

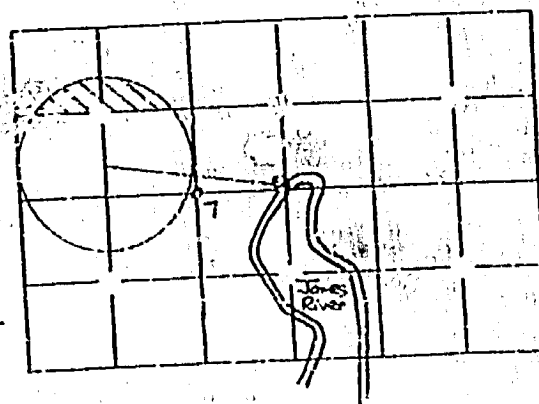
Considered: _____

WATER PERMIT NO. 4717A-3MAP No. same 825-4293Name of Applicant Rockport ColonyPost Office Address Alexandria SD 57311Amount of Water Claimed no diff Total Acres 18.3 (transfer)Source of Water Supply James RiverWater to be used for irrigation County HansonAbout 5 1/2 miles SW of Alexandria

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 3/2/89 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received July 13, 1988 Fee 50.00 Remarks amendment9/16/71 to 4717A-3 to change acreage locationCorrected Application Received Sept 26, 1988 Period of Annual Use Apr 1 - OctWATER QUALITY APPROVAL RECEIVED 7/11/88 APPROVED/CONDITIONAL (Circle one)WI-1 Description same as Application YES ☒ NO ☐ REMARKS _____Diversion Point James River : 1250 feet EastFrom center of section 7-T1N-R58WLand to be irrigated 1 1/2 NW 1/4 section 7 -T101N-R58WWell Log: Driller N/A Licensed YES ☐ NO ☐

Depth of Well _____ REMARKS _____

Type of Map aerial photo PREPARED BY P. Duval Reviewed and the Numberassigned on Dec 1, 1988 By P. Duval

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4717A-3

(1) Rockport Colony of RR 2, Box 54, Alexandria, SD 57311 made Application No. 4717A-3, July 12, 1988 for a water permit to appropriate no additional cubic feet of water per second from the James River, Hanson County, South Dakota for irrigation purposes. Permit No. 4717A-3 with a priority date of September 16, 1971 (established under No. 1902-3) was approved March 2, 1989 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 4717A-3 amended Water Permit No. 4717-3 by changing the location of the irrigated acreage. No increase in the diversion rate or acres irrigated were authorized.

The applicable portions of Water Permit No. 4717-3 are incorporated into this Water License No. 4717A-3.

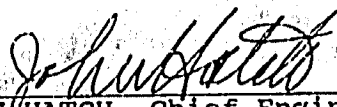
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is: 1250'E of the center of Section 7, T101N, R58W.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T101N, R58W Section 7	NW 1/4 NW 1/4	9.0 Acres
	NE 1/4 NW 1/4	9.3 Acres
	SW 1/4 NW 1/4	37.7 Acres
	SE 1/4 NW 1/4	38.2 Acres
	NW 1/4 NE 1/4	18.1 Acres
	SW 1/4 NE 1/4	19.7 Acres
	Total-----	132.0 Acres

(4) Pursuant to Section 46-5-30.1 Rockport Colony of RR 2, Box 54, Alexandria, SD 57311 the holder(s) and/or owner(s) of Incorporated Water Permit No. 4717A-3 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from the James River with a priority date of September 16, 1971 from the location specified in (2) of this license. The

water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 4717A-3 and subject to South Dakota State Law.

 AUG 5 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

SOUTH DAKOTA
WATER PERMIT No. 4717A-3 FOR IRRIGATION

Date of first receipt of application July 12, 1988.

Date Soil/Water Compatibility Permit received July 11, 1988.

Date of return of applicant for correction, amendments or changes required August 11, 1988.

Date of receipt of corrected application September 26, 1988.

The Water Management Board approved Water Permit Application No. 4717A-3 on March 2, 1989 for the Rockport Colony, Alexandrin, SD 57311 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 4717A-3 amends Water Permit No. 4717-3 by changing the location of irrigated land. Permit No. 4717-3 authorizes irrigation of 132 acres in the N1/2 SW1/4, S1/2 NW 1/4 from the James River at a point in the SE corner of the SW1/4 NE1/4; all in Section 7-T101N-R56W. This permit changes the location of 18.3 acres from the N1/2 SW1/4 to the N1/2 NW1/4; all in Section 7-T101N-R56W. No increase in acres irrigated or water appropriated is authorized.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1- October 31.
3. The date from which applicant may claim right is September 16, 1971.
4. One-fifth of the construction is completed.
5. All construction is completed.
6. Water is put to beneficial use.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed. This permit does not authorize diversion of water from the James River after August 10th of each calendar year, nor at any time when the river flow is low, unless written orders have been issued by the Chief Engineer. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

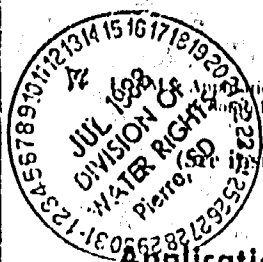
WATER MANAGEMENT BOARD

By: _____

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUN 13 1989

(date)



Application for irrigation (type or print)
South Dakota

(See instructions)

No. <u>4717A-3</u>	Hydrologic Unit <u>10160011</u>
Basin <u>James River</u>	
Newspaper <u>Alexandria Herald</u>	Box <u>450</u> (Thru)

Mail to: Water Rights Div.
DWR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☒ Amend Permit No. 4717-3
4717-3 ☒ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

1. Name of Applicant Rockport Colony Phone No. 825-4293
Post Office Address _____ Alexandria State SD 57311
(Street, RR or Box) (City) (Zip Code)
2. Amount of water claimed (c.f.s.) No add'l Total acres irrigated 18.3 (acreage transfer)
3. Source of Water supply James River
4. Location of point of diversion James River: 1250 feet E from the center of Sec 7-T101N-R58W
_____ County Hanson
5. Counties where water will be used Hanson
6. Annual period during which water is to be used April 1 - October 31
7. 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 In	Land Description	No. Acres In
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7-T101N-R58W	9.0		
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7-T101N-R58W	9.3		

Attach sheet if more space is needed

8. Type of Irrigation: Gravity _____ Towline _____ Center Pivot _____ Gun _____ Other: _____
9. Crops to be irrigated: _____ (Specify)
10. Give a description of proposed project. (Attach sheet if more space is needed)

This application proposes to change the location of lands to be irrigated under Permit #4717-3. Portions of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 7-T101N-R58W will also be irrigated. No increase will result in either total acreage irrigated or diversion rate. Permit #4717-3 is being amended as provided for by SDCL 46-5-30.4.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of _____)

I, _____, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Beryl Wipf
Subscribed and sworn to before me this 18 day of May 1988
Martin R. Eptonson
Notary Public

Report on Application No. 4717A-3
Rockport Colony
November 22, 1988

Application No. 4717A-3 for Rockport Colony requests an amendment to Water Permit No. 4717-3 to change the location of irrigated land. Water Permit No. 4717-3 authorizes the irrigation of 132 acres in the N1/2SW1/4 and S1/2NW1/4 of section 7, T101N, R58W from the James River. The amendment of the location of the irrigated lands includes moving 18.8 acres from the N1/2SW1/4 to the N1/2NW1/4. The application will not increase the acres irrigated nor the water appropriated from the James River over that already authorized by Water Permit No. 4717-3.

