

4241-3

1. Considered MARCH 28 1978
2. Name of Applicant DAVID LONGWORTH
3. Post Office Address BROOKINGS, S.D.
4. Amount of Water claimed 4.00
5. Source of Water supply 64' & 62' DEEP WELLS
6. Water to be used for IRRIGATION
- Acres to be irrigated 286.00
7. Water to be diverted and used in BROOKINGS County
about 3 miles SOUTH of BROOKINGS
8. Proof of Publication Received 3-23-78
Not Received _____
9. Application Approved 3-28-79
Subject to WT
Not Approved _____
Action Deferred _____
10. Remarks:

Mark Porter

No. 4241-3Map No. 3462-3 Water Division No. 3 BIG SIOUX RIVER District

(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant David Longworth
 Postoffice address 719 Main Ave Brockings, State S. Dak. 10
 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 David Longworth Irrigation Project #2

4. Amount of water claimed (cubic feet per second) 4.0

5. Source of water supply 2 wells

6. Location of point of diversion Well #1 - 1860' N 135° E of NW corner Sec 12-109-50
Well #2 - 1860' N 135° W of NE corner Sec 12-109-50

County Brockings

7. Annual period or periods during which water is to be used April through October

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation

9. For irrigation use, Total number of acres to be irrigated 286

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 NW 1/4 Sec 12-109-50	38	NW 1/4 NE 1/4 Sec 12-109-50	39
NE 1/4 " " " " "	40	NE 1/4 " " " " "	32
SW 1/4 " " " " "	26	SW 1/4 " " " " "	36
SE 1/4 " " " " "	40	SE 1/4 " " " " "	35

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use three years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Brockings Register

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. 2 wells with deep well turbines electrically driven

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

C. Works proposed to apply water to beneficial use. 2 rowler pivot irrigation machines

Estimated Total Cost \$100,000

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 Brockings

I, Robert Wood 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 Robert WoodSubscribed and sworn to before me this 25 day of Feb 1978

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4241-3DAVID LONGWORTH
(Applicant)719 MAIN AVE, BROOKINGS
(Post Office Address)SOUTH DAKOTA 57006 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 FEBRUARY 27, 19 78

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

Date of receipt of corrected application ^{W.I.} MARCH 6, 19 78Approved MARCH 28, 19 79, Recorded in Book 20 Page 272WATER RIGHT PERMIT NO. 4241-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4241-3 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 FEBRUARY 27, 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPT. 28, 19 81
3. The whole of said work is to be completed on or before MARCH 28, 19 84
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 28, 19 87
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 4.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 28, 19 87; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 9th day of APRIL, 19 79

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued September 16, 19 81Water License Issued September 16, 19 81

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 2.8", Depth well #1 - 64'
well #2 - 62'
- (2) Casing, Type Plastic Diameter 16" Thickness 1/2"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Johnson, Diameter 16", Length 20'
- (4) Gravel Pack, Thickness 5", Length of gravel pack Entire length

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 See enclosed logs.

Depth to top of water bearing material well #1 - 10', well #2 - 10'

Depth to bottom of water bearing material well #1 - 64', well #2 - 62'

Thickness of water bearing material well #1 - 54', well #2 - 52'

Depth to water (ground surface to water level) well #1 - 7'-10", well #2 - 7'-8"

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

On same owner's property well #1 100', well #2 - 240'
1250 yds. On property owned by others well #1 - 120'
well #2 - 40'

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.

Robert M. [Signature] operator
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 David Longworth
ADDRESS 719 Main Ave, Brookings S. Dakota
COUNTY Brookings

LEGAL DESCRIPTION

1. WELL LOCATION Centers of NW⁴ & NE⁴ - 12 - 109 - 50
2. LOCATION OF AREA TO BE IRRIGATED N² of 12 - 109 - 50

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED Corn & S/S & L & S

WATER QUALITY

- | | | |
|---------------------------------------|------------------------|---------------------|
| 5. SAMPLE NUMBER | <u>77-1155</u> | <u>77-1156</u> |
| 6. SALINITY (EC X 10 ⁶) | <u>416 (medium)</u> | <u>396 (medium)</u> |
| 7. SODIUM (SAR) | <u>0.21 (low)</u> | <u>0.23 (low)</u> |
| 8. RESIDUAL SODIUM CARBONATE (meq/l.) | <u>0.0</u> | <u>0.0</u> |
| | <u>Adj. SAR = 0.42</u> | <u>0.44</u> |

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 _____ 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.

X Robert A. Macer
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
25 DAY OF Feb 1978.

