

1. Considered 5-1 1981

2. Name of Applicant WILLIAM KOESTER

3. Post Office Address RR #2, BOX 65, REDFIELD 57469

4. Amount of Water Claimed 1.86

5. Source of Water Supply 3 WELLS 55'± DEEP

6. Water to be used for _____

7. Acres to be irrigated 130 maximum _____
acre feet _____

8. Water to be diverted and used in SPINK County
about 1 1/2 N, 5 1/2 miles EAST of TULARE

9. PROOF OF PUBLICATION Received 4-24-81
Not Received _____

APPLICATION Approved 5-1-81
Subject to WI-FQ
Not Approved _____
Action deferred _____

Priority _____ Date Received 4-2-81 Application Complete yes _____ no _____ FEE 250.00

Remarks _____

WATER QUALITY _____

Date information and/or fee or corrected Application received _____

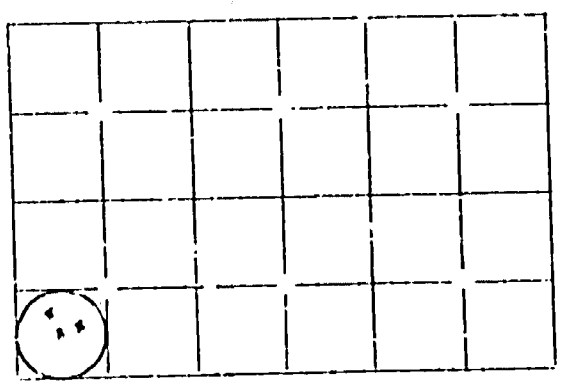
Period of Annual use MARCH - NOVEMBER

Received yes 4/10/81 no _____ APPROVED / CONDITIONAL (Circle one)

WI-1 Description same as application yes _____ no _____ Remarks _____

Disapproved _____

Returned _____



Diversion Point S

APPROX CENTER SW⁴;

NW⁴ SW⁴ & NE⁴ SW⁴

15-115-63

Lands to be irrigated _____

SW⁴ 15-115-63

WELL LOG

Remarks _____

Driller HURON Dr. Licensed yes no _____

Depth 55± 3 wells

MAP Map No. 3913-3 Map located in Water Right 11 Map file _____
 Type of Map Actual Prepared by ASCS

+++++

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.

[Signature]
 (Signed)

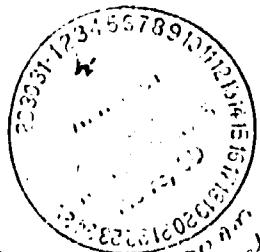
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PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

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. 4703-3
 Map No. 3913-3 Water Division No. 3 JAMES RIVER District
 Above for Office Use 1016000.6



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 William Koester Phone No. (605) 472-2595
 Post Office Address R.R. #2, Box 65 Redfield State South Dakota 57469
 (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) Employment of others3. Name of diversion work William Koester - Unit # 14. Amount of water claimed (cubic feet per second) 1.8 cfs5. Source of water supply Ground Water

6. Location of point of diversion Center of SW $\frac{1}{4}$ -15-115-63, Back up wells #1 - SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ -15-115-63, #2 - SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ -15-115-63

County Spink7. Annual period or periods during which water is to be used March - November8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 130

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.
SE $\frac{1}{4}$ of SW $\frac{1}{4}$ -15-115-63	32.5		
SW $\frac{1}{4}$ of SW $\frac{1}{4}$ -15-115-63	32.5		
NE $\frac{1}{4}$ of SW $\frac{1}{4}$ -15-115-63	32.5		
NW $\frac{1}{4}$ of SW $\frac{1}{4}$ -15-115-63	32.5		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water REDFIELD PRESS, Daily Plainsman,12. Principal Features of the Proposed Water Supply System. Huron, SD - 57350 -

A Works proposed to divert water from its natural source

Pump Bowl

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

Main Line

C Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ -----

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

STATE OF SOUTH DAKOTA)
) ss
 County of Spink)

I, William Koester 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 William KoesterSubscribed and sworn to before me this 24th day of March, 19 87

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4703-3

WILLIAM KOESTER
(Applicant)
SOUTH DAKOTA 57469
(State)

Rt #2, Box 65, REDFIELD
(Post Office Address)