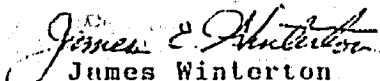
Discussion

This application is the result of a final inspection conducted by Ron Duvall, Natural Resources Engineer for the Division of Water Rights. The inspection revealed that portions of the acreage irrigated by the pivot system were not included on Water Permit No. 4717-3.

The change in lands as proposed will not harm existing water rights. The point of diversion remains the same. The water has been appropriated from the James River and irrigation has taken place with no complaints received.

Conclusion

The application should be approved to correct the acreage covered by Water Permit No. 4717-3


James Winterton
Natural Resources Engineer

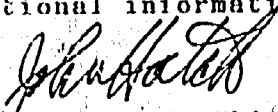
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4717A-3, Rockport Colony

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4717A-3, Rockport Colony, Alexandria SD.

The Chief Engineer is recommending APPROVAL of Application No. 4717A-3 because 1) the project has been developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed. This permit does not authorize diversion of water from the James River after August 10th of each calendar year, nor at any time when the river flow is low, unless written orders have been issued by the Chief Engineer. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
November 23, 1988

 **Department of
Water & Natural Resources**

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

January 19, 1989

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

Rockport Colony
John D. Wipf
RR2, Box 54
Alexandria, SD 57311

Dear Mr. Wipf:

Your Application No. 4717A-3 for a permit to appropriate water for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the Alexandria Herald printed at Alexandria SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures



 **Department of
Water & Natural Resources**

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

January 19, 1989

Alexandria Herald
Box 450
Alexandria, SD 57311

Dear Sir:

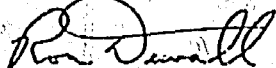
Enclosed is a Notice of Hearing on Application No. 4717A-3 to be published twice. Please publish the first notice on or before January 26, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Rockport Colony, Alexandria, SD 57311.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

FIRST TRANSMITTAL NOTICE

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____



Instruction to Newspaper - Publish first Notice on or before January 26, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4717A-3
to Amend Water Permit No. 4717-3

Notice is given that Rockport Colony, Alexandria, SD 57311 has filed an application for a water permit to amend Permit No. 4717-3 to change the location of irrigated land. Permit No. 4717-3 authorizes irrigation of 132 acres in the N1/2 SW1/4, S1/2 NW1/4, Section 7-T101N-R58W from the James River at a point in the SE corner of the SW1/4 NE1/4, Section 7-T101N-R58W. This application is to change the location of 18.3 acres from the N1/2 SW 1/4 to the N1/2 NW1/4; all in section 7-T101N-R58W. No increase in acres irrigated or water appropriated from the James River is authorized by this application.

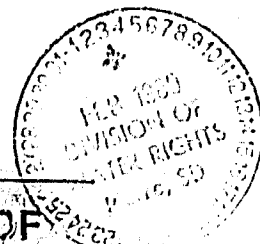
Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends approval of Application No. 4717A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD on March 1, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 17, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by February 17, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-5-33 thru 46-5-35; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

No. 4717A-3



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lincoln) ss.

I, David L. Stacey hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Alexandria Ward

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

January 26, 1989
February 2, 1989

David L. Stacey
(Signature)

Publisher
(Title)

2-2-89
(Date Signed)

Cost of Printing: \$35.32

NOTICE OF
HEARING

on Application No. 4717A-3
to Amend Water Permit No. 4717-3

Notice is given that Rockport Col-
ony, Alexandria, SD 57311 has filed
an application for a water permit to
amend Permit No. 4717-3 to change
the location of irrigated land. Permit
No. 4717-3 authorizes irrigation of 132
acres in the N1/2 SW1/4, S1/2 NW1/4,
Section 7-T101N-R58W from the
James River at a point in the SE corner
of the SW1/4 NE1/4, Section 7-
T101N-R58W. This application will
change the location of 18.3 acres fr-
om the N1/2 SW1/4 to the N1/2 NW1/4 all
in section 7-T101N-R58W. No in-
crease in acres irrigated or water
appropriated from the James River is
authorized by this application.

Pursuant to SDCL 46-2A-2, the
Chief Engineer of the Water Rights
Division recommends approval of
Application No. 4717A-3 because: 1)
existing rights will not be unlawfully
impaired; 2) it is a beneficial use of
water and 3) it is in the public interest.

This application will be considered by
the Water Management Board at the
Howard Johnson's Roosevelt Room,
1-90 at LaCrosse, Rapid City, SD on
March 1, 1989 at 10:00 a.m. The Chief
Engineer's recommendation is not fi-
nal or binding upon the Board. The
Board is authorized to 1) approve, 2)
approve with qualifications, 3) defer or
4) deny this application based on the
facts presented at the public hearing.

Any interested person that intends
to participate in the hearing before the
Board, by presenting evidence, or
information on this application or to assure
access to the hearing by the handi-
capped.

This hearing is an adversary pro-
ceeding. Any person filing a petition
and/or the applicant have the right to
be represented by a lawyer. These
and other due process rights will be
forfeited if not exercised. Decisions of
the Board may be appealed to the
Circuit Court and State Supreme
Court as provided by law. The time of
the hearing will also be automatically
delayed for at least twenty days upon
written request to the Chief Engineer
from the applicant or a petitioner. The
request for a delay must be received
by February 17, 1989.

This application is made pursuant
to SDCL 46-1-1 thru 46-1-9, 46-1-12
thru 46-1-15, 46-2-3, 1, 46-2-9, 46-2-
11, 46-2-13, 46-2-17, 46-2A-1 thru 46-
2A-10, 46-2A-12, 46-2A-14, 46-2A-
15, 46-5-1 thru 46-5-11, 46-5-13 thru
46-5-15, 46-5-24, 46-5-25, 46-5-30, 2,
46-5-30, 4, 46-5-31, 46-5-33 thru 46-5-
35, and Board Rules ARSD
74:02:01:01 thru 74:02:01:15.
5-6

4717A-3
Permit No. 4717-3James River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Rockport Colony,
RR 2, Box 54 of Alexandria SD 57311 holder of
 Permit No. 4717A-3, bearing the priority of September 16 1971 * authorizing
 the diversion of 1.88 cu. ft. per second of the waters of the James River
 for irrigation purposes, in Hanson County.

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

A. Works used to divert the water:

PTO drive pump
 (not available)
 powered with 100hp tractor

motor: Marathon

S.N. 90164-1/19-2
 75 hp, 3550 rpm

pump: Berkeley

M.N. B3EPL
 S.N. 8141314
 imp 10 inch

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

size: 10 intype: aluminumlength: 2,640 feet

center pivot:

make: Lockwoodhigh pressure - 50psi

C. Works used to apply water to beneficial use:

of towers: 10capacity - 750gpm

rainbird nozzles

The system is in the following condition good

The point of diversion is located James River: 1250 ft E of the center of
section 7-T10N-R58W

The works are capable of diverting and conveying to the place of use 1.67cu. 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:

	Acres		Acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ (4717A-3) sec 7-101-58	9.0	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7-101-58	37.7
NE $\frac{1}{4}$ NW $\frac{1}{4}$ (4717A-3) "	9.3	SE $\frac{1}{4}$ NW $\frac{1}{4}$ "	38.2
		NW $\frac{1}{4}$ NE $\frac{1}{4}$ "	19.1
		SW $\frac{1}{4}$ NE $\frac{1}{4}$ "	19.7

comprising a total of 132 acres of land and the license should be issued for 1.67 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____

Date May 23, 1985

* Priority established under No. 1902-3

Permit No. 4717-3 is to be incorporated
 into Permit No. 4717A-3.

(signature)

CHECK LIST FOR FIELD INSPECTION

Permit Number 4717-3 Date May 23, 1985
Other permit(s) associated with the project 4717A-3 & 1902-3

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

1. Diversion point legal location: James River : 1250 feet E of
the center of section 7 - T10N-R58W

2. Well Information: Well Drilling Firm NA

No. of Wells _____ Depth(s) _____

- | | |
|---|---------------------------------------|
| a) Casing 1) diameter _____ inches | b) Screen 1) type _____ |
| 2) length _____ feet | 2) length _____ feet |
| 3) type _____ | c) Pump 1) make <u>Berkeley</u> |
| d) Static Water Level _____ feet | 2) model <u>MN 83EPL</u> |
| e) Motor: | 3) size <u>imp 10</u> inches |
| 1) make <u>Marathon</u> | 4) capacity _____ GPM |
| 2) model No. <u>SN 90164-1/19-2</u> | 5) turbine pump - No. of stages _____ |
| 3) horsepower rating <u>75 hp, 3550 rpm</u> | 6) operating pressure _____ PSI |

3. Distribution lines or canals:

a) type Aluminum b) size 10 in c) length 2,640 ft

4. System Type:

a) Sideroll:

- 1) length _____ feet
2) diameter of pipe _____ inches
3) sprinkler spacing _____ feet

b) Towline:

- 1) length _____ feet
2) sprinkler spacing _____ feet

4. System Type (continued):

c) Siphons:

- 1) size _____ inches
- 2) number _____

e) Center pivot:

- 1) make Lockwood
- 2) overall length _____ feet
- 3) number of towers 10
- 4) distance between towers _____ feet
- 5) end gun _____ (Y/N)
- 6) high or low pressure 50 psi
- 7) capacity 750 GPM

d) Gated pipe:

- 1) length _____ feet
- 2) diameter _____ inches
- 3) spacing of gates _____ inches

f) Gun:

- 1) make _____
- 2) nozzle size _____ inches
- 3) capacity _____ GPM
- 4) hose size _____ inches
- 5) hose length _____ feet

5. Dam Information:

- a) height to crest _____ feet
- b) height to primary spillway _____ feet
- c) height to secondary spillway _____ feet
- d) crest width _____ feet
- e) crest length _____ feet
- f) spillway length _____ feet
- g) spillway width _____ feet
- h) approx. storage _____ ac-ft
- i) approx. storage to crest _____ ac-ft
- j) date constructed _____

k) outlet tubes:

- 1) diameter _____ inches
- 2) type _____
- 3) valved _____ (Y/N)
- 4) valve type _____
- 5) location on structure _____

- l) category of dam _____ (I, II, III)
- m) inspection sheet completed _____ (Y/N)
- n) name of contractor _____

6. Chemigation Equipment:

- b) main line check valve _____ (Y/N)
- d) low pressure drain _____ (Y/N)
- f) interlock type _____

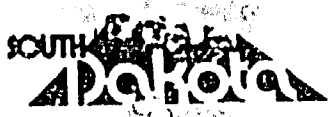
- g) injection pump type _____
- h) injection check valve _____ (Y/N)
- i) injection line check valve or positive displacement pump _____ (Y/N)

- j) all chemigation equipment appears to be installed in proper position and comply with chemigation laws and rules _____ (Y/N)

- k) comments: Inspection completed prior to existence of chemigation rules

- a) does chemigate _____ (Y/N)
- c) inspection port/air relief _____ (Y/N)
- e) discharge is 20' from source _____ (Y/N)

4717A-3



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

February 4, 1985

Rockport Colony
Alexandria SD 57311

Dear Mr. Wipf:

I am contacting you regarding the final inspection of Water Permit No. 4717-3 on May 23, 1985. The purpose of the final inspection is to compare the original conditions of the permit with what has been developed. After any necessary corrections are made, the water permit is licensed and becomes a water right.

Portions of the acreage irrigated by the pivot in Section 7, T101N, R58W are not included on Permit No. 4717-3. The lands listed on the enclosed application which are also outlined in red on the attached map are the areas not covered by permit. The enclosed application is an amendment to Permit No. 4717-3 which allows for a change in location of the acreage to be irrigated. An amendment does not allow any increase in either total acres to be irrigated or diversion from the James River. Therefore, the total acreage to be irrigated will remain at 132 acres but the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 7, T101N, R58W will be covered through this amendment procedure. The priority date will remain the same as listed on Permit No. 4717-3 unless existing water rights are impaired.

Soil and water compatibility approval is also required for the area listed on the enclosed application. Enclosed is a WI-1 form which must be completed to obtain soil and water compatibility approval. Contact the Division of Conservation if you have any questions about the WI-1 form (773-3259).

Please answer any questions which have not been completed and correct any errors. Inform our office if any variation exists between the enclosed information and the actual condition of the irrigation system. The forms must then be notarized and returned with an application fee of \$50.00. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ron Duvall".

RON DUVAL
Natural Resources Engineer

RD:ks
enclosures

SOUTH DAKOTA

4717A-3

Department of Water & Natural Resources

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

August 11, 1988

Ben Wipf
Rockport Colony
Alexandria SD 57311

Dear Mr. Wipf:

This letter is in response to your water permit application received on July 12, 1988. The enclosed map shows the location of the irrigated acreage.

The water permit application is complete except for the \$50.00 application fee. The fee was originally requested in my letter dated February 4, 1986 (copy enclosed) but no response was received. The enclosed letter also explains why the water permit application is needed. The water permit application can not be processed until the application is complete. Please remit the \$50.00 application fee by August 24, 1988 to complete your application.

Please contact me if you have any questions.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



4717A-3

Ken

Enclosed is \$50.00 to renew
migration permit, sorry for this
delay.

Please send all information to
this new address, I.C.C.,
John O. Wiß for
John O. Wiß.