John P. Peterson
(TITLE OR SEAL)

Albert J. Lippert
APPROVED

Conditional
(SOILS INFORMATION ON REVERSE SIDE)

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

✓ y 5

Submitted by: David Lonworth
 Address: 719 Main Ave.
 Brookings, SD 57006

Date Rec'd: July 29, 1977
 Sample No: 77-1155
 Identification: Cell- 21
 Date, Dec. 12, 1998, 1098, 508

WATER ANALYSIS

Calcium (Ca)	41	ppm*	2.05	me/l**
Magnesium (Mg)	24	ppm	1.97	me/l
Sodium (Na)	7	ppm	0.30	me/l
Potassium (K)	5	ppm	0.13	me/l
Sulfate (SO ₄)	52	ppm	1.08	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.16	me/l
Bicarbonate (HCO ₃)	195	ppm	3.20	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)	160	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	416	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.21			
Sodium	6.74	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.97			

Others:

*ppm - parts per million

**me/l - milliequivalents per liter

***g.p.g. - grams per gallon

COMMENTS: Total cations 4.45 me/l
 Total anions 4.44 me/l

By: Shirley Hittan

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-1155

Amount Enclosed \$

Signed

Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: David Longworth
Address: 719 Main Ave.
Brookings, SD 57006

Date Rec'd: July 19, 1977
Sample No.: 77-1156
Identification: 111- 2
Date: Aug. 12, 1977, 109H, 150.

WATER ANALYSIS

Calcium (Ca)	39	ppm*	1.95	me/l**
Magnesium (Mg)	18	ppm	1.48	me/l
Sodium (Na)	7	ppm	0.30	me/l
Potassium (K)	5	ppm	0.13	me/l
Sulfate (SO ₄)	52	ppm	1.08	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.15	me/l
Bicarbonate (HCO ₃)	189	ppm	3.10	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	155	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	396	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.23			
Sodium	7.77	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.63			

Others:
*ppm=parts per million
**me/l=millequivalents per liter

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

COMMENTS: Total cations 3.86 me/l
Total anions 4.33 me/l

By: Shirley Hittan

Service Performed
Irrigation Analysis

Amount Due

\$15.00

Make checks payable to: Water Quality Laboratory

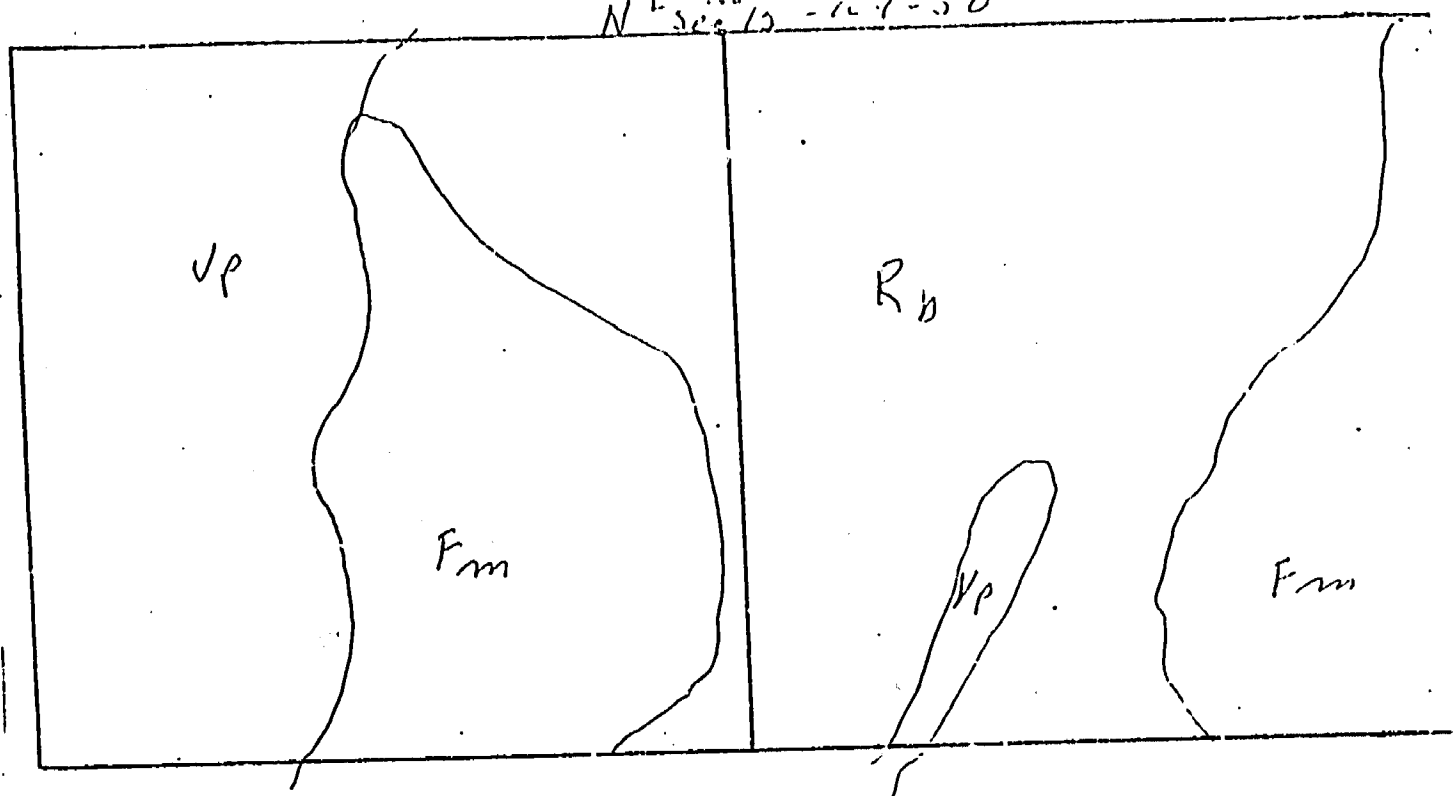
Cut along dotted line and return the lower portion with payment

