

1. Considered 5-27-81
2. Name of Applicant Wernerstruck Inc.
3. Post Office Address RR, Wolsey 57384
4. Amount of Water Claimed no additional
5. Source of Water Supply 91' well change in Diversion on 4662-3
6. Water to be used for IRR
7. Acres to be irrigated No add'l maximum acre feet
8. Water to be diverted and used in Beadle County
about 1½N, 2½ miles East of Wolsey
9. PROOF OF PUBLICATION Received (let) 5-27-81
Not Received
- APPLICATION Approved 5/27/81
Subject to
Not Approved
Action deferred

Priority
3-4-81Date Received 1/30/81 Application Complete yes no FEE 150.00Remarks Change in Diversion on Appl. 4662-3WATER
QUALITYDate information and/or
fee or corrected Application received
Period of Annual use April - OctoberReceived yes no APPROVED/CONDITIONAL (Circle one)WI-1 Description same as application yes no Remarks Disapproved Returned

Diversion Point Approximate center of NW¼Section 4-111-63Lands to be irrigated NW¼; W¼SW¼ and NE¼ SW¼Sec. 4-111-63WELL
LOGRemarks Driller Riverside Licensed yes XX no Depth 91 feet deep

MAP

Map No. 3877-3A Map located in Water Right ☒ Map file _____
 Type of Map _____ aerial _____ Prepared by HAWK³ - ASCS
Co-Agent

+++++

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 May 8, 1981.

[Signature]
 (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. 4662-3A
 Map No. 3877-3A Water Division No. 3 JAMES RIVER District
 Above for Office Use



app fee 150
 map 100

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 ☐ ON 4662-3
 Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Werner Street, Inc. Phone No. 253-1111
 Post Office Address 32 Wadena State SD 57133
 (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
 3. Name of diversion work Werner Street Diversion
 4. Amount of water claimed (cubic feet per second) No ADD'L
 5. Source of water supply Center Pivot
 6. Location of point of diversion Center of NW 1/4 1-11-1-3

County Beadle
 7. Annual period or periods during which water is to be used April - 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 220-280
No ADD'L

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 of NW 1/4 1-11-1-3	1/4	NW 1/4 of SW 1/4 1-11-1-3	1/4
SE 1/4 " " "	1/4	NE 1/4 " " "	1/4
SW 1/4 " " "	1/4	SE 1/4 " " "	1/4
SW 1/4 " " "	1/4	SW 1/4 " " "	1/4

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use _____ years.
 11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Wadena Daily Messenger
 12. Principal Features of the Proposed Water Supply System.

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

Well

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

Pipeline

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ 10,000

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map as instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
 County of Beadle) ss.

I, Alvan Street 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 Alvan Street

Subscribed and sworn to before me this 28th day of June, 1981

Sandra J. Schelling
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4662-3A

WERNERSTUCK, INC.
(Applicant)
SOUTH DAKOTA 57384
(State)

R R WOLSEY
(Post Office Address)

With the following qualifications.

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.

That the applicant submit the irrigation water use questionnaire each year.

Land covered under this Permit is also covered under Permit No. 4662-3. Combinations of diversions under the two permits shall not exceed the Statutory limit of 1 c.f.s. for each 70 acres of land to be irrigated. Priority for this permit is established under Permit 4662-3.

Date of first receipt of application April 30, 19 81
Date of return to applicant for correction, amendments or changes required _____, 19 ____
Date of receipt of corrected application _____, 19 ____
Approved May 27, 19 81, Recorded in Book 22 Page 239A

WATER RIGHT PERMIT NO. 4662-3A

The Water Management Board hereby grants and issues this Water Right Permit No. 4662-3A 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 March 4, 19 81
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before May 27, 19 82
3. The whole of said work is to be completed on or before May 27, 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith, is May 27, 19 83
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed No add'l 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 27, 19 83, said water to be used during the following described annual period: April - October

Witness my hand this 21st day of July, 19 81

THE WATER MANAGEMENT BOARD

By John Hatch
Chief Engineer Water Rights
JOHN HATCH

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

RIVERSIDE

IRRIGATION DRILLING CO.

ROUTE 1

HURON, SOUTH DAKOTA

PH. 377-4287

DRILLING REPORT

Location of Well: _____ Township 111 Range 63
 Well to be drilled for: Wagonwheel (Name) Wagonwheel (Address) SD (State)
 Date well drilling started _____ finished _____
 Purpose of well irrigation (domestic, irrigation, industrial, other)

Depth _____ ft. Casing Diameter _____ inches
 Bit Size _____ Screen Size _____
 Screen Depth: From _____ ft. to _____ ft.
 Remarks: _____

NORTH

1 Mile

REPORT OF FINAL PUMPING TEST

Write additional times and readings on back of page

Elapsed Time From Start of Pumping		Water Level		Discharge
hr	min.	ft.	in.	(Static)
0	0			
1	min.	ft.	in.	GPM
2	min.	ft.	in.	GPM
3	min.	ft.	in.	GPM
4	min.	ft.	in.	GPM

RECORD

Formation: Clay, Silt, Sand, Gravel, Color, Hard or Soft, etc.

Depth (ft.)

Formation (Continued)

Depth (ft.)

From To

0-10 Top Soil
 10-40 Clay & sand
 40-60 sand
 60-91 sand & gravel
 91- Blue Clay

[Handwritten signature]

D. Well Information

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc)
- (3) Screen, Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

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

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

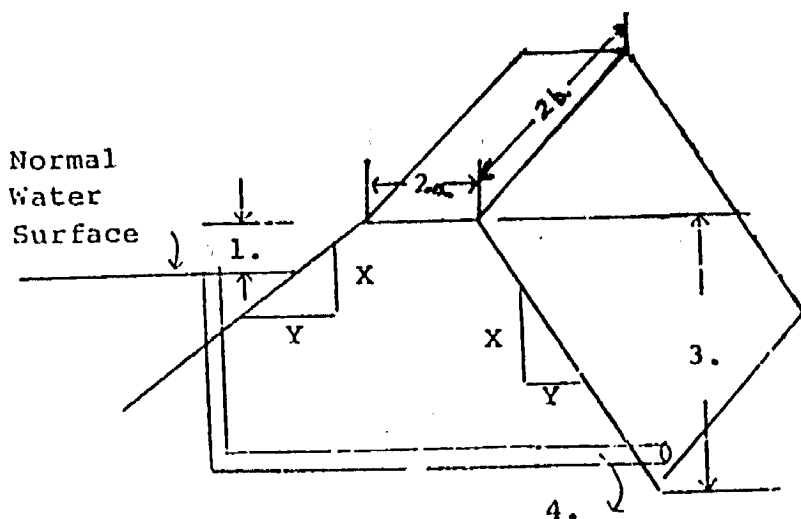
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ rds.

On property owned by others _____ rds.

G. Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, 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



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

[Signature]
Signature of Applicant

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTUREAPPROVED
SOUTH DAKOTA
DIVISION OF CONSERVATIONOWNERS NAME: WERNERSTRUCK INC. OWNERS ADDRESS: WOLSEY,
SD
COUNTY LAND LOCATED IN: Beadle PHONE: 833-4161
TENANT'S NAME AND ADDRESS: (If Other Than Owner) 2872-BD

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.)

