

1. Considered 5-1 1981
2. Name of Applicant NORLAND HOFER
3. Post Office Address RR DOLAND 57436
4. Amount of Water Claimed 2.22 (0.92 ADD'L) (on W/L 134-3)
5. Source of Water Supply 80' WELL
6. Water to be used for IRR
7. Acres to be irrigated 160 maximum acre feet (68 ADD'L)
8. Water to be diverted and used in SPINK County about 6E miles of FRANKFORT
9. PROOF OF PUBLICATION Received (FEE) 4-27-81
Not Received _____
- APPLICATION Approved 5-1-81
Subject to WI-10
Not Approved _____
Action deferred _____

Priority _____ Date _____
Received 2-27-81 Application Complete yes _____ no _____ FEE 150⁰⁰
Remarks Change of diversion on 134-3 adding add'l acres

WATER QUALITY _____
Date information and/or fee or corrected Application received 2/3
Period of Annual use APRIL 15 - Nov. 1
Received yes 4/10/81 no (APPROVED) CONDITIONAL (Circle one)
WI-1 Description same as application yes () no _____ Remarks _____

Disapproved _____

Returned _____

	*				

Diversion Point _____

APPROX CENTER SE⁴8-116-61

Lands to be irrigated _____

SE⁴ 8-116-61WELL
LOGRemarks C.P.Driller HURON DRI Licensed (yes) no _____Depth 80'

MAP Map No. 3909-3 Map located in Water Right X Map file _____
Type of Map Drawn Prepared by PE

+++++

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 4-10-81.
Betty J. Eschland
(Signed)

