

1. Considered Dec 14, 1957, 1957 Appl. No. 442-3

2. Name of Applicant C. H. Smith, Jr., D. H. Smith

3. Post Office Address Clinton, South Dakota

4. Amount of water claimed 16, 500 gals

5. Source of water supply Quarry, 18th St.

6. Water to be used for irrigation
Acres to be irrigated 100

7. Water to be diverted and used in Minnehaha County about
12 miles 10 of Clinton.

8. Proof of Publication Received ✓
Not Received _____

9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

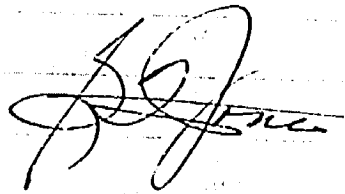
5-28, 80

IN A CHECK ON IRRIGATION
PUMPING IN THE AREA, I NOTED
A CENTER PIVOT ON THE NW⁴,
SECTION 32, AND A CENTER PIVOT
ON THE SE⁴, SECTION 29, T112N, R61W.
A CHECK WITH THE BEADLE CO
REGISTER OF DEEDS INDICATED THAT
C.H., E.F. & JEAN R. ERLING, DBA
AS RAYMOND OIL CO WERE THE
OWNERS OF THE LAND. A CHECK
OF OUR OFFICE REVEALS THAT
THE ERLINGS HAVE PERMIT N^o 448-3
TO IRRIGATE THE SW⁴, SECTION 29
AND THE NE⁴, SECTION 30.

I CALLED MR. ERLING @ 9:15 AM
ON 5-29-80, INDICATING THAT
HE NEEDS A PERMIT TO IRRIGATE

THE ADDITIONAL LANDS, AND THAT
HE WAS IN VIOLATION OF STATE WATER
LAWS, AND TO CEASE THE ILLEGAL
PUMPING —

SENT LETTER REITERATING INFO
TALKED ABOUT DURING THE
PHONE CONVERSATION.

A handwritten signature in dark ink, appearing to be "J. G. [unclear]", written over the bottom lines of the document.

May 29, 1980

C. H. & J. R. Erling
Raymond Oil Co.
703 2nd SW
Huron SD 57350

Gentlemen:

On May 28, 1980 center pivot irrigation systems were observed operating on the SE $\frac{1}{4}$, Section 29 and on the NW $\frac{1}{4}$, Section 32, T112N, R61W. A check with the Register of Deeds indicated that you are the owners of this land.

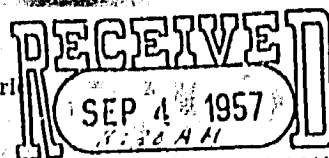
A check of the records in this office reveal that you have Permit No. 498-3 to irrigate the SW $\frac{1}{4}$, Section 29 and the NE $\frac{1}{4}$, Section 30, T112N, R61W, but that no permit exists to cover the lands listed above.

In our phone conversation with you this morning, you indicated the land was being irrigated from the existing well under Permit No. 498-3, and that you were not aware that you needed a permit for the additional lands. As was indicated, pumping on this land under your existing permit is a violation of State Statutes and you are not to pump on these lands until permits are issued to cover the additional lands. You should be aware that continued illegal pumping could result in a one year suspension of your permit or other punitive action as determined by the Board.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WND

JH:BJ:kw

No. 198-5Water Division No. 3 James River District
(Blanks to be filled by the Engineer for the W. H. C.)

APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant: C. H. Erling and J. R. Erling
Postoffice address: Huron, County Beadle, State S. Dak.

I. If a corporation

- (a) Name of same _____
(b) Date and place of incorporation _____
(c) Amount of capital stock _____
(d) Amount paid in _____
(e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

contract

- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____

- (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work C. H. Erling and J. R. Erling Irrigation Project No. 13. Amount of water claimed 4.55 cubic feet per second4. Source of water supply well5. Location of point of diversion N 0° - 40' W 260 ft from SE section corner -
Sec 29 T 112 N 61 on Beagle bank Beadle County.6. Annual period or periods during which water is to be used April to Nov 30

7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- overhead

- (a) Number of acres to be irrigated
- 320
- acres.

(b) Legal subdivisions to be irrigated: NE 1/4 Sec 30 and SW 1/4 29 - 112 - 61
(NOTE: List of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.)
- None

II. ~~Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:~~

- (a) Nature of use _____
-
- _____ same any of the above uses claimed

- (b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

- (c) Location of plant _____

- (d) Method of developing power _____

- (e) Point where water will be returned to stream _____

379-3
Mar 10, 1957

8. Estimated cost of work:

(a) Head Gates, \$.....

(c) Fluming, \$.....

(e) Other structures SPRINKLER SYSTEM \$10,000

(b) Pumping plant, \$ 3000.00

Rock, \$.....

Total, \$ 13,000.00

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

2600 8" RI pipe 2600 6" RI pipe 2 gun sprinklers

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction.....

(b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH.....FEET DEPTH AT OUTLET-ACRES	ACRE-Feet CAPACITY

(c) Head gate: Width.....feet; height.....feet;

Material.....

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions when reductions in size are made.)

10. Time required for completion of work.....years.

11. Time required for complete application of water to the proposed beneficial use.....years.

12. Choice of newspaper for publication of notice of intention to appropriate DAILY PLAINSHAW
Huron, S. Dak

STATE OF SOUTH DAKOTA

County of Grant-Beadle ss.

I, John R. Ewing

being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

John R. Ewing

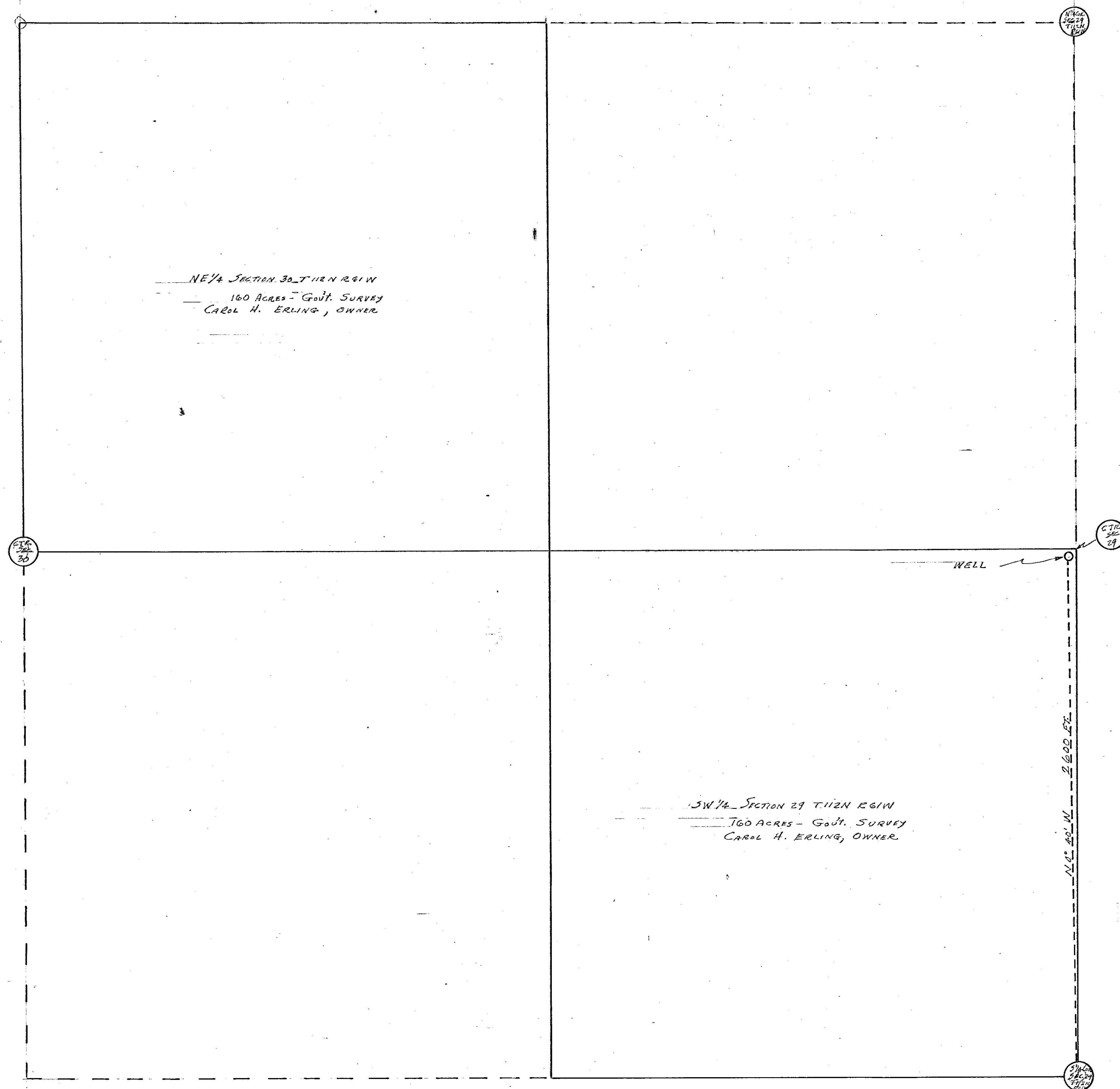
Subscribed and sworn to before me this 22

day of

SEPT

1957

John R. Ewing
Notary Public (or other qualified officer.)



STATE OF SOUTH DAKOTA

BEADLE COUNTY

LAND IN: SW 1/4 SECTION 29, T112N, R61W
NE 1/4 SECTION 30, T112N, R61W

WELL IN: SW 1/4 SECTION 29, T112N, R61W

Scale 1" = 30'

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA } ss:
COUNTY OF BEADLE }
I, VINCENT A. VAN DER HYDE, A REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED FOR THE WELL AS HEREON DRAWN AND AS DESCRIBED AS N 0° 40' W A DISTANCE OF 2600 FT FROM THE SW CORNER SECTION 29, T112N R61W OF 5TH P.M., BEADLE COUNTY, SOUTH DAKOTA.

WITNESS MY HAND AND SEAL THIS 23RD DAY OF AUGUST, 1957.

Vincent A. Van der Hyde

ACKNOWLEDGEMENT STATE OF SOUTH DAKOTA } ss:
COUNTY OF BEADLE }

ON THIS 23RD DAY OF AUGUST, 1957, BEFORE ME, A NOTARY PUBLIC, OF THE STATE OF SOUTH DAKOTA, PERSONALLY APPEARED VINCENT A. VAN DER HYDE, KNOWN TO ME TO BE A REGISTERED LAND SURVEYOR AND THE PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

Anthony H. Cantura
NOTARY PUBLIC
MY COMMISSION EXPIRES Feb. 9, 1960

Map No. 379-3
(Appl. No. 498-3)

Remarks by State Water Resources Commission:

This well is located near the outer boundary of the aquifer. Because of aquifer boundary conditions, effects upon domestic water supplies may require restriction of periods of irrigation water withdrawal. In granting this Permit, the Commission believes that the degree of restriction will not reduce seriously the irrigation benefits to the applicant.

STATE OF SOUTH DAKOTA

County of Deuel

ss.

Pierre, South Dakota, September 11, 1957

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock

9 a.m. upon the 11 day of September, 1957

State Water Resources Commission

By:

G. J. Brimmer
Chief Engineer, Executive Officer

Number of permit 4983

Date of first receipt of application September 11, 1957

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right September 11, 1957

Approved October 16, 1957, Recorded in Book 4 Page 172

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

April 11, 1959

2nd. The whole of said work is to be completed on or before October 11, 1960

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

October 16, 1962

4th. The water appropriated shall be used for the purpose of irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 4555 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 October 16, 1962; said water to be used during the following described annual period:

April 11 to November inclusive

Witness my hand this

20

day of

October

1957

State Water Resources Commission

By:

G. J. Brimmer
Chief Engineer, Executive Officer

Certificate of Construction Issued

SEPTEMBER 28, 1967

Water License Issued

SEPTEMBER 28, 1967

Form 2A — Wells (Supplement to Form 2)

9.

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30" - 36", Depth 120'

Type of casing steel
(wood, concrete, steel, etc.)

Size of casing 14", Thickness of casing 10 ga.

Length of casing 95' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Louvre

Size of perforated screen 14" (diameter), 25' (length)

Thickness of gravel pack 8", length of gravel pack 30'

(c) Water Bearing Materials

Distance to water 38', Character of water bearing materials

fine to coarse sand

Thickness of water bearing material at least 68'

(d) Pump and Motor

Type of pump Western Sand Roller or Byron Jackson (turbine)
(centrifugal, propeller, mixed flow, etc.)

Name of pump or above, size 8"

Kind of motor L.P. gas -
(gasoline, electric, diesel, etc.)

Horsepower 110, Name of Motor Minneapolis - Moine

(e) Complete well

Capacity 2000 gpm at drawdown of 40', Estimated cost \$5000

(f) Owner of land upon which well is located Carol Erding,
Name

Box 142, Huron, So. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property 80 rods. On property owned by others 160 rods

C. H. Erding

Permit No. 498-3Water Division No. 3 JAMES RIVER Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That C.H. and J.R. Erlingof Huron, County of Beadle, and State of South Dakotathe holder of Permit No. 498-3, issued upon Application No. 498-3, bearing date of priority of September 4, 1957, authorizing the diversion of4.55 cu. ft. per second of the waters of ground waterCounty of Beadle, State of South Dakota, at a point N0°40' W,2500 feet from the SW corner, Section 29, T112N, R61Wfor irrigationpurposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 4.55 cu. ft.

per second of water and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: all in T112N, R61WSection 30, NE 1/4 160 acresSection 29, SW 1/4 160 acresTotal 320 acresWitness my hand this 28th day of September A. D. 1967.

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 498-3...

WHEREAS, On the 4th day of September A. D. 1957

C.H. and J.R. Erling

of Huron County of Beadle and State of
South Dakota duly made application (No. 498-3) to us for a permit to use 4.55
cubic feet per second of the waters of ground water
County of Beadle, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 29th day of October A. D. 1957

Permit No. 498-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 16th day of
October A. D. 1960 and for the application to beneficial use of said
water on or before the 16th day of October A. D. 1962
and,

WHEREAS, On the 15th day of August A. D. 1967

the holder of said permit duly made proof of the completion of adequate works for the diversion of
4.55 cubic feet per second of said waters, as evidenced by our Certificate No. 498-3
dated September 28, 1967 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 4.55 cubic feet per second of water, with date of
priority of September 4, 1957 and,

WHEREAS, On the 15th day of August A. D. 1967

proof was duly made of the application to beneficial use of 4.55 cubic feet per second of said water;
for irrigating 320 acres in the SW $\frac{1}{4}$, Section 29, and the NE $\frac{1}{4}$
Section 30, T112N, R61W

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to C.H. and J.R. Erling
of Huron the holder and owner of said permit No. 498-2
a water right, dating from September 4, 1957 to the use of
cubic feet per second of the waters of ground water
in the County of Beadle and State of South Dakota, or so much there
necessary for the purposes hereinafter mentioned, to be diverted at a point 0° 40' N, 2500 feet
from the S $\frac{1}{4}$ corner, Section 29, T112N, R61W
and conducted to and upon the SW $\frac{1}{4}$ section 29, and the NE $\frac{1}{4}$ Section 30, T112N, R61W

for the purpose of irrigation, subject to any limitations listed in the
Permit to Appropriate water, and

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 29th day of September A. D. Nineteen
Hundred and Sixty-seven

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am. _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

498-3

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: S.W. 1/4 1/4 Section 29 Township 112 Range 61
 Well owner Erling Farms (Name) Arden, SD (Address)
 Date well drilling completed Oct 23 Purpose of well irrigation
 (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer
<u>0 - 2</u>	<u>top soil</u>
<u>2 - 18</u>	<u>yellowed till</u>
<u>18 - 36</u>	<u>gray till</u>
<u>36 - 40</u>	<u>fine sand</u>
<u>40 - 60</u>	<u>gray till w/ boulders</u>
<u>60 - 78</u>	<u>sand & gravel</u>

Depth to top of water producing aquifer 36 ft.
 Depth to static water level 36 ft.
 Name of producing aquifer (if known) _____
 Total depth of drill hole 78 ft.
 Depth to bottom of casing 78 ft.

Casing information: In the space below show kind, size, weight, length per diameter, etc., for production casing and surface casing, if used.

16" T.D. Fiberglass well casing

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

16" T.D. Fiberglass screen

If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Engine Drilling Co. Inc.
 Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump Mered old pump to new well HP 90
 Type of pump Turbo 5" Capacity of installed pump 1200 G.P.M. G.P.M.
 Depth of pump placement 80 ft., Date of pump installation 1974

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.40B of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Engine Drilling Co. Inc.
 Name of Pump Installation Contractor

Permit No. 498-3Water Division No. 3 JAMES RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that ~~in accordance with your letter of authorization dated~~

I have this day made a thorough examination of the diversion works constructed by

C.H. & J.R. ERLING, of HURONBEADLE County, South Dakota, holder of Permit No. 498-3, issuedupon Application No. 498-3, bearing date of priority of SEPTEMBER 4, 1957, authorizing thediversion of 4.55 cu. ft. per second of the waters of GROUND WATER for IRRIGATION

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

The diversion works comprise: 120' WELL 14" WITH LAYNE BOWLER 12" 5 STAGE (12" BOWLS) PUMP, POWERED BY 800 G.A. MINNEAPOLIS MOVING PROPANE ENGINE "SP 214P. 1 1/4 MILES OF 8" MAINLINE & 3 1/4 MILE 5" TOW LINES WITH RAIN-TROL SPRINKLER HEADS 7/32 X 1/8 @ 30' INTERVALS

and the system is in the following condition: GOOD

The point of diversion is located N 0° 40' W, 2600 FEET FROM THE S 1/4 CORNER SECTION 29, T112N, R61W

The works are capable of diverting and conveying to the place of use 4.55 cu. ft. per second of water, which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: SW 1/4, SECTION 29; NE 1/4, SECTION 30, T112N, R61W.

comprising a total of 320 acres of land.

The domestic use intended comprises

The utilization for power, milling, or other beneficial uses comprises:

Witness my hand, this 15TH day ofAUGUSTA. D. 1967

—SEAL—

Burtin Jones
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

PROOF OF PUBLICATION

RECEIVED
OCT 9 1957STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA }

County Beadle }

I, Grace Legrand being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Daily Plainsman 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 Huron County of Beadle and State of South Dakota; that the said notice was published in said newspaper on the following dates:

September 16, 23, 30 and Oct. 7, 1957

in each and every issue of the full number thereof, the first publication being made on the 16 day of Sept.

1957 and the last publication on the 7 day of

Oct. 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the printer and publisher of the said newspaper.

Grace Legrand

Subscribed and sworn to before me this 7 day of Oct. A. D. 1957

A. J. Jopovich
Notary Public Beadle County, S. D.

F. P. 9-16-57 L. P. 10-7-57
APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak., Sep-
tember 11, 1957.
Notice is hereby given that C. H.
Erling and/or J. R. Erling, whose
postoffice address is Huron, S. Dak.,
has made an application in accord-
ance with the provisions of the
water laws of South Dakota for a
permit to appropriate for beneficial
use 4.53 cubic feet of water per
second of time from ground water
through the C. H. Erling and/or J.
R. Erling Irrigation Project No. 1,
the point of diversion which is to be
located in the NE 1/4 of the SW 1/4 of
Section 29, Twp. 112N, Range 61W.
Said water to be used for the pur-
pose of providing irrigation on the
following described lands:
NE 1/4 Sec. 30 and the SW 1/4
Sec. 29 all in T. 112N, R. 61W.
This application will be taken up
by the State Water Resources Com-
mission at their office at Pierre for
consideration upon the 16th day of
October, 1957, at 2:00 P. M. All in-
terested persons may appear and
be heard.
Appropriate action will be taken
by the Water Resources Commission
after suitable time has elapsed for
the consideration of any or all in-
formation presented.
State Water Resources Commission
By: Les Wytorny,
Water Rights Engineer
No. 411 (adv)

(First Publication before September 29, 1957)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., September 11, 1957

Notice is hereby given that C. H. Erling and/or J. P. Erling whose postoffice address is Muron S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.55 cubic feet of water per second of time from xxx ground water through the C. H. Erling and/or J. P. Erling Irrigation Project #1, the point of diversion of which is to be located xxxx ~~xxxx~~ in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29 Twp. 112N Range 61W Said water to be used for the purpose of providing irrigation on the following described land:

NE $\frac{1}{4}$ Sec 30 and the SW $\frac{1}{4}$ Sec 29 all in T. 112N. R. 61W.

~~xxxx~~ xxxx

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16 day of October, 1957, at 2:00 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By: Leo Wyborny, Water Rights Engineer
~~xxxx~~

498-3
4550-3

May 7, 1984

C. H. Erling
Box 142
Huron, South Dakota 57350

Dear Mr. Erling:

This letter is in reference to your telephone conversation May 4 with Kevin Larson of this office concerning submission of 1983 Irrigation Questionnaire for Permit No. 4550-3, Raymond Oil Company, and Water Right No. 498-3, C H & J R Erling.

In checking our files, the 1983 questionnaires for the above stated permits were received in this office in November, 1983, and remain on record.

We appreciate your concern in this matter. If you have any further questions, please contact our office.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms

Equal Opportunity Employer



498-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: RAYMOND OIL COMPANY, C H ERLING, PO BOX 142, HURON, SD 57350 0142

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 498-3 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) 4550-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4550-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 498-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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

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Track & Confirm

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 6326

RAYMOND OIL COMPANY
C H ERLING
PO BOX 142
HURON SD 57350 0142

Waiver of Signature ☐ YES ☐ NOPostmark
Here

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2009

498-3
4550-3

C H Erling
Raymond Oil Company
PO Box 142
Huron SD 57350-0142

Dear Mr. Erling:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 498-3 and 4550-3.

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

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 22, 2012

498-3

Bennett Waldner
Riverside Colony
40361 200th St
Huron SD 57350

Dear Mr. Waldner:

Eric Gronlund with our program indicated you had called and discussed the irrigation questionnaires sent to the colony. It is my understanding you did not receive a form for 498-3 listed in the name of C H Erling.

Enclosed is an irrigation questionnaire for Water Right No. 498-3. The form should have been included in the original packet sent to Riverside Colony however for some reason must have been left out. I apologize for the delay in getting it to you.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is fluid and cursive.

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

enclosure

498-3

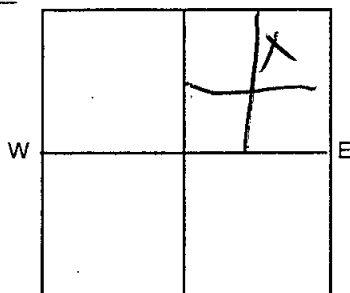
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE 1/4 NE 1/4 Sec 30 Twp 112 Rg 61County Beadle ☒

North

Please mark well location with an "X"



Well Completion Date

07/12/2013

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
ft. from _____ (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse Cir

CASING DATA:

☐ Steel ☒ Plastic ☐ Other
 If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
40 LB/FT	8 IN	0 FT	62 FT	13 3/4 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Vol Clay	10	Lb/gal	0 Ft	58 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☒ Perforated pipe ☐ Manufactured
 Diameter 8 Inches Length 15 Feet
 Material Sch 40 PVC
 Slot Size .057 Set From 62 Feet to 77 Feet
 Other information _____

WAS A PACKER OR SEAL USED?

☐ Yes ☐ NoIf so, what material? pearock

Describe packer(s) and location

pearock at 58'-77'

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?Lab to which water ☐ No, Why Not?

_____ sample sent for analysis

Well Owner: Carol Erling

Business Name: _____

Address: 703 2nd St SWCity, State, Zip: Huron ☒ SD ☒ 57350

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
yellow clay with rock	0	40
blue clay	40	52
fine gray sand	52	58
blue clay	58	60
coarse gray sand	60	77
Shale	77	80

STATIC WATER LEVEL 30 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: Pumped with Air 150 GPM☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

AUG 16 2013

WATER RIGHTS PROGRAM

This well was drilled under license # 440 and this report is true and accurate.Drilling firm: Pullman Well Drilling Inc

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: _____

0-21-13



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

498-3

August 9, 2016

Riverside Colony
c/o Bennett Waldner
40361 200th St
Huron SD 57350

Dear Mr. Waldner:

On July 25, 2016, a staff member from the Department of Environment and Natural Resources (DENR) observed overspray from the irrigation system located in the NE 1/4 Section 30-T112N-R61W onto the adjacent east/west road (see attached photo). This irrigation system is covered by Water Right No. 498-3, C H Erling, Raymond Oil Company with you listed as operator.

It is common for center pivots to have stops which are used to shut off 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.

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

enclosure

Overspray Report

Date of Picture: 07/25/2016

County: Beadle

Water Right/Permit No.: 498-3

Reported by: Watertown Seasonal Observation Well Technician



Description from summer help: overspray pic 3, facing east a quarter mile off hwy 37 on 200th st

Notes: picture location/GPS information matches description, picture appears to be for the pivot in the NE ¼ of Section 30



498-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

November 16, 2016

Samuel Waldner
Riverside Colony
40361 200th St
Huron SD 57350

Dear Mr. Waldner:

I am writing in follow-up to our phone conversation concerning the Colony's water permits and water rights. As you requested, I changed the contact person from Bennett Waldner to your name in our files.

Enclosed are copies of the all water permits/rights held by Riverside Colony. I included copies of Water Right Nos. 498-3 and 4550-3 held by Raymond Oil Company. It is our understanding the colony rents the land authorized for irrigation under the two water rights.

If you need further information concerning the water permits or rights, you can view the entire file on line by following this link: <http://denr.sd.gov/des/wr/wr.aspx> The link will take you to our program home page. Along the left hand side of the page there is a tab that will take you to the water rights databases.

To help you in completing the 2016 irrigation questionnaires, I included a copy of the 2015 questionnaires showing what pump rate and acres Bennett reported last year. This will hopefully be of assistance to you.

If you have any questions, please contact either me or Eric Gronlund at 605 773-3352.

Sincerely,

Genny McMath
Water Rights Program
email: genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 23, 2024

498-3

Riverside Colony
c/o Samuel Waldner
40361 200th St
Huron SD 57350

Dear Mr. Waldner:

In preparation for the mailing for this year's irrigation questionnaires, I've been looking through irrigation permits and wanted to verify the existence of a second well supplying water to Water Right No. 498-3, operated by Riverside Colony for CH & JR Erling.

Water Right No. 498-3 authorizes the appropriation of 4.55 cfs (approximately 2,040 GPM) from one well (Tulare: Western Spink Hitchcock Aquifer), located in the S $\frac{1}{4}$ corner of Section 29, T112N, R61W, for the irrigation of 320 acres located within the NE $\frac{1}{4}$ Section 30 & SW $\frac{1}{4}$ Section 29; all in T112N, R61W.

In 2013 a well completion report (copy enclosed) was submitted for an irrigation well drilled in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, T112N, R61W, drilled by Pullman Well Drilling Inc., for Carol Erling.

With this letter I hope to confirm whether the well was drilled with the intention of being used as an additional diversion point, a backup well, or a replacement for the original well. I would also like to confirm that production of this well, if combined with the original well, does not exceed the authorized diversion rate of 4.55 cfs.

If this well was drilled to be used for Water Right No. 498-3, a review will need to be conducted to rule out the potential for interference with existing permits/rights in the area, as well as any adequate domestic wells.

Please review the provided information and respond at your earliest convenience.

Sincerely,

Amanda Dewell
Water Rights Program
Permitting Administrator
605 773-3352
Amanda.Dewell@state.sd.us

enclosure

Cc: Carol Erling, PO BOX 142 Huron SD 57350