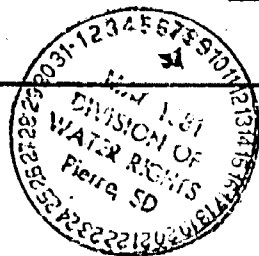
1. WELL LOCATION OR DIVERSION POINT: NW 1/4 of Sec 4, T111-R63
2. SURFACE WATER SOURCE _____
3. LOCATION OF AREA TO BE IRRIGATED: W 1/2 of Sec 4, T111-R63
4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

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: 1981
LAND: W 1/2, Sec 4, T111-R63
IN WHAT NAME: _____

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

8. SAMPLE NUMBER: 76-1223
9. SALINITY (EC X 10⁶) 16139
10. SODIUM (SAR) 6.13 ADJUSTED (SAR) 15.3 7) 10.7



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 _____ A.M./P.M., on _____, 19____, at the following location: _____

by _____ (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 _____ 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
28th DAY OF April, 1981.Sandra J. Acheling
(NOTARY PUBLIC)Duane J. Smith
APPLICANT'S SIGNATUREJack M. Fitch
Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

Conditional

W² of Sec. 4-T111-R63
(New diversion) NW⁴. 4

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF CONSERVATION

NAME OF APPLICANT Wernerstundt, Inc.

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

DtA - Dudley-Tetonka Silt Loam
Te - Tetonka - Hoven silt loam
Hv - Hoven silt loam -

These soils should be left in permanent
vegetation, grass or alfalfa grass mixture.
These soils are indicated by red hatch marks
which is approximately 140 acres.

poor drainage and excessive sodium is the reason for these soils being deleted.
THE SOIL(S) LISTED BELOW CAN BE IRRIGATED WITH THE FOLLOWING RESTRICTIONS:

RECOMMENDED MANAGEMENT

Type of irrigation system recommended for use on this application is
center pivot. Extra management will have to be applied because of the large
amount of Dudley-Tetonka - Hoven soils even though surface drainage has been
applied.

Publish first publication, on or before May 15, 1981NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 8, 1981

Notice is hereby given that Wernerstruck, Inc. whose post office address is Holsey, 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 no add'l cubic feet of water per second of time from groundwater (one well) through the Wernerstruck Irrigation to, ^{change} the point (a) ^{on existing permit} of diversion of which is (a) to be located in the approximate center of NW 1/4

of Section 11, Twp. 11N, Range 63W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NW 1/4, W 1/2 SW 1/4 and NE 1/4 SW 1/4

This Application No. 4662-3A will be considered by the Water Management Board at Room #1, Kneip Building, Church & Illinois, Pierre SD upon the 27th day of May, 1981 at 10 A. 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, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Wernerstruck, Inc.
RR
Holsey SD 57304

~~XXXXXXXXXXXX~~ BURTON F JONES
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

F.P. 5-15 81 L.P. 5-22 81
**NOTICE OF HEARING
ON APPLICATION
TO APPROPRIATE WATER**
Pierre, South Dakota 57501
May 8, 1981

Notice is hereby given that: Wernerstruck, Inc., whose post office address is Writsey, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-14; 46-2-1 thru 46-2-11; 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 no additional cubic feet of water per second of time from groundwater (one well) through the Wernerstruck Irrigation to change the point of diversion on existing permit of which is to be located in the approximate center of NW¼ of Section 4, Twp. 111N, Range 63W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NW¼; W½ SW¼ and NE¼ SW¼.

This Application No. 4662-3A will be considered by the Water Management Board at Room No. 1, Kneip Building, Church & Illinois, Pierre SD, upon the 27th day of May, 1981, 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.

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

Water Management Board
Burton F. Jones
Water Rights Specialist
No. 266 (adv.)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8189

April 30 81

PIERRE, 19

RECEIVED OF Beadle Co Irri. Systems, Huron SD for Wernerstruck, Inc. Wolsey SD
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 4662-2A (examination, processing, recording and filing)	150	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	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

SOUTH DAKOTA
Department of
Water & Natural Resources

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

Water Rights Division
605 773-3352

4141-3, 4662-3 (4662-3A) 4663-3
Wernerstruck, Inc.
Box 92
Wolsey SD 57384

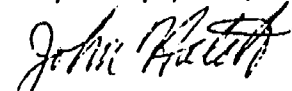
Dear Sir:

4441-3, 4662-3
Water Permit No. *4442-3A,*
4443-3 was approved with the qualification that the
irrigation questionnaire be submitted each year. To date we have not re-
ceived 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,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

3447-3
4396-3
4662-3A

June 23, 1983

NOTICE

Wernerstruck, Inc.
Rt 2, Box 92
Wolsey SD 57384

Dear Mr. Struck:

The inspection of your water use systems and inspection of the extent application of water to beneficial use, as developed under your Water Rights No. 3447-3, 4396-3 and 4662-3A has been completed. Your final water right documents, the Water License, can now be issued.

Statutes require that we charge a \$50 fee for each inspection and issuing of the Water License (total \$150 for all three). Upon receipt of the \$150 fee from you, your Water Licenses will be sent to you.

Section 58 of House Bill 1001 as passed by the 1983 Legislature effective March 8, 1983 states that a permit holder may not divert water until this \$50 license fee has been paid.

Sincerely,

KAREN SCHLAAK
Administrative Aide

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



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

March 22, 1983

4622-3, 4622-3A
Riverside Colony
Mike Waldner
Huron SD 57350

Dear Sir:

4622-3,
Water Permit No. 4622-3A 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,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosure

Permit No. 4662-3A
 Water Division 3 JAMES RIVER Water District

REPORT 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 WERNERSTELCK, INC. of WOLSEY holder of Permit No. 4662-3A, bearing date of priority of MARCH 4, 1981 * authorizing the diversion of 400 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in BEADLE 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:

102' DEEP WELL WITH 16" SS CASING - 30' SS SCREEN
VALLEY 8" PUMP - 4 STAGE - 12" BOWLS, POWERED BY
75 HP U.S. ELECTRIC MOTOR

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

2750' OF 10" BURIED PVC PIPE TO TWO PIVOT
POINTS.

C. Works used to apply water to beneficial use.

1 TOWER IRRIGATORIC TOWABLE SYSTEM, WITH
NELSON #100 END GUN, TOWED BETWEEN TWO QUARTERS

The system is in the following condition: GOOD

The point of diversion is located 100' N. OF THE CENTER OF THE NW 1/4
SECTION 4, T11N, R63W

The works are capable of diverting and conveying to the place of use 200 (900 GPM)

cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 4, T11N, R63W

NW 1/4 SW 1/4 33 ACRES

NE 1/4 SW 1/4 27 "

SW 1/4 SW 1/4 33 "

NW 1/4 132 "

comprising a total of 225 acres of land.

* APPLICABLE PORTIONS OF PERMIT NO 4662-3 HAVE
 BEEN INCORPORATED INTO THIS WATER LICENSE.

Date MAY 26, 1982
Dustin J. [Signature]
 (Signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4662-3A

(1) WHEREAS, On the 22nd day of April A. D. 19 81

Barbara Mack, Inc.

made Water Right Application No. 4662-3A for a permit to use no additional cubic feet per second of the waters of groundwater

County of Beadle, State of South Dakota, for Irrigation

purpose; and

(2) WHEREAS, On the 27th day of May A. D. 19 81

Permit No. 4662-3A with a date of priority of March 4, 1981

was issued to said applicant for for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 27th day of May A. D. 19 83 and for the application to beneficial use of said water on or before the 27th day of May A. D. 19 83

WHEREAS, on the 26th day of May, 1982 the applicable portions of Water Permit No. 4662-3 have been incorporated into this Water License No. 4662-3A with a priority date of March 4, 1981.

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 2.00 cubic feet per second of water for beneficial use and,

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

to irrigate the following land in Section 4, T11N, R63W

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 33 acres (CB)

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 27 " (CA)

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 33 " (CC)

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 33 " (BB)

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 33 " (BA)

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 33 " (BC)

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 33 " (BD)

TOTAL 225 acres

NOTE: The land irrigated in the NW $\frac{1}{4}$ is irrigated as a 132 acre circle.

AG-5300

(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 Wernerstruch, Inc.

_____ of _____ RR #2, Box 92, Mobley, SD 57384
the holder _____ and owner _____ of said permit No. 4662-3A a water right, dating from March 4, 1981
_____ to use of 2.00 cubic feet per second of the waters
of groundwater (one well)
in the County of Beadle and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at a point 800' N of the center of the NW 1/4
Section 4, T111N, R63W (BA)

and conducted to and upon portions of Section 4, T111N, R63W more fully described on
the face of this license.

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 4662-3A and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of July A. D.
Nineteen hundred and Eighty-three

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

RECEIPT

WATER RIGHTS COMMISSION

NO 4 9279

State of South Dakota

July 5

83

PIEDRE,

10

RECEIVED OF Wernerstruck, Inc., RR#2, Box 92, Wolsey, SD 57384

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)	4662-3 A		
Fee for inspecting Construction, and issuing Cert. of Construction No.	4662-3A	50	00
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		50	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (ms)

No. 4662-3A

South Dakota Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

July 8, 1983

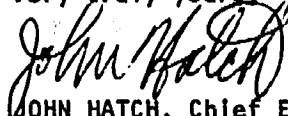
Wernstruck, Inc.
RR #2, Box 92
Wolsey SD 57384

Dear Mr. Struck:

Enclosed herewith is, Water License No. 4662-3A. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

Enclosures



Department of Water & Natural Resources

Joe Foss Building

523 East Capitol

Pierre, South Dakota 57501-3181

January 29, 1988

WERNERSTRUCK INC ZDuane Struck
RR #2 BOX 92B
WOLSEY, SD 57384

NOTICE

Re: Violation of Water Permit No(s). 4141-3, 4662-3A, 4663-3 and
1987 Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4141-3, 4662-3A, 4663-3. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4141-3, 4662-3A, 4663-3 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) 1925-3, 4396-3, 4149-3, 4046-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

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

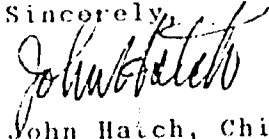
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 4141-3, 4662-3A, 4663-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 1925-3, 4396-3, 4149-3, 4046-3 also held by WERNERSTRUCK INC to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Sincerely,

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

John Hatch, Chief Engineer
Water Rights Division

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



Department of Water & Natural Resources

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

February 10, 1988

3447-3	1925-3
3449-3	4046-3
4141-3	4149-3
4396-3	4662-3A
4663-3	

Duane Struck
RR 2, Box 92B
Wolsey SD 57384

Dear Mr. Struck:

i am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 1925-3, 3447-3, 3449-3, 4046-3, 4141-3, 4149-3, 4396-3, 4662-3A, 4663-3 and the hearing date before the Water Management Board.