Sample No. 77-1156

Amount Enclosed \$

Signed

N² MAP Sec 12 - 127-50



NARRATIVE

Fm - Fortville loam nearly level ^{is} _{1/4}
 Rb - Ranshaw sandy loam nearly level ^{is} _{1/4}
 Up - Volga silty clay loam, nearly level

- rippled
- shaggy
- frost
- churning
- cracks

inclusion - partial
 fracture

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

Because of Production
limitations of Volga soils
in the NW $\frac{1}{4}$ Section 12

(RECOMMENDED MANAGEMENT)

NAME OF APPLICANT David Longworth, Brookings, SD

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 1, 2, 3, 4, 5, times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 1, 2, 3, 4, inches of water.
3. ☒ Yes ☐ No Surface drainage suggested - See Below
4. ☐ Yes ☐ No Subsurface drainage suggested
5. ☒ Yes ☐ No Specific land areas that should be avoided - See below or need special considerations.

-
-
-
6. ☐ Deep tillage (For the purpose of aiding movement of water through dense subsoils)
 7. ☐ Heavy fall application of irrigation water

Your water sample analyses are of exceptional quality; however the soils in the NW $\frac{1}{4}$ -Section 12 will require management considerations. The Volga soils are not suited to irrigation except small areas that are adjacent to irrigable soils because of depressional locations and claypan conditions. The Volga soils will not take water at the same rate as the Fordville. Unless you can surface drain the volga, expect water ponding, crop drowning and trafficability problems. A smaller pivot on the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ would appear more economical.

This is a conditional permit because of the large acreage of Volga which is not suited to irrigation. "Aeration of soils" is the factor that would limit production capabilities under full irrigation.

Copy to Applicant - 1
Copies to Water Rights - 2
Copy to File - 1

GRIMSHAW DRILLING CO.

DRILLING LOG

924 South Melrose
Sioux Falls, S.D. 57106
Phone 605-332-6974

Name Dr Songworth Date Jan-2018

Address _____

County NW 1/4 Sec. 12 Twp. Medary Range _____

NO. FT.	DIA.	DATE	CASING	TOTAL
<u>60</u>	<u>4 3/4</u>	<u>2,50</u>	<u>2nd 2 1/2</u>	<u>180.00</u>

BALANCE DUE: _____

0 ft. to 1 ft. Topsoil ft. to _____ ft. _____

1 ft. to 10 ft. Sand fine ft. to _____ ft. _____

10 ft. to 21 ft. Sand Brown medium ft. to _____ ft. _____

21 ft. to 22 ft. Sand & Boulder layer ft. to _____ ft. _____

22 ft. to 48 ft. Sand Brown coarse ft. to _____ ft. _____

48 ft. to _____ ft. Lost Circulation caused
by active water movement ft. to _____ ft. _____

48 ft. to 64 ft. Sand coarse ft. to _____ ft. _____

64 ft. to 65 ft. Blue Clay ft. to _____ ft. _____

_____ ft. to _____ ft. _____ ft. to _____ ft. _____

_____ ft. to _____ ft. _____ ft. to _____ ft. _____

STATIC WATER LEVEL 7'-10" C. W. Grimshaw
DRILLER

REMARKS:

GRIMSHAW DRILLING CO.

DRILLING LOG

924 South Melrose
Sioux Falls, S.D. 57106
Phone 605-332-6974

Name Dr. Songworth Date Jan 19-78
Address _____
County NE 1/4 Sec. 12 Twp. MELBARY Range _____

NO. FT.	DIA.	RATE	CASING	\$ TOTAL
65	4 3/4	3.00		\$165.00

BALANCE DUE:

0 ft. to 1 1/2 ft. Topsoil
1 1/2 ft. to 27 ft. Sand Brown
27 ft. to 29 ft. Layer of small boulders
29 ft. to 62 ft. Sand Coarse
62 ft. to _____ ft. Lost Circulation
_____ ft. to _____ ft. Water movement negative
62 ft. to 71-74 ft. Blue Clay
_____ ft. to _____ ft.
_____ ft. to _____ ft.
_____ ft. to _____ ft.
_____ ft. to _____ ft.
STATIC WATER LEVEL 7' 8" ft. C. Grimshaw
DRILLER

REMARKS:

Permit No. 4241-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Dr. David Longworth

_____ the holder _____ of
Permit No. 4241-3, issued upon Application No. 4241-3, bearing date of priority of February 27,
1978 authorizing the diversion of 4.0 cu. ft. per second of the waters of _____
groundwater (two wells) County of Brookings, State of South Dakota at _____
Well #1, 1155 feet east of the center NW 1/4; Well #2, 10 feet south of
the center NE 1/4, Section 12, T109N, R50W
_____, for irrigation

purposes, has 8 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.55 cu. ft. per second of water.