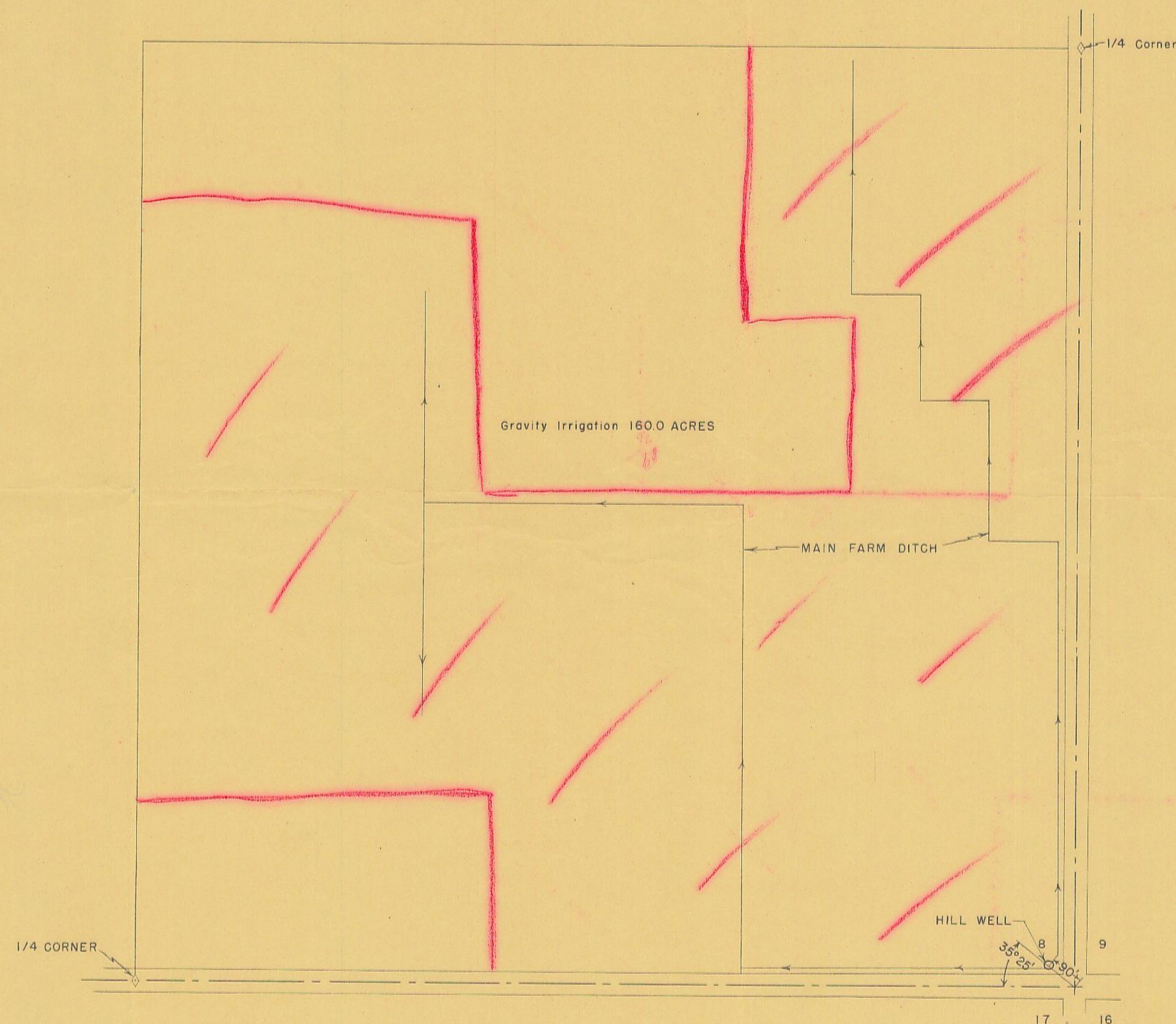
+++++

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 _____

MAP SHOWING LOCATION OF HILL WELL (POINT OF DIVERSION)
AND LANDS TO BE IRRIGATED WITH WATER DIVERTED FROM THIS WELL.
MAURICE G. HILL, OWNER



LEGAL SUBDIVISION AREA TO BE IRRIGATED:
S.E. 1/4 SECTION 8 T116N R 61W 160.0 ACRES
TOTAL 160.0 ACRES

LENGTH OF MAIN FARM DITCH 7340 FEET
SCALE: 1 INCH = 200 FEET

Certified Correct *M. E. Van Sledright*
Chief, Projects Development Division
Bureau of Reclamation, Department of Interior
Huron, South Dakota.

Subscribed and sworn to before me
this 21st day of November 1955

Anthony H. Costello
Notary Public for the State of South Dakota
Residing at Huron, South Dakota
My Commission expires February 9, 1956

Map No. 113-3
App. No. 134-3

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4699-3

NORLAND HOEFER

(Applicant)

R.R. Doland

(Post Office Address)

SOUTH DAKOTA 57436

(State)

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.

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

Portions of lands covered under this Permit is also covered under Water Right No. 134-3. 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.

Date of first receipt of application February 27, 19 81
 Date of return to applicant for correction, amendments or changes required March 3, 19 81
 Date of receipt of corrected application April 10, 19 81
 Approved May 1, 19 81, Recorded in Book 22 Page 139

WATER RIGHT PERMIT NO. 4699-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4699-3 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 1.3 c.f.s. from Dec. 9, 1955 and .92 from February 27, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before May 1, 19 82
3. The whole of said work is to be completed on or before May 1, 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is May 1, 19 85
5. The water appropriated shall be used for the purpose of Irrigation
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.22 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 1, 19 86; said water to be used during the following described annual period: April 15 to November 1st

Witness my hand this 19th day of May, 19 81

THE WATER MANAGEMENT BOARD

By John Katc
 Chief Engineer Water Rights
 JOHN KATC

Certificate of Construction Issued _____, 19 _____

Water License issued _____, 19 _____

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

[illegible]

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) _____

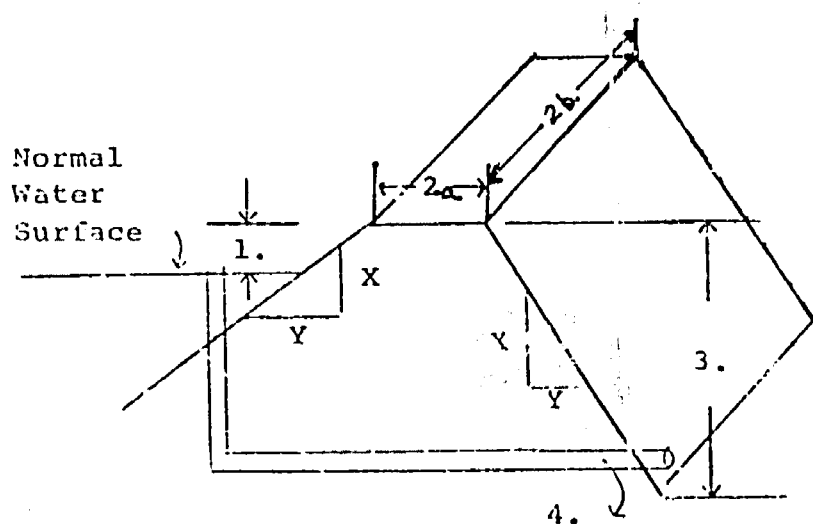
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 152 rds.

On property owned by others 245 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 _____

CONSERVATION COMMISSION
WI/1 FORM
3/80

Office Use Only

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

4699-3

OWNERS NAME: Harland Hofer

OWNERS ADDRESS: S.R. 1

Poland, S. Dak. 57430

COUNTY LAND LOCATED IN: Spink

PHONE: (605) 635-6131

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

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

LEGAL DESCRIPTION: (Show Legal Description to Nearest 1/4 Acres)

1. WELL LOCATION OR DIVERSION POINT: 200 ft. west of the center of SE 1/4-8-116-61

2. SURFACE WATER SOURCE: Ground Water

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

Legal Description	Acres	Legal Description	Acres
SE 1/4 of SE 1/4-8-116-61	40		
SW 1/4 of SE 1/4-8-116-61	40		
NE 1/4 of SE 1/4-8-116-61	40		
NW 1/4 of SE 1/4-8-116-61	40		

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

5. CROPS TO BE IRRIGATED: Corn, Alfalfa, Small Grain

6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1956
LEGAL DESCRIPTION: SE 1/4-8-116-61
IN WHAT NAME: _____

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

7. WATER SAMPLE NUMBER: 79-431

8. SALINITY (EC X 10⁶): 827

9. SODIUM (SAR): 1.05

10. ADJUSTED (SAR): 2.70 (7) 1.89

RECEIVED

APR 07 1981

South Dakota

Division of Conservation

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 instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: N/A by N/A (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. *Not Applicable

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

23rd DAY OF MARCH, 1981

(NOTARY PUBLIC)

TENANT

APPLICANT'S SIGNATURE

Director, Division of Conservation

☒ APPROVED

☐ DISAPPROVED

☐ 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 PERMIT must be obtained from the Board of Water Management.



No. 4699-3

Publish first publication, on or before April 15, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 10, 1981

Notice is hereby given that Norland Hofer whose post office address is Doland, 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 2.22 (.92 add'l) cubic feet of water per second of time from groundwater (one well) through the Norland Hofer to change, the point (x) on an existing permit of which is (are) to be located in the approximate center of the SE 1/4

of Section 8, Twp. 116N, Range 61W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4, Section 8, T116N, R61W portions of which are previously covered under Water Right No. 134-3

This Application No. 4699-3 will be considered by the Water Management Board at Civil Defence Room, State Capitol Bldg. Pierre SD upon the 1st 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.

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, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc:

Norland Hofer

RR

Doland SD 57436

BETTY WESTLUND

Water Rights Specialist

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

No. 4699-3

No. 84

No. 4699-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.

I, Roger Matz hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Redfield Press

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

City of Redfield

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

April 15, 1981

April 22, 1981

Roger Matz
(Signature)

Publisher
(Title)

April 22, 1981
(Date Signed)

Cost of Printing: 24.57

WNR-808-7/79
Proof of Publication

NOTICE OF
HEARING ON
APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
April 10, 1981

Notice is hereby given that
Norland Hofer whose post office
address is Doland, South Dakota,
has made application in ac-
cordance 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, 46-8-5, 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 ap-
propriate for beneficial use 2.22
(.92 add'l) cubic feet of water per
second of time from groundwater
(one well) through the Norland
Hofer to change, the point of
diversion on an existing permit of
which is to be located in the
approximate center of the SE 1/4
of Section 8, Twp. 116N, Range
61W. Said water to be used for the
purpose of providing irrigation on
portions of the following
described land: SE 1/4, Section 8,
T116N, R61W portions of which
are previously covered under
Water Right No. 134-3.

This Application No. 4699-3 will
be considered by the Water
Management Board at Civil
Defence Room, State Capitol
Bldg. Pierre SD upon the 1st day
of May, 1981 at 10 A.M. The Board
is authorized to make a deter-
mination on this application at
the hearing. All interested per-
sons may appear and be heard.
Any person who may be affected
by a Board decision who desires
to prevent evidence or cross-
examine witnesses according to
SDCL 1-23 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 MANAGE-
MENT BOARD
Betty Westlund
Water Rights
Specialist

cc:
Norland Hofer
RR
Doland SD 57438
WNR-806A-7-79 Notice of
Intent to Appropriate Water
GROUNDWATER
(April 15, 22)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8022

February 27, 1981

PIERRE, _____

RECEIVED OF Horland Hofer, RR, Boland, SD 57436
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. <u>4699-5</u> (examination, processing, recording and filing) _____	15.00
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	15.00

WATER RIGHTS COMMISSION

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

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office De Land, S.D.

Date _____

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 4699-3.

Water Right Permit No. 4699-3 states that the diversion system is to be constructed by May 1, 1981, and that the water is put to beneficial use by May 1, 1983.

The diversion system was completed on October, 1981. Applying the water to beneficial use was completed on May 1, 1986.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Arvid W. W.
(signature)





Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

134-3
4699-3

April 3, 1987

Wilma Hill
HCR 1, Box 1
Doland, South Dakota 57436

Dear Ms. Hill:

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 transfer, total of \$5.00.

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

ms/
Enc. 2

NO. 4699-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: April 6, 1987

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

160 Acres - SE $\frac{1}{4}$ Section 8, T116N-R61W

formerly owned by Norland Hofer, Box 402, Doland, SD 57436

has been transferred to Wilma Hill, HCR 1, Box 1, Doland, SD 57436

(please include complete mailing address)

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

Water Right Permit No. 4699-3 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.

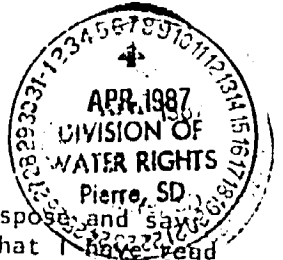
STATE OF SOUTH DAKOTA)
County of Spink) ss.

I, Mrs. Wilma D. Hill 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.

Mrs. Wilma D. Hill
(Signed)

Subscribed and sworn to before me this 6th Day of April, 1987.

Marla Ann Stank
(Notary Public)





Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

134-3
4699-3

April 30, 1987

Wilma Hill
HCR 1, Box 1
Doland, South Dakota 57436

Dear Ms. Hill:

Enclosed are receipt Nos. 410809 and 410810 in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 134-3 and 4699-3.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

410310

Pierre, _____ April 7, 19 37

RECEIVED OF Wilma Hall, HCR 1, Box 1, Doland, SD 57436
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>4699-3</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 J. A. Hatch
Chief Engineer JOHN HATCH

**Department of
Water & Natural Resources**

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

March 23, 1987

NORLAND HOFER
BOX 402
GOLAND, SD 57436



*We did not receive a questionnaire
and the land is reverted back
to Wilma Hill, Goland, SD.*

*Thank you,
Sue Hofer*

NOTICE

Re: Violation of Water Permit No(s). 4699-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 4699-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4699-3 qualification:

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

The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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). 4699-3 until either the 1986 Questionnaire 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.

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

NOTE: If the questionnaire(s) is received in this office before the 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.

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

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

April 3, 1987

4699-3

Norland Hofer
Box 402
Doland, SD 57436

Dear Mr. Hofer:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 4699-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. 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
605 773-3352

NOTE: With response to your recent letter, Mrs. Wilma Hill, Doland, SD has been contacted concerning the transfer of this permit.

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, February 18, 1992

RECEIVED OF Daryla Starr, Route 1, Box 411, Frankfort, South Dakota 57440

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>4699-3</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 (MS)

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

SE 1/4 Section 8, 116, 61 160 acres

formerly owned by Wilma Hill

has been transferred to Daryle Starr, Box 12, Frankfort SD 57440

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4699-5 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.

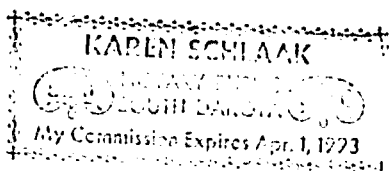
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
) ss.
County of Hughes)

I, Daryle Starr 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.

[Signature]
(Signed)

Subscribed and sworn to before me this 18th Day of February, 1988.



Karen Schlaak
(Notary Public)

South Dakota

GREAT FACES. GREAT PLACES.

4699-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 27, 1991

Daryle Starr
RR #1 Box 42
Frankfort, SD 57440

Dear Mr. Starr:

Enclosed is your 1991 irrigation questionnaires. I have typed the legal description of the acreage on the bottom of each form.

You had inquired about why you received three forms and only had two systems. The questionnaire for Water Right No. 2561-3 is for one system and the questionnaires for Permit Nos. 4699-3 and 5529-3 cover your other system.

Please complete the questionnaires and return them to our office by December 20, 1991. I have included a postage paid envelope for use in returning the forms. If you need assistance when completing the forms, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

Water Rights Division - DWR
Conversation or File Documentation

File No. 4699-3
134-3

NAME OF PERSON OR FILE: Daryle Starr
ADDRESS: RR1, Box 42, Frankfort, SD 57440 COUNTY: Spink
DATE: 7-26-89 TELEPHONE: (605) 472-1568
RE: Inspection of Vested Right 134-3

COMMENTS:

On 7-26-89, I inspected Vested Right Claim No. 134-3 for Daryle Starr to determine the status of the permit. The Vested Right was licensed for 92 acres (113 cfs) to gravity irrigate from a well located near the SE corner of the SE $\frac{1}{4}$ of Sec. 8, T16N R61W. Presently, there is a center pivot on the land irrigating 160 acres from a well in the center of the SE $\frac{1}{4}$. This added diversion rate and acreage has been taken care of by Permit No. 4699-3. An inspection by Jim Wendte of the Water Rights staff on 10-14-88 revealed that a corner system center pivot was being operated which covered 28 acres in the SW $\frac{1}{4}$ of 8-116-61 which was not covered under Vested Right 134-3 or 4699-3.

An application to add the 28 acres was received from Mr. Starr on 11-4-88. The soil/water compatibility approval for the new acreage has not been received. I spoke with Jim Stukel about this permit and he stated that a new water sample must be sent in to check with the added 28 acres. The well is the same one.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Thomas M. Brubaker

Water Rights Division - DVNR
Conversation File Documentation

File No.

4699-3
134-3
(C. 2)

NAME OF PERSON OR FILE:

ADDRESS:

COUNTY

DATE:

TELEPHONE

RE:

COMMENTS:

which was used for soil/water compatibility approval back in 1981. Mr. Stukel said the water sample analysis from this well was conducted in 1979 and that ~~it~~ too much time has passed to use the same water sample for this new application. He stated that some other wells in the area have shown increased ^{water} conductivity over the years, etc.

Thus, the new permit application is being held up because Mr. Starr has not sent in the needed water sample for soil/water compatibility analysis. The present use of the lands does not match the license for Vested Right 134-3, but the changes have been taken care of by Permit No. 4699-3 & the new application.

I called Mr. Starr on 8-29-89 and told him that his permit for the additional 78 acres is being held up because he has not sent in his water sample for soil/water compatibility. He understood and said he would send it in soon.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/32

NAME:

Thomas M. Brander

Water Rights Division - DWR
Conversation or File Documentation

File No.

4699-3
134-3
(cont)

NAME OF PERSON OR FILE: _____

ADDRESS: _____

COUNTY _____

DATE: _____

TELEPHONE _____

RE: _____

COMMENTS:

Vested Right Claim No. 134-3 should be validated
for 1.3 cfs & 92 acres in the SE 1/4 of Sec. 8,
T116N, R61W as described on the original water
license. The diversion point has changed and
additional acres have been added which are
covered under 4699-3 & the present permit,
which has not been given a number yet.

File in Permit or other file as necessary. Use to document conversations and
what the other party was told; why action or decision was made.



4699-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 17 1993

5529-3

Daryle Starr
RR 1, Box 42
Frankfort, SD 57440

Dear Mr. Starr:

Enclosed is Water License No. 5529-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412838 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. 5529-3, 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
(505) 773-3352

gm
enclosures

NOTE: The applicable portions of Vested Right No. 134-3 and Water Permit No. (4699-3) have been incorporated into this Water License No. 5529-3.