With the following qualifications

The irrigation wells 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 2, 19 81
Date of return to applicant for correction, amendments or changes required April 3, 19 81
Date of receipt of corrected application April 10, 19 81
Approved May 1, 19 81, Recorded in Book 22 Page 142

WATER RIGHT PERMIT NO. 4703-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4703-3 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 2, 19 81
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 1, 19 83
3. The whole of said work is to be completed on or before May 1, 19 86
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is May 1, 19 88
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 1.86 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: March - November

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

THE WATER MANAGEMENT BOARD

By John Hatch
Chief Engineer, Water Rights
JOHN HATCH

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

William Koester
JOB NAME

SW4-15-115-63-Spink Co.
LOCATION

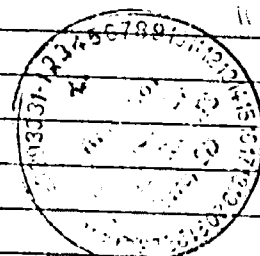
3-10-81
D.A.

12
RIG NO.

Roger Wallman
FOREMAN

REMARKS

Jt No.	DEPTH	TIME	REMARKS	
			# 1	
1	20		0-1	Topsoil
2	40		1-20	Yellow clay
3	60		20-30	Blue clay
			30-40	Fine sand and coal (fair)
			40-45	Sand and coal (good), little water loss
			45-55	Sand - gravel - coal
			55-60	Blue clay
			# 2	
1	20		0-1	Topsoil
2	40		1-15	Yellow clay
3	60		15-25	Fine sand
			25-48	Sand - gravel - coal
			48-60	Blue clay
			# 3	
1	20		0-1	Topsoil
2	40		1-20	Yellow sand and coal
3	60		20-50	Fine sand and coal
			50-55	Sand and gravel
			55-60	Blue clay



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) _____

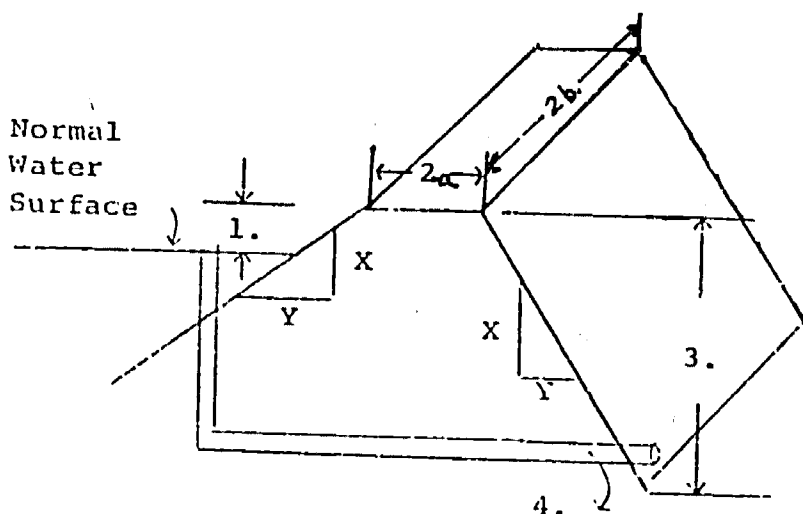
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ 100 _____ rds.

On property owned by others _____ 200 _____ 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

4703-3

OWNERS NAME: William Kocner OWNERS ADDRESS: R.R. #2, Box 65
Redfield, So. Dak. 57469
COUNTY LAND LOCATED IN: Spink PHONE: (605) 472-2595
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 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: Center of SW-15-115-63. Backup well located in NE SW 1/4 of NW 1/4 of SW-15-115-63, 02 SW 1/4 of NE 1/4 of NW-15-115-63
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
SW 1/4 of SW-15-115-63	32.5		
SW 1/4 of SW-15-115-63	32.5		
NE 1/4 of SW-15-115-63	32.5		
NW 1/4 of SW-15-115-63	32.5		

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: _____
LEGAL DESCRIPTION: _____
IN WHAT NAME: _____

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

7. WATER SAMPLE NUMBER: 81-276
8. SALINITY (EC X 10⁶): 920
9. SODIUM (SAR): 0.61
10. ADJUSTED (SAR): 1.55 (1.08)

RECEIVED

APR 08 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 9:30 a.m./p.m. on March 20, 1981, at the following location: SW-15-115-63-Spink County 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 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

24 DAY OF March, 1981

(NOTARY PUBLIC)

I, M. P. O. R. T. A. N. T.

