

MAP Map No. 4015-3 Map located in Water Right ☒ Map file _____
Type of Map Aerial Prepared by SCS

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

Sept 14, 1981

Betty Wastlund
(Signed)

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

REMARKS
F.F. & C.
OF LAW,
FINAL
DECISIONS
ETC.

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



No. 4906-3
 Map No. 4015-3 Water Division No. 3 JAMES RIVER District
 Above for Office Use 10160006

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 Maher - AQUA-4-FARMS Phone No. 507-532-5089
 Post Office Address 101 S High Marshall State Minn 56258
 (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) contract3. Name of diversion work Maher #14. Amount of water claimed (cubic feet per second) 1.67 (additional)5. Source of water supply well6. Location of point of diversion: 1000' north of center of section 12-117-60/ nw 1/4 of nw 1/4County Spink7. Annual period or periods during which water is to be used May-October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, irrigation Total number of acres to be irrigated 117 (additional)

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

Land Description	No. Acres Irr.
NW 1/4 NW 1/4 Sec 12-117-60	40
NE 1/4 NW 1/4 Sec 12-117-60	40
SW 1/4 NW 1/4 Sec 12-117-60	19
SE 1/4 NW 1/4 SEC 12-117-60	18

Land Description	No. Acres Irr.

Attach sheet if more space is needed

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

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Doland Time Record

12. Principal Features of the Proposed Water Supply System.

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

well & pump

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

underground pipe

C. Works proposed to apply water to beneficial use.

2center pivotsEstimated Total Cost \$ 107,000.00

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

STATE OF SOUTH DAKOTA)

County of Spink) ss.

I, William Maher 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 MaherSubscribed and sworn to before me this 1 day of July, 1984

Notary Public for other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4806-3

William Maher - Aqua-4-Farms

101 S. High, Marshall

(Applicant)

(Post Office Address)

Minnesota 56258

(State)

With the following qualifications.

This permit has been approved for the 40 foot deep well.

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

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

Date of first receipt of application SEPTEMBER 4, 1981

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

Date of receipt of corrected application _____, 19____

Approved DECEMBER 2, 1981, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 4806-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4806-3 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 SEPTEMBER 4, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before DECEMBER 2, 1982
3. The whole of said work is to be completed on or before DECEMBER 2, 1983
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is DECEMBER 2, 1985
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 167 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 DECEMBER 2, 1985; said water to be used during the following described annual period: MAY - OCTOBER

Witness my hand this 3rd day of SEPTEMBER, 1982

THE WATER MANAGEMENT BOARD

By: John H. Husted
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 3.0", Depth 110'
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 16" Thickness .220
- (3) Perforated Screen.
Type Stainless Steel, Diameter 16", Length 30'
- (4) Gravel Pack, Thickness 2", Length of gravel pack 110'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Very Coarse sand and gravel
between 30-40' Medium sand and gravel
from 90-110'
Screening will be set between 30-40' - 89-110

Depth to top of water bearing material 30' — 89'

Depth to bottom of water bearing material 40' — 110

Thickness of water bearing material 30'

Depth to water (ground surface to water level) 11'

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

On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Signature of Applicant

Information on Well log

D Well Information N/A Production well has not been drilled yet

- (1) Drill Hole, Diameter 30", Depth 110'
- (2) Casing, Type Steel, Diameter _____, Thickness _____
(wood, concrete, steel, etc)
- (3) Screen, type S.S., Diameter 16", Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

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

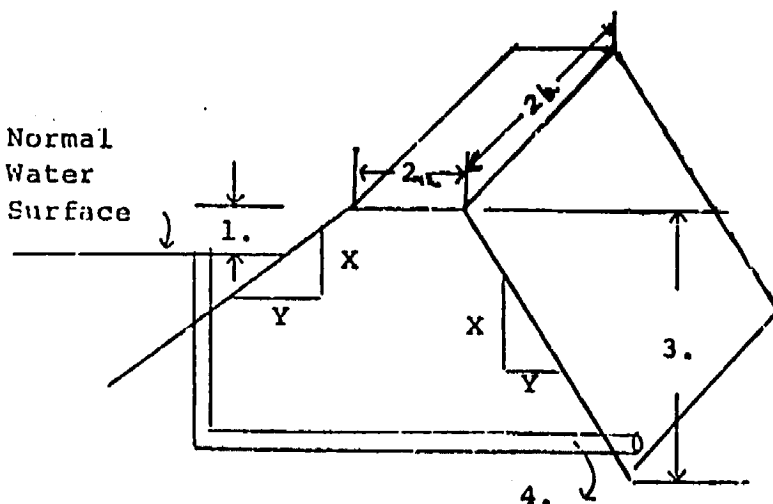
- Depth to top of water bearing material _____
- Depth to bottom of water bearing material _____
- Depth to water (ground surface to water level) _____

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

- On same owner's property _____ rds.
- On property owned by others _____ rds.

G Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



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

We are enlarging on two prior permits No. 1877-3 and 682-3 to allow the use of center pivots. The combined total acres of the two prior permits is 187 acres.

Wymaker
Signature of Applicant

D Well Information N/A well has not been drilled yet

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

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

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

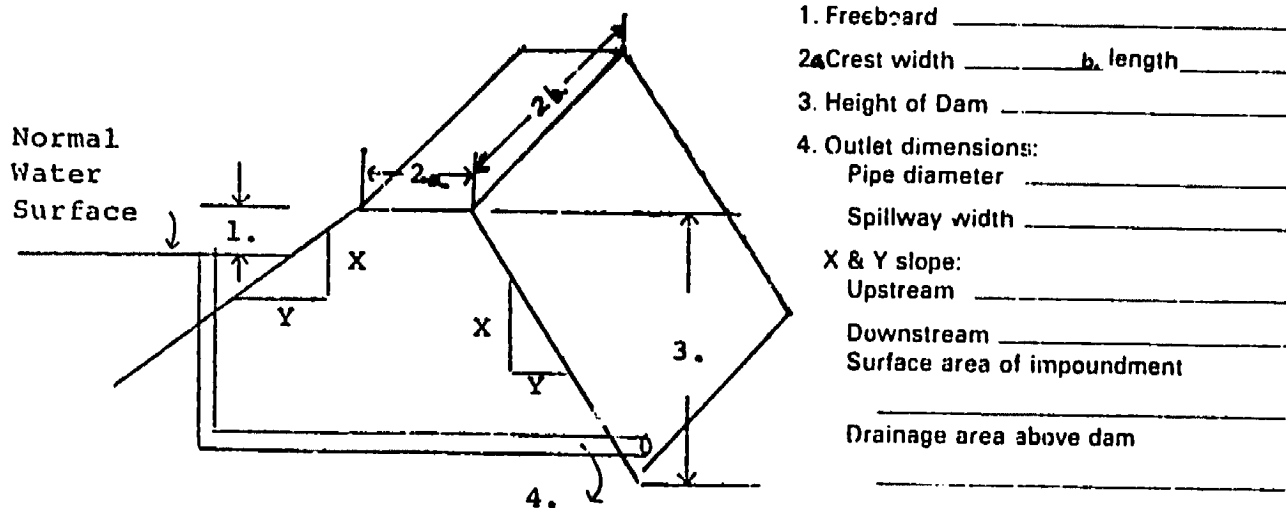
- Depth to top of water bearing material _____
- Depth to bottom of water bearing material _____
- Depth to water (ground surface to water level) _____