Date September 16, 1981

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4241-3

(1) WHEREAS, On the 27th day of February A. D. 19 78

Dr. David Longworth

made Water Right Application No. 4241-3 for a permit to use 4.0 cubic feet per second of the waters of groundwater (two wells)

County of Brookings, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 28th day of March A. D. 19 79

Permit No. 4241-3, with a date of priority of February 27, 1978

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 28th day of March A. D. 19 84 and for the application to beneficial use of said water on or before the 28th day of March A. D. 19 87

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 3.35 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 lands all in Section 12, T109N, R50W

	ACRES
<u>NE 1/4 NW 1/4</u>	<u>33</u>
<u>NW 1/4 NW 1/4</u>	<u>33</u>
<u>SW 1/4 NW 1/4</u>	<u>4</u>
<u>SE 1/4 NW 1/4</u>	<u>33</u>
<u>NE 1/4 NE 1/4</u>	<u>33</u>
<u>NW 1/4 NE 1/4</u>	<u>33</u>
<u>SW 1/4 NE 1/4</u>	<u>33</u>
<u>SE 1/4 NE 1/4</u>	<u>33</u>

TOTAL 235 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Dr. David Longworth

_____ of Brookings SD
the holder _____ and owner _____ of said permit No. 4241-3 a water right, dating from February 27, 1988
_____ to use of 4.0 cubic feet per second of the waters
of groundwater (two wells)
in the County of Brookings and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at Well #1, 1155 feet east of the center NW 1/4;
Well #2, 10 feet south of the center NE 1/4, Section 12, T109N, R50W

and conducted to and upon irrigation portions of land all in Section 12, T109N,
R50W, more fully described on the face of this license.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 4241-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 16th day of September A. D.
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Form 6 - Notice of Intent to Appropriate Water
GROUND WATER

No. 4241-3

Publish first publication, on or before March 16, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 7, 1978

Notice is hereby given that David Longworth whose post office

address is Brookings, 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 4.0 cubic feet of water per second of time from ground water (2 wells) through the Longworth Irrigation Project #2, the point⁵ of diversion of which ~~is~~ ^{are} to be located in the approximate centers of the NE¹ ~~AND~~ NW¹

of Section 12, Twp. 109N Range 50W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE¹ & NW¹ Section 12, T109N, R50W

This Application No. 4241-3 will be considered by the Water Rights Commission at Guest House, Watertown, SD upon the 28th day of March, 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: The final proof of publication must be received before the hearing date for the Commission to take action.

WATER RIGHTS COMMISSION

BETTY WESTLUND
Water Rights Specialist

David Longworth, 719 Main Ave., Brookings, SD 57006

cc:

Affidavit of Publication

State of South Dakota

SS

County of Brookings

Dennis D. Koenders of said county, being first duly sworn, on oath, says: That he is one of the editors of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that he has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year next prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed in the office maintained at said place of publication; and that the

Legal No. 123

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit "A," and is made a part

Two

of this affidavit, was published in said newspaper for

successive week^s, to-wit:

March 14 78

March 21 78

That the full amount of the fee charged for the publication of said Exhibit "A" inures to the sole benefit of the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Sixteen dollars and fourteen cents

Dollars

[Signature]

21st

Subscribed and sworn to before me this day of

March 78

to Registrar

Notary Public in and for the County of Brookings, South Dakota.

My Commission expires September 1985

Exhibit "A"

Legal No. 123 March 14, 21
NOTICE OF HEADING ON
APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
March 7, 1978

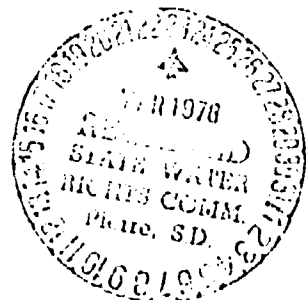
Notice is hereby given that David Longworth whose post office address is Brookings, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-3; 46-6-8; 46-6-11; 46-6-10; 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 4.0 cubic feet of water per second of time from ground water (2 wells) through the Longworth Irrigation Project No. 2, the points of diversion of which are to be located in the approximate centers of the NE 1/4 and NW 1/4 of Section 12, Twp. 109N Range 50W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE 1/4 & NW 1/4 Section 12, T109N, R50W.

