

Considered: _____

WATER PERMIT NO. 5020-3

MAP No. 5020-3

Name of Applicant Lynell Hofer

Post Office Address RR 1, Box 106, Freeman, S.D. 57029

Amount of Water Claimed ~~no additional~~ 0.46 Total Acres 31.90

Source of Water Supply 230' existing well on PE 4706-3

Water to be used for IRR County HT

About 7W 2½ miles north of Freeman

PROOF OF PUBLICATION: Received 125 6-11-84 Not Received _____

APPLICATION: Approved 7-11-84 Subject to _____

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

PRIORITY 5/14/84 Date Received 5/14/84 Fee 150.00 Remarks Add'l acreage on 4706-3 *See AD*

Corrected Application Received _____ Period of Annual Use 4/1 to 10/31

WATER QUALITY APPROVAL RECEIVED 3/12/84 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES x NO _____ REMARKS _____

Diversion Point SE¼ SW¼, 16-99-57

Land to be Irrigated NW¼ NW¼ 21-99-57

16					
*					
21					

Well Log: Driller Grimshaw Drilling Licensed YES x NO _____

Depth of Well 230' deep REMARKS existing on PE 4706-3

Type of Map aerial PREPARED BY SCS Reviewed and the Number assigned on 5/14/84 By Betty Westlund

cc: Nelson

No. 5020-3 Hydrologic Unit 10160011
 Map No. 5020-3 Basin JR
 Newspaper COURIER RR 2 BX 210 FREEMAN 57029

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

New ☐ Vested Right ☒ Future Use ☐☐ Application to amend Permit No. _____ with old priority date retained☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)☒ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. 4706-3☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____1. Name of Applicant Lynell Hofer Phone No. 925-7140Post Office Address RR 1 Box 106 Freeman State 57029
(Street, RR or Box) (No Add'L) Zip Code2. Amount of water claimed (c.f.s) 5.35 Total acres irrigated 405 31.93. Source of Water supply well4. Location of point of diversion 3900' N 76° W of SE corner of
Section 16 T99N R57W
(SE 1/4 SW 1/4) County Hutchinson5. Counties where water will be used Hutchinson6. Annual period during which water is to be used April - October

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

Land Description	No. Acres Irr.
<u>E 31.9 acres of NW 1/4</u>	<u>31.90</u>
<u>of NW 1/4 of 21-99-57</u>	<u>32</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

I will add 32 acres to my existing irrigation Project.
The water will be piped across a road to this land.
The water will come from an existing well with
permit No. 4706-3.

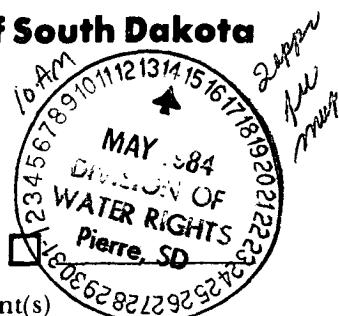
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
County of Hutchinson)^{ss}

I, Lynell Hofer
 the foregoing application, 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 Lynell HoferSubscribed and sworn to before me this 11th day of May 1984

Ra Berna Thactner
 Notary Public (or other qualified officer)



WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5020-3
Lyneel Hofer (Applicant) RT. 1 Box 106 Freeman (Post Office Address)
South Dakota (State) 57029 (Zip Code) With the following qualifications.

The irrigation well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation with-drawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate 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 May 14, 1984.
 Date of return to applicant for correction, amendments or changes required —, 19—.
 Date of receipt of corrected application —, 19—. Approved July 11, 1984.

The Water Management Board hereby approves this Water Permit No. 5020-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

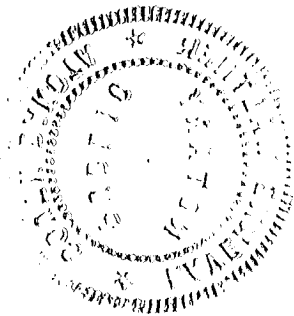
1. The date from which applicant may claim right is May 14, 1984.
2. One-fifth of the work is to be completed on or before January 11, 1987.
3. The whole of said work is to be completed on or before July 11, 1989.
4. The time limit for proof of beneficial use of water is July 11, 1993.
5. The water appropriated 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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.46 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. 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 July 11, 1993; said water to be used during the following described annual period: April 1st to October 31.

