

Big Sioux
10170202

Water Right No. 4522-3

1. Considered MAY 22 1980
2. Name of Applicant STEPHEN E. PUTTMANN
3. Post Office Address RT. 1, Box 141, ESTELLINE, SD 57234
4. Amount of Water Claimed 3.64
5. Source of Water Supply 4 WELLS #1-40'; #2-37'; #3-38' #4-55'
6. Water to be used for IRR
7. Acres to be irrigated 255 maximum acre feet
8. Water to be diverted and used in HAMLIN County
about 6 1/2 N, 2 miles WEST of ESTELLINE
9. PROOF OF PUBLICATION Received 5-19-80

Not Received

APPLICATION

Approved

Subject to UT

Not Approved

Action deferred

Priority

Date

Received

4-14-80

Application Complete yes

no

FEE 300⁰⁰

4-14-80

Remarks

This appl. was to date go in regular process - after approval of Sec. 170 was later found to be Puttmann's with whom the allotments to have a special addition of Estelline water from May 1980 (city of Estelline said ok.) Bill Sanderson arranged Pub.

Date information and/or

fee or corrected Application received

Period of Annual use

April thru October

WATER

QUALITY

Received

yes 5/8/80

no

APPROVED/CONDITIONAL

(Circle one)

WI-1 Description same as application yes

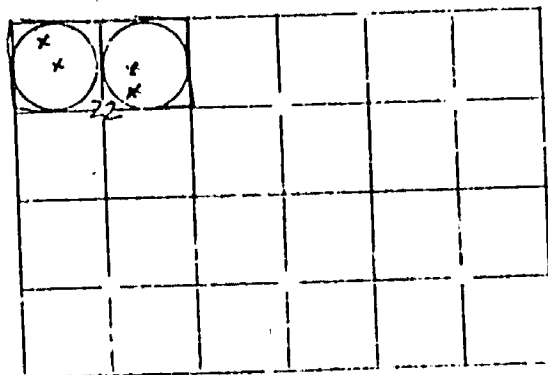
no

Remarks

Disapproved

Returned

Diversion Point



APPROX CENTER NW 1/4;

NW 1/4 NW 1/4; NW 1/4 NE 1/4 and

SW 1/4 NE 1/4 22-114-51

Lands to be irrigated

N 1/2 22-114-51

WELL
LOG

Remarks

Driller

Vant-Hall & Sons

Licensed

yes

no

Depth

40'-37' 38' & 55'

Water Right No. _____

Page 2

MAP Map No. 5744-3 Map located in Water Right X Map file _____
Type of Map Quail Prepared by W. J. Kinn

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 5-22-70. B. H. N. N. N. N.
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS was adopted _____
ETC. Remarks _____



No. 4522-3
 Map No. 3744-3 Water Division No. 3 RIG SIOUX District
 Above for Office Use 10170202

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Stephen E. Putnam Phone No. 873-2565
 Post Office Address Rt 1 Box 141 E. Collins State S. Dakota 57234
 (Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor3. Name of diversion work Putnam Irrigation Project #14. Amount of water claimed (cubic feet per second) 4-3.645. Source of water supply 4 wells

6. Location of point of diversion #1 - 2250' N 127° W of NE corner; well #2 - 2800' N 140° W of NE corner; well #3 - 1950' N 137° E of NW corner; well #4 - 1320' N 113° E of NW corner, all of Section 22 - 114-51 County Hamlin

7. Annual period or periods during which water is to be used April through October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 250

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.
NW 1/4 of NW 1/4 Sec 22 - 114-51	20
NE 1/4 " " " " "	35
SW 1/4 " " " " "	35
SE 1/4 " " " " "	35

Land Description	No. Acres Irr.
NW 1/4 of NE 1/4 Sec 22 - 114-51	26
NE 1/4 " " " " "	20
SW 1/4 " " " " "	35
SE 1/4 " " " " "	35

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 1/2 years. Additional time required to complete application of water to the proposed beneficial use 4 years

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Hot Springs Journal

12. Principal Features of the Proposed Water Supply System.

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

4 wells with turbine pumps

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

closed conduit

C. Works proposed to apply water to beneficial use.

center pivot irrigation machinesEstimated Total Cost \$ 110,000

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 Beauregard) ss.

I, Stephen E. Putnam 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 Stephen E. PutnamSubscribed and sworn to before me this 10 day of April, 1960

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 4522-3

STEPHEN E. PUTTMANN

(Applicant)

ESTELLINE (Rt #1, Box 141)

(Post Office Address)

SOUTH DAKOTA 57234

(State)

With the following qualifications.

The irrigation well(s) 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.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application APRIL 14, 1980

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

Date of receipt of corrected application _____, 19____

Approved MAY 22, 1980, Recorded in Book 21 Page 195

WATER RIGHT PERMIT NO. 4522-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4522-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 14, 1980
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22, 1982
3. The whole of said work is to be completed on or before MAY 22, 1985
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22, 1988
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 3.64 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 irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before MAY 22, 1988; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 4th day of JUNE, 1980

THE BOARD OF WATER MANAGEMENT

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

LOG

Yant Hul and Sons Well Drilling Co.

Rock Valley, Iowa
Phone (712) 476-5647

Drilled for B. Sanderson Date Nov. 28, 1980

Tenant _____

Address Estaline, Mo. Dakota

Location field

Drilled by Yant Hul and Sons, Inc.

Cased with 4 test holes Total Depth 260 ft.

Finished in _____ W.L.F.S. _____ ft.

Capacity tested to _____ Gals. per _____

Screen used _____ Slot size 5 Length _____ Diameter _____

Other Information:



test hole sites

FORMATIONS PASSED THROUGH

No. of ft. ①	Kind of Formation	③
0'-7'	top soil	0'-4'-top soil
7'-15'	sand & clay	4'-18'-gravel
15'-40'	yellow clay & sand	18'-20'-clay
40'-65'	blue clay	20'-38'-gravel
0' ③	top soil	38'-65'-blue clay
5'-18'	sand	④
18'-20'	clay	0'-4'-top soil
20'-37'	sand & little clay	4'-18'-gravel
37'-65'	blue clay	18'-19'-gravel & clay
		19'-47'-gravel
		47'-55'-gravel & clay
		55'-65'-blue clay

Signed Duane E. Yant Hul

Driller

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to Form 2)

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

D. Well Information

(1) Drill Hole, Diameter 12", Depth 111 - 110'
112 - 107'
114 - 105'

(2) Casing, Type Steel, Diameter 14", Thickness 3/16"
(wood, concrete, steel, etc.)

(3) Screen, Type Butt mesh 5/16", Diameter 14", Length 10'

(4) Gravel Pack, Thickness 2", Length of gravel pack 17 ft 1 in. Long

E. Dugout Information or Estimates

(1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 111 - 15', 112 - 20', 113 - 20', 114 - 19'

Depth to bottom of water bearing material Same as well depth

Depth to water (ground surface to water level) 111 - 5', 112 - 20', 113 - 20', 114 - 15'

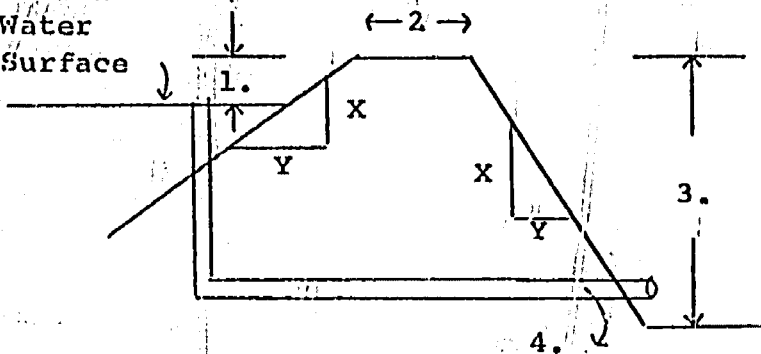
(2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ rds.	<u>111</u> <u>86</u>	<u>112</u> <u>110</u>	<u>113</u> <u>200</u>	<u>114</u> <u>190</u>
On property owned by others _____ rds.	<u>200</u>	<u>160</u>	<u>280</u>	<u>300</u>

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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.

Normal
Water
Surface



1. Freeboard _____
2. Crest width _____
3. Height of Dam _____
4. Outlet dimensions:
 - Pipe diameter _____
 - Spillway width _____
- X & Y slope:
 - Upstream _____
 - Downstream _____
 - Surface area of impoundment _____
- Drainage area above dam _____

Stephen E. Pittman
 Signature Applicant

SOIL/WATER COMPATIBILITY APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Daniel D. Saunders OWNERS ADDRESS: Box 7, Hamlin, S.D. 57041

COUNTY LAND LOCATED IN: Hamlin PHONE: 274-2001

TENANT'S NAME AND ADDRESS: (If Other Than Owner) Stephen E. Pullman, Box 7, Hamlin, S.D. 57041

In accordance with State Law SDCL 46-5-6.5, If a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water right within 6 months of receipt of such water right.

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

1. WELL LOCATION OR DIVERSION POINT: Sec 22, Twp 4N, R. 11W, NE 1/4, 2. SW 1/4, 3. approx. east. NW 1/4, 4. NW 1/4 NW 1/4, all in Sec 22, 11N-51
2. SURFACE WATER SOURCE
3. LOCATION OF AREA TO BE IRRIGATED: N 1/4 Sec 22 - 11N-51 (part of) 255 ac.
4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show approximate acres under each type of system)

5. GRAVITY ☐ TOWLINE ☐ CENTER PIVOT ☒ GUN ☐ OTHER (Specify)
6. CROPS TO BE IRRIGATED Corn & alfalfa
7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: IN WHAT NAME:

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

8. SAMPLE NUMBER: 80-203, 80-204, 80-205, 80-206
9. SALINITY (EC X 10⁶) 1607, 1833, 1833, 1913
10. SODIUM (SAR) 0.95, 1.00, 1.00, 0.96 ADJUSTED (SAR) 2.65, 2.90, 2.85, 2.75

I hereby certify that I personally obtained (or that I personally observed the 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 back) were followed, and that the sample was taken at 4:00 A.M./P.M., on March 28, 1980, at the following location: Box 7, Hamlin, S.D. 57041 (Individual who 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.

I also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Hamlin Co Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS 16 DAY OF April, 1980.
John L. [Signature]
(NOTARY PUBLIC)

[Signature]
APPLICANT'S SIGNATURE
Daniel D. Saunders
Box 7, Hamlin, S.D. 57041
Director, Division of Conservation

RECEIVED
APR 25 1980
SOUTH DAKOTA
DIVISION OF CONSERVATION

APPROVED
DISAPPROVED
X CONDITIONALLY APPROVED

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 State Water Right Commission.

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Daniel D. Sanderson, Latherville, Iowa (Owner)
Stephen E. Puttmann, Estelline, SD (Tenant)

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED: unless kept in permanent vegetation.

2P2 2 - Flow soils in drainageway are subject to flooding.

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 3-4 times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 3-5 inches of water.
3. (X) Yes Improved Surface drainage suggested on waterways to facilitate complete runoff.
4. () Yes () No Subsurface drainage suggested on _____.
5. (X) Deep tillage (for the purpose of aiding movement of water through dense subsoils.
- COMMENTS: Occasional use in fall along with heavy irrigation to flush down any salt accumulation. Vienna soils.
6. () Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application center pivot.

GENERAL COMMENTS:

The management of your two predominate soils, Vienna silty clay loam and Fordville silt loam over gravel calls for different water application rates and frequency of irrigation.

Fordville soils take water faster and will lose moisture to the underlying gravel; therefore, they will require smaller but more frequent irrigation applications.