This Application No. 4241-3 will be considered by the Water Rights Commission at Guest House, Watertown, SD upon the 28th day of March, 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 I





Department of Natural Resource Development

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

March 14, 1979

TO: Holders of Deferred Applications in Brookings, Hamlin and Deuel Counties

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred water right applications in Brookings, Hamlin and Deuel Counties at 1:45 p.m. on March 28, 1979, at the Community Room of the Pierre City Hall, 222 East Dakota Ave, Pierre, South Dakota.

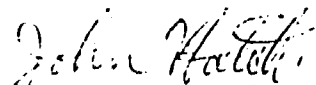
This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-3; 46-6-5; 46-6-6.1; 46-6-10; 46-6-3.1; 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These applications were deferred by the Water Rights Commission in 1977 and 1978, pending Staff investigation. Data from the computer model are not complete at this time, the Commission Staff may recommend deferral on some of the applications until this data is obtained.

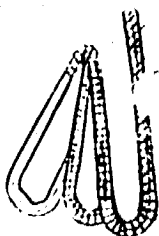
After reconsideration of the deferred applications the Commission can approve, conditionally approve, defer, or deny all or part of the Application.

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,


JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw



Brookings, South Dakota
March 20, 1978

Betty Westlund
Water Rights Specialist I
Water Rights Commission
Pierre, South Dakota 57501



Dear Ms. Westlund:

I am writing in regard to the application of David Longworth for two (2) more irrigation wells in section 12 of Medary township, Brookings, S.D.

He already has had approval for two (2) wells in this section to begin irrigating this year, and I object to his starting up four (4) units all at once.

I live on and own the farm directly south across the road--the NE quarter of section 13, Medary twp. I also own a quarter across the road east-- the SW quarter of section 7, Trenton twp. and a quarter-- the NW quarter of section 18, Trenton twp., which is contingent with his farm at the township road intersection.

We have a dugout in the SW quarter of section 7 for our water supply for the cattle, a well in the NW quarter of section 18, and on our home place we have an old gravel pit area for water. These water supplies are furnished by the water table in the ground. Also, we have a new well for our home water supply which we don't want to deepen.

I feel with the amount of water his four (4) units would use, it could pose a great problem with our supply. I think we should see what the two (2) units he already has approved will do before he is permitted to go to any greater extent of using water.

We had a test well dug on our farm--the SW quarter of section 7 Trenton twp. and there was sufficient water for us to irrigate. We don't plan to put in a unit right now, but also are afraid that if his four (4) units lower the water in this area we wouldn't be issued a permit when we wanted one for just one quarter.

If possible, I plan to attend the meeting on March 28th at 10:00 A.M. at the Guest House in Watertown.

Sincerely,

Loren Vockrodt
RR #1 Box #77
Brookings, S.D. 57006

November 30, 1979

Jerry Siegel, Manager
East Dakota Sub-District
524 17th Ave.
Brookings SD 57006

Dear Mr. Siegel:

Reference is made to your letter regarding Mr. Longworths irrigation pumping under Permits No. 4112-3 and 4241-3.

While adequate wells into the formation are protected, the Water Management Board in issuing permits does not guarantee water levels are going to remain constant in an aquifer. Fluctuations occur naturally, and while such fluctuations may be exaggerated by high capacity pumping, in this particular aquifer is is not anticipated that effects from irrigation pumping would extend $\frac{1}{4}$ of a mile from the pump site.

The Porters water supply will be protected to the extent that withdrawals can not exceed anticipated annual average recharge, but with no guarantee that water level fluctuations will not occur.

Should you have further questions, feel free to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:BJ:kw

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8455

T.F. Martin, Attorney, for

PIERRE,

September 8, 1931

RECEIVED OF David Longworth, 719 Main Ave., Brookings, SD 57006

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. 4241-3	50.00	
Fee for Inspecting Beneficial Use, and Issuing Water License No. 4241-3		
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 Hatch)*
Chief Engineer, Executive Officer
JOHN HATCH / (bt)

Permit No. 4241-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by DR. DAVID
LONGWORTH of BROOKINGS holder
of Permit No. 4241-3, bearing date of priority of FEBRUARY 28 1978, 1978
authorizing the diversion of 4.0 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in BROOKINGS 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:
WELL #1 64' DEEP WITH 16" PLASTIC CASING - 20' SS SCREEN
WESTERN LAND ROLLER BM - 512CH PUMP, POWERED BY 60 HP
US ELECTRIC MOTOR @ 1765 RPM
WELL #2 - 62' DEEP WITH 16" PLASTIC CASING - 20' SS SCREEN
WESTERN LAND ROLLER BM - 512CH PUMP, POWERED BY 60 HP
US ELECTRIC MOTOR @ 1760 RPM.
- B. Works used to transport water to place of use,
WELL #1 - 1155' OF 8" BURIED INC. TO CENTER OF PIVOT
WELL #2 - 10' OF 8" ALUMINUM PIPE TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

2 - 8 TOWER ELECTROGATOR PIVOT SYSTEMS (MODEL 26ES)
BOTH WITH NELSON #100 END GUNS

The system is in the following condition: GOOD

The point of diversion is located WELL #1, 1155' E OF THE CENTER NW 1/4, WELL #2 - 10' S
OF THE CENTER NE 1/4, SECTION 12, T109N, R50W

The works are capable of diverting and conveying to the place of use 3.55 (800 GPM)
PER PIVOT

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: ALL IN SEC 12, T109N, R50W

NW 1/4 NW 1/4	33 ACRES	NW 1/4 NE 1/4	33 ACRES
NE 1/4 NW 1/4	33 "	NE 1/4 NE 1/4	33 "
SW 1/4 NW 1/4	4	SW 1/4 NE 1/4	33 "
SE 1/4 NW 1/4	33 "	SE 1/4 NE 1/4	33 "

comprising a total of 235 acres of land.