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

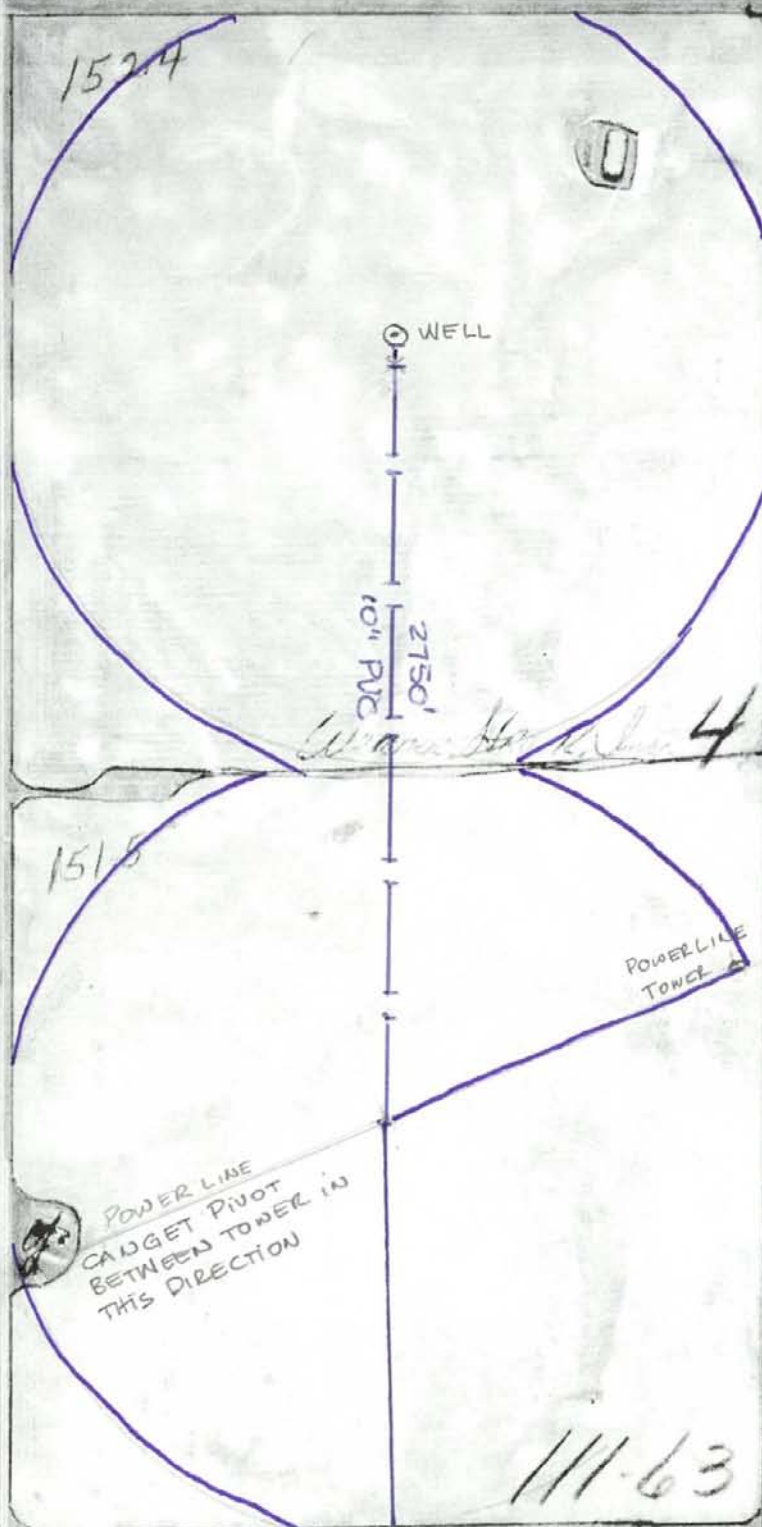
Very truly yours,

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

4662A

MA 43 SA

NOT TO SCALE

Quinn
Dennis

12.6 24.3

7.3

4

NOT TO SCALE

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Melvin
Crague

278-35L

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111-63

Delbert
G. Hinkle

Quinn
Dennis

12.6 24.3

7.3

4

136.0

BEADLE COUNTY A.S.C.S.
Box 1297
Huron, S. D. 57350

B. Lawton

MAP 182073A APP N° 4662-3A



January 26, 2007

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: WERNERSTRUCK INC, DAVID STRUCK, 20601 385TH AVE, WOLSEY, SD 57348 8619
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1925-3 & 4396-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4662-3A, 5232-3 & 5452-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4662-3A, 5232-3 & 5452-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1925-3 & 4396-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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



4662-3A
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2007

David Struck
Wernerstruck Inc
20601 385th Ave
Wolsey SD 57348-8619

RE: Water Right Nos. 1925-3, 4396-3, 4662-3A, 5232-3 and 5452-3

Dear Mr. Struck:

I am writing to acknowledge receipt of your "2006" irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 1925-3, 4396-3, 4662-3A, 5232-3 and 5452-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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