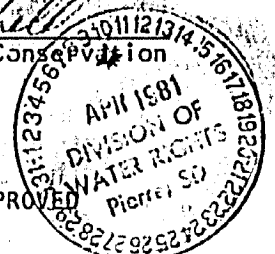
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

William Kocner
APPLICANT'S SIGNATURE

Nach M. F. Hill
Director, Division of Conservation

APPROVED
DISAPPROVED

CONDITIONALLY APPROVED



SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION



SOIL RESTRICTIONS:

RECOMMENDED MANAGEMENT:

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No. 4703-3

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 William Koester whose post office address is Redfield, 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 1.86 cubic feet of water per second of time from groundwater (three wells) through the William Koester Unit #1, the point(s) of diversion of which ~~is~~ (are) to be located in the approximate center of SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 15, Twp. 115N, Range 63W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$, Section 15, T115N, R63W

This Application No. 4703-3 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, DWMR, Joe Foss building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: William Koester
Pt #2, Box 65
Redfield SD 57469

BETTY WESTLUND
Water Rights Specialist

No. 4703-3

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: 23.95

WNR-808-7/79
Proof of Publication

No. 85

No. 4703-3

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

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This Application No. 4703-3 will be considered by the Water Management Board at Civil Defence Room, State Capitol Bldg. Pierre SD upon the 1st day

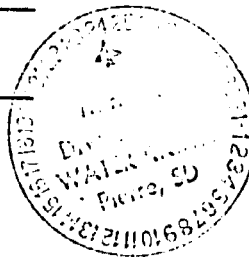
of May, 1981 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the 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, DWR, 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: William Koester
Rt No. 2, Box 05
Redfield SD 57409
WNR-806A-7-79 Notice of Intent to Appropriate Water
GROUNDWATER
(April 15, 22)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8118

PIERRE, April 3, 1931

RECEIVED OF William Koester, RR #2, Box 65, Redfield, SD 57469

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

Fee for Application for Permit to Appropriate Water No. 4703-3 (examination, processing, recording and filing) -----	250	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 filling -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for -----		
(any other work as provided by law)		
TOTAL	250	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / *lt*

Water Rights Division
605 773-3352

November 10, 1982

4703-3

Shawn Koester
RR #2, Box 65
Redfield SD 57469

Dear Mr. Koester:

This letter is in regard to the 1982 Irrigation Questionnaire you returned for Permit No. 4703-3 listed in the name of William Koester. If you now own the land covered under this Permit, a "Notice of Transfer" should be filed with our office.

Enclosed please find our Form 20 "Notice of Transfer" which you should check over, date, sign and have notarized before returning it to this office with a \$2.50 filing fee. The Permit can then be transferred to your name.

If your intent was only to have the questionnaire sent to you and to leave the Permit listed in William's name, please advise.

Sincerely,

GEINNY YOUNG
Water Rights Specialist

GY:ks

enclosure

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

September 2, 1982

William Koester
RR #2, Box 65
Redfield SD 57469

Dear Mr. Koester:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 4703-3 has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

KAREN SCHLAAK
Administrative Secretary

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

WNR-814-7/79

Notification of Water License Ready for Issuing (\$50.00)

SECOND NOTICE
PERMIT NO. 4703-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

December 20, 1982

William Kooster
RR 2, Box 65
Redfield, South Dakota 57469

Dear Mr. Kooster:

September 2, 1982 you were notified the required final inspection fee of \$50.00 is due before Water License No. 4703-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. You will also receive the Certificate of Construction as required by Statute. These are the final papers for the perfection of your Water Right.

A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used. Failure to pay the fee means that the legal requirements to establish a water right have not been completed and a property right has not been established.