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

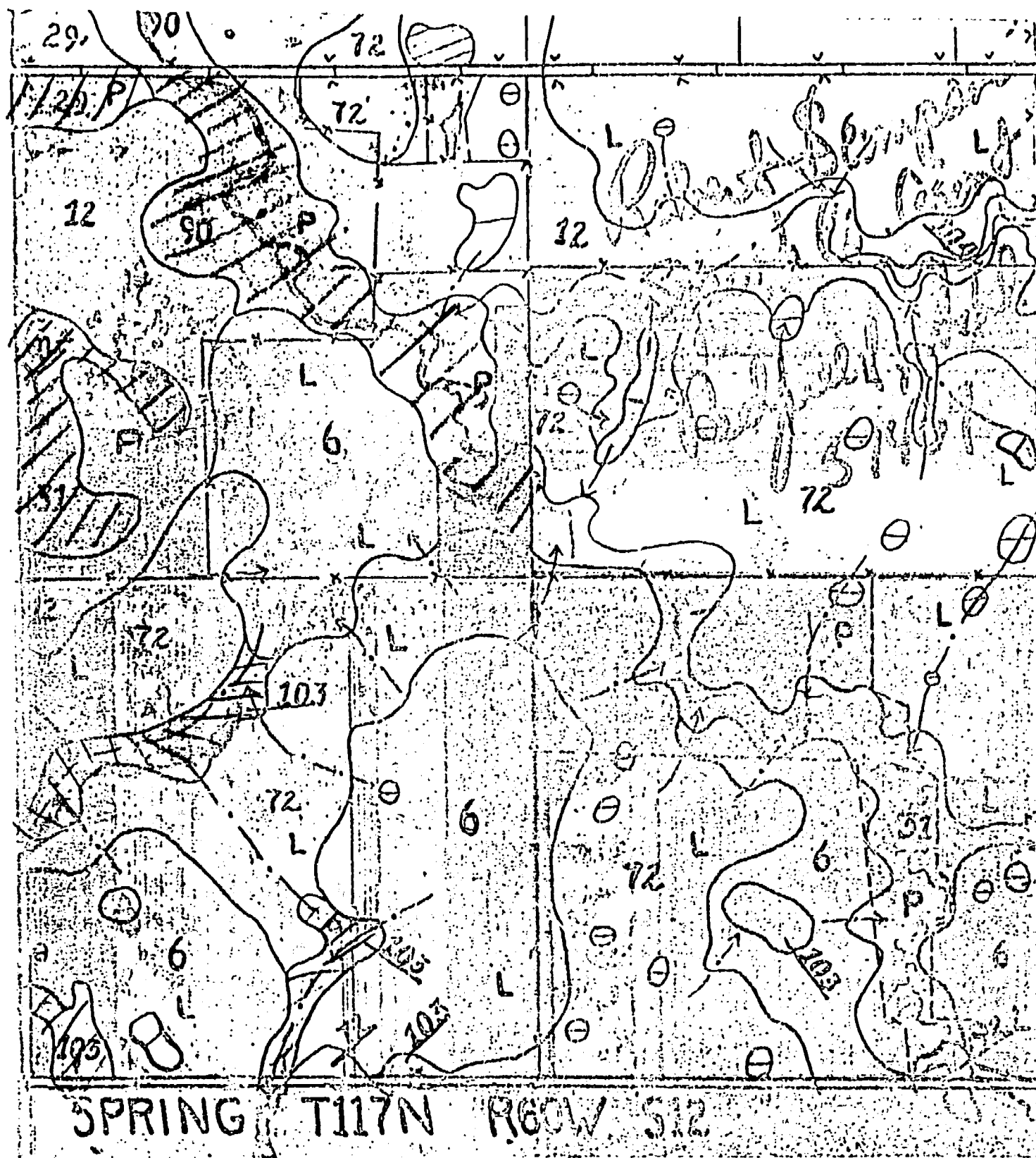
- On same owner's property _____ rds.
- On property owned by others _____ rds.

G Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



We are enlarging on two prior permits No. 1877-3 and 682-3 to allow the use of center pivots. The combined total acres of the two prior permits is 187 acres.



No. 6 Beadle Salt Pann (Nearby Level 0-2%)
Fair prospect for irrigation.

All 31 Pannons Thin Surface - Terrestrial Complex.

Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Name:	AQUA-4-FARMS	Date Rec'd	July 31, 1981
Address	RAYMOND, SD 57258	Sample No.	31-874
	BUCKHAM WEI CO.	Identification	WELL
	RR3 BOX212 CLARK SD 57225		

WATER ANALYSIS

Calcium (Ca)	200	ppm	0.08	me/l**
Magnesium (Mg)	86	ppm	7.07	me/l
Sodium (Na)	152	ppm	7.04	me/l
Potassium (K)	1	ppm	0.20	me/l
Sulfate (SO4)	232	ppm	12.53	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	22	ppm	0.52	me/l
Bicarbonate (HCO3)	393	ppm	6.52	me/l
Carbonate (CO3)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	0.21	ppm		
Hardness (EDTA as CaCO3)		ppm		g.p.g.***
Total Solids		ppm		
Total Cations			24.30	me/l
Total Anions			25.67	me/l
Alkalinity (Methyl Orange)	325	ppm(as CaCO3)		
Alkalinity (Phenolphthalein)	0	ppm(as CaCO3)		
Electrical Conductivity	2100	microhm/cm at 25 C		
Sodium Adsorption Ratio	2.41	Adjusted SAR	6.57	
Sodium	23.33	% of Cations		
Residual sodium carbonate	0.00	me/l		
pH	7.39			

Others:

*ppm=parts per million ***g.p.g.=grains per gallon

**me/l=millequivalents per liter

COMMENTS

By: Shirley Mittan

Service Performed:	Amount Due:
Irrigation Analysis	\$28.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 31-374

Amount Enclosed \$
Signed

CONDITIONAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT AQUA-4-FARMS

Wm Mohr

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

#29-Cavour Beadle and #31-Cavour These are poorly drained sodium bearing soils. These soils are indicated by red hatch marks.

THE SOIL(S) LISTED BELOW CAN BE IRRIGATED WITH THE FOLLOWING RESTRICTIONS:

#103-Tetonka--These are poorly drained depressional soils which should not be irrigated unless drained or left in permanent vegetation such as alfalfa or grass alfalfa mixture.

#90 LaDelle-Northvill--These are poorly drained soils along water ways which should be left in permanent vegetation. These soils are indicated by red hatch marks.

RECOMMENDED MANAGEMENT

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

Office Use Only

4806-3

29-12-81

OWNERS NAME: Agua - 4 - Farms OWNERS ADDRESS: 1015 High
Marshall Minn 56028

COUNTY LAND LOCATED IN: Spink PHONE: 605-6537
TENANT'S NAME AND ADDRESS: (If Other Than Owner) Harlan Erickson
RR2 Doland, S. Dak 57436

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)

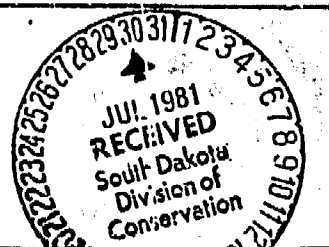
1. WELL LOCATION OR DIVERSION POINT: SE 1/4 NW 1/4 - 12 - 117-60
2. SURFACE WATER SOURCE: _____
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
<u>W 1/2 12 - 117 - 60</u>	<u>320</u>		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify)
5. CROPS TO BE IRRIGATED: Small Grain, Alfalfa, & Corn
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1960
LEGAL DESCRIPTION: W 1/2 12 - 117 - 60
IN WHAT NAME: Tom Petersen Harold Dirksen

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

7. WATER SAMPLE NUMBER: 81-765
8. SALINITY (EC X 10⁶): 1250
9. SODIUM (SAR): 2.03
10. ADJUSTED (SAR): 5.21 (3.65)



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 3:30 a.m./p.m., on 7/9/81, 1981, at the following location: SE 1/4 NW 1/4 - 12 - 117-60 by Tom Petersen (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

19th DAY OF July, 1981.

Sherrill P. Petersen
(NOTARY PUBLIC)

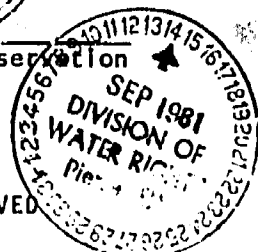
APPLICANT'S SIGNATURE

Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED



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

PLEASE COMPLETE
ENTIRE FORM

WELL DRILLERS REPORT
Division of Water Rights
Department of Water & Natural Resources

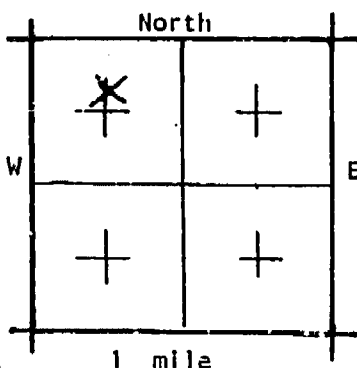
6/60

Well Owner:

Name William Maher

Address 101 S. High
Marshall Minn 56258

Well Location:



Mark location
with an "X"

County Spink

center of N. 1/4 NW 1/4 Sec. 12 Twp. 117 Rg. 60

Proposed Use:

☐ Domestic ☐ Municipal ☐ Test
Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

☐ Forward Rotary ☐ Bored ☐ Jetted
☒ Reverse Rotary ☐ Cable ☐ Other

Well Construction:

Diameter of Hole 30"
Depth 110
Casing ☒ Steel ☐ Concrete
☐ Plastic ☐ Other
If other, specify _____

Was casing end left open No
Was a well screen installed Yes
Describe Well Screen
Diameter 16" Material S. S.
Slot size 100
Was well gravel packed Yes
Was well grouted No
Was water sample taken Yes

Remarks:

Water Level Information:

Static water level 11 below land surface
If flowing: closed in pressure _____ PSI
rate of flow _____ GPM

Controlled by:

☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Well Test Data:

☒ Pumped Describe: Pumped with
☐ Bailed air for
☐ Other water sample

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM
_____ " " _____ " " _____ "
_____ " " _____ " " _____ "

Well Log:

Formation	Depth	
	From	To
<u>clay</u>	<u>0</u>	<u>11</u>
<u>Med. to coarse</u>	<u>11</u>	<u>34</u>
<u>sand</u>		
<u>Very coarse</u>	<u>34</u>	<u>40</u>
<u>sand & gravel</u>		
<u>clay</u>	<u>40</u>	<u>76</u>
<u>fine sand</u>	<u>76</u>	<u>89</u>
<u>medium sand</u>	<u>89</u>	<u>95</u>
<u>fine to med. sand</u>	<u>95</u>	<u>110</u>
<u>shale</u>	<u>110</u>	<u>120</u>

(Use Back if Necessary)

Date Completed: _____

Driller:

John Maher 12.3
Driller's or Firm's Name License NO.

Address _____

John Maher 7/1/61
Signed By Date

W
nep

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8451

PIERRE, September 4, 1981

RECEIVED OF William Maher, 101 S. High, Marshall, SD. 56258

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

Fee for Application for Permit to Appropriate Water No. 4806-3 (examination, processing, recording and filing) -----	225.00
Fee for Inspecting Construction, and issuing Cert. of Construction No.-----	
Fee for Inspecting Beneficial Use, and issuing Water License No.-----	
Fee for issuing Location Certificate-Dry Draw, No.-----	
Fee for filing -----	
Fee for certified copy of -----	
Fee for Print copy of map -----	
Fee for Certifying -----	
Fee for -----	
(any other work as provided by law)	
TOTAL	225.00

WATER RIGHTS COMMISSION

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

No. 4806-3

Publish first publication, on or before September 23, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 15, 1981

Notice is hereby given that William Maher whose post office

address is Marshall, Minnesota XXXXXXXXXXXX, 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 1.67 cubic feet of water per second of time from groundwater

(two wells - one existing) through the Maher #1 adding an additional point (#) of diversion XXX on existing permits.

The points of diversion are XXXXXXXXXXXX to be located in the approximate center of

NW $\frac{1}{4}$ and in the SE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 12, Twp. 117N, Range 60W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

W $\frac{1}{2}$, Section 12 - T117N - R60W, a portion of this land is covered under previous permits.

This Application No. 4806-3 will be considered by the Water Management Board at the Staurolite Inn, Brookings, SD upon the 7th day of October 1981

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

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

WATER MANAGEMENT BOARD

cc: William Maher
101 S. High
Marshall, MN 56258

BETTY WESTLUND
Water Rights Specialist

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

No. 4806-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.

I, Herbert J. Miles hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Times-Record

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

Times-Record of Doland, S. Dak.

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

Sept. 24, 1981
Oct. 1, 1981

Herbert J. Miles
(Signature)
Publisher
(Title)
Oct. 1, 1981
(Date Signed)

Cost of Printing: Two times ¹⁵ 32.63

74 lines
8 pt type

WNR-808-7/79
Proof of Publication 13 Encl

NOTICE OF HEARING

No. 4806-3
Publish first publication, on or
before September 23, 1981.

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE
WATER

Pierre, South Dakota 57501
September 15, 1981

Notice is hereby given that
William Maher whose post office
address is Marshall, Minnesota, has
made an application in accordance
with the provisions of SDCL 46-
1-1 thru 46-1-3, 46-1-14;
46-2-1 thru 46-2-11, 46-
2-13; 46-5-1 thru 46-5-
8; 46-6-10 thru 46-6-22, 46-6-41;
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 appropri-
ate for beneficial use 1.67
cubic feet of water per
second of time from groundwater
(two wells - one existing) through
the Maher No. 1 adding an addi-
tional point of diversion on exist-
ing permits. The points of diver-
sion are to be located in the ap-
proximate center of NW 1/4 and in
the SE 1/4 NW 1/4 of Section 12,
Twp. 117 N, Range 60W. Said
water to be used for the purpose
of providing irrigation on portions
of the following described land:
NW 1/4 Section 12, T117N - R60W,
a portion of this land is covered
under previous permits.

This application No. 4806-3
will be considered by the Water
Management Board at the Staurulite
Inn, Brookings, S. D. upon the 7th
day of October 1981 at 10 A.M.
The Board is authorized to make a
determination on this application
at the hearing. All interested per-
sons may appear and be heard.
Any person who may be affected
by a Board decision who desires
to present evidence or cross-
examine witnesses according to
SDCL 46-1-26 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 re-
presented by a lawyer. These and
other due process rights will be
forfeited if they are not exercised
at the hearing. Decisions of the
Board may be appealed to the Courts
as provided by law.

Any handicapped person wishing
to attend this hearing can contact
the Water Rights Division, DWNR,
Joe Foss Building, Pierre, S. D.,
prior to the hearing date for as-
sistance to assure access to the
hearing.

WATER MANAGEMENT BOARD
Betty Westlund
Water Rights Specialist
(Sept. 24, Oct. 1, 1981)

Water Rights Division - DWR
Telephone Reference Sheet

NAME OF PERSON (Called/Calling): Clarence Blumett

ADDRESS: _____

DATE: 11/30/81 COUNTY: Spink

TELEPHONE: 532-3416

RE: Maher - Def appl. 4806-3

COMMENTS:

has well 1/2 mile - said Maher has finished well
thought in the 2 sections & laid pipe - wondered
if he had the right to do this - moved well
over 30 rods from the original? CB will be
at the meeting if the weather permits.

Could not find out anything - I told Mr B that
I thought Mr. Maher was requested to be before
the board to explain his well construction as
from the log it was going to be in two different
quarters - Mr B was in Bhs and thought that
was so.

File in Permit file when necessary. Use to make a record of conversations and what the other party was told.

NAME: Blumett

Water Rights Division - DWR
Telephone Reference Sheet

NAME OF PERSON (Called/Calling): Keith Erickson
ADDRESS: _____ COUNTY: Spink
DATE: 11/30/81 TELEPHONE: _____
RE: 4806-3

COMMENTS:

ke: screening the 2 aquifers has dugout he thinks
will go dry from shallow aquifer if pumped.
also stated Mr. Maher has laid the pipe in &
completed well. He will be there weather permitting
or will try to get a letter to Soo Falls.

NOTE:

Also there is a question on soil/water approval.
SEC does not take water samples from both aquifers.
production well is supposed to be 110' deep - sample
was submitted from 30' deep aquifer. This was
the info we had gotten from BLS meeting.
They suppose to let SEC know when well was
put in - It has been drilled according to two
people & the pipe laid.

Also Erickson said Maher just bought land & prior
to this the land hasn't been ir for 7 years at least.
well on old permit not been used for ir.

File in Permit file when necessary. Use to make a record of conversations and what the
other party was told.

NAME:

D Westlund

(605) 773-3352
Water Rights Division

No.4806-3

December 7, 1981

William Maher
101 S. High
Marshall, MN 56258

Dear Mr. Maher:

This will inform you that your application No. 4806-3 was approved by the Water Management Board subject to receipt of the signed drillers log of the well by Lacey Drilling Company.

Sincerely,

BETTY WESTLUND
Water Rights Specialist

BW/bt

Water Rights Division
605 773-3352

January 19, 1982

Larry Jones
Federal Land Bank
Box 1317
Huron SD 57350

Dear Mr. Jones:

We are enclosing copies of Permit No. 1877-3 and Water License 682-3 covering land now owned by William Maher DBA AQUA 4 in the W 1/2, Section 12, T117N, R60W. They also have approved Permit No. 4806-3, authorizing diversion of 1.67 cfs to irrigate 117 acres. This permit has not been written up pending receipt of the well log.

The three permits, to be used as one system, cover the W 1/2 of the Section.

If you have further questions, feel free to contact this office.

Sincerely,

HURTON J. JONES
Water Rights Specialist

BFJ:ks

enclosures

Water Rights Division - DWR
Conversation or File Documentation

File No. 4806-3

NAME OF PERSON OR FILE: Mrs. Harlan Erickson

ADDRESS: RR 12-1/2 S.D. COUNTY Spink

DATE: 7/1/82 TELEPHONE _____

RE: Willow Water Conditional Permit # 4806-3

COMMENTS:

Erickson is no longer leasing land from Maher.
Land is now leased to David Benike & Land was
irrigated this summer

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

4/82

NAME: Frank Smith

Water Rights Division - DWR
Conversation or File Documentation

File No. _____

NAME OF PERSON OR FILE: Mrs. David Benike

ADDRESS: P. R. Raymond COUNTY Clark

DATE: 9/1/82 TELEPHONE _____

RE: William Mohr Conditional permit #4-806-3

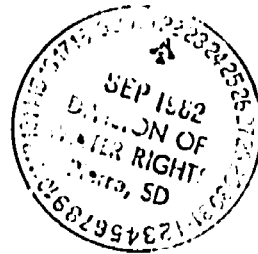
COMMENTS:

Benike based the land under 4-806-3 this summer
irrigated wheat. now has millet planted. Least land
under stipulation that well would supply water
to both pivots. Well will only pump enough
to run one pivot didn't know how deep the
well is.

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

NAME: F. Smith

No. _____



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office

Marshall 17th Box

Date

9-15-82

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

Dear Sirs:

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

4806-3.

Water Right Permit No. 4806-3 states that the diversion system is to be constructed by Intermountain Irrigation and that the water is put to beneficial use by April 1982.

The diversion system was completed on June 15 1982. Applying the water to beneficial use was completed on June 15 1982.

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

William F. Maher
(Signature)

Water Rights Division - DWR
Conversation or File Documentation

File No.

4806-3

3464-4

1877-3

682-3

NAME OF PERSON OR FILE: William Maher-Aqua 4 Farms

ADDRESS: 101 S High, Marshall, MN 56258 COUNTY

DATE: April 24, 1984 TELEPHONE Business: 507-537-1537

RE: operator and questionnaire status

COMMENTS:

Mr. Maher stated that Mr. Benike no longer operated his land, and that in 1984, Steve Thomas, Turton, SD would be operating his systems.

Mr. Maher requested the irrigation questionnaires be sent directly to him since he may change operators in different years. He will send the data sheets to the operator himself.

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

4806-3

SOUTH DAKOTA
Department of
Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

October 21, 1987

Lloyd Terrill, Jr.
RR 2, Box 101
Clark, South Dakota 57225

Dear Mr. Terrill:

Enclosed are the 1987 irrigation questionnaires for Water Right No. 3464-3 and Water Permit No. 4806-3, listed in the name of William Maher (Aqua 4 Farms). Mr. Maher has notified our office that you are renting his land and would be the one to fill out the questionnaires.

A copy of the permits are enclosed. You may keep them for your records. Please complete the forms and return them to our office by November 30, 1987.

If you need assistance in completing the forms, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

LICENSE FOR PERMIT NUMBER

1277-3

4806-3

Mohr

(567) 537-1537

8-26-87

1. Legal location of wells: NE 1/4 NW 1/4 12-117-60

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____

b) model _____ b) model no. _____

c) size _____ c) horsepower rating _____

d) capacity _____ GPM d) motor efficiency rating _____

e) turbine pump _____

no. of stages _____

3. Distribution lines:

a) size of lines _____

b) type _____

c) length _____

SW 1/4

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot
Model 670
Ser. No. 482C-8460
1) make Electrostar
2) number of towers 7
3) distance between towers _____
4) overall length 1287
5) End gun (Y/N) _____
6) high or low pressure _____
7) make & size of nozzles _____
8) PSI reading while system is running 45
9) GPM 800

g) Gun
1) make _____
2) serial number _____
3) nozzle size _____
4) capacity (GPM) _____
5) PSI _____
6) hose size _____
7) hose length _____

d) Gate Pipe
1) length _____
2) diameter _____
3) spacing of gates _____

e) Siphons
1) number _____
2) size _____

f) Portable boom
1) make _____
2) serial number _____
3) nozzle size _____
4) capacity (GPM) _____
5) PSI _____

h) Hydromatic
1) make _____
2) model _____
3) serial number _____
4) length _____
5) nozzle size _____
6) spacing _____
7) PSI _____
8) capacity (GPM) _____

YES NO

Check Items

☒ ☐
☒ ☐
☒ ☐

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
2. Special Qualifications to permit being abided by.
3. All Structures, wells and lands on map.

REMARKS:

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, September 21, 1927

RECEIVED OF Aqua & Farms, Robert L. Carr, Box 409, Marshall, WY 83651

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. <u>4806-3</u>	50	00
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 John Hatch
Chief Engineer JOHN HATCH (HS)

No. 4806-3

**SOUTH DAKOTA Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

DEC 17 1987

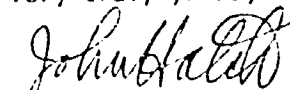
William Maher
Aqua 4 Farms
101 S. High
Marshall, Minnesota 56258

Dear Mr. Maher:

Enclosed herewith is, Water License No. 4806-3. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

Note: Applicable portions of Water Right No. 682-3 and Water Permit No. 1877-3 have been incorporated into this Water License No. 4806-3.

WNR-817 3/83
Transmittal of Water License



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4806-3

September 14, 1987

William Maher
Aqua-4-Farms
Marshall, Minnesota 56258

Dear Mr. Maher:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 4306-3 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.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

State of South Dakota
Water License No. 4806-3

(1) William Maher - Aqua 4 Farms
of 101 S. High, Marshall, Minnesota 56258
made Application No. 4806-3, September 4, 1981 for a water permit to appropriate
1.67 cubic feet per second of water from groundwater,
Spink County, South Dakota for irrigation purposes.
Permit No. 4806-3, with a priority date of September 4, 1981
was approved December 2, 1981 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before December 2, 1983 and for the application to beneficial use of said
water on or before December 2, 1985.

The applicable portions of Water Right No. 682-3 and Water Permit No. 1877-3 have
been incorporated into this Water License No. 4806-3. Priority dates as they pertain
to the land irrigated are specified in #3 of this License.

and

(2) It is certified that the application 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 1.78 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1580'E and 1120'S of the NW Corner of
Section 12, T117N, R60W (NE1/4NW1/4)

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent. to irrigate the following land all in T117N, R60W

			Priority Dates
Section 12	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33 Acres	September 4, 1981
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33 Acres	September 4, 1981
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	33 Acres	September 4, 1981 (18 acres) December 18, 1959 (15 acres)
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	33 Acres	September 4, 1981 (19 acres) May 17, 1971 (14 acres)
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33 Acres	May 17, 1971
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33 Acres	December 18, 1959
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	33 Acres	December 18, 1959
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	33 Acres	May 17, 1971
TOTAL			264 ACRES

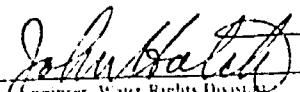
Priority dates: September 4, 1981 is from Permit No. 4806-3; May 17, 1971 is from Permit No. 1877-3; December 18, 1959 is from Water Right No. 682-3.

(4) Pursuant to §46-5-30.1 William Maher-Aqua 4 Farms

of 101 S. High, Marshall, Minnesota 56258

the holder(s) and/or owner(s) of Incorporated Water Permit No. 4806-3 is issued a license to appropriate water, the right to use 1.78 cubic feet per second of water from groundwater (one well) with a priority date of December 18, 1959; May 17, 1971 and September 4, 1981 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation

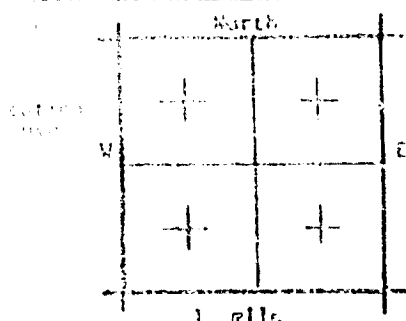
This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 4806-3 and subject to South Dakota State Law.


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

JOHN HATCH

DEC 17 1987

6/30



1874 112 Sec. 10 Twp. 111 Rg. 60

<input checked="" type="checkbox"/> Domestic	<input type="checkbox"/> Municipal	<input type="checkbox"/> Test Holes
<input checked="" type="checkbox"/> Irrigation	<input type="checkbox"/> Industrial	<input type="checkbox"/> Stock

☒ Forward Rotary ☒ Bored ☐ Jettied
☐ Reverse Rotary ☐ Cable ☐ Other

Diameter of Hole 14"
Depth 40
Casing ☒ Steel ☐ Concrete
☐ Plastic ☐ Other
If other, specify _____

Was casing end left open No
Was a well screen installed Yes
Describe Well Screen
Diameter 14" Material Stainless Steel
Slot size 1/16"
Was well gravel packed No
Was well grouted No
Was water sample taken No

Static water level _____ below land surface
If flow _____ closed in pressure _____ PSI
rate of flow _____ GPM

Controlled by: ☒ Valve ☐ Reducers ☒ Other
If other; specify

☒ Pumped _____
☒ Balled Describe: _____
☒ Other _____

Pumping Level Below Land Surface				
<u>12</u>	<u>ft. After</u>	<u>3</u>	<u>Hrs. pumped</u>	<u>900 GPM</u>
	" "	" "	" "	" "
	" "	" "	" "	" "

[illegible]

(Use Back If Necessary)

Date Completed: 10-29-81

Driller: E. H. Lacey & Son SP/III
Driller's or Firm's Name License No.
PO 290
TRAILER
Address

Signed By _____ Date _____

Form 12

Permit No. 4806-3, 1877-3, 682-3

James River Water District
10160006

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWSR, Foss Bldg., Pierre, SD 57501 William Maher

I have this day made a thorough examination of the water use system constructed by Agua-4-Farms

101 S. High of Marshall, MN 56258 holder of
1877-3 May 17 71

Permit No. 4806-3 bearing the priority of Sept. 4 19 81 authorizing
682-3 Dec. 18 59

the diversion of 4.33 cu. ft. per second of the waters of groundwater

for irrigation purposes, in Spink County.

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

A. Works used to divert the water:

Well: 40' deep, 14" Steel Casing, St. Steel Screen

Pump: Western Land Reller, Ser. No. 960140

Motor: High Thrust U.S. Electrical, 50 H.P., I.D. # R-6232-04-35

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

2970' of buried 8" PVC pipe.

C. Works used to apply water to beneficial use:

NW 1/4 Pivot: Electrogator, 7 towers, 1289' long, Model 670,
Ser. No. 182C8235

SW 1/4 Pivot: Electrogator, 7 towers, 1289' long, Model 670,
Ser. No. 482C8460

The system is in the following condition good.

The point of diversion is located NE 1/4 NW 1/4 Sec. 12, T117N, R60W.

1580' E & 1120' S of the NW corner of Sec. 12.

The works are capable of diverting and conveying to the place of use 1.78

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: Sec. 12, T117N, R60W

NW 1/4 NW 1/4 - 33 acres NW 1/4 SW 1/4 - 33 acres

NE 1/4 NW 1/4 - 33 " NE 1/4 SW 1/4 - 33 "

SE 1/4 NW 1/4 - 33 " SE 1/4 SW 1/4 - 33 "

SW 1/4 NW 1/4 - 33 " SW 1/4 SW 1/4 - 33 "

comprising a total of 264 acres of land and the license should be issued for 1.78 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date 8-26-87

James L. Wernette

Re Lloyd Terrill 532-3218
Operator

LICENSE FOR PERMIT NUMBER 1877-3 4806-3 Maher 8-26-87

1. Legal location of wells: NE 1/4 NW 1/4 12-117-60

dams & structures: _____

2. Well Information: Well Drilling Firm Lacey

No. of wells 1 Depth 40'

Casing a) diameter 14" Screen a) type St. Steel

b) length 40 b) length _____

c) type Steel Static Water Level _____

Pump a) make Western Land Roller Motor a) make High Thrust U.S. Electrical

b) Ser. No. 960140 b) Model no. R-6232-64-351

c) size _____ c) horsepower rating 50

d) capacity 800 GPM d) motor efficiency rating _____

e) turbine pump _____
no. of stages _____

3. Distribution lines:

a) size of lines 8"

b) type PVC

c) length 2970'

NW 1/4

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____



Department of
Water & Natural Resources

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

November 7, 1988

4806-3
3464-3

Lloyd Terrill
RR 2, Box 101
Clark SD 57225

Dear Mr. Terrill:

Enclosed are the 1988 irrigation questionnaires for Water Right Nos. 3464-3 and 4806-3. These water rights are for Aqua 4 Farms. Curt Sorum contacted our office and indicated that you rented the land during the 1988 irrigation season and would have the data needed to complete the forms.

Please complete the irrigation questionnaires and return them to our office by December 20th. I have enclosed a postage-paid envelope for your reply. If you have any questions, please contact me.

Sincerely,

Genny McMATH

GENNY McMATH
Natural Resources Analyst
605 773-3352

enclosures

cc: Curt Sorum, 108 Circle Drive, Marshall MN 56258



4806-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 29, 1995

Robert Meier
HC 68 Box 15
Doland, SD 57436

3464-3

4806-3

Dear Mr. Meier:

I am contacting you in regard to ownership of land described in Water Right Nos. 3464-3 and 4806-3. The water rights are currently listed in the name of Aqua 4 Farms. It is my understanding that you now own the land described under these water rights.

Enclosed are two partially completed transfer forms for use in filing an ownership change on each of the water rights. Please review the forms and make any necessary corrections. Upon completion, please sign the forms in the presence of a notary public and then return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

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

Sincerely,

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

enclosures

3464-3

4806-3

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Robert Meier

ADDRESS: HC 68 Box 15, Doland, SD 57436

DATE: January 17, 1996

TELEPHONE: 605 635-6586

RE: status of ownership

COMMENTS:

Mr. Meier called in reference to my December 29, 1995, letter to him requesting completion of transfer forms. He stated he only cash rents the land and does not own the land.

I told him to disregard the transfer forms I mailed to him. Future correspondence would be directed to him as renter - he stated this was fine.



Genny McMath
Environmental Scientist

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

MAR 24 2003

WATER RIGHTS
PROGRAM

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

RECEIVED

No. 4806-3

MAR 24 2003

WATER RIGHTS
PROGRAM

Date: _____

I/We request that Water Right No. 4806-3

formerly owned by: William Maher - Aqua 4 Farms

be transferred to: (name & address) Neil Schmidgall, 18248 US Hwy 59, Morris MN 56267

Telephone No. _____

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

264 acres in the W 1/2 Section 12, T117N, R60W

I/We understand that the validity of Water Right No. 4806-3 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.

I/We Neil Schmidgall, the new owner, certify that the above information is true and correct.

Neil Schmidgall

(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 March 24, 2003

RECEIVED OF Linda Schmidgall, 18248 US Hwy 59, Morris MN 56267

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	2	50
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>4806-3</u>		
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.

000090

By Darlan S. Ebele
Chief Engineer *gm*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 25, 2003

4806-3

Neil Schmidgall
18248 US Hwy 59
Morris MN 56267

Dear Mr. Schmidgall:

Thank you for following up on the ownership change for Water Right No. 4806-3. The transfer has been completed. The water right formerly listed in the name of Aqua 4 Farms, Inc is now listed in your name.

Enclosed is your Receipt No. 000690 in the amount of \$2.50. You may keep this for your records.

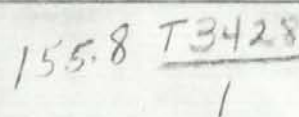
If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

NOT TO SCALE



12

L-17

679-77-2

Transferred to

Clark
County

117.60

James L. Wendt
Natural Resources Engineer
9-14-87

4806-3

NOT TO SCALE

Betty
Welland

115.3

3.6

155.8

4.0

8.0

X New
well

21

21.5

X existing
well

12

679-79-L

159.5

36

36.5

transferred
to

36

36

Clark
County

117-60

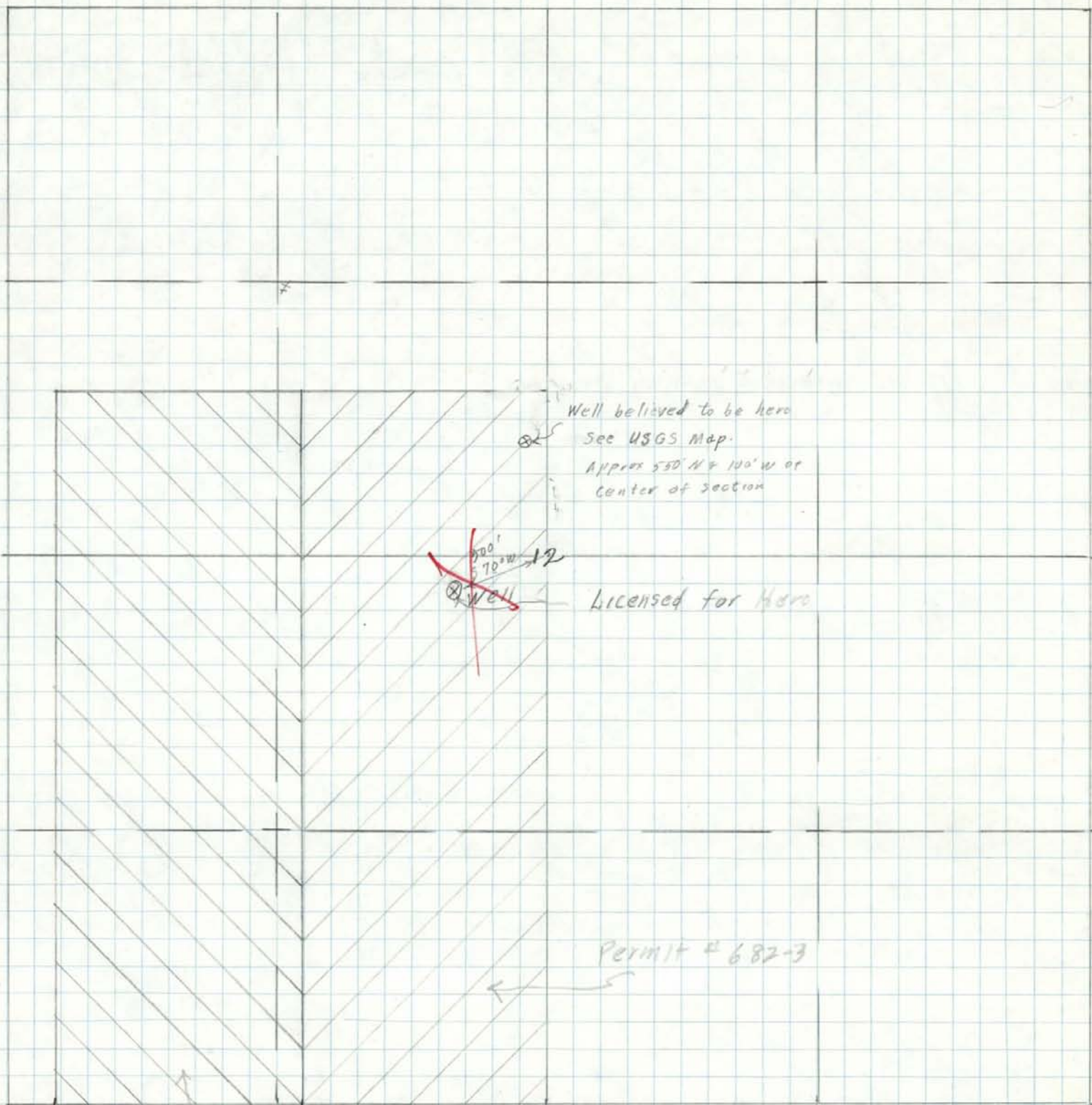
1877-3

682-3

Clyton T. Haller
Shelby County ASC office

9-2-81

This map shows the Existing Permits # 1877-3 + 682-3



Permit #
1877-3

Section 12, T117N R60W

Map by L.J. Mernaugh 2-20-79

Harold D. Dirksen,
Spink Co.

Map #4015-3

appl 4806-3



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 15, 2005

No. 4806-3

Robert Meier
106 Iowa St N
Doland SD 57436

Dear Mr. Meier:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 4806-3. The water right is currently listed in the name of William Maher. On the 2005 Irrigation Questionnaire, you indicated that you were the new owner.

I am assuming that you are still the renter on Water Right No. 3464-3, currently listed in the name of Neil Schmidgall. If this is not the case, please let us know and a transfer form can be sent to you for Water Right No. 3464-3.

The transfer form should be checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 22, 20 05

RECEIVED OF Robert Meier, 106 Iowa St N. Deland SD 57436

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct 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>4806-3</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.

002178

By

Deland E. Eide

Chief Engineer

gm

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4806-3

Date: 12-21-05

RECEIVED
DEC 22 2005
WATER RIGHTS
PROGRAM

I/We request that Water Right/Permit No. 4806-3

formerly owned by: William Maher

be transferred to: (name & address) Robert Meier, 106 Iowa St N, Doland SD 57436

Telephone No. 605 635-6416

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

264 acres – W ½ Section 12-T117N-R60W

I/We understand that the validity of Water Right/Permit No. 4806-3 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.

I/We Robert Meier, the new owner, certify that the above information is true and correct.

Robert Meier

(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.



**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 27, 2005

4806-3

Robert Meier
106 Iowa St N
Doland SD 57436

Dear Mr. Meier:

Thank you for following up on the ownership change for Water Right No. 4806-3. The transfer has been completed. The water right formerly listed in the name of Neil Schmidgall is now listed in your name.

Enclosed is your Receipt No. 002108 in the amount of \$2.50. 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

4806-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 22, 2009

3464-3
4805-3
4806-3

Robert Meier
41061 166th St
Doland SD 57436 6403

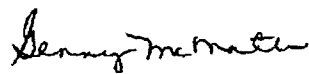
Dear Mr. Meier:

Enclosed is a "Notice" dated October 16, 2009 concerning the 2009 irrigation questionnaire.

The notice was originally mailed to 106 Iowa St N, Doland SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, 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

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

denr.sd.gov

No. 4806-3

August 21, 2015

Robert Meier
41061 166th St
Doland SD 57436

Dear Mr. Meier:

Department of Environment and Natural Resources (DENR) staff documented the irrigation system located in the NW 1/4 Section 12-T117N-R60W had irrigation water from its end gun overspraying on the road. The water right for this system is Water Right No. 4806-3 and listed in your name.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right.

We realize the irrigation system is nearing completion, nevertheless, it is your responsibility to avoid the overspraying onto the roadway.

If you don't believe this irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

Schlaak, Karen

From: Gronlund, Eric
Sent: Friday, August 21, 2015 7:59 AM
To: Schlaak, Karen
Subject: FW: Formanek overspray
Attachments: Formanek.jpg

From: Buhler, Ken
Sent: Thursday, August 20, 2015 4:29 PM
To: Goodman, Jeanne
Cc: Gronlund, Eric
Subject: Formanek overspray

I talked to Jim F. and deciphered his map, etc. Attached is a map of overspray area as I understand him. Looks like it came from Water Right No. 4806-3, Robert Meier

Ken Buhler
SD DENR-Water Rights Program

Sec 2
T117N
R60W

Sec 1
T117N
R60W

Sec 6
T117N
R59W

412 AVE

167 ST

SP-80J SP-60A

4806-3MEIER

CK-60A

Sec 12
T117N
R60W

Sec 7
T117N
R59W

Sec 11
T117N
R60W

168 ST

SP-60B CK-60B CK-80B

Sec 14
T117N
R60W

Sec 13
T117N
R60W

Sec 18
T117N
R59W

412 AVE

Overspray was from NW 1/4 Sec. 12, T117N-R60W



970

485

970 Feet



Map Date 2013

Schlaak, Karen

From: Gronlund, Eric
Sent: Friday, August 21, 2015 7:59 AM
To: Schlaak, Karen
Subject: FW: 1 of 3 overspray
Attachments: GEDC0050.JPG; GEDC0051.JPG; GEDC0052.JPG

From: Buhler, Ken
Sent: Thursday, August 20, 2015 4:17 PM
To: Goodman, Jeanne
Cc: Gronlund, Eric
Subject: FW: 1 of 3 overspray

Jim Formanek sent three emails of an overspray. This is the first of three emails

From: jim n barb [<mailto:formanek3@wat.midco.net>]
Sent: Thursday, August 20, 2015 3:50 PM
To: Buhler, Ken
Subject: 1 of 3 overspray

Fri 14 Aug 8:50 am the overspray occurred.
The Bmp file is a diagram of the road and where the overspray occurred.

Anyquestions please contact me.

Jim
cell 605-881-2705
home 605-886-2963