OAKLANE COLONY
RR 2 BOX 54
ALEXANDRIA, SD 57311
PH. 605-825-4293

4717A-3

 **Department of
Water & Natural Resources**

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

WATER RIGHTS DIVISION
(605) 773-3352

September 6, 1988

John D. Wipf
Oaklane Colony
RR 2, Box 54
Alexandria, South Dakota 57311

Dear Mr. Wipf:

Enclosed is your check No. 2290 in the amount of \$50.00. The check will need to be signed before it can be deposited.

The note you enclosed with your check stated the fee was for "renewal of your irrigation permit". I reviewed your file and was unable to find what the \$50.00 fee was assessed for. On the letter you received which requested the fee, did it specify if the fee was for inspection and issuance of a water license or for filing an amendment application to your existing permit?

Please contact our office regarding this matter at your earliest convenience.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.



 **Department of
Water & Natural Resources**

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

JUN 13 1989

Rockport Colony
Ben J Wipf
Alexandria SD 57311

Dear Mr. Wipf:

Enclosed is Water Permit No. 4717A-3 as approved by the Water Management Board authorizing your water diversion system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,



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

enclosures





Department of Water & Natural Resources

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

February 9, 1990

JAKE WIPF-ROCKPORT COLONY
RR 2 BOX 54
ALEXANDRIA, SD 57311

NOTICE

RE: Violation of Water Permit No(s). 4717-3, 4717A-3 and 1989 Irrigation Questionnaire Requirements

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 4717-3, 4717A-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board has directed that owners of water permits who have not submitted the 1989 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4717-3, 4717A-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. 1902-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

The hearing 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, the Water Management Board can:

1. Suspend Permit No(s). 4717-3, 4717A-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 1902-3 also held by ROCKPORT COLONY to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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 questionnaires are received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

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

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

March 14, 1990

1902-3
2812-3
4717-3
4717A-3

Jake Wipf
Rockport Colony
RR #2 Box 54
Alexandria, SD 57311

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 1989 irrigation questionnaires for Water Permit Nos. 1902-3, 2812-3, 4717-3, and 4717A-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaires. Your questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall

RON DUVAL
Natural Resources Engineer
Water Rights Division



Department of Water & Natural Resources

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

April 6, 1990

NOTICE OF SHUTOFF ORDER

1902-3, 4717-3, (4717A-3)

TO: Wipf, Jake
Rockport Colony
RR 2, Box 54
Alexandria, SD 57311

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

Delvin H. Brosz

SUBJECT: Shut Off Order to All James River Irrigation Water Right Holders-Effective Immediately.

The flows in the James River are below 20 cubic feet per second (cfs) at most of the gaging stations. Therefore to protect the City of Huron's prior rights from diversions above Huron and domestic uses (livestock watering) on the river below Huron, effective immediately, no pumping of water from the James River is authorized until January 1, 1991 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the 1990 irrigation season from the James River. If conditions do improve, notices will be issued, based on senior priority dates, to allow pumping by irrigators.

Sand Lake Wildlife Refuge is approximately one foot below the full level. The Refuge is entitled to the flows from North Dakota under a senior water right. The flows from North Dakota are expected to decrease due to the lack of snow pack. The storage levels in the Jamestown and Pipestem Reservoirs are down with no expected releases.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland	Yankton
3/28/90	----	----	----	----	----	----	30.2
4/2/90	----	3.5	8.0	0	6.0	15.0	----
4/4/90	51.0	10.0	10.0	0	5.4	22.0	----

If you have any questions, please contact Del Brosz, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent



Department of Water & Natural Resources

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

May 30, 1990

RESCISSION OF SHUTOFF ORDER

1902-3

4717-3

4717A-3

TO: Jake Wipf
Rockport Colony
RR2, Box 54
Alexandria, SD 57311

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

Delvin D. Brosz

SUBJECT: Rescission of April 6, 1990 Shutoff Order to James River Water Right Holders

The flows in the Lower James River have improved considerably. Therefore I am rescinding the April 6, 1990 shutoff order, effective immediately, for the section of the James River downstream from the I-90 bridge near Mitchell. A list of water rights below I-90 to Yankton County line is enclosed for your information.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
5/22/90	----	0.7	11.5	17.65	41.8	61.8
5/25/90	1.3	0.2	13.0	58.2	65.7	77.2
5/29/90	3.5	----	9.4	23.9	50.7	377.9

If the flows of the river should decrease to a level that will again require a shutoff in 1990, water rights with junior priority dates will receive shutoff orders first.

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501, phone (605) 773-3352.



Department of Water & Natural Resources

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

August 8, 1990

NOTICE

1902-3, 4717-3
4717A-3

TO: Jake Wipf
Rockport Colony
RR 2, Box 54
Alexandria, SD 57311

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

SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

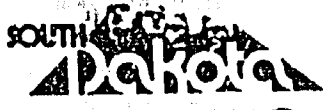
The August 10 automatic shutoff date for water diversions from the James River is still in effect. On some of the older permits this qualification though not listed is still valid and must be followed. Since there are still flows in portions of the James River, continuation of diversions beyond the shutoff date will be considered on a case by case basis. To do this you need to contact Water Rights Division in Pierre.

The following is the latest flow (cfs) information on the river.

<u>DATE</u>	<u>LUDDEN</u>	<u>COLUMBIA</u>	<u>ASHTON</u>	<u>HURON</u>	<u>FORESTBURG</u>	<u>SCOTLAND</u>
8/06/90	0.0	0.0	14.3	128.0	188.0	99.0
8/01/90	0.0	0.0	10.6	108.1	166.5	119.5
8/02/90	0.0	0.0	7.6	99.0	146.2	138.9

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501.
Phone (605) 773-3352

cc: City of Huron, Water Superintendent



Department of Water & Natural Resources

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

August 13, 1990

1902-3

4717-3

4717A-3

Ben Wipf
Rockport Colony
RR 2, Box 54
Alexandria, SD 57311

Dear Mr. Wipf:

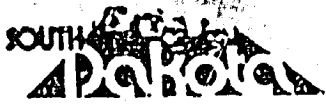
In response to your request by telephone, you are authorized to continue pumping from the James River under your water right.

The flows in the James River will continue to be monitored. If the flows become so low that use by senior water right holders or domestic users becomes impaired a shutoff order will again be issued.

If there are any questions, please contact this office.

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

April 2, 1991

1902-3
4717-3
4717A-3

Ben Wipf
Rockport Colony
RP 2, Box 54
Alexandria, SD 57311

Dear Mr. Wipf:

I am contacting irrigators and water users on the James River to advise of the low flow conditions in the James River and potential of shut off orders being issued. Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is supplying the river with below normal runoff.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
3/28/91	79.1	0.0	6.6	2.3	19.2	23.7
3/29/91	79.1	0.0	6.3	13.0	17.9	22.8
4/01/91	79.1	0.0	6.1	11.1	18.5	10.0

Note: The flow at Ludden is from in stream ice melt with little or no runoff occurring.