Please submit the required fee immediately to avoid jeopardizing your water permit or advise if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

CD0002ks.wr

Form 3811, Jan. 1978

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
- ☒ Show to whom and date delivered.
 - ☐ Show to whom, date and address of delivery.
 - ☐ **RESTRICTED DELIVERY**
Show to whom and date delivered.
 - ☐ **RESTRICTED DELIVERY.**
Show to whom, date, and address of delivery.
- (CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**
Wm. Holster
RR2, Box 65
Redfield SD 57469

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>P200430941</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent
William Holster
Eden Holster

DATE OF DELIVERY

12-22-82

5. ADDRESS (Complete only if requested)

POSTMARK
DEC 22 1982

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

CL

RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

Permit No. 4703-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by WILLIAM KOESTER of REDFIELD holder of Permit No. 4703-3, bearing date of priority of APRIL 2, 1981, authorizing the diversion of 1.96 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in SPIKE County.

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

The Water Use System consists of,

A. Works used to divert the water:

WELL #1 - 24' DEEP WITH 16" PLASTIC CASING - 10' SS SCREEN
WELL #2 - 42' DEEP WITH 16" PLASTIC CASING - 15' SS SCREEN
WELL #3 - 30' DEEP WITH 16" PLASTIC CASING - 15' SS SCREEN
ALL WITH VALLEY 15HP - 6" SUBMERSIBLE PUMPS

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

200' OF 8" BURIED PVC FROM JUNCTION OF PIPE FROM 3 WELLS
TO CENTER OF PIVOT
1750' OF 6" BURIED PVC TO JUNCTION OF LINE FROM 3 WELLS

C. Works used to apply water to beneficial use.

1 TOWER VALLEY CENTER PIVOT SYSTEM - LOW PRESSURE

The system is in the following condition: GOOD

The point of diversion is located WELL #1 - 600'S & 1320'E; WELL #2 - 860'S & 1850'E;
WELL #3 - 1250'S & 2050'E, ALL FROM THE W 1/4 CORNER, SECTION 15, T115N, R63W

The works are capable of diverting and conveying to the place of use 1.11 (500 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:

FOR IRRIGATING A 130 ACRE CIRCLE IN THE SW 1/4
SECTION 15, T115N, R63W

comprising a total of 130 acres of land.

COPIES TO

SPAWN KOESTER
SAME ADDRESS

Date AUGUST 17, 1982

Paulton Jones
(Signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4703-3

(1) WHEREAS, On the 2nd day of April A. D. 19 81
William Koester

made Water Right Application No. 4703-3 for a permit to use 1.86 cubic feet per second of the waters
of groundwater (three wells)
County of Spink, State of South Dakota, for irrigation

_____ purposes; and
(2) WHEREAS, On the 1st day of May A. D. 19 81
Permit No. 4703-3, with a date of priority of April 2, 1981

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 1st day of May A. D. 19 86 and for the
application to beneficial use of said water on or before the 1st day of May A. D. 19 88

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.11 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.

for irrigating a 130 acre circle in the SW1/4, Section 15, T115N, R63W (c)

(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 William Koester

_____ of RR #2, Box 65, Redfield SD 57469
the holder _____ and owner _____ of said permit No. 4703-3 a water right, dating from April 2, 1981
_____ to use of 1.11 cubic feet per second of the waters
of groundwater (three wells)

in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at Well #1-600'S and 1320'E (CA); Well #2-850'S and
1850'E; Well #3-1250'S and 2050'E (CA); all from the W $\frac{1}{2}$ corner, Section 15,
T115N, R63W

and conducted to and upon a 130 acre circle in the SW $\frac{1}{4}$, Section 15, T115N, R63W

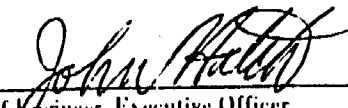
for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 4703-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 20th day of January A. D.
Eighty-three
Nineteen Hundred and _____

WATER MANAGEMENT BOARD

By:



Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 4703-2

Water Diversion No. 3 James River Water District

10160006

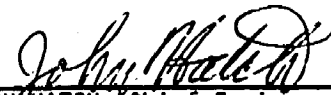
CERTIFICATE OF CONSTRUCTION

This is to Certify, That William Koester

_____ the holder _____ of
Permit No. 4703-3, issued upon Application No. 4703-3, bearing date of priority of April 2,
1981 authorizing the diversion of 1.86 cu. ft. per second of the waters of _____
groundwater (three wells) County of Spink, State of South Dakota at _____
Well #1-600'S and 1320'E (CA); Well #2-850'S and 1850'E (CA); Well #3-
1250'S and 2050'E (CA); all from the W $\frac{1}{2}$ corner, Section 15, T115N, R63W
_____, for Irrigation

_____ purposes, he s complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.11 (500 gpm) cu. ft. per second of water.