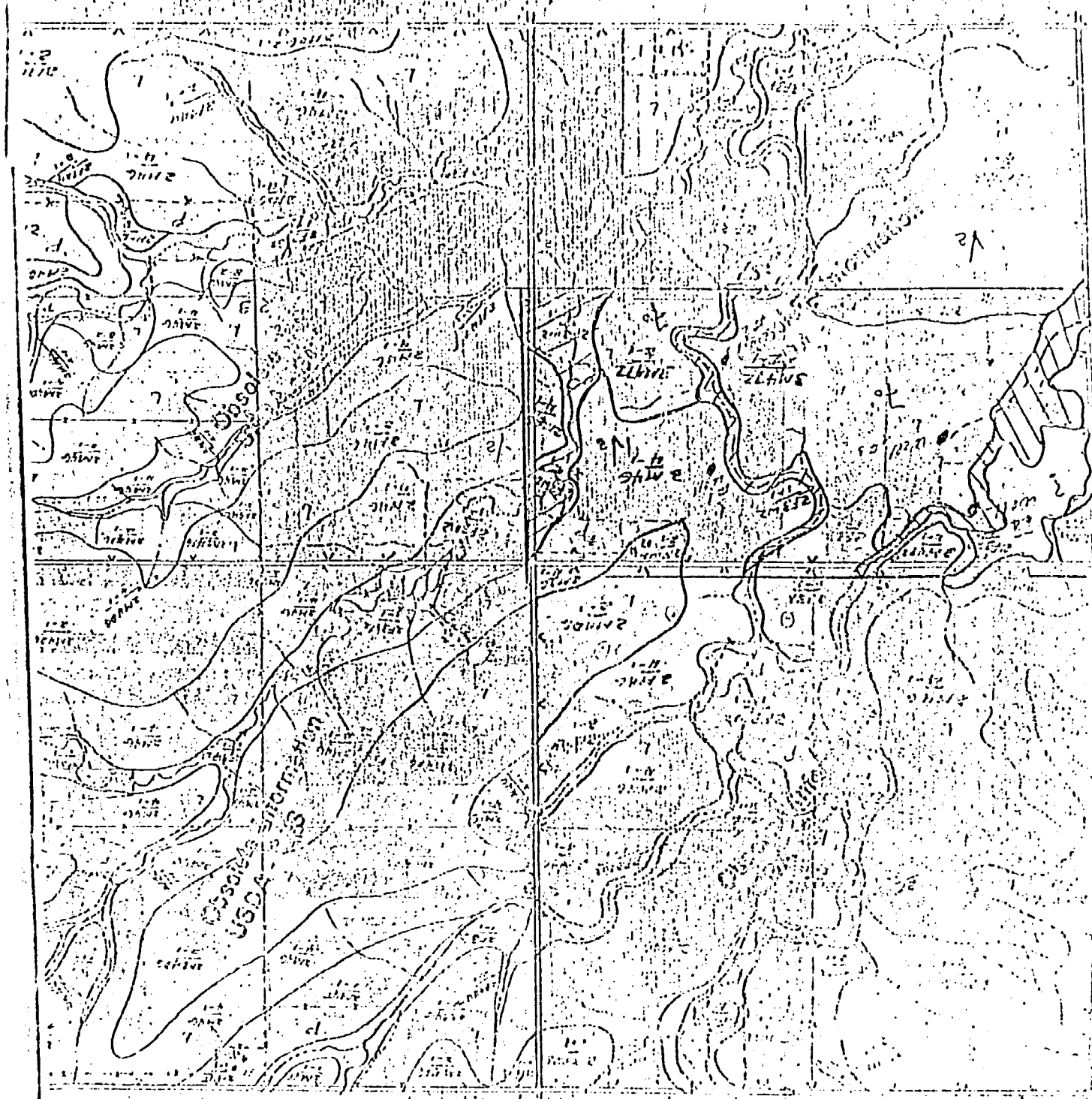
Vienna soils, the deeper and finer textured soils, have a good water holding capacity and require less irrigation.

Copy to applicant
Copy to Water Rights
Copy on File

(NOTARY PUBLIC)

Director, Division of Conservation

APPROVED



1500

GROU

CURE

No. 4522-3

Publish first publication, on or before May 8, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 8, 1980

Notice is hereby given that Stephen E. Puttman whose post office

address is Estelline, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 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, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 3.64 cubic feet of water per second of time from groundwater

(four wells) through the Puttman Irr. Project #1, the point ~~xxx~~ of diversion of which is (are) to be located in the approximate center of the NW 1/4 NW 1/4 NW 1/4 and SW 1/4 NE 1/4

of Section 22, Twp. 114N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N 1/4, Section 22, T114N, R51W

This Application No. 4522-3 will be considered by the Water Management Board at Civil Defense Meeting Room
State Capitol Building, Pierre, South Dakota upon the 22nd day of May, 1980

at 10 A. .M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

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 Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DMNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Stephen E. Puttman
Rt #1, Box 141
Estelline SD 57234

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79
GROUNDWATER

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

4522-3
No. _____

No. 4522-3
Pierre, South Dakota 57501

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Notice is hereby given that Stephen E. Puttman whose post office address is Estelline, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 3.64 cubic feet of water per second of time from groundwater (four wells) through the Puttman 111. Project #1, the points of diversion of which are to be located in the approximate center of the NW1/4; NW1/4; NW1/4 NE1/4 and SW1/4 NE1/4 of Section 22, Twp. 114N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land: N12, Section 22, T114N, R51W.

This Application No. 4522-3 will be considered by the Water Management Board at Civil Defense Meeting Room, State Capitol Building, Pierre, South Dakota upon the 22nd day of May, 1980 at 10 A.M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

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 Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.
water management board
BETTY WESTLUND
Water Rights Specialist
cc: Stephen E. Puttman
Rt. #1, Box 141
Estelline SD 57234

----- Publ. May 9, 15, 1980

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hauke) ss.

I, Mr. R. H. ALSTON hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the ESTELLINE JOURNAL

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

(City) of Estelline

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

May 7, 1980

May 8, 1980

[Signature]
(Signature)

[Title]
(Title)

5/15/80
(Date Signed)



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7481

PIERRE, April 28, 1900

RECEIVED OF *Phs Farms, 804 Central Av., Estherville, Iowa*

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

Fee for Application for Permit to Appropriate Water No. <u>4522-3</u> (examination, processing, recording and filing) -----	300	00
Fee for Inspecting Construction, and issuing Cert. of Construction No. -----		
Fee for Inspecting Beneficial Use, and issuing Water License No. -----		
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	300	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH
KW

Permit No. 4522-3Water 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 / POSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by STEPHEN
PUTTMANN of ESTELLINE holder
of Permit No. 4522-3, bearing date of priority of APRIL 14, 1980
authorizing the diversion of 3.64 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in HAMLIN County.

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

The Water Use System consists of,

A. Works used to divert the water:

B. Works used to transport water to place of use,
120' 8" BURIED PVC FROM S WELL TO W PILOT POINT
700' 8" BURIED PVC FROM N WELL TO W PILOT POINT
2640' 8" BURIED PVC BETWEEN E & W PILOT POINTS

C. Works used to apply water to beneficial use
OLSON 7 TOWER CENTER PISTOL-MODEL MK6 (SERIAL 67056)
WITH NELSON #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located _____

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 IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 22, T114N, R51W

comprising a total of _____ acres of land.

Date _____

(Signature) _____



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
March 22, 1983

Water Rights Division
605 773-3352

4522-3
Stephen E Puttmann
RR 1 Box 141
Estelline SD 57234

Dear Sir:

Water Permit No. 4522-3 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosure

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3151

NOTICE

September 13, 1983

TO: Stephen Putnam
Rt 1, Box 141
Sioux Falls, South Dakota 57234

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

John Hatch

Re: Violation of Permit No(s). 4522-3
by Failure to Submit Required 1982 Irrigation Questionnaire

The Water Management Board has directed that hearing(s) be held to determine what action the Board should take for violation of the Water Permit No(s). 4522-3 qualification that requires the Irrigation Water Use Questionnaire to be submitted each year.

The hearing(s) will also be to determine if Permit No(s). 1812-3 should be amended to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:30 p.m., October 5, 1983, Civil Defense Room, Basement, State Capitol Building, Pierre, South Dakota. Water Rights Division records do not show that the 1982 Irrigation Questionnaire for Permit No(s). 4522-3 has been received. The questionnaire was requested on the following dates:

1. September 1982 Initial request
2. December 1982 follow-up request
3. March 22, 1983 Notice that submittal of questionnaire is a qualification to water permit.
4. August 1983 Notice that Board had directed owners of permits not in compliance with the Irrigation Questionnaire qualification be given until August 30, 1983 to submit the 1982 questionnaire with any permit owner in violation after August 30 to be given notice for hearing before the Board.

Equal Opportunity Employer

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). 4522-3 until either the 1982 Questionnaire is submitted or for a period of up to one year;
2. Amend Permits No(s). 1812-3 also held by Stephen Putnam to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

These hearing(s) are 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.

Division of Water Rights
605 773-3352

September 20, 1983

4522-3

Steve Putmann
RR #1, Box 141
Estelline SD 57234

Dear Mr. Putmann:

In a telephone conversation September 19, 1983, Mrs. Putmann indicated you have already submitted your 1982 Irrigation Questionnaire. In checking our files, I find no record of receiving the questionnaire, perhaps it was lost in the mail.

Enclosed is an additional form. Please complete the data sheet for our records. If you have not kept accurate records, estimations will be satisfactory. Please submit the questionnaire to this office as soon as possible. If it is received in this office before October 5, 1983, your name will be deleted from those noticed for hearings concerning the permit violations.

If you have any questions, contact our office.

Sincerely,

GENNY MCMATH
Water Rights Specialist

GM:ks

enclosure

Water Rights Division
605 773-3352

October 3, 1983

4522-3
1812-3

Steve Puttmann
RR #1, Box 141
Estelline SD 57234

Dear Mr. Puttmann:

This letter will acknowledge receipt of and thank you for the return of your 1982 Irrigation Questionnaire. A notice was sent to you September 13, 1983 regarding the Irrigation Questionnaire submittal violation of Permit No. 4522-3 and the date hearings are to be held before the Water Management Board to determine any action to be taken concerning the violation. Our records now show that you have returned the 1982 Irrigation Questionnaire and are now longer in violation of your permit.

Please disregard the notice sent to you dated September 13, 1983. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

 **Department of
Water & Natural Resources**

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

April 2, 1986

Stephen Puttmann
RR 1, Box 141
Estelline, SD 57234

NOTICE

Re: Violation of Water Permit No(s). 1812-3, 4522-3, 2264-3, and 3374-3 and 1985 Irrigation Questionnaire Requirements.

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 1812-3, 4522-3, 2264-3, and 3374-3. The request for the questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 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 of violation of Water Permit No(s). 1812-3, 4522-3, 2264-3, and 3374-3 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). 4522-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:00 p.m., May 14, 1986, in Room 216, Joe Foss Building, 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:

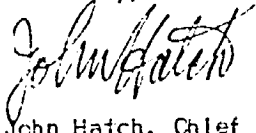
1. Suspend Permit No(s). 1812-3, 4522-3, 2264-3, and 3374-3 until either the 1985 Questionnaire is submitted or for the period of up to one year;

Stephen Puttmann
April 2, 1986
Page 2

2. Amend Permits No(s). 4522-3 also held by Stephen Puttmann 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,



John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

Note: If the questionnaire(s) are received in this office before the May 14th 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.

D32403KS.WR

 **Department of
Water & Natural Resources**

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

May 16, 1986

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Stephen Puttmann
RR 1 Box 141
Estelline SD 57234

FROM: John Hatch, Chief Engineer *John Hatch*
Water Rights Division *by Del Brong*
605 773-3352

SUBJECT: One Year Suspension of Water Permit No(s). 4522-3
If the 1985 Irrigation Questionnaire Is Not Received By
June 1, 1986

Pursuant to the provisions of the notice dated April 2, 1986 and following the Hearing May 14, 1986, the Water Management Board ordered:

That Water Permit No(s). 4522-3 be suspended until December 31, 1986, unless the required 1985 Irrigation Water Use Questionnaire is received by June 1, 1986.

Suspension of a permit means water may not be pumped during the 1986 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

Equal Opportunity Employer



Department of Water & Natural Resources

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

June 3, 1986

Permit No. 4522-3

Stephen E Puttman
RR 1, Box 141
Estelline SD 57234

Dear Mr. Puttman:

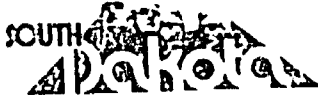
I am writing to acknowledge receipt of your 1985 Irrigation Questionnaire. A notice was sent to you May 16, 1986 regarding the Board action taken May 14, 1986 to suspend your permit(s) if the 1985 irrigation questionnaire was not received before June 1, 1986.

You may disregard the May 16 notice. With receipt of your 1985 questionnaire(s), your permit(s) will not be suspended.

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
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4522-3

March 13, 1987

William Sanderson
703 1st Avenue, South
Estherville, Iowa 51334

Dear Mr. Sanderson:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit 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

ms/
Enc.

4522-3

Sanderson, Ridout & Martens

Daniel L. Sanderson (1920-1950)

William James Sanderson

William B. Ridout

John G. Martens

Attorneys at Law

703 First Avenue South

Escherville, Iowa 51334

Escherville Office

712 362-5555

712 362-3240

April 30, 1987

Department of Water & Natural
Resources
Division of Water Rights
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501



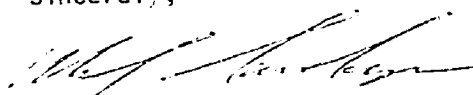
Re: Notice of Transfer of Water Permit

Attention: Genny McMath

Dear Genny McMath:

Enclosed is the signed NOTICE OF TRANSFER OF WATER PERMIT.
If you have any questions, please let me know.

Sincerely,


Wm. J. Sanderson

WJS:sas

Encl.

NO. 4522-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 4-30-87

This is to notify you that the title to the lands described as follows:

255 Acres - N $\frac{1}{2}$ Section 22, T114N-R51W

formerly owned by David D. Sanderson (deceased)
Steven P. Putnam + Edward J. Stone Putnam

has been transferred to William Sanderson, 703 1st Ave., S., Estherville, IA 51334
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

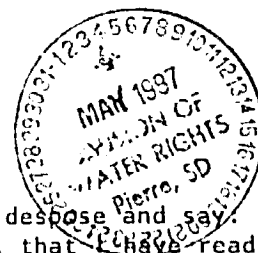
Water Right Permit No. 4522-3 as provided for in SDCL 46-5-32 and 46-5-33.

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 Iowa ~~SOUTH DAKOTA~~)
County of Franklin) ss.

I, Wm. J. Sanderson 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.



Wm. J. Sanderson
(Signed)

Subscribed and sworn to before me this 30 Day of April, 1987.



Shirley A. Sieken
(Notary Public)

P.S. Florence M. Sanderson will become the owner of this
Farm & Permit when Estherville is closed
Her name is directed to my attention also

left.

No. 4522-3

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

May 5, 1987

Daniel D. Sanderson Estate
c/o William Sanderson
703 1st Avenue
Estherville, Iowa 51334

Dear Mr. Sanderson:

Enclosed is receipt No. 410868 in the amount of \$2.50 which you
paid for transfer of Water Right No. 4522-3.

Our records now show ^{Daniel Sanderson Estate}~~you~~ as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, May 4, 19 87

RECEIVED OF Daniel Sanderson Estate, c/o William Sanderson, 703 1st Ave. Estherville Ia.
the following amount in fees for services rendered as provided for by law: 51334

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>4522-3</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 J. L. Hatch
Chief Engineer JOHN HATCH (MS)

 **Department of
Water & Natural Resources**

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

February 22, 1989

4522-3
3374-3
1812-3

Allen Fugere
Estelline, SD 57234

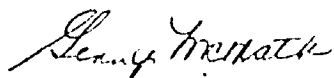
Dear Mr. Fugere:

I am contacting you in regard to the 1988 irrigation questionnaires for Water Permit Nos. 4522-3, 3374-3 and 1812-3. These permits are listed in the name of William Sanderson. Mr. Sanderson notified us that you would be the person to contact concerning any irrigation done in 1988 under these permits.

Enclosed are the 1988 irrigation questionnaires pertaining to the above mentioned permits. The legal description of the land covered under each permit is typed in the left hand corner under Mr. Sanderson's mailing address. Please complete the questionnaires and return them to our office by March 10th.

I have enclosed a postage paid envelope for your convenience in returning the forms. If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures





Department of Water & Natural Resources

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

April 21, 1989

4522-3
3374-3
1812-3

Allen Fugere
Estelline, SD 57234

Dear Mr. Fugere:

I am contacting you in regard to Water Right No. 1812-3 and Water Permit Nos. 3374-3 and 4522-3 for Bill Sanderson, Estherville, Iowa. As I indicated to you in a previous letter, Mr. Sanderson notified our office that you were the tenant and took care of the irrigation.

Presently, I am in the process of updating the mailing list for the 1989 irrigation questionnaire mailing (to be mailed in October, 1989). If it is satisfactory to you, I will list your name and address as tenant for Water Right No. 1812-3 and Water Permit Nos. 3374-3 and 4522-3. The 1989 irrigation questionnaires will be mailed directly to you instead of to Bill Sanderson.

If you have any questions or would rather the questionnaires be sent to Mr. Sanderson, please contact me.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

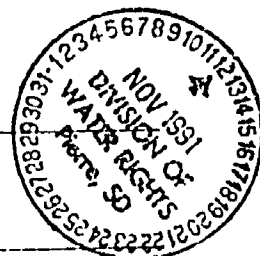


NOTICE OF TRANSFER OF OWNERSHIP

No. 4522-3

TO: Chief Engineer
Water Rights Division, D&NR
523 East Capitol
Pierre, SD 57501-3181

Date: 11-4-91



I, We request that Water Permit/Right No. 4522-3

formerly owned by: Daniel Sanderson Estate

be transferred to: (name & address) Florence M. Sanderson

703 1st Ave So, Estherville, Iowa 51334 (telephone No.) 712-362-5885

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

1/2 Section 22-T114N-R51W - 255 Acres

I, We understand that the validity of Water Permit/Right No. 4522-3 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 Fennel)

I/We Florence M. Sanderson 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.

Florence M. Sanderson
(Signed)

Subscribed and sworn to before me this 4 day of November, 19 91.



Mary Ann Sternborg
(Notary Public)

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 water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412907

Pierre, _____ November 17, 1921

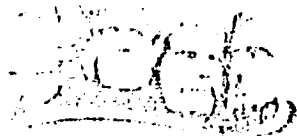
RECEIVED OF Florence H. Sanderson, 703 1st Ave. S., Estherville, IA 51334

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. _____		2 50
Fee for Filing Transfer Form <u>Water Permit No. 4522-3</u>		
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 [Signature]
Chief Engineer

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 21, 1991

NO. 4522-3

Florence M. Sanderson
703 1st Ave. South
Estherville, IA 51334

Dear Ms. Sanderson:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 4522-3.

Our records now show you as the owner of Water Permit No. 4522-3.

Sincerely,

Cheryl F. Frost

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

enclosure

South Dakota

4522-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

October 25, 1991

Bill Sanderson
703 1st Ave. S.
Esterville, IA 51334

Dear Mr. Sanderson:

This letter is in regard to Water Permit Nos. 3374-3 and 4522-3 which I inspected on September 17, 1991. I have enclosed partially completed applications for these two water permits and a Notice of Transfer of Ownership for Water Permit No. 4522-3. Carefully review and complete the applications and the Notice of Transfer of Ownership for Water Permit No. 4522-3. Once the applications and notice of transfer are completed, sign them in the presence of a notary public.

The first application for Water Permit No. 3374-3 requires a \$50.00 filing fee to correct not only the location of 86 acres, but also the location of the developed well. This application also needs a Form 2A, enclosed, completed as much as possible. Fill out the part 1 letter g on Form 2A especially. Gerald Van't Hul said he would get your final production well logs to me as soon as he could.

The second application is to add 25 acres to Water Permit No. 4522-3 which requires a \$150.00 filing fee.

The Notice of Transfer of Ownership for Water Permit No. 4522-3 requires a \$2.50 filing fee.

Please remit a total of \$202.50 for payment of application fees and the transfer fee. Return the enclosed forms, completed and signed, along with your payment to this office.

If you have any questions, feel free to contact me.

Sincerely,

Norma C. Job

Norma C. Job
Natural Resources Engineer I
Division of Water Rights
(605) 773-3352

enclosures



4522-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 6 1995

5817-3

Florence M. Sanderson
703 1st Ave. SW
Estherville, IA 51334

Dear Ms. Sanderson:

Enclosed is Water License No. 5817-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414335 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5817-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

rd
enclosures

NOTE: The applicable portions of Water Permit No. 4522-3 have been incorporated into this Water License No. 5817-3.

NOT TO SCALE

114.51

101 D 1320'
N 115° E Well #4
192.1

1950'
N 137° E Well #3

Well #1

2200'
N 140° W
N 127° E

Well #2

126.4

Stephen E. Puttman
Irrigation Project #1
Estelline S. Dakota

Daniel D. Sanderson - Owner
Estherville Iowa

Area Irrigated - N² sec 22 - 114.51
Water claimed - 3.6 cfs.

21.3

27.6

114.51

4-11-80

John Williams
Hwy 4522-3

NOT TO SCALE

61.2

18.7

579-48-L

192.1

8" PVC
2640

22.9

22

156.4

91.1

48.9

114-51