WATER MANAGEMENT BOARD

By: John K. Helt
 Chief Engineer

Division of Water Rights
 Dept. of Water and Natural Resources

August 6, 1984



Supplemental Information

information can be found on permit NO. 4706-3
(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 36 Depth 242'
- b) Casing Type plastic Diameter 18" Thickness _____
- c) Screen Type Johnson Stainless Steel Diameter 18" Thickness _____
- d) Gravel Pack Thickness 9" Length of Gravel Pack 242'
- e) Depth to Top of Water Bearing Material 180'
- f) Depth of Water (ground surface to water level) 135'
- g) Distance to nearest existing domestic well: 1000'
- On applicants property yes On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

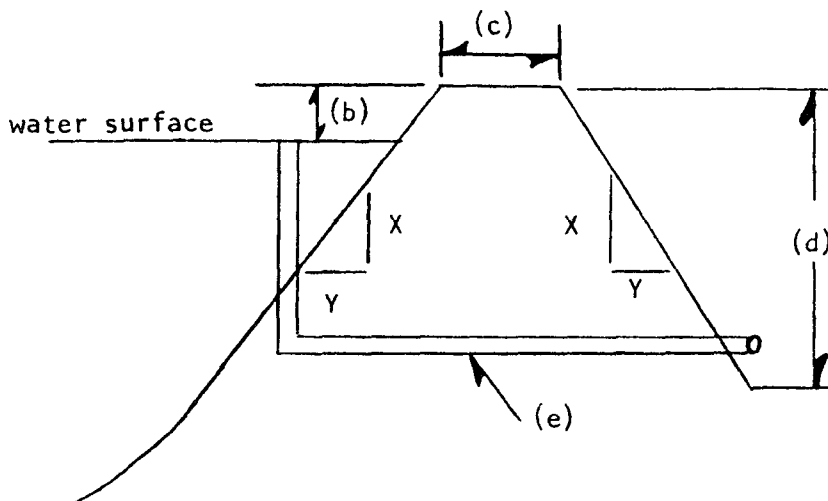
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

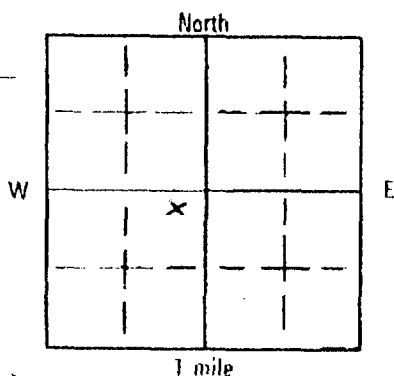
Drainage area above dam _____



Signature of Applicant _____

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NE 1/4 SW 1/4 Sec 16 Twp 99-N Rg 57-WCounty HutchinsonPlease mark well
location with
an "X"Well Completion Date 6-19-81

PROPOSED USE:

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

Method of Drilling:

Reverse

CASING DATA:

☒ Steel ☒ Plastic ☐ Other
 If other describe stainless steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT <u>16</u>	IN <u>16</u>	FT <u>0</u>	FT <u>212</u>	IN <u>25</u>
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUT:

Was the well grouted? ☐ YES ☐ NO

To what depth? _____ FEET

What is grouting material? _____

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☐ ManufacturedDiameter 25 IN Length 30 FEETMaterial stainless steelSlot Size 60 Set From 212 Feet To 242 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

3 in x 1/4 gravel 65 TonWas well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☒ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name Lynell HoferAddress RR Freeman, SD 57029

Well Log:

Depth

Formation

From

To

Top Soil yellow clay	0	15
Yellow Clay + rocks	15	25
Blue Clay	25	55
Blue Clay & rocks	55	81
Gravel + rocks	81	95
Blue Clay	95	105
Blue Clay w/ Gravel Strands	105	125
Blue Clay	125	170
Fine Sand	170	175
Blue Clay w/ fine sand strands	175	198
Rocks + medium sand	198	205
Medium Sand + Coal	205	242

TD 242'STATIC WATER LEVEL 135

If flowing: closed in pressure _____

GPM flow _____ through _____

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed☐ Other

Describe: _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm Pullman Well Drilling

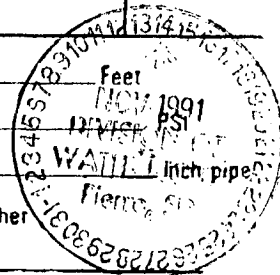
Signature of License Representative:

[Signature]

Signature of Well Owner:

[Signature]

Date _____



GRIMSHAW DRILLING CO.

P.O. BOX 81
CHESTER, S.D. 57016

DRILLING
LOG

LARRY WOLD
(605) 489-2182

JAY VAN LIERE
(605) 489-2427

Name LYNELL HOFER Date 3-20-81

Address FREEMAN

County HUTCHINSON Sec 16 Twp 99 Range 50

NO. FT.	DIA	RATE	CASING	TOTAL
246	4 1/4"	3.50	—	861.00
		1 1/2 % EXCISE TAX		13.00

BALANCE DUE:

\$874.00

0 ft to 1 ft Topsoil
1 ft to 34 ft Brown clay w/ gravel
34 ft to 45 ft Blue clay
45 ft to 78 ft Blue clay w/ sand mix
78 ft to 86 ft Good coarse sand
86 ft to 125 ft Stratified clay + fine sand
125 ft to 188 ft Blue clay
188 ft to 230 ft clean sand w/ some coal
230 ft to 246 ft stratified clay + sand
246 ft Very Hard Rock

STATIC WATER LEVEL

REMARKS: 92' of fine to medium grey sand
Larry M. Wold
DRILLER

LM 1-2-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR REPRODUCING OF THE ABOVE RECORDS HAS BEEN APPROVED BY THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT RECORDS. REPRODUCTION 25:1 INCH NO. 12

Hutchinson

County, South Dakota

Section No. 97

Range No. 57

4706-3

260-1

172-2

230-3

13 Mary Rockeimer

14 Elmer Koonen

15 Elmer Koonen

16 Elmer Koonen

17 Elmer Koonen

18 Elmer Koonen

19 Elmer Koonen

20 Elmer Koonen

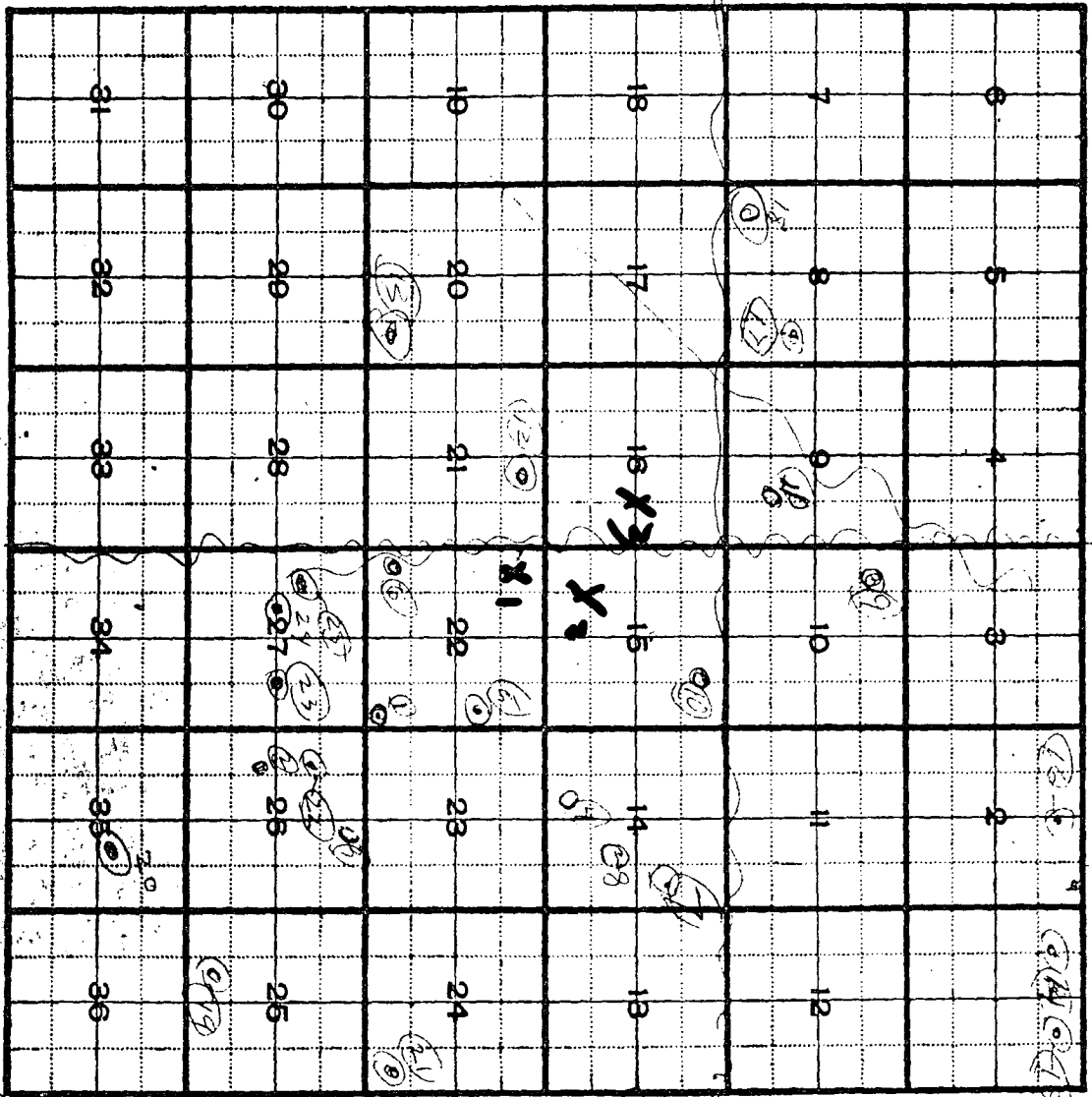
21 Elmer Koonen

22 Elmer Koonen

23 Elmer Koonen

24 Elmer Koonen

25 Elmer Koonen



- 1 John H. Koonen
- 2 David Koonen
- 3 David Koonen
- 4 David Koonen
- 5 David Koonen
- 6 David Koonen
- 7 David Koonen
- 8 David Koonen
- 9 David Koonen
- 10 David Koonen
- 11 David Koonen
- 12 David Koonen

RECEIPT

Division of Water Rights

No 4 9662

South Dakota Department of Water and Natural Resources

Pierre, May 14, 