Date January 20, 1983



JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9099

January 7

83

William Koester, RR 2, Box 65, Redfield SD 57469

PIERRE,

19

RECEIVED OF

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)

Fee for inspecting Construction, and issuing Cert. of Construction No. 4703-3)

50 00

Fee for inspecting Beneficial Use, and issuing Water License No. 4703-3)

Fee for issuing Location Certificate-Dry Draw, No.

Fee for filing

Fee for certified copy of

Fee for Print copy of map

Fee for Certifying

Fee for

(any other work as provided by law)

TOTAL

50 00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

January 20, 1983

William Koester
RR 2, Box 65
Redfield SD 57469

Dear Mr. Koester:

Enclosed herewith are, Water License No. 4703-3 and Certificate of Construction.

Water License No. 4703-3 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
JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosures

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

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

January 29, 1988

SHAWN KORSTEN
RR 2 BOX 65
REDFIELD, SD 57469

NOTICE

Re: Violation of Water Permit No(s) **4703-3**

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 4703-3. 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 hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4703-3 qualification:

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

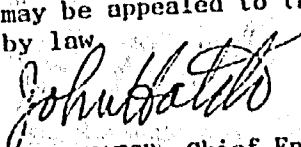
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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). 4703-3 until either the 1987 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, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the questionnaire(s) is 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 4, 1988

4703-3

Shawn Koester
RR #2 Box 65
Redfield, SD 57469

Dear Mr. Koester:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 4703-3 and the hearing date before the Water Management Board.

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

Very truly yours,

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

**Department of
Water & Natural Resources**

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

February 17, 1989

Shawn Koester
RR 2, Box 65
Redfield, SD 57469

Dear Mr. Koester:

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

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

The new standards include:

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

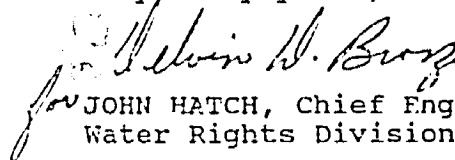


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

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

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division



DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 13, 1990

4703-3

William Koester
PO Box 164
Tulare, SD 57476

Dear Mr. Koester:

I am contacting you in followup to my telephone conversation of December 13, 1990 with Mrs. Koester. I reviewed Water Right No. 4703-3 and found that it is still listed in your name.

In 1982, we received a letter from Shawn Koester indicating he farmed the land and would be completing the yearly irrigation questionnaires. His name was then placed in the water right file as that of operator. This did not affect ownership of the water right, it only enabled us to send the questionnaires directly to him.

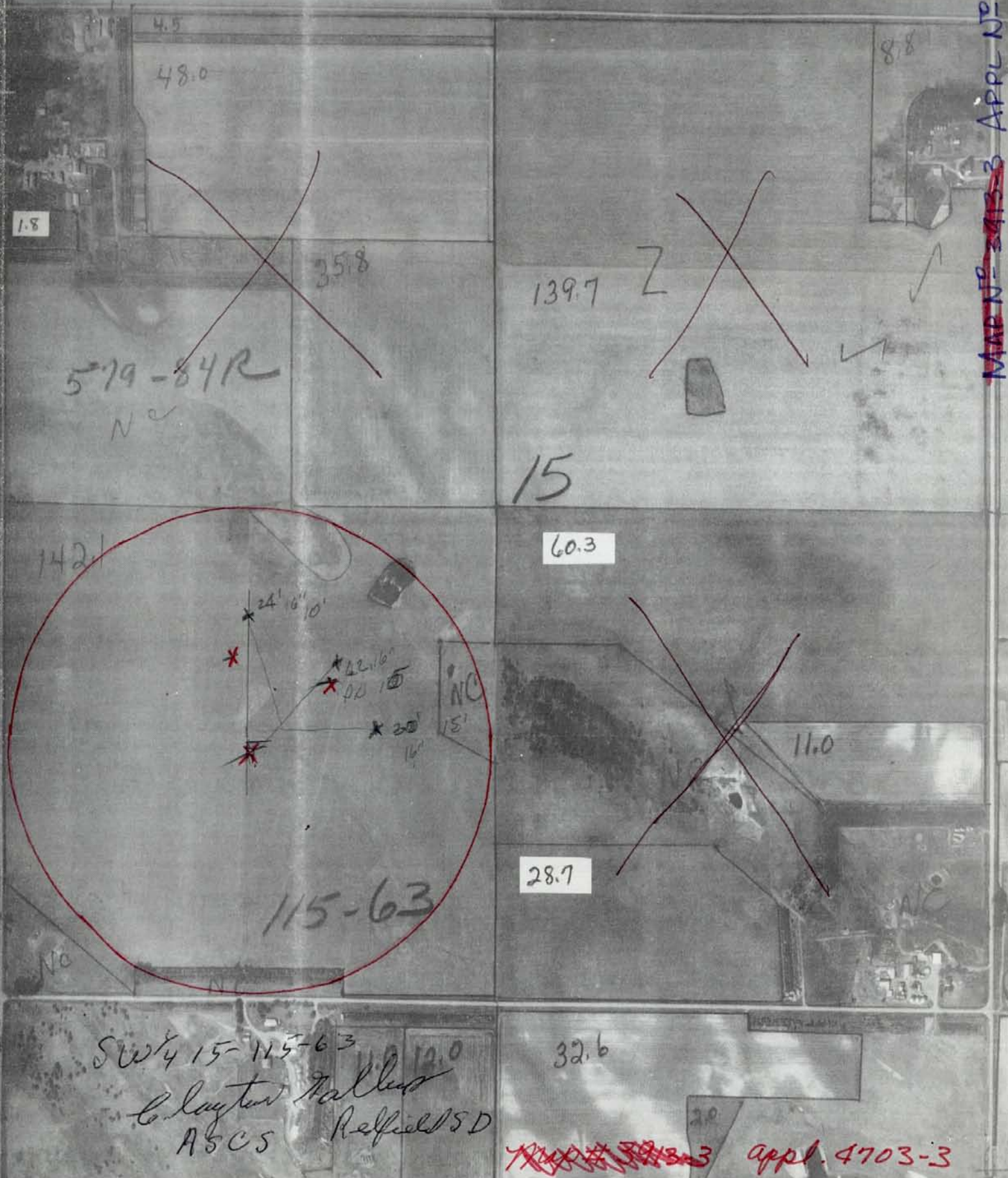
Future irrigation questionnaires will be mailed directly to you. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst
(605) 773-3352

~~MAP N^o 3413-3~~ Appl N^o 4703-3



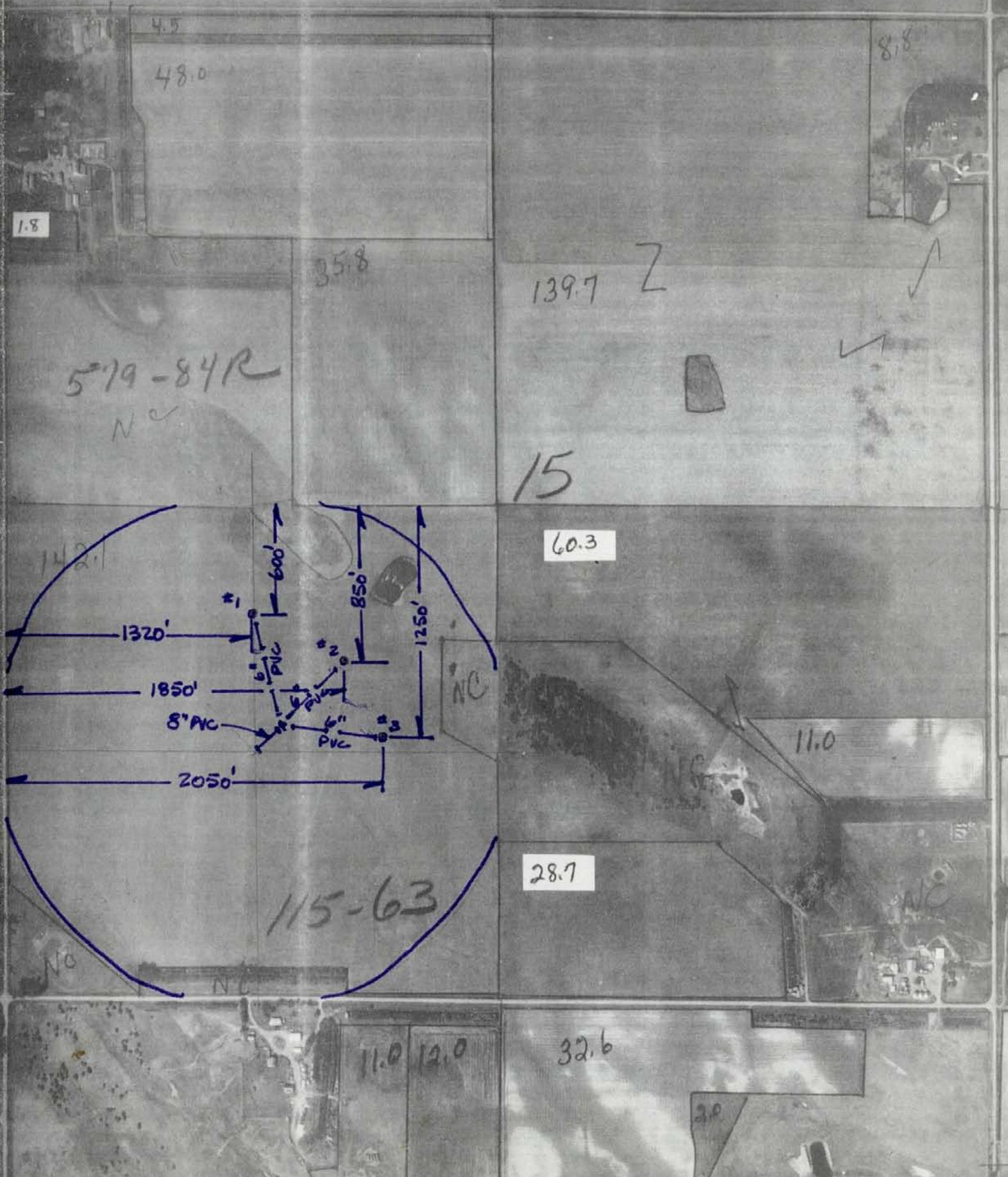
NOT TO SCALE

map # 3913-3

4171

4703

4870





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 5, 2007

4703-3

Todd Koester
39129 181st St
Redfield SD 57469

Dear Mr. Koester:

I am writing to you in reference to ownership of land described in Water Right No. 4703-3, listed in the name of William Koester. We were notified on the 2007 irrigation questionnaire that you now own the land. A copy of the water right is enclosed for your review.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions concerning the water right or completion of the transfer form, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 7, 2008

4703-3

Todd Koester
39129 181st St
Redfield SD 57469

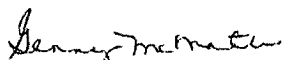
Dear Mr. Koester:

I am writing to acknowledge receipt of the ownership change you submitted for Water Right No. 4703-3, listed in the name of William Koester.

The form was completed however we still need the \$2.50 filing fee as required by Statute. My first letter may not have been clear with respect to the fee. The check or money order for the fee can be made payable to the Water Rights Program.

I am enclosing a postage paid envelope for your use in returning the filing fee.

Sincerely,


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

email: genny.mcmath@state.sd.us

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4703-3

Date: 12-21-07

I/We request that Water Right No. 4703-3

formerly owned by: William Koester

be transferred to: (name & address) Todd H. Koester
39129 181st St.
Redfield, S.D. Telephone No. 605-472-3697
57469

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

130 acres in the SW ¼ Section 15, T115N, R63W

I/We understand that the validity of Water Right No. 4703-3 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 with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

Todd H. Koester
I/We Todd H. Koester, the new owner, certify that the above information is true and correct.

Todd H. Koester
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/31, 20 08

RECEIVED OF z Todd H Koester 39129 181st St Redfield SD 57469

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>4703-3</u>	2	50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

03442

By

Laurel Erbe
Chief Engineer

af



**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 1, 2008

4703-3

Todd H Koester
39129 181st St
Redfield SD 57469

Dear Mr. Koester:

Thank you for following up on the ownership change for Water Right No. 4703-3. The transfer has been completed. The water right formerly held by William Koester is now listed in your name.

Enclosed is your Receipt No. 03442 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure