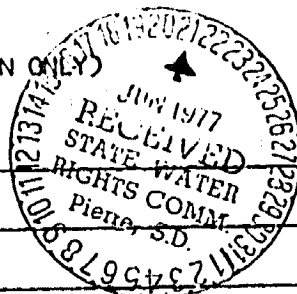
G. Water Storage Dams.

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.

Clinton Horing
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, Hiron, South Dakota 57350
COUNTY Beadle



LEGAL DESCRIPTION

1. WELL LOCATION NW $\frac{1}{4}$ Section 20, 112-59
2. LOCATION OF AREA TO BE IRRIGATED N $\frac{1}{2}$ Section 20, 112-59

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 77-561
6. SALINITY (EC X 10⁶) 1721 (high)
7. SODIUM (SAR) 2.43 (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
11 DAY OF April 19 77

Richard L. Johnson
(TITLE OR SEAL)

Beadle Conservation District
(SOILS INFORMATION ON REVERSE SIDE)

[Signature]
APPROVED/RECEIVED

CONSERVATION
COMMISSION
FORM WI 44

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, South Dakota 57350
COUNTY Beadle

LEGAL DESCRIPTION

1. WELL LOCATION NW 1/4 Section 20, 112-59
2. LOCATION OF AREA TO BE IRRIGATED N 1/2 Section 20, 112-59

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 77-561
6. SALINITY (EC X 10⁶) 1721 (high)
7. SODIUM (SAR) 2.43 (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
11 DAY OF April 19 77

Rich. L. Johnson - Beadle Conservation District
(TITLE OR SEAL)

APPROVED/DISAPPROVED

(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: Huron, SD 57350

Date Rec'd April 12, 1977
 Sample No. 77-561
 Identification Well-
N. 1, Sec. 20, T 112N, R 59W

WATER ANALYSIS

Calcium (Ca)	208	ppm*	10.40	me/l**
Magnesium (Mg)	24	ppm	1.97	me/l
Sodium (Na)	169	ppm	6.05	me/l
Potassium (K)	12	ppm	0.31	me/l
Sulfate (SO ₄)	704	ppm	14.64	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	18	ppm	0.52	me/l
Bicarbonate (HCO ₃)	337	ppm	5.52	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)	276	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1721	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.43			
Sodium	32.30	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.70			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 18.73 me/l
 Total anions 20.68 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. 77-561

Amount Enclosed \$

Signed

36

April 22, 1977

Mr. Clinton Hornig
Huron, SD 57350

Dear Mr. Hornig:

Your water sample (Lab. No. 77-561) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

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

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

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

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

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

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

Sincerely yours,

L. O. Fino

L. O. Fino
Water Quality Lab

LOP:ckb
Enclosures

cc: State Conservation Commission
D. Pahl, Extension Service

Publish first publication, on or before July 14, 1977

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 23, 1977Notice is hereby given that Clinton Hornig whose

post office address is Huron, 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 46-5-28; Temporary Permit 46-5-39, 46-6-40; 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, 52:01:03:01:01 thru 52:01:03:01:13~~

~~thru 52:01:01:14~~, for a permit to appropriate for beneficial use 2.23 cubic feet

of water per second of time from ~~the~~ ground water throughthe Hornig # 1, the point of diversion of which isto be located in the near center of the NW 1/4

of Section 20, Twp. 112N, Range 59W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N 1/2, Section 20, T112N, R59W

This Application No. 4010-3 will be considered by the Water Rights Commission the Staurolite Inn, Brookings, SD at ~~their office at Pierre~~ 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: Clinton Hornig, Rt. # 1, Huron, SD 57350

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County _____) ss.

I, Brenda Haskett hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Huron Daily Plainman

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 _____ Huron

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

7-1-77

7-8-77

Brenda Haskett
(Signature)

Bookkeeper
(Title)

7-8-77

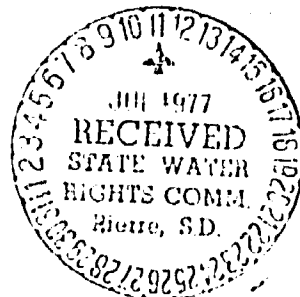
(Date Signed)

F.P. 7-1-77 L.P. 7-8-77
NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
June 23, 1977

Notice is hereby given that
Clinton Hornig whose post office
address is Huron, South Dakota,
has made an application in ac-
cordance with the provisions of
SDCL 46-1-1 thru 46-1-8; 46-2-1 thru
46-2-11, 46-3-13; 46-5-1 thru 46-5-8,
46-5-10 thru 46-5-22, 46-5-41, 46-6-3,
46-6-5, 46-6-6, 7, 46-6-10, 46-6-14 and
Commission Rules ARSD
52-01-01 thru 52-01-13, for a
permit to appropriate for
beneficial use 2.28 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 near
center of the NW¼ of Section 20,
Twp., 112N, Range 59W. Said
water to be used for the purpose of
providing irrigation on portions of
the following described land: N½
Section 20, T112N, R59W.

This Application No. 4010-3 will
be considered by the Water Rights
Commission at the Staurollite Inn,
Brookings, SD upon the 27th day of
July, 1977, at 10 A.M. The Com-
mission is authorized to make a
determination on this applica-
tion 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 ac-
cording to SDCL 1-26 may notify
the Commission in writing prior to
the hearing or orally at the
hearing.

WATER RIGHTS COMMISSION
JAMES WINTERSON
Water Rights Specialist
No. 399 (adv.)



Form 10.

No. 4010-3



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

Post Office Huron S.D.

Date Dec 20-1982

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. 4010-3.

Water Right Permit No. 4010-3, states that the diversion system is to be constructed by July 21, 1982 and that the water is to be put to beneficial use by July 21, 1984.

The diversion system was completed on Spring, 1982.
Applying the water to beneficial use was completed on Spring, 1982.

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 Horning
(Signature)

P.S. Someone from Dept of Agr. & Natural Resources was given a check was here this summer & checked this system & took a water sample 82-1575 and everything checked out okay & I seen this completion notice in my file so I figured I'd better send it in but he already has checked everything out so now I am waiting for my license.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4010-3

March 18, 1987

Clinton Hornig
Rt 1
Huron SD 57350

Dear Mr. Hornig:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 4010-3 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.

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

Sincerely,

KAREN SCHLAAK
Senior Secretary

NOTE: On check or money order, please indicate the number of the water permit.
This insures proper handling of the fee.

IRRIGATION DRILLING CO.

FLANNERY, SOUTH DAKOTA

HONE ~~47-4000~~

Location of well NW 1/4 Section 20 Township 113 Range 52
Well to be drilled for Water (Name) Harvey (Address) Yule
Beaumont (County) Jeff. Davis
Date well drilling started 10-6-31 (Date) 10-7-31
Purpose of well fire
(domestic, irrigation, industrial, stock)

Depth	<u>33</u>	ft Casing Diameter	<u>16</u>	Inches	NORTH
Six Size	<u>25</u>	Screen Size	<u>16</u>		
Screen Depth From	<u>39</u>	ft to	<u>59</u>	ft	
Remarks					

Elapsed Time From Start of Pumping		Water Level		Discharge
0 hr	0 min	ft	in	ISBATION
hr	min	ft	in	GPM
hr	min	ft	in	GPM
hr	min	ft	in	GPM
hr	min	ft	in	RECOVERY

[illegible]

Permit No. 4010-3James River Water District
10160006**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Clinton Hornig
Rt. 1 of Huron, SD 57350 holder of
 Permit No. 4010-3, bearing the priority of June 21 19 77 authorizing
 the diversion of 2.28 cu. ft. per second of the waters of well
 for irrigation purposes, in Beadle County.

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

A. Works used to divert the water:

Well: 60' deep, 16" Fiberglass casing, Plastic ScreenPump: Valley, Serial # 12 HMO. 2 BICMotor: High Thrust U.S. Elec., Model R-6327-04-L22, 60 H.P.

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

50' of 8" aluminum pipe underground to padAluminum pipe on top of ground for sprinkler system

C. Works used to apply water to beneficial use:

Reinke Center Pivot
Model 6580Sprinkler system
in NE 1/48 towersThe system is in the following condition goodThe point of diversion is located approx. center NW 1/4 Sec. 20, T112N,
R59W, 50' North of pivot pad.The works are capable of diverting and conveying to the place of use 2.0cu. 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. 20, T112N, R59WNW 1/4 NW 1/4 - 33 acres NE 1/4 NE 1/4 - 12 acresNE 1/4 NW 1/4 - 33 " SE 1/4 NE 1/4 - 21 "SE 1/4 NW 1/4 - 33 " SW 1/4 NE 1/4 - 34 "SW 1/4 NW 1/4 - 33 "comprising a total of 199 acres of land and the license should be issued for 2.0 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date: Mar. 10, 1987James L. Wendt

(Signature)

Henry
3-10-87

LICENSE FOR PERMIT NUMBER 4010-1

1. Legal location of wells: Agave Section 20-112-59

dams & structures: _____

2. Well Information: Well Drilling Firm Empire Drilling

No. of wells 1 Depth 60'

Casing a) diameter 11 1/2" Screen a) type Plastic

b) length 45' b) length —

c) type Fiberglass Static Water Level 28'

Pump a) make Yellow Pump Motor a) make High Thrust 1-1/2"

b) model 12 N.H.B. 2 RIC b) model no. R-6327-04-422

c) size — c) horsepower rating 50

d) capacity 900 GPH d) motor efficiency rating —

e) turbine pump —

n.o. of stages —

3. Distribution lines:

a) size of lines 3"

b) type Aluminum

c) length 50'

4. Dam information:

a) height to crest —

b) height to spillway —

c) crest width —

d) crest length —

e) spillway length —

f) spillway width —

g) approx. storage —

h) Distribution lines or canals:

1) size —

2) type —

3) length —

i) Outlet tubes:

1) diameter —

2) type —

3) valve (Y/N) —

4) valve type —

5) location on structure —

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 —

b) towline:

1) length — feet

2) make, model & number of sprinklers —

3) spacing of sprinklers —

4) nozzle size —

5. System Type: c) center pivot

- 1) make Electro-motor
2) number of towers 4
3) distance between towers _____
4) overall length 1784
5) End gun (Y/N) _____
6) high or low pressure _____
7) make & size of nozzles _____
8) PSI reading while system is running ?
9) GPM 900

g) Gun

- 1) make _____
2) serial number _____
3) nozzle size _____
4) capacity (GPM) _____
5) PSI _____
6) hose size _____
7) hose length _____

d) Gate Pipe

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

e) Siphons

- 1) number _____
2) size _____

f) Portable boom

- 1) make _____
2) serial number _____
3) nozzle size _____
4) capacity (GPM) _____
5) PSI _____

h) Hydromatic

- 1) make _____
2) model _____
3) serial number _____
4) length _____
5) nozzle size _____
6) spacing _____
7) PSI _____
8) capacity (GPM) _____

YES

NO

Check Items

☒

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

2. Special Qualifications to permit being abided by.

3. All Structures, wells and lands on map.

REMARKS:

Sprinkler System in NT 1/4
1984

State of South Dakota
Water License No. 4010-3

(1) Clinton Hornig
of RR 1, Huron, South Dakota 57350
made Application No. 4010-3, April 14, 1977 for a water permit to appropriate
2.28 cubic feet per second of water from groundwater (one well),
Beadle County, South Dakota for irrigation purposes.
Permit No. 4010-3, with a priority date of June 21, 1977
was approved July 28, 1977 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before July 28, 1982 and for the application to beneficial use of said
water on or before July 24, 1984.

and

(2) It is certified that the application 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 2.0 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is approximate center of the NW $\frac{1}{4}$ Section 20,
T112N, R59W (50' north of pivot pad)

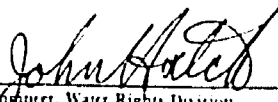
and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T112N, R59W

Section 20	NW $\frac{1}{4}$ NW $\frac{1}{4}$	33 Acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	33 Acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	33 Acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	33 Acres
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	12 Acres
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	21 Acres
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	34 Acres
	TOTAL	199 ACRES

(4) Pursuant to §46-5-30.1 Clinton Hornig
of RR 1, Huron, South Dakota 57350
the holder(s) and/or owner(s) of Water Permit No. 4010-3 is issued a license to appropriate water, the right to use
2.0 cubic feet per second of water from groundwater (one well) with a priority date
of June 21, 1977 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. 4010-3 and subject
to South Dakota State Law.



Chief Engineer, Water Rights Division
Department of Water and Natural Resources
JOHN HATCH
APR 30 1987

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____, March 21, 19 97

RECEIVED OF Clinton Hornitt, Route 1, Huron, SD 57350

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. 40115-3 _____	50 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 John Hatch
Chief Engineer JOHN HATCH 



Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 4010-3

Department of Water & Natural Resources

APR 30 1987

Clinton Hornig
RR 1,
Huron, South Dakota 57350

Dear Mr. Hornig:

Enclosed herewith is, Water License No. 4010-3. This is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83

Transmittal of Water License.

 **Department of
Water & Natural Resources**

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

December 4, 1989

3863-3
4010-3

Clinton Hornig
RR #1
Huron, SD 57350

Dear Mr. Hornig:

Enclosed are your 1989 irrigation questionnaires. In order for us to calculate the amount of water used, we need more specific information included on the forms.

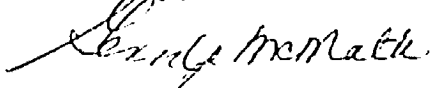
Please include the following information on the questionnaires:

1. Number of days pumped;
2. Average number of hours pumped per day; and
3. Average pump rate in gallons per minute.

Upon completion of the forms, return them to our office in the enclosed postage paid envelope. The forms must be returned to our office before December 30, 1989.

If you have any questions, please contact me.

Sincerely,



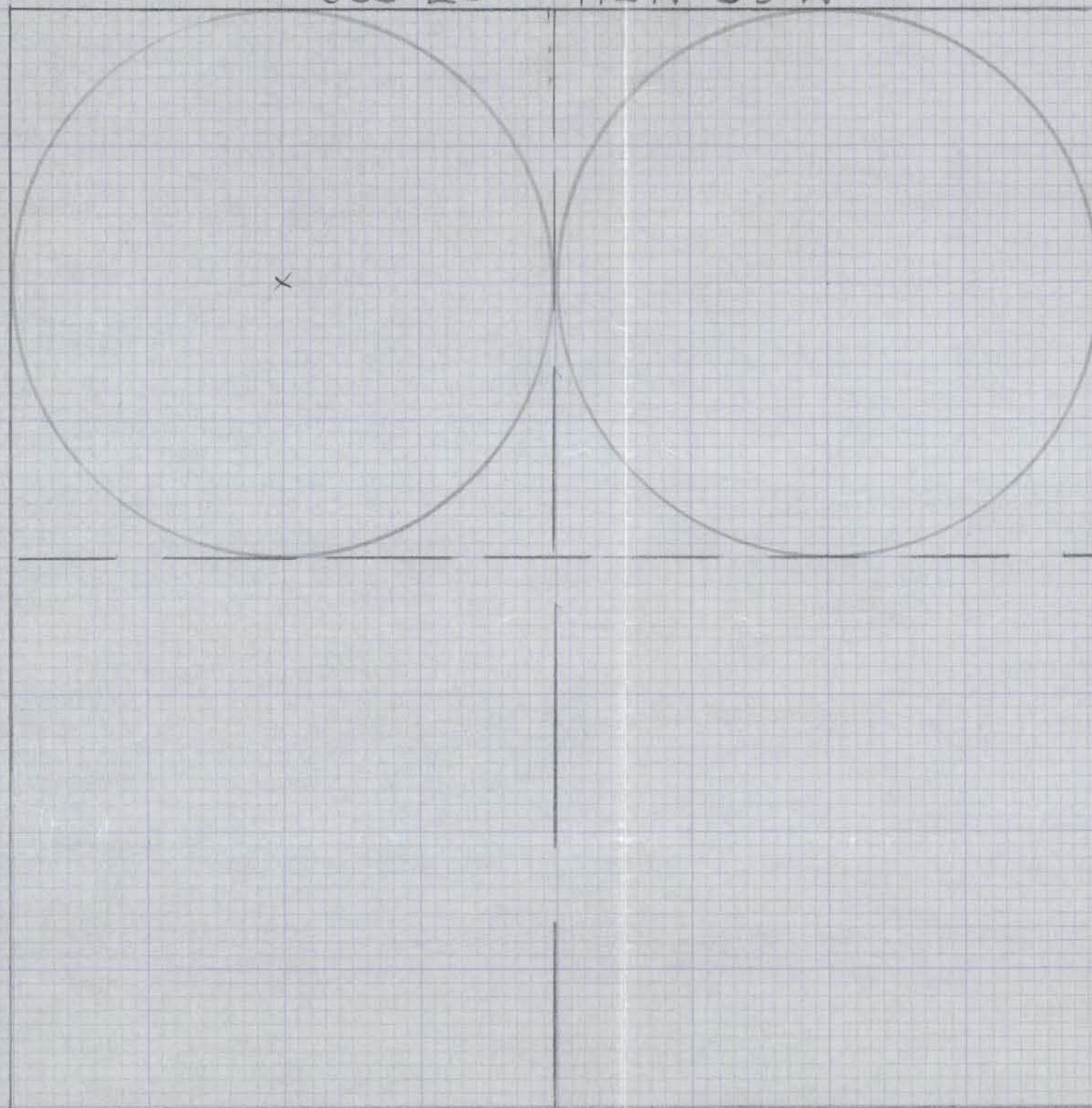
GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures

CLINTON HORNIG
Rt 1 HURON SD

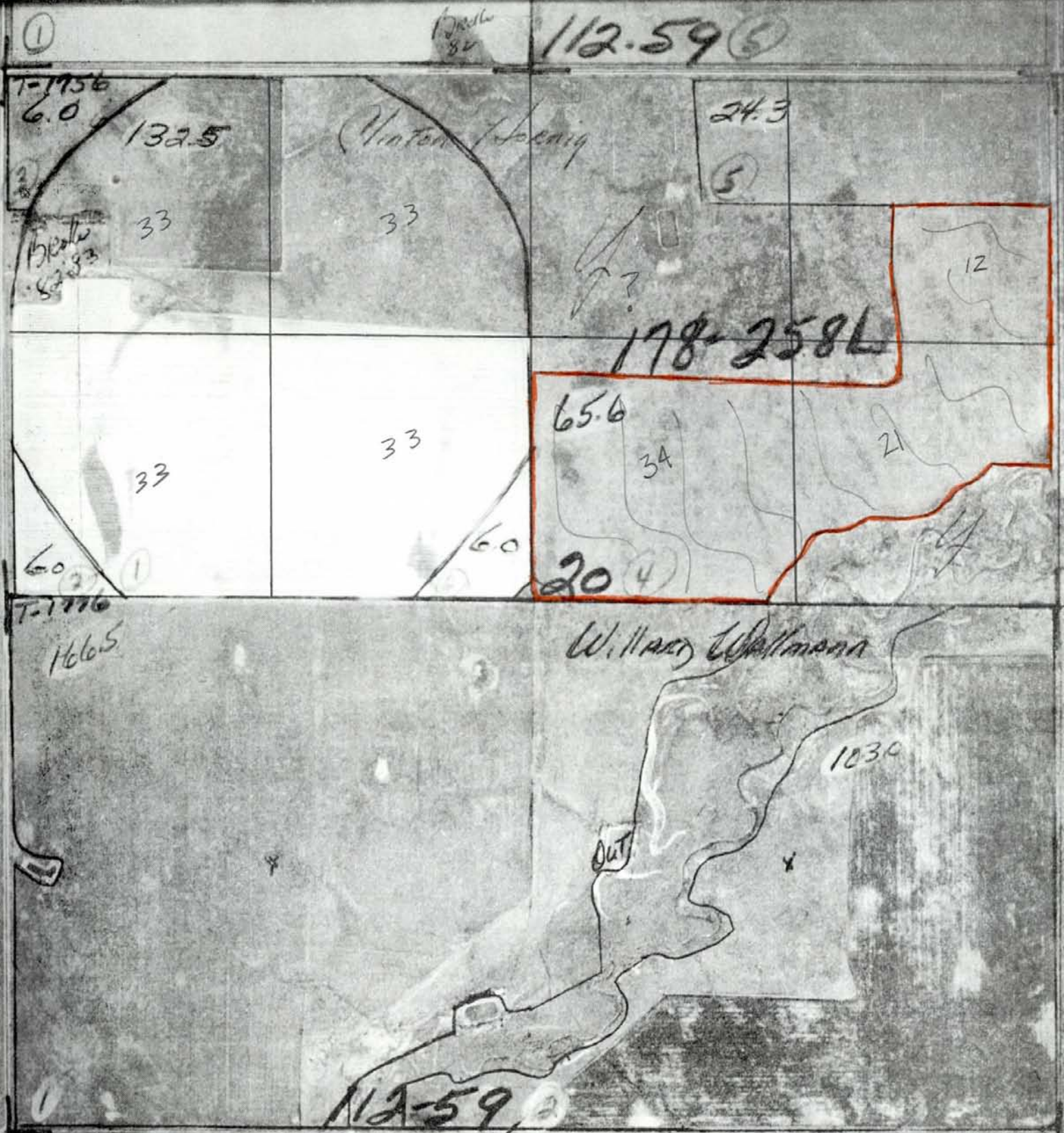
prepared by
Nancy Fletcher
Beadle Co Ass't Ext Agent

Sec. 20 112 N 59 W



X PROPOSED WELL LOCATION

NOT TO SCALE



4010-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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. 4010-3

Date: _____

I/We request that Water Right No. 4010-3

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:

199 acres – NW ¼ and E ½ NE ¼, SW ¼ NE ¼ Section 20, T112N, R59W

I/We understand that the validity of Water Right No. 4010-3 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 Ylae Yala SD 57386

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	2	50
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>4010-3</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. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No.

03262

By

Garland Erbe
Chief Engineer

72



**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