3.35

SEND NOTICE TO:

R & M LAND & CATTLE CO

517 5TH AVE

BROOKINGS, SD 57006

Date JULY 22, 1981
[Signature]
(Signature)



Department of Water & Natural Resources

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

4112-3
4241-3

June 28, 1988

Brian Hedman
PO Box 78
Brookings, South Dakota 57006

Dear Sir:

Please find enclosed copies of Notice of Transfer of Water Permit forms. These forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 for each, total of \$5.00 for two transfers.

Upon receipt of the enclosed forms and the \$2.50 filing fee for each, the permits will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary
(605) 773-3352





Department of Water & Natural Resources

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

4241-3
4112-3

August 15, 1988

Gary Helland
Century 21
Box 661
Watertown, SD 57201

Dear Mr. Helland:

Enclosed, as you requested, are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 4112-3 and 4241-3, currently listed in the name of Dr. David Longworth. These forms should be signed by the new owner(s) in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The water rights will then be transferred to the proper name.

Also enclosed are copies of Water Right No. 2171-3 and 3229-3, currently listed in the name of Harlan Stadheim, and two blank "Notice of Transfer" forms. You indicated that water rights for land in the N 1/2 of Section 9, T119N, R52W, were also to be transferred. If these are the correct water rights to be transferred, please complete the transfer forms accordingly and return them to our office with a \$2.50 filing fee for each.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NO. 4241-3



NOTICE OF TRANSFER OF WATER PERMIT

Date: 9 9-88

This is to notify you that the title to the lands described as follows:
N 1/2 Section 12, T109N, R50W

formerly owned by Dr. David Longworth, 6 S Broadway, Watertown SD 57201

has been transferred to George D. Bader, PO Box 5249, McAllen, Texas 78502

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4241-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF ^{TEXAS} SOUTH-DAKOTA)
County of Hidalgo) ss.

I, GEORGE D BADER being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

George D Bader
(Signed)

Subscribed and sworn to before me this 9th Day of September, 1988.

(Arvis) G. Bueviseck
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

441400

Pierre, September 12, 1966

RECEIVED OF George D. Bader, PO Box 5249, McAllen, Texas 78502

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. _____		
Fee for Filing Transfer Form <u>4241-3</u>		2 50
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	2 50

By John Hatch
Chief Engineer JOHN HATCH (S)



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

September 15, 1988

George D. Bader
PO Box 5249
McAllen, Texas 78502

Dear Mr. Bader:

Enclosed are receipt Nos. 411406 and 411407 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 4241-3 and 4112-3.

Our records now show you as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.



 **Department of
Water & Natural Resources**

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

July 27, 1990

Henry Halboth
Prudential Insurance Co
1431 Ogden Place, Suite 665
Downers Grove, IL 60515

Dear Mr. Halboth:

In response to your telephone conversation with Eric Gronlund, with our office, enclosed are the following copies:

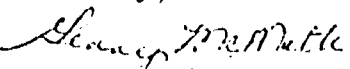
1. 1987, 1988 and 1989 irrigation questionnaires for Water Permit/Right Nos. 603-3 & 2039-3 (John Hancock Mutual Ins Co) and Nos. 4112-3 & 4241-3 (George Bader);
2. Water Management Board General Rules (page 18 describes the specific rules you were interested in)
3. Water Rights Law - State of South Dakota (see pages 46-47)

Eric indicated you were interested in water use information and monitoring well information for Brookings County. The acreage irrigated in the Sioux River basin in 1989 (Brookings County is in the Sioux River Basin) is approximately 58,775 acres. The amount of acreage permitted for this basin is approximately 97,479 acres.

The monitoring well information we have is site specific. If you have a particular well you are interested in, we could provide the data to you. The Brookings/Kingsbury County Study, as published by the US Geological Survey, could provide much of the information you are interested in. Copies of the report entitled "Water Resources of Brookings and Kingsbury Counties, SD, US Geological Survey Water Resources Investigations Report 88-4185" can be purchased from:
US Geological Survey
Books and Open File Reports
Federal Center, Building 810
PO Box 25425
Denver, CO 80225

If you have any questions concerning the enclosed information, please contact either myself or Eric Gronlund at (605) 773-3352.

Sincerely,


Genny McMath
Natural Resources Analyst

enclosures

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991.

4241-3

DEPARTMENT OF WATER & NATURAL RESOURCES

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

GEORGE D BADER
RR1 BOX 65B
BROOKINGS SD 57006

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). 4112-3; & 4241-3

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 4112-3; & 4241-3. The request for the chemigation report(s) was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of 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 South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

The hearing(s) will be held at 9:15 am, on February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing(s) 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 procedures contained in SDCL 1-26.

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

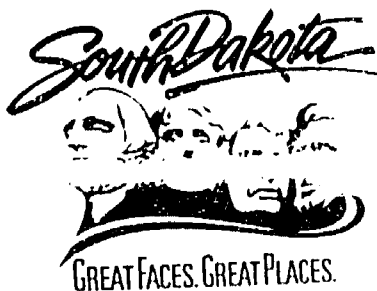
1. Suspend Permit No(s). 4112-3; & 4241-3 until either the 1990 chemigation report(s) is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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.

Very truly yours,

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

NOTE: If the chemigation report(s) is received in this office before the February 27th 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
523 East Capitol
Pierre, South Dakota 57501-3181

4241-3

February 7, 1991

GEORGE D BADER
RR1 BOX 65B
BROOKINGS SD 57006

Dear Mr. BADER:

I am writing to acknowledge receipt of your 1990 chemigation report for Water Right No.(s) 4112-3; & 4241-3. You may disregard the February 1, 1991, Notice of failure to report chemical use for 1990. With receipt of the chemigation report, your name has been deleted from the February Water Management Board meeting agenda.

If you have any questions, please contact Regan Fanning at (605) 773-3352.

Sincerely,

Ron Duvall,
Natural Resources Engineer IV
Water Rights Division

4241-3

FOLEY LAW OFFICE

124 SOUTH MAPLE
P.O. BOX 815
WATERLOO, SOUTH DAKOTA 57201-0815



TELEPHONE 605-745-7151
AREA CODE 605

ANDREW E. FOLEY (1969-1974)
JOHN L. FOLEY
VINCENT A. FOLEY

May 13, 1992

Genny McMath
Natural Resources Analyst
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Dear Ms. McMath:

Herewith enclosed please find executed NOTICES OF TRANSFER OF OWNERSHIP for the following permits:

Water Permit No. 603-3, to be transferred to the Western Trust Company, Gary G. Hoffman, Trustee.

Water Permit No. 4112-3 and 4241-3, to be transferred to the Western Trust Company, Gary G. Hoffman, Trustee.

Also enclosed are checks to cover the filing fees.

If any additional information is needed, please advise.

Sincerely,

FOLEY LAW OFFICE


John L. Foley

JLF:cb

Enclosures

L



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 14, 1992

4112-3
4241-3

John L Foley
Foley Law Office
PO Box 845
Watertown, SD 57201-0845

Dear Mr. Foley:

Enclosed is the "Notice of Transfer of Ownership" form you submitted for filing an ownership change on Water Right Nos. 4112-3 and 4241-3. A "Notice of Transfer" must be filed with each water right and can not be combined on one form.

I have enclosed partially completed transfer forms for Nos. 4112-3 and 4241-3. Please review and have them signed by a representative of Western Trust Company. A filing fee of \$2.50 is required for each transfer.

Upon completion of the forms, please return them to our office with filing fees totalling \$5.00. The transfers will be processed as soon as the forms and filing fees are received.

The transfer form and fee for Water Right No. 603-3 was received and is being processed. You will be notified when the transfer has been completed.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

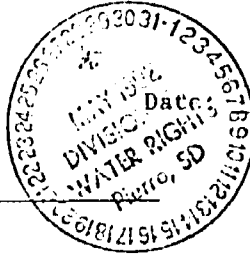
enclosures

L

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4241-3



May 26, 1992

I\We request that Water Right No. 4241-3

formerly owned by: George Bader

be transferred to: (name & address) Western Trust Company, Gary Hoffman, Trustee

PO Box 1052, Watertown, SD 57201-1052 (Telephone No.) (605) 874-2903

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

portions of N 1/2 Section 12, T109N, R50W

I\We understand that the validity of Water Right No. 4241-3 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
)
County of Codington)

I\We Gary G. Hoffman being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Western Trust Company
Gary G. Hoffman Trustee
(Signed)

Subscribed and sworn to before me this 26th day of May, 1992.

John L. Foley
John L. Foley (Notary Public)
South Dakota

My commission expires: 11-1-1999

(SEAL)
NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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.

FOLEY LAW OFFICE

124 SOUTH MAPLE
P.O. Box 815
WATERLOO, SOUTH DAKOTA 57201-0815

ANDREW E. FOLEY (1889-1975)
JOHN L. FOLEY
VINCENT A. FOLEY



TELEPHONE 885-7653
AREA CODE 605

May 27, 1992

Genny McMath
Natural Resources Analyst
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Re: Water Permits

Dear Ms. McMath:

Herewith enclosed please find two permits to transfer water rights from previous owners to the new purchaser, Western Trust Company. These permits are as follows:

Water Right No. 4112-3, to be transferred to Western Trust Company, Gary Hoffman, Trustee.

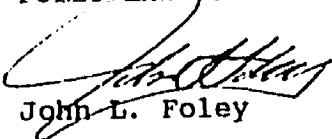
Water Right No. 4241-3, to be transferred to Western Trust Company, Gary Hoffman, Trustee.

Also, we're enclosing a check made payable to the State of South Dakota - Department of Environment and Natural Resources, in the amount of \$5.00 to cover the cost of recording these two water permits.

If any additional information is needed, please advise.

Sincerely,

FOLEY LAW OFFICE


John L. Foley

JLF:ch

Enclosures

cc: Gary Hoffman

RECEIPT

Division of Water Rights

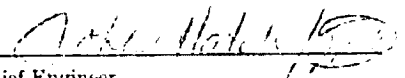
South Dakota Department of Water and Natural Resources

446227

Pierre, _____ May 28, 1992

RECEIVED OF Foley Law Office (Western Trust Co) PO Box 345, Watertown SD 57201
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. _____		
Fee for Filing Transfer Form <u>Water Right No. 4241-3</u>	2	50
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	2	50

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 3, 1992

No. 4112-3
4241-3

Foley Law Office
P.O. Box 845
Watertown, SD 57201

Dear Mr. Foley:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 4112-3 and 4241-3.

Our records now show Western Trust Company, Gary Hoffman, Trustee, P.O. Box 1052, Watertown, SD 57201-1052 as the owner of Water Right Nos. 4112-3 and 4241-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure

cc: Western Trust Company

109.50

4.7

5.0

9.6

8.6

102.7

70.9

3.3

24.7

1860'
N135°E

Well #1

3-236

378

89.8

1860'
N135°W

Well #2

4.1

11A @ 100 feet
from 100' line

69.2

33.5

144.5

DAVID LONGWORTH
Irrigation Project #2
719 Main Ave.
Brookings 57006 S. Dakota

Acres Irrigated - 286.4
Water claimed - 4.0 cfs

34.9

2-25-78 109.50

Corrected & Correct

John L. Wilisma



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 13, 2025

4112-3
4241-3

Western Trust Company
c/o Gary Hoffman
PO Box 1052
Watertown SD 57201

Dear Mr. Hoffman:

I write to you today in response to the 2024 Irrigation Questionnaire information submitted for Water Right Nos. 4112-3 & 4241-3.

Water Right No. 4112-3 (copy enclosed) authorized diversion of 3.47 cubic feet of water per second (1560 gpm) from two wells completed into the Big Sioux: Aurora Aquifer for irrigation of 243 acres located within the S ½ Section 12-T109N-R50W.

Water Right No. 4241-3 (copy enclosed) authorized diversion of 3.34 cubic feet of water per second (1500 gpm) from two wells completed into the Big Sioux: Aurora Aquifer for irrigation of 235 acres located within the N ½ Section 12-T109N-R50W.

On this year's questionnaire you reported the irrigation of 400 acres for each water right, 800 acres total. If an additional 322 acres have been developed for irrigation, additional permitting would be required.

Please contact me to either revise your 2024 Irrigation Questionnaires or discuss additional permitting.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
Amanda.Dewell@state.sd.us
(605) 773-3352

enclosures

NOTE: The 2024 Irrigation Questionnaire for Water Right No. 4697A-3 has not been received.

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 4241-3

Date: 2-1-26

PAID
FEB 06 2026
Ck# NO #

Rec't# _____

I/We request that Water Right/Permit No. 4241-3 formerly owned by:

Western Trust Company - Watertown SD

be transferred to:

New Owner Name: CH and FW LLC

Address: PO Box 1052 mobile: 605-880-0870

City, State, Zip Watertown, SD 57201 email: Brittoney.Serie@gmail.com

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

235 acres located in: N 1/2 Section 12-T109N-R50W

RECEIVED

FEB 06 2026

OFFICE OF
WATER



I understand that the validity of Water Right/Permit No. 4241-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, CH & FW LLC, Carey Hoffman & Fay Wresner, the new owner, certify that the above information is true and correct.

Fay Wresner

Carey A. Hoffman
(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

WATER RIGHTS PROGRAM
South Dakota Department of Agriculture and Natural Resources

RECEIVED OF CH & FW LLC PO Box 1052 Watertown, SD 57201

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form #4241-3	\$50.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	\$50.00
TOTAL	\$50.00

By Adam Matkowitz
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 17th, 2026

4241-3

CH and FW LLC
PO Box 1052
Watertown, SD 57201

To Whom it May Concern,

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fee you submitted for Water Right No. 4241-3. Enclosed is a receipt of payment for your records.

Water Right No. 4241-3, previously held by Western Trust Company, is now listed under CH and FW LLC. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right No.4241-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure