

4195-3

1. Considered 1-25 1978
2. Name of Applicant SPINK FARMERS COOPERATIVE
3. Post Office Address FRANKFORT
4. Amount of Water claimed NO ADDITIONAL
5. Source of Water supply 105' DEEP WELL (EXISTING)
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in SPINK County
about 125, 2 1/2 E miles of FRANKFORT
8. Proof of Publication
Received 1-6-77
Not Received _____
9. Application
Approved 1-31-79
Subject to well Interf
Not Approved _____
Action Deferred _____
10. Remarks:

Map No. 2560-3 Water Division No. 3 JAMES RIVER District 1
(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 Spink Farmers Co-Operative
 Postoffice address Frankfort, State South Dakota 57440
 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 Spink Colony #8
4. Amount of water claimed (cubic feet per second) no additional
5. Source of water supply ground water
6. Location of point of diversion Center of the SW $\frac{1}{4}$, Section 35, T115N, R62W
- County Spink

7. Annual period or periods during which water is to be used April - 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 160

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 $\frac{1}{4}$, Section 2,			
T114N, R62W	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 34 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Redfield Press, Redfield, S.D.
12. Principal Features of the Proposed Water Supply System.

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

Well, pump and motor

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

Underground mainline

C. Works proposed to apply water to beneficial use.

Center pivot sprinkler

This land is also covered under Permit No. 1979-3 from the James River. The existing well under Permit No. 3273-3 will be used to supplement the river permit.

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 Hughes) ss.

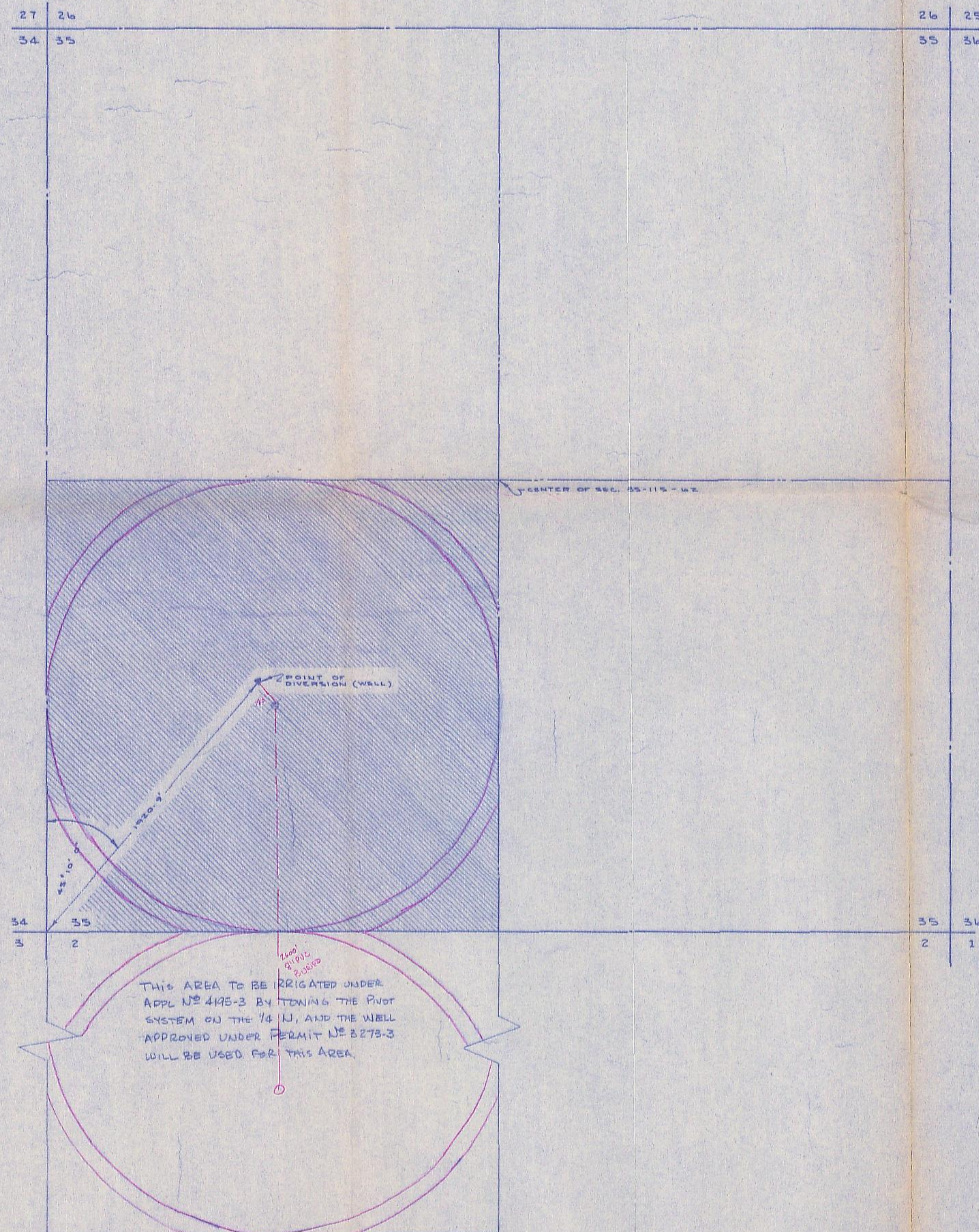
I, George S. Waldner the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed George S. WaldnerSubscribed and sworn to before me this 15th day of December, 19 77

Notary Public (or other qualified officer)

BETTY WESTLUND, Water Rights Specialist

SPINK COLONY IRRIGATION PROJECT NO. 6



MAP
SHOWING AREAS TO BE IRRIGATED AND POINT OF DIVERSION FROM THE WELL WHERE WATER WILL BE DIVERTED - FOR PERMIT TO APPROPRIATE WATER.

AREA BY LEGAL SUBDIVISION:

Section 35, Township 115 North, Range 62 West of the 5th Principal Meridian, Spink County, South Dakota - The Southwest 1/4 160 acres

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE) SS

I, Jack T. Vosler, a registered and licensed land surveyor, in and for the State of South Dakota, do hereby certify that, at the request of the owner, I have shown the lands proposed to be irrigated by a well within its ownership, for which application to appropriate water is made, and that this map is a true representation thereof. In witness whereof I place my hand and seal this 5th day of November, A.D., 1976.

Jack T. Vosler
Jack T. Vosler, Land Surveyor - So. Dak. Reg. No. 956

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE) SS

On this 5th day of November, A.D., 1976, before me, a notary public, personally appeared Jack T. Vosler, known to me to be a registered land surveyor and the person who executed the foregoing instrument, and he acknowledged to me that he executed the same as his own free act and deed.

Ronald J. [Signature]
Notary Public, Beadle County, South Dakota commission expires *July 30, 1980*

Appl #3273-3
4/195-3

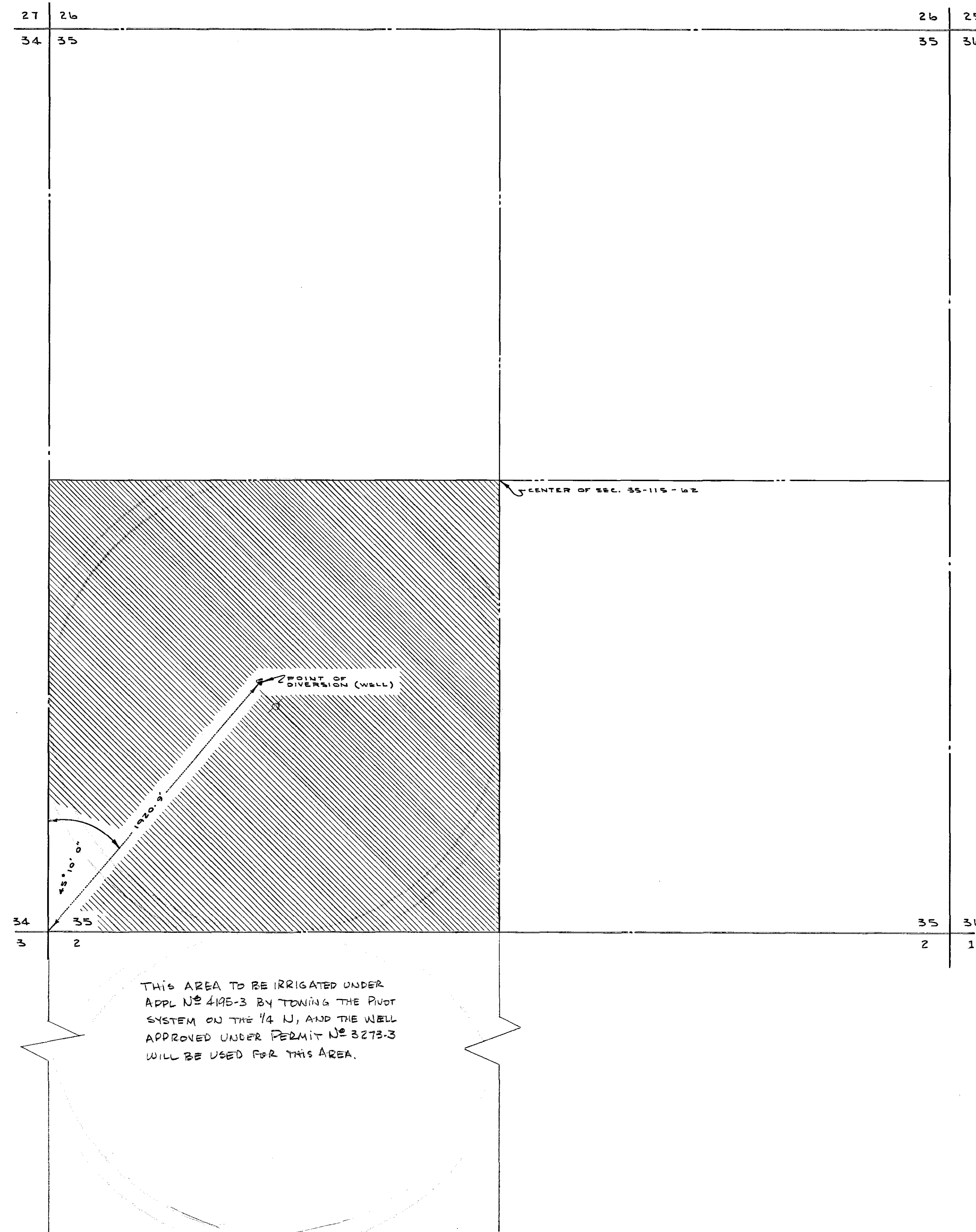
SCALE 1" = 400'

OELL and MADSON INC
Engineers & Surveyors
Huron, South Dakota

MAP 2560-3

MAP N° 2560-3 APPL 3273-3 #4195-3

SPINK COLONY IRRIGATION PROJECT NO. 6



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PERMIT TO APPROPRIATE WATER.

AREA BY LEGAL SUBDIVISION:

Section 35, Township 115 North, Range 62 West of the 5th Principal Meridian, Spink County, South Dakota - The Southwest 1/4 160 acres

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Jack T. Vosler
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On this 5th day of November, A.D., 1976, before me, a notary public, personally appeared Jack T. Vosler, known to me to be a registered land surveyor and the person who executed the foregoing instrument, and he acknowledged to me that he executed the same as his own free act and deed.

Donald J. Hagala *Jul 30, 1980*
Notary Public, Beadle County, South Dakota My commission expires

SCALE 1"=400'

SCHOELL and MADSON INC
Engineers & Surveyors
Huron, South Dakota

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4195-3
SPINK FARMERS CO. OPERATIVE FRANKFORT
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57440 With the following modifications:
 (State)

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

Land covered under this Permit No. 4195-3 is also covered under Permit No. 1979-3. Combinations of diversion under the two permits shall not exceed the statutory limit of 1 c.f.s. for each 70 acres of land to be irrigated.

Date of first receipt of application DECEMBER 15, 19 77
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved JANUARY 31, 19 79, Recorded in Book 20 Page 161

WATER RIGHT PERMIT NO. 4195-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4195-3 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 DECEMBER 15, 19 77
2. The equivalent of at least one-fifth of the work above is to be completed on or before JULY 31, 19 80
3. The whole of said work is to be completed on or before JANUARY 31, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 31, 19 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 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 JANUARY 31, 19 86; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 20th day of FEBRUARY, 19 79

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 2 6", Depth 105'
 (2) Casing, Type stainless steel Diameter 16" Thickness 2 gauge
 (wood, concrete, steel, etc)
 (3) Perforated Screen.
 Type stainless steel, Diameter 1 1/2", Length 12 gauge
 (4) Gravel Pack, Thickness 10", 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 coarse sand

Depth to top of water bearing material 50'
 Depth to bottom of water bearing material 105'
 Thickness of water bearing material 55'
 Depth to water (ground surface to water level) 30'

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

On same owner's property 1 mi sts. On property owned by others 1 3/4 mi sts.

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.

Spindt Company
John J. Spindt
 Signature of Applicant

SEE PERMIT NO 3273-3
FOR WATER QUALITY DATA

Publish first publication, on or before January 5, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 21, 1977

Notice is hereby given that Spink Farmers Co-Operative whose post office address is Frankfort, 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, 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 no add'l. ~~water~~ water per second of time from groundwater (existing well) through the Spink Colony #8, the point of diversion of which is to be located in the center of SW 1/4

of Section 35, Twp. 115N Range 62W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NW 1/4 Section 2, T114N, R62W

This Application No. 4195-3 will be considered by the Water Rights Commission at Pierre, South Dakota upon the 25 day of January, 1978 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.

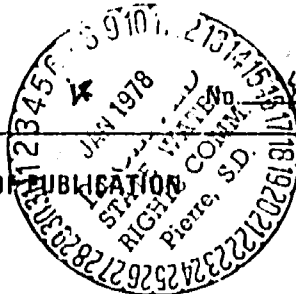
NOTE: Final Proof of Publication WATER RIGHTS COMMISSION
must be received by hearing date
for the Commission to take action.

BETTY WESTLUND
Water Rights Specialist

cc: Spink Farmers Co-Operative, Frankfort, SD 57440

*Spink
farmers
160 acres*

PROOF OF PUBLICATION



STATE OF SOUTH DAKOTA)
County Spink) ss.

I, Robert A. Jackbeck hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Redfield Press

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

city of Redfield

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

Dec. 29, 1977

JAN. 5, 1978

Robert A. Jackbeck
(Signature)

Clark
(Title)

1/5/78
(Date Signed)

No. 34

No. 4195-3

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
December 29, 1977
Notice is hereby given that
Spink Farmers Co-Operative
whose post office address is
Frankfort, South Dakota, has
made an application in ac-
cordance with the provisions of
SDCL 46-1-1 thru 46-1-8; 46-2-9
thru 46-2-11, 46-2-13; 46-5-1 thru 46-
5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-
6-3, 46-6-5, 46-6-6.1, 56-6-10, 46-7-14
and Commission Rules ARSD
52:01:01:01 thru 52:02:02:13, for a
permit to appropriate for
beneficial use no add'l water per
second of time from groundwater
(existing well) through the Spink
Colony No. 8, the point of
diversion of which is to be located
in the center of SW 1/4 of Section
35, Twp. 115N Range 62W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land:

NW 1/4 Section 2, T114N, R62W
This Application No. 4195-3 will
be considered by the Water
Rights Commission at Pierre,
South Dakota upon the 25 day of
January, 1978 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

BETTY WESTLUND
Water Rights
Specialist

cc: Spink Farmers Co-
Operative, Frankfort, SD 57440
(Dec. 29; Jan 5)

4195-3



Department of Natural Resource Development

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

January 16, 1979

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

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of Deferred Applications

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

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

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

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

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

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/gy

**South Dakota Department of
Water & Natural Resources**
Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

1979-3
2375-3
2396-3
3272-3
3468-3
4195-3

March 2, 1983

Spink Hutterian Brethern, Inc.
Frankfort, South Dakota 57440

Dear Sir:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Permit Nos. 1979-3, 2375-3, 2396-3, 3272-3, 3468-3, and 4195-3 has been completed.

Your final water right documents, the Water Licenses can now be issued.

Statutes require that we charge \$50.00 fee for the inspection and issuing of the Water License for each, a total of \$300.00 for six Licenses. Upon receipt of the \$300.00 fee from you, your Water License will be sent to you.

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

Sincerely,

Genny Young
Water Rights Specialist

GY:ms

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

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building

523 East Capitol

Pierre, South Dakota 57501

WATER RIGHTS DIVISION

(605) 773-3352

4195-3

December 1, 1982



John J. Wipf
Spink Hutterian Brethern, Inc.
Frankfort, South Dakota 57440

Dear Mr. Wipf:

I am enclosing a WI-1 form covering the irrigation of the NW $\frac{1}{4}$ Section 2, T114N, R62W. This area was omitted from your original request for soil-water compatibility.

Please sign where checked before a notary public and return it to this office. We will transmit it to the Conservation Commission.

Sincerely,

Burton F. Jones
Water Rights Specialist

BFJ:ms
Enc.

Department of Agriculture
WI#1
3/82

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
Division of Conservation

Office Use Only

4005

WR#

117-13
4195-2

OWNERS NAME: SPINK HOUTERIAN BROTHERS, INC. OWNERS ADDRESS: _____

COUNTY LAND LOCATED IN: SPINK PHONE: 472-1269

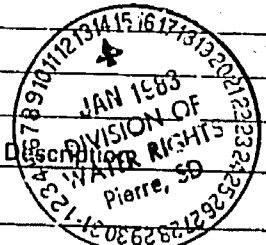
TENANT'S NAME AND ADDRESS: _____

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION 100' SE OF THE CENTER SW 1/4 SECTION 35, T115N, R62W
Depth 105'

2. SURFACE WATER SOURCE AND DIVERSION LOCATION
Diversion Location _____

Legal Description	Acres	Legal Description	Acres
<u>NW 1/4 SECTION 2, T114N, R62W</u>	<u>160</u>		
<u>THIS LAND AND THE SW 1/4 SECTION 35, T115N, R62W ARE ALSO</u>			
<u>COVERED UNDER PERMIT NO 1977-3 FROM THE JAMES RIVER</u>			
<u>WELL USED AS SUPPLEMENT WHEN WATER IS NOT AVAILABLE IN RIVER</u>			



3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1977
LEGAL DESCRIPTION: SW 1/4 SECTION 35, T115N, R62W (PERMIT NO 3273-3)
IN WHAT NAME: SPINK HOUTERIAN BROTHERS, INC.

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

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

6. CROPS TO BE IRRIGATED: CORN - ALFALFA

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)	
7. WATER SAMPLE NUMBER: <u>76-1690</u>	10. ADJUSTED (SAR): _____
8. SALINITY (EC X 10 ⁶): <u>204.5</u>	11. PERCENT SODIUM <u>25.03</u>
9. SODIUM (SAR): <u>2.14</u>	

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a m./p.m., on _____, 19____, at the following location: _____ by (individual - no took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature _____

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4)

SUBSCRIBED AND SWORN BEFORE ME THIS

29 DAY OF 1, 1982

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE _____

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

IMPORTANT
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

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

REC. MGMT/FORM

CONDITIONAL

4005

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

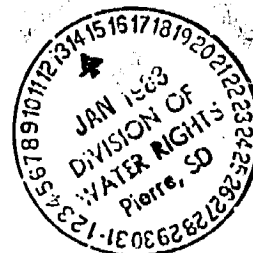
4105-2

NAME OF APPLICANT: Spink Hutterian Brethern, Inc.

LEGAL DESCRIPTION: NW 1/4 Sec2-T114N-R62W = 180 acres

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:



THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

Standard salt and sodium restrictions

RECOMMENDED MANAGEMENT:

The application of additional water to aid in the
leaching of salts from the upper soil horizons.

Frank H. Papp
SIGNATURE

1-13-83
DATE



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

January 3, 1983

John Wipf
Spink Hutterian Brethren, Inc.
Frankfort, S.D. 57440

Dear Mr. Wipf:

In reviewing your soil and water compatibility application for the Northwest quarter of Section 2-T114N.-R62W = 160 acres, the irrigation staff is recommending a conditional approval of your application to the State Conservation Commission at their January 13, 1983, meeting.

The conditional approval recommendation is based on the soils clay content and the water quality. The restrictions and management recommendations are as follows:

RESTRICTIONS:

SALT: Maximum allowable salt buildup in soil profile:

3000 micromhos/cm

SODIUM: Maximum allowable buildup in soil profile:

8% sodium saturation

MANAGEMENT RECOMMENDATIONS:

The application of additional water to aid in the leaching of salts from the upper soil horizons.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Director

7/3/83

Permit No. 4195-3Water Division 3 JAMES RIVER Water District
1016-0006REPORT 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 SPINK HUTTERIAN
BREITERN, INC. of FRANKFORT holder
of Permit No. 4195-3*, bearing date of priority of SW⁴, SECTION 35, T115N, R62W 10-26, 1976
NW⁴, SECTION 2, T114N, R62W 12-15, 1977
authorizing the diversion of 2.0 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in SPINK County.

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

The Water Use System consists of,

A. Works used to divert the water:

104' DEEP WELL WITH 16" STAINLESS STEEL CASING - 30' SS SCREEN
WESTERN LAND ROLLER 8" PUMP (NO TAG), POWERED BY 75 HP
GE ELECTRIC MOTOR @ 1760 RPM

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

180' DI: 8" ALUMINUM PIPE FROM WELL TO PIVOT PAD IN THE SW⁴,
SECTION 35. WATER IS PUMPED BACK THRU EXISTING 8" LINE UNDER
PERMIT NO 1979-3 WITH A U CONNECTION TO 8" LINE TO PIVOT PAD
IN THE NW⁴, SECTION 2

C. Works used to apply water to beneficial use.

2 - T & L 10 TOWER CENTER PIVOT SYSTEM WITH NELSON*100
END GUN. ONLY PUMPS THRU ONE PIVOT AT A TIME THRU
THE WELL.

The system is in the following condition: GOOD

The point of diversion is located 180' SE OF THE CENTER OF THE SW⁴
SECTION 35, T115N, R62W (CD)

The works are capable of diverting and conveying to the place of use 1.88 (850 GPM)
cu. ft. per second of water which is to be used for IRRIGATION

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

<u>T115N, R62W SECTION 35 SW⁴</u>	<u>136 ACRES</u>
<u>T114N, R62W SECTION 2 NW⁴</u>	<u>136 "</u>

comprising a total of 272 acres of land.

* APPLICABLE PORTIONS OF PERMIT NO 3275-3 HAVE BEEN
INCORPORATED INTO THIS WATER LICENSE. LANDS COVERED
UNDER THIS LICENSE ARE ALSO COVERED UNDER LICENSE
NO 1979-3 FROM THE JAMES RIVER. WATER UNDER THIS LICENSE
IS USED BASICALLY AS A SUPPLEMENTAL SUPPLY WHEN FLOWS IN
THE JAMES RIVER ARE LOW.

SEE 1979-3 FOR AERIAL PHOTOS

Date AUGUST 26, 1982
[Signature]
(Signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4195-3

(1) WHEREAS, On the 15th day of December A. D. 19 77
Spink Hutterian Brethren, Inc.

made Water Right Application No. 4195-3 for a permit to use no additional cubic feet per second of the waters of groundwater (one well)
 County of Spink, State of South Dakota, for Irrigation

purpose: and
 (2) WHEREAS, On the 31st day of January A. D. 19 79
 Permit No. 4195-3, with a date of priority of December 15, 1977
 was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 31st day of January A. D. 19 82 and for the application to beneficial use of said water on or before the 31st day of January A. D. 19 86

WHEREAS, on the 26th day of August, 1982 the applicable portions of Permit No. 3273-3 have been incorporated into this Water License No. 4195-3 with a date of priority of October 26, 1976 for the SW $\frac{1}{4}$, Section 35, T115N, R62W and December 15, 1977 for the NW $\frac{1}{4}$, Section 2, T114N, R62W

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.88 (850 gpm) cubic feet per second of water for beneficial use and,

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

to irrigate the following land:

Section 35, T115N, R62W	NE $\frac{1}{4}$ SW $\frac{1}{4}$	34	acres	(CA)
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	34	"	(CB)
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	34	"	(CC)
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	34	"	(CD)
Section 2, T114N, R62W	NE $\frac{1}{4}$ NW $\frac{1}{4}$	34	"	(BA)
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	34	"	(BB)
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	34	"	(BC)
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	34	"	(BD)
TOTAL		272	acres	

NOTE: The above described land is being irrigated as a 136 acre circle in the SW $\frac{1}{4}$ Section 35, T115N, R62W and a 136 acre circle in the NW $\frac{1}{4}$ Section 2, T114N, R62W.

Lands covered under this License are also covered under License No 1979-3 (rx) the James River. Water under this License is used basically as a supplemental supply when flows in the James River are low.

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Spink Hutterian Brethren, Inc.

of John J Wlpf, Frankfort SD 57440
the holder and owner of said permit No. 4195-3 a water right, dating from October 26, 1976 and December 15, 1977 to use of 1.08 cubic feet per second of the waters of groundwater (one well)
in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 180' SE of the center of the SW 1/4 of Section 35, T115N, R62W (CD)

and conducted to and upon portions of Section 35, T115N, R62W and Section 2, T114N, R62W more fully described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 4195-3 and subject to the laws of the State of South Dakota.

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

this 30th day of March A.D.
Nineteen Hundred and Eighty-three

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9188

PIERRE, March 15, 1983

RECEIVED OF Spink Hutterian Brethren, Inc., (John J. Wink) Frankfort, SD 57440
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 4195-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 4195-3		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John H. Hatzel
Chief Engineer, Executive Officer
JOHN HATBQ/m5



No. 4195-3

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

March 30, 1983

Spink Hutterian Brethren, Inc.
John J Wip.
Frankfort SD 57440

Dear Mr. Wipf:

Enclosed herewith is, Water License No. 4195-3. 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: ks

Enclosures

NOTE: The applicable portions of Permit No. 3273-3 have been incorporated into this Water License No. 4195-3.

WNR-817 3/83
Transmittal of Water License

4195-3

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

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501-3181
January 29, 1988

JOHN J. WIPF- SPINK COLONY
RR 1 BOX 84
FRANKFORT, SD 57440

NOTICE

Re: Violation of Water Permit No(s). 2276-3A and 1987 Irrigation
Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 2276-3A. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2276-3A qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will also be to determine if Permit No(s) 4195-3, 1538-3, 2375-3, 2396-3, 3467-3, 3468-3, 1979-3, 3272-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

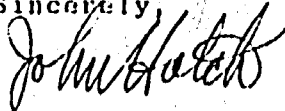
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 2276-3A until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 4195-3, 1538-3, 2375-3, 2396-3, 3467-3, 3468-3, 1979-3, 3272-3 also held by JOHN J WIPF- SPINK COLONY to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

The hearing(s) 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.

Sincerely,

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

John Hatch, Chief Engineer
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

**Department of
Water & Natural Resources**

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

February 5, 1988

3468-3	3467-3
4195-3	3272-3
2376-3	1979-3
2276-3A	2396-3
1538-3	

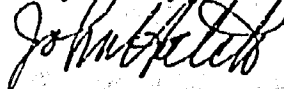
Spink Colony
c/o John J Wipf
Frankfort SD 57440

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 1538-3, 1979-3, 2276-3A, 2375-2, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

 **Department of
Water & Natural Resources**

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

3272-3

3467-3

3468-3

4195-3

2276-3A

February 17, 1989

John J. Wipf/Spink Colony
RR 1, Box 84
Frankfort, SD 57440

Dear Mr. Wipf:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

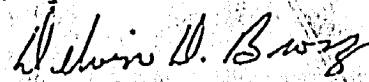


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

for 
JOHN HATCH, Chief Engineer
Water Rights Division

4195-3

Department of Agriculture
Water
50102

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

WADS-A

WR#

OWNER NAME _____ OWNERS ADDRESS _____ GENERAL DELIVERY _____

LEADERS SD 57426

COUNTY LAND LOCATED IN _____ PHONE 474-0207

EASEL DESCRIPTION:

☒ Well☐ Surface

LOCATION _____

Legal Description	Acres	Legal Description	Acres

TYPE OF IRRIGATION: DRAINAGE _____ TOW LINE _____ CENTER PIVOT ~~XXX~~ GUN _____ OTHER: (Specify) _____

DATE OF PERMIT: _____

1. WATER SAMPLE NUMBER _____		7. ADJUSTED (SAR): _____
2. NUMBER OF CATIONS _____		8. PERCENT SODIUM 25.03
3. ADJUSTED SAR: _____		

Requirements:



Russell J. Stone
Dir. for Division of Conservation

~~XXX~~ APPROVED
DISAPPROVED
WAIVER

~~XXX~~ REQUIREMENTS

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

Date: _____

4195-3

Spink Colony Irrigation Management Plan 2 April, 1991

Presented to the South Dakota Conservation Commission



In the early 1970's we began irrigating. We have always been aware of the possibilities for sodium and salinity problems. Over the years we have observed negative impacts from salinity and sodium problems. We have experimented with several different practices to improve our salt problems. More recently We have been working with Shawn Thelen, an agronomist with the Wheat Growers, and we have been talking with Gregg Carlson, SDSU Extension Service, about irrigation management practices that will minimize our sodium and salinity problems. Because the irrigation water that we use is of marginal quality, we understand the importance of the use of good management for the maintenance of productivity.

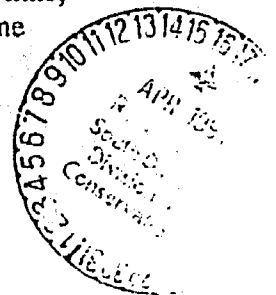
The irrigation water that we are using has an SAR of 10-20. Recent Soil tests have shown ESP's within the surface soil of, from as low as 3 to as much as about 15. The following are specific management practices, some of which we have used in the past and some planned for the future, that we believe will assure the maintenance of productivity on the land in question.

1). To assure adequate leaching we apply at least an inch and at times, as much as two inches (if possible without getting stuck or having excess runoff) of water each revolution of the pivot. This assures relatively deep percolation within the root zone and the continued leaching through the root zone.

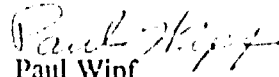
2). The maintenance of high concentrations of organic matter at the soil surface is an important part of maintaining surface soil structure. This last year we purchased a manure spreader truck so that we will be able to haul manure the 4 or 5 miles to our irrigated fields. It is our plan to apply 6 to 8 ton/acre of manure ever 4 years to these fields. We plan to use tillage practices that will maintain high organic matter close to the surface to minimize the impact of sodium. Shawn and I have been discussing the possibility of using no-till farming practices to increase organic matter at the surface and to minimize soil disturbance that can aggravate the sodium problem. No-till farming should also eliminate water being held within the plow layer. There is evidence to suggest that tillage can break the transmitting macropore structure at the bottom of the plow layer. It is our plan to rotate small grain and alfalfa through some of our irrigated fields. On those fields that we grow corn on corn, we leave all corn stalks in the field.

3). Shawn, Dr. Carlson, and I have discussed the possibility of using beet lime, gypsum, and elemental sulfur as soil amendments. We have been applying beet lime and elemental sulfur in an attempt to resolve our problems.

4). It is our intention to work with the Wheat Growers, SDSU, and the



Department of Agriculture to continue to monitor the problems that we have and to look at alternative solutions. We plan take advantage of any new breakthroughs in Sodium management that are developed.


Paul Wipf

Spink Colony
Frankfort, South Dakota

57440
472-1269

cc: to Shawn Thelen
P.O. Box 126, Main Street
Tulare, South Dakota
57476
596-4114(work) or 472-2410



January 22, 1999

4195-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

www.state.sd.us/denr

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2276-3A & 5737-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:45 am, March 3, 1999 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, 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 Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



4195-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

www.state.sd.us/denr

January 22, 1999

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORD SD 57440

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

RE: Requirement to Report 1998 Chemical Use

The first notice to file chemigation report(s) for Permit No(s) 3272-3; 3467-3; 3468-3; 4195-3; 2276-3A; 1979-3 & 2375-3 was dated October 16, 1998. Our records indicate that we have not received your 1998 chemigation report(s). The Water Management Board has directed that owners of water permits who have not submitted the 1998 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 am, March 3, 1999, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 3272-3; 3467-3; 3468-3; 4195-3; 2276-3A; 1979-3 & 2375-3 in accordance with applicable provisions of SDCL 46-1-12;
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. Prior to March 3, 1999, contact the Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to March 1, 1999 you will no longer be in violation and your name will be deleted from the Board agenda.

4/95-3

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- 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.

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

- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

SPINK COLONY
JOHN J WIPP
18206 SPINK LN
FRANKFORT SD 57440 7207

4a. Article Number

P 373 080 745

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

01-23-99 RC

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X John J Wipp

PS Form 3811, December 1994

102595-90-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.



4195-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 1, 1999

John J Wipf
18206 Spink Lane
Frankfort, SD 57440-7207

RE: Water Permit/Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3 3467-3,
3468-3, 4195-3 and 5737-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires and chemical reporting forms. You may disregard the January 22, 1999, "Notices" concerning reporting requirements for Water Permit/Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3 3467-3, 3468-3, 4195-3 and 5737-3.

The information was 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 Program
(605) 773-3352



4195-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT. SD 57440 7207
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2276-3A & 5737-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 1:30 pm, March 1, 2000 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, 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 Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



4195-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 19, 2000

John J Wipf
Spink Colony
18206 Spink Ln
Frankfort, SD 57440-7207

RE: Water Permit Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3,
4195-3 & 5737-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 & 5737-3.

The information was 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 Program
(605) 773-3352



January 16, 2002

NOTICE

4195-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer,
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2276-3A & 5737-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol Avenue, Pierre, 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 Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

4195-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SPINK COLONY
JOHN J WIPIF
18206 SPINK LN
FRANKFORT SD 57440 7207

2. 7001 2510 0004

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERYA. Received by (Please Print Clearly) John J. Wipf B. Date of Delivery 1-22-02C. Signature John J Wipf ☐ Agent
☒ AddresseeD. Is delivery address different from item 1? ☒ Yes
YES, enter delivery address below: ☐ No

Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
Restricted Delivery? (Extra Fee) ☐ Yes

102595-99 M-1739



4195-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 2002

John J Wipf
Spink Colony
18206 Spink Lane
Frankfort, SD 57740-7207

RE: Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 and 5737-3.

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 and 5737-3.

The information was 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 Program
(605) 773-3352



4195-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: SPINK COLONY, JOHN J WIPF, 18206 SPINK LN, FRANKFORT, SD 57440 7207

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 2276-3A & 5737-3, 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2276-3A & 5737-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, 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 Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2276-3A & 5737-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1538-3, 1979-3, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3 & 4195-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2003

John J Wipf
Spink Colony
18206 Spink Ln
Frankfort SD 57440-7207

RE: Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3,
3468-3, 4195-3 & 5737-3

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1538-3, 1979-3, 2276-3A, 2375-3, 2396-3, 3272-3, 3467-3, 3468-3, 4195-3 & 5737-3.

The information was 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,

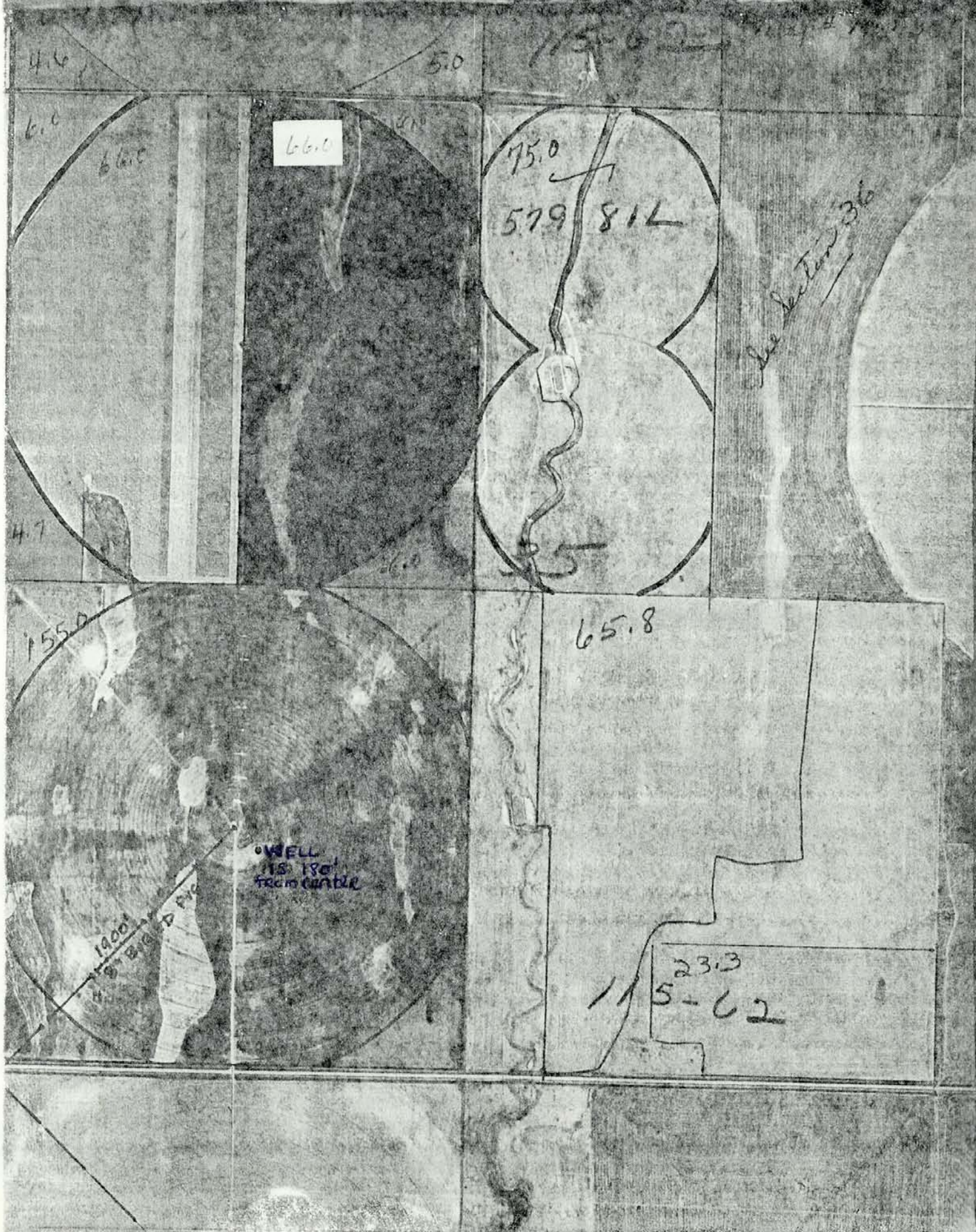
Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

NOT TO SCALE

3056-3

4195-3

1979-3

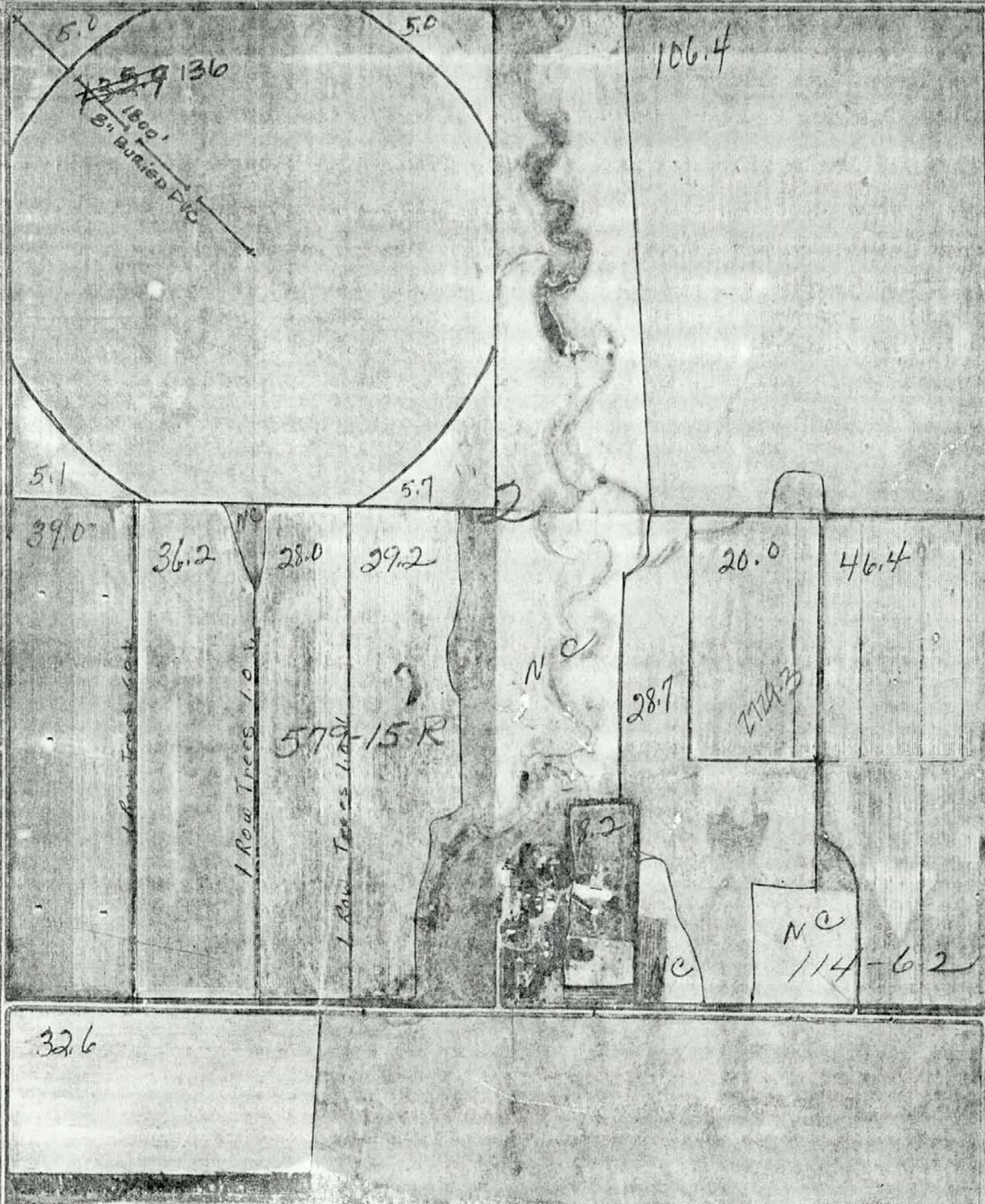


NOT TO SCALE

2129.3

4195.3

1029.3





4195-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

JUL 22 2016

4195-3
4195A-3

Paul Wipf
Spink Hutterian Brethren
18206 Spink Lane
Frankfort SD 57440

Dear Mr. Wipf:

Enclosed is Water License No. 4195A-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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. 4195A-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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Right No. 4195-3 were incorporated into Water License No. 4195A-3.