We will continue to closely monitor the flow in the river. Unless flow conditions improve in the next two to three weeks, shut off orders may have to be issued to all James River water users except for the City of Huron, which has senior water rights.

If you have any questions, feel free to contact Mark Rath or Del Brosz. Phone (605) 773-3352.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

August 5, 1991

NOTICE

1902-3

4717-3

4717A-3

TO: Ben Wipf
Rockport Colony
RR 2, Box 26
Alexandria, SD 57311

FROM: *for* JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

Delvin D. Brosz

SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

The August 10 automatic shutoff date for water diversions from the James River is still in effect. Although flows in the James River continue to be good, the gates at the Columbia Road Dam below Sand Lake Refuge were shut on August 1, continued good flows, particularly in the upper river reaches, are questionable. Continuation of diversions beyond the August 10 shutoff date will be considered on a case by case basis. To do this you need to contact the Water Rights Division in Pierre.

The following is the latest flow (cfs) information on the river.

DATE	LUDDEN	COLUMBIA	ASHTON	HURON	FORESTBURG	SCOTLAND
7/31/91	6.7	63	130	139	142	148
8/02/91	17	58	125	134	139	154
8/05/91	0.3	36	101	128	140	166

If you have any questions, please contact Del Brosz or Mark Rath,
Division of Water Rights, 523 East Capitol, Pierre, SD 57501.
Phone (605) 773-3352

cc: City of Huron, Water Superintendent



4717A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 29, 1991

Ben Wipf
Rockport Colony
RR 2, Box 26
Alexandria, SD 57311

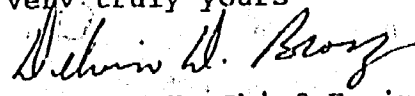
Dear Mr. Wipf:

In response to your telephone call requesting an extension to a pump from the James River, you are hereby authorized to continue irrigation under Water Right Nos. 1902-3, 4717-3 and 4717A-3 from the James River.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights. We will continue to monitor the river and will be in contact with you if low flows become a problem.

If you have any questions, please do not hesitate to contact this office.

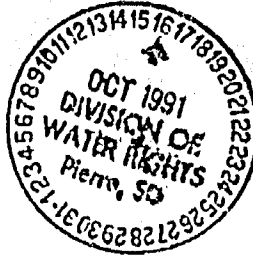
Very truly yours

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

South Dakota

GREAT FACES. GREAT PLACES.

October 11, 1991



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

SECOND NOTICE

Permit No. 4717A-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Rockport Colony
Ben Wipf
RR 2, Box 54
Alexandria SD 57311

Dear Mr. Wipf:

August 13, 1991 you were notified the final inspection fee of \$50.00 is due before Water License No. 4717A-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. This is the final document 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.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Hatch

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

(First Notice Lost)

PAID 50.00
CH# 3317
DATE 10-11-91

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)	
3. Article Addressed to. Rockport Colony Ben Wipf RR 2, Box 54 Alexandria SD 57311	4. Article Number P 694 059 405 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ Collect ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature of addressee X <i>[Signature]</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature of agent X	
7. Date of Delivery 10-12-91	

RECEIPT

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

Pierre, October 17, 1991

RECEIVED OF Rockport Colony, RR 2, Box 54, Alexandria, SD 57211

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. 4717A-3

Fee for Filing Transfer Form _____

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

50 00

50 00

By

John W. Smith
Chief Engineer

4717A-3



January 27, 1992

BEN WIPF- ROCKPORT COLONY
RR 2 BOX 26
ALEXANDRIA SD 57311

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit Nos 1902-3, 4717-3 & 4717A-3 and 1991 Irrigation
Questionnaire Requirements

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit Nos 1902-3, 4717-3 & 4717A-3. The request for the Questionnaires was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1902-3 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) 4717-3 & 4717A-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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 SDCL 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) 4717-3 & 4717A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1902-3 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 questionnaires are received in this office before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 18, 1992

NOTICE

TO: Ben Wipf, Rockport Colony, RR #2 Box 26, Alexandria,
SD 57311

FROM: Ron Duvall, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

SUBJECT: Unclaimed Certified Mail

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you January 29 and February 5, 1992 to pick up and sign for the certified mail.

If you have any questions, please contact Genny McMath, (605) 773-3352.

enclosure

CERTIFICATION

I hereby certify that on February 18, 1992, I have personally deposited with the U.S. Mail, postage prepaid envelopes containing a Notice dated February 18, 1992, regarding Unclaimed Certified Mail addressed to:

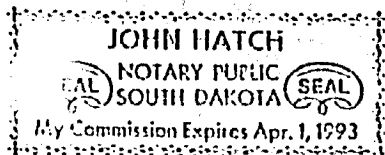
Ben Wiuf, Rockport Colony, RR 2 Box 26, Alexandria, SD 57311
Donna Bowen, HCR 351 Box 45, Pierre, SD 57501
Kendall and Kerry Smith, HCR 531 Box 45, Pierre, SD 57501
Jerry Kleinsasser, RR 3 Box 110, Huron, SD 57350

Jack R Konop

JACI R. KONOP
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 17th day of February, 1992.



Notary Public



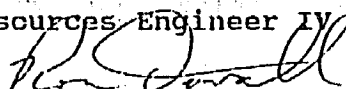
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 1992

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: BEN WIPF- ROCKPORT COLONY
RR 2 BOX 26
ALEXANDRIA, SD 57311

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352 

SUBJECT: One Year Suspension of Water Permit No(s).
4717-3 & 4717A-3

Pursuant to the provisions of the notice dated January 27, 1992, and following the hearing of March 4, 1992, the Water Management Board has ordered:

That Water Permit No(s). 4717-3 & 4717A-3 be SUSPENDED until December 31, 1992. Suspension of the permit(s) does not excuse the permit owner from the requirement to submit the 1991 irrigation questionnaire.

Suspension of a permit means water may not be pumped during the 1992 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension(s), you will need to submit a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 6-7, 1992 in Pierre. The letter should include your reasons for not completing the irrigation questionnaire(s) prior to the March Board meeting.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 11, 1992

Ben Wipf
Rockport Colony
RR 2, Box 26
Alexandria SD 57311

Dear Mr. Wipf:

This letter is in response to our phone conversation on March 11, 1992, regarding the irrigation questionnaires for Permit Nos. 1902-3, 4717-3, and 4717A-3. Enclosed are irrigation questionnaire forms for you to complete. Since your above address is correct, I do not know why you didn't receive the questionnaires during the initial mailing in October 1991.

I did not give you the correct information during our phone conversation. Water Permit No. 1902-3 was amended as we discussed; however, Nos. 4717-3 and 4717A-3 are **SUSPENDED**. This means you can not irrigate the acreage covered by Nos. 4717-3 and 4717A-3 during the 1992 irrigation season. The only possibility of getting Nos. 4717-3 and 4717A-3 reinstated for the 1992 irrigation season is to complete and return the enclosed questionnaires **AND** submit a letter requesting time on the Water Management Board's agenda during the May 6-7, 1992, Board meeting in Pierre. The letter should include your reasons for not completing the irrigation questionnaires. The Water Management Board will then consider your request at the May 6-7 Board meeting and may or may not rescind suspension of Nos. 4717-3 and 4717A-3. I strongly recommend that someone attend the Board meeting in May, if you intend to have the Board consider rescinding suspensions of Nos. 4717-3 and 4717A-3.

Please contact me if you have any questions regarding this matter.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



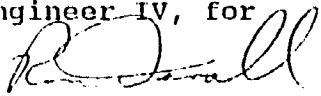
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 31, 1992

NOTICE

TO: Ben J Wipf, Rockport Colony, RR #2 Box 26, Alexandria,
SD 57311

FROM: Ron Duvall, Natural Resources Engineer IV, for
John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352 

SUBJECT: Notice of Hearing to Consider Request for
Reconsideration of Suspended Water Permit Nos. 4717-3
and 4717A-3

The hearing on your March 21, 1992, request to the Water Management Board to reconsider suspension of Water Permit Nos. 4717-3 and 4717A-3 has been scheduled for 9:15 am, May 6, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD.

The hearing 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.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permits, defer action or take no action. The hearing is an adversary proceeding and any party 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. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

cc: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on March 31, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, First Class postage, prepaid envelopes containing a Notice dated March 31, 1992, regarding Notice of Hearing to Consider Request for Reconsideration of Suspended Water Permit No. 3791-3, 1835-2, 4717-3 and 4717A-3 addressed to:

3791-3 Paul Bremmon, Box 63, Britton, SD 57430

1835-2 William F Lynch, Business Manager, Hot Springs School
District, 1609 University Ave, Hot Springs, SD 57747

4717-3 Ben J Wipf, Rockport Colony, RR 2 Box 26, Alexandria, SD
4717A-3 57311

A copy of the Notices were sent through inter-office mail to:

Diane Best, Assistant Attorney General

Jaci R. Konop
JACI R. KONOP
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 1st day of April, 1992.



John H. Atch
(Notary Public



ROCKPORT HUTTERIAN BROTHERN, INC.

FARMING & STOCK RAISING

ALEXANDRIA, SOUTH DAKOTA 57311 • PHONE ALEXANDRIA, SOUTH DAKOTA 239-4422

TO	FROM	DATE
	ROCKPORT HUTTERIAN BROTHERN, INC.	

TO Ron Duval
Dept. of Enviro. and Natural Resources

DATE March 21, 1992.

Here are the 3 irrigation questionnaires I received from your dept. I am sorry to say we did not receive any before these. I also receive a notice on Feb. 18 that the post office had marked a return receipt envelope as unclaimed. I don't recall any such notice from them. Please keep me posted on any action need by us to correct this matter.

Rockport Colony
By Ben J. Wipf

BY

RECEIVED

Water Permit Nos. 4717-3 & 4717A-3
Rockport Colony

GENERAL

Applications submitted by: Rockport Colony
Alexandria, SD 57311

County: Hanson

Permit No. 4717-3 approved: February 4, 1982*

Permit No. 4717A-3 approved: March 2, 1989*

Purpose: No. 4717-3 was approved for irrigation of 132 acres from the James River.
No. 4717A-3 amended Permit No. 4717-3 by changing the location of the irrigated acreage.

* Both Permit Nos. 4717-3 and 4717A-3 were approved with the irrigation questionnaire qualification.

FIVE YEAR HISTORY OF IRRIGATION QUESTIONNAIRE RETURNS

<u>Year</u>	<u>Date Request Mailed</u>	<u>Date Irrigation Questionnaire Returned</u>	<u>Date of any Board Action</u>
1987	October, 1987	December 15, 1987	none
1988	October, 1988	January 16, 1989	none
1989	October, 1989	March 5, 1990 ***	none
1990	October, 1990	October 17, 1990	none
1991	October, 1991	March 23, 1992	March 4, 1992

***Questionnaires were received prior to March 7th hearing date.

PAST VIOLATIONS:

1. 1991 Irrigation Questionnaire Violation

January 27, 1992, Ben Wipf, Rockport Colony was given notice of permit violation for nonreturn of the 1991 irrigation questionnaires and of the hearing scheduled before the Water Management Board to be held March 4, 1992.

February 18, 1992, the January 27th notice was returned by the Post Office marked "Unclaimed".

February 18, 1992, the January 27th notice was mailed "First Class Mail" with the secretary certifying that she deposited the notice with the US Mail.

March 4, 1992 the Water Management Board SUSPENDED Water Permit Nos. 4717-3 and 4717A-3 until December 31, 1992.

Rockport Colony
Water Permit Nos. 4717-3 & 4717A-3
Page 2

March 23, 1992, A letter was received from Ben J Wipf, Rockport Colony which included his 1991 irrigation questionnaires.

March 31, 1992, Notice was sent to Mr. Wipf, Rockport Colony notifying him of the hearing scheduled before the Water Management Board to be held May 6, 1992 to reconsider suspension of Permit Nos. 4717-3 and 4717A-3.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

May 7, 1992

NOTICE

TO: Ben J Wipf, Rockport Colony, RR #2 Box 26, Alexandria,
SD 57311

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

SUBJECT: Reinstatement of Water Permit Nos. 4717-3 and 4717A-3

Pursuant to your letter of March 21, 1992 and following a hearing by the Water Management Board May 6, 1992, the Board passed the following motion:

Water Permit Nos. 4717-3 and 4717A-3 are reinstated effective immediately.

The Water Management Board expressed concern that by your absence from the hearing, and that the irrigation questionnaires were delinquent, that you do not view the irrigation questionnaires or notices as necessary or important. You need to understand the severity of the consequences for not returning yearly irrigation questionnaires. The Board stated that future irrigation questionnaire violations could result in suspension or possible cancellation of the permits with no opportunity for reinstatement.

Violations of any qualifications on your irrigation permits and subsequent Board action become part of the permanent record. This notice will be placed in Water Permit Nos. 4717-3 and 4717A-3 and failure to submit future irrigation questionnaires will result in past violations being reviewed by the Water Management Board.

cc: Diane Best, Assistant Attorney General

REDUCTION RATIO

ROLL NUMBER

DATE MICROFILMED

CAMERA OPERATOR SIGNATURE

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Ben J. Wipf
Rockport Colony
R 2, Box 26
Alexandria, SD 57311

4a. Article Number

A 757 566 241

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

8-11-92

5. Signature (Addressee)

Ben J. Wipf 4717A-3

8. Addressee's Address (Only if requested and fee is paid)**6. Signature (Agent)**



AUG 5 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

4717A-3

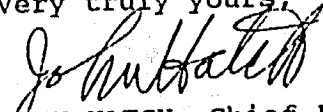
Ben Wipf
Rockport Colony
RR 2, Box 54
Alexandria, SD 57311

Dear Mr. Wipf:

Enclosed is Water License No. 4717A-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412879 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,


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

enclosures

NOTE: The applicable portions of Water Permit No. 4717-3 are incorporated into this Water License No. 4717A-3.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, September 26, 19 42

RECEIVED OF Catholic Hutterian Brethren, Inc. RR 2, Box 42, Alexandria, SD 57011

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

John Hipt

Fee for Application for Permit No. 4717A-3 to Appropriate Water, to construct works and to put water to beneficial use _____

50 50 (change across)

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 _____

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

50 00

By

Chief Engineer

John Hipt
JOHN HIPT

4717A-3

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

Light

WR#

OWNERS NAME: Van Nieuw OWNERS ADDRESS: Deerpark Colony

Deerpark Colony, SD 57721

COUNTY LAND LOCATED IN: Deerpark PHONE:

LEGAL DESCRIPTION:

☐ Well

☐ Surface

1. LOCATION James River 1200 ft. from the center of (4-171-3)

Depth:

Legal Description	Acres	Legal Description	Acres
<u>4-171-3 (7-10-1-3)</u>	<u>0.3</u>		
<u>7-10-1-3 (7-10-1-3)</u>	<u>0.3</u>		

2. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: GUN: OTHER: (Specify)

3. CROPS TO BE IRRIGATED:

WATER QUALITY:

4. WATER SAMPLE NUMBER: James River 7. ADJUSTED (SAR):
5. SALINITY (EC X 10³): 8. PERCENT SODIUM:
6. SODIUM (SAR):

Requirements:

NO REQUIREMENTS



Keith T. Harrison
Director, Division of Conservation

7/8/1988
Date

☒ APPROVED ☒ REQUIREMENTS
☐ DISAPPROVE ☐
☐ WAIVER

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

4717A-3

MANAGEMENT FORM

4254

APPROVED with Requirements

NAME OF APPLICANT: Ben Wipf

LEGAL DESCRIPTION: NW1/4 NW1/4 7 and NE1/4 NW1/4-T101N-R58W

REQUIREMENTS:

MANAGEMENT RECOMMENDATIONS:

We recommend the use of conservation tillage to reduce erosion and conserve soil moisture.

DATE

7/8/88

SIGNATURE

James Louis Kugel



4717A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

September 24, 1992

Ben Wipf
Rockport Colony
RR 2, Box 54
Alexandria, SD 57311

Dear Mr. Wipf:

This letter is in regard to an inspection done June 10, 1992. You mentioned that you may chemigate in the future. Enclosed, please find a copy of the chemigation regulations on the equipment required before chemigation can occur through your system.

Please inform this office if and when you plan to begin chemigation through your system.

If you have any questions, feel free to contact Ron Duvall or I at (605) 773-3352.

Sincerely,

Norma C. Job
Natural Resources Engineer
Division of Water Rights

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 3, 2005

4717A-3

Ben J Wipf
Rockport Colony
26209 Rockport Rd
Alexandria SD 57311

Dear Mr. Wipf:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. One of the forms I am returning to you for completion. In order for the questionnaire to be considered complete, the back side also needs to be filled out.

Please include the number of acres, pump rate (in gallons per minute), days per month and hours per day the system(s) was running. The information is important to us in calculating how much water was used from a specific source.

Please complete the forms and return them to us by **December 2, 2005**. Thank you in advance for your help. If you have any questions, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 1, 2006

NOTICE OF SHUTOFF ORDER

TO: ROCKPORT HTTRN BRTH attn BEN WIPF
26209 ROCKPORT RD
ALEXANDRIA SD 57311

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: James River Shutoff Order

Shutoff Order for Water Right No(s). 1902-3 (4717A-3)

To protect domestic use on the James River, the department is issuing shutoff orders to water right holders on the James River from the Yankton-Hutchinson county line north to the North Dakota border. Effective immediately, no diversions of water from the James River will be allowed. Previous to this Order, shutoff orders were issued for water right junior to January 1, 1975 located upstream of Huron.

Flow in the James River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. USGS gaging stations over this entire river reach are measuring flow levels at or below 20 cubic feet per second, the required bypass for downstream domestic use. This order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions, please contact Lynn Beck or Mark Rath with the Water Rights Program at (605) 773-3352. Thank you.



4717A3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

August 6, 2012

**JAMES RIVER WATER RIGHT QUALIFICATION REMINDER
WATER RIGHT NO(s). 1902-3, 4717A-3, 7339-3**

To: ROCKPORT HTRRN BRTH
26209 ROCKPORT RD
ALEXANDRIA SD 57311

From: Garland Erbele, Chief Engineer
Water Rights Program, DENR
(605) 773-3352

Subject: James River Qualification Reminder for Permit No(s). 1902-3, 4717A-3, 7339-3

Qualifications on you water right indicate that you are not authorized to divert James River water after August 10th. Please, consider this a reminder and cease diversion if you have not already done so. No diversion can take place after August 10th unless under written orders by the Chief Engineer. You may resume diversion on the date stated in the qualifications on your water right.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

August 6, 2015

Nos. 1902-3, 2411-3, 4717A-3, 6015-3, 6232-3
7339-3, 7973-3, 8045-3, & 8046-3

Rockport Colony
Attn: Donny Wipf
26209 Rockport Road
Alexandria SD 57311

Dear Mr. Wipf:

This letter is in reference to your August 6, 2015 call regarding water availability and requesting permission to continue irrigation for Water Permit Nos. 1902-3, 2411-3, 4717A-3, 6015-3, 6232-3, 7339-3, 7973-3, 8045-3, and 8046-3 from the James River after the August 10 shutoff date. Flows in the James River continue to be strong. Because there is sufficient flow in the James River, I am granting your request to extend the shutoff date for your water permit out of the James River to the end of the 2015 irrigation season.

If you have any questions, please contact Mark Rath or Lynn Beck of the Water Rights Program at phone (605) 773-3352.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

August 08, 2016

2411-3, 4717A-3, 7339-3, 7973-3
8045-3, 8046-3, 8047-3, 8048-3

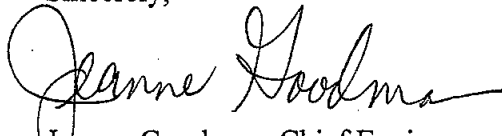
Rockport Hutterian Brethren
26209 Rockport Road
Alexandria, SD 57311

Dear Mr Wipf:

This letter is in reference to your August 8, 2016 telephone call regarding water availability for irrigation from the James River for this summer. Flows in the James River continue to be strong. Because there is sufficient flow in the James River, I am granting your request to extend the shutoff date for your water permit out of the James River through September 1, 2016.

If you have any questions, please contact Mark Rath or Lynn Beck of the Water Rights Program at phone (605) 773-3352.

Sincerely,


Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

August 08, 2017

1902-3, 1902A-3, 2411-3, 4717A-3, 7339-3
7973-3, 8045-3, 8046-3, 8047-3, 8048-3

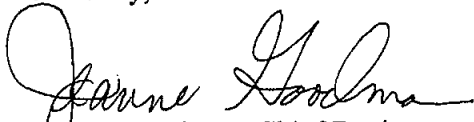
Rockport Hutterian Brethren
26209 Rockport Road
Alexandria, SD 57311

Dear Mr Wipf:

This letter is in reference to your August 8, 2017 telephone call regarding water availability for irrigation from the James River for this summer. Flows in the James River continue to be strong. Because there is sufficient flow in the James River, I am granting your request to extend the shutoff date for your water permit out of the James River through September 10, 2017.

If you have any questions, please contact Mark Rath or Aaron Tieman of the Water Rights Program at phone (605) 773-3352.

Sincerely,


Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

September 12, 2017

1902-3, 1902A-3, 2411-3, 4717A-3 7339-3
7973-3, 8045-3, 8046-3, 8047-3, 8048-3

Rockport Hutterian Brethren
26209 Rockport Road
Alexandria, SD 57311

Dear Mr Wipf:

This letter is in reference to your September 12, 2017 telephone call regarding water availability for irrigation from the James River for this summer. Flows in the James River continue to be strong. Because there is sufficient flow in the James River, I am granting your request to extend the shutoff date for your water permit out of the James River through September 30, 2017.

If you have any questions, please contact Mark Rath or Aaron Tieman of the Water Rights Program at phone (605) 773-3352.

Sincerely,


Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

August 28, 2018

1902A-3, 2411-3, 4717A-3, 7339-3, 7973-3, 8045-3
8046-3, 8047-3, 8048-3, 8350A-3, 8350B-3, 8350C-3

Rockport Hutterian Brethren
26209 Rockport Road
Alexandria, SD 57311

Dear Mr Wipf:

This letter is in reference to your August 27, 2018 telephone call regarding water availability for irrigation from the James River for this summer. Flows in the James River continue to be strong. Because there is sufficient flow in the James River, I am granting your request to extend the shutoff date for your water permit out of the James River through September 15, 2018.

If you have any questions, please contact Mark Rath or Aaron Tieman of the Water Rights Program at phone (605) 773-3352.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 16, 2021

Dear James River Water Right Holder:

I am writing to water right holders and operators who either use water from the James River or tributaries under permits with the August 10 shutoff date qualification.

Water rights containing this qualification requires a mandatory compliance and pumping under your permit must cease after August 10th unless you contact the Water Rights Program and receive permission to continue to divert water.

Water Rights staff drove along the James River last week after the August 10 shutoff date to spot-check whether water right holders were complying with this qualification. This spot-check found multiple water right holders diverting water in violation of this qualification.

Again, I remind you, compliance with this shutoff qualification is required unless you request and receive permission from the Water Rights Program to continue pumping. Permission may be granted based upon water availability.

Thank you for your cooperation. If you have any questions, please contact Mark Rath, Blaise Hansen, or Nakaila Steen at (605) 773-3352.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 15, 2022

1902A-3, 2411-3, 4717A-3, 7339-3, 7973-3, 8045-3
8046-3, 8047-3, 8048-3, 8048A-3, 8048B-3
8305A-3, 8035B-3, 8305C-3, 8448-3, 8449-3

Rockport Hutterian Brethren Inc.
26209 Rockport Road
Alexandria SD 57311

Dear Mr. Wipf:

This letter is in reference to your August 13, 2022, request for an extension to pump water from the James River beyond the August 10 shutoff date. Flows in the James River in the reach between the confluence with the North Dakota Border and the Huron are sufficient at this time to allow an extension. Because there is sufficient flow in the James River, I am granting your request to extend the shutoff date for your water permits out of the James River and allow you to divert through the end of the 2022 irrigation season.

In the event dry climatic conditions in the river basin causes river flow to significantly decrease and flow measured at the USGS stream gaging station James River near Scotland drops to below 20 cfs, you will be contacted and provided orders to cease pumping. Realtime flows in the James River can be monitored by going to the following website:

<https://waterdata.usgs.gov/sd/nwis/current/?type=flow>

If you have any questions, please contact Mark Rath of the Water Rights Program at phone (605) 773-3352.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 17, 2026

1902A-3, 2411-3, 4717A-3, 7339-3
7973-3, 8045-3, 8046-3, 8047-3, 8048-3
8048A-3, 8048B-3, 8305A-3, 8305B-3
8305C-3, 8448-3, 8449-3

Rockport Hutterian Brethren
c/o Donny Wipf
26209 Rockport Rd
Alexandria SD 57311

Dear Mr. Wipf,

This letter is in reference to your request for an extension to pump water from the James River, beyond the annual August 10th shutoff date.

Flows in the James River, in the reach between North Dakota and the USGS stream gaging stations along the James River are sufficient, at this time, to allow an extension. Since there is sufficient flow in the James River, I am granting your request to extend the shutoff date for your Water Permits and Rights appropriating water from the James River, allowing diversions through August 24, 2026.

If continued use is needed beyond August 24, 2026, please contact the Water Rights Program for an additional extension. At this time, we are only granting extensions for the James River in two-week increments, since the forecast is for continued hot and dry conditions throughout August.

In the event that dry climactic conditions in the river basin cause river flows to significantly decrease, and flow measured at the USGS stream gaging station near Scotland drops below 20 cfs, you will be contacted and provided orders to cease pumping. Realtime flows in and James River can be monitored by going to the following website:

<https://waterdata.usgs.gov/sd/nwis/current/?type=flow>

If you have any questions, please contact Whitney Kilts with the Water Rights Program at (605) 773-3352.

Sincerely,

Adam Mathiowetz, PE
Chief Engineer, Water Rights Program
SD - DANR



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 27, 2026

1902A-3, 2411-3, 4717A-3, 7339-3
7973-3, 8045-3, 8046-3, 8047-3, 8048-3
8048A-3, 8048B-3, 8305A-3, 8305B-3
8305C-3, 8448-3, 8449-3

Rockport Hutterian Brethren
c/o Donny Wipf
26209 Rockport Rd
Alexandria SD 57311

Dear Mr. Wipf,

This letter is in reference to your request for an extension to pump water from the James River, beyond the annual August 10th shutoff date.

Flows in the James River, in the reach between North Dakota and the USGS stream gaging stations along the James River are sufficient, at this time, to allow an extension. Since there is sufficient flow in the James River, I am granting your request to extend the shutoff date for your Water Permits and Rights appropriating water from the James River, allowing diversions through September 9th, 2026.

If continued use is needed beyond September 9th, 2026, please contact the Water Rights Program for an additional extension. At this time, we are only granting extensions for the James River in two-week increments, since the forecast is for continued hot and dry conditions throughout August.

In the event that dry climactic conditions in the river basin cause river flows to significantly decrease, and flow measured at the USGS stream gaging station near Scotland drops below 20 cfs, you will be contacted and provided orders to cease pumping. Realtime flows in and James River can be monitored by going to the following website:
<https://waterdata.usgs.gov/sd/nwis/current/?type=flow>

If you have any questions, please contact Whitney Kilts with the Water Rights Program at (605) 773-3352.

Sincerely,

Adam Mathiowetz, PE
Chief Engineer, Water Rights Program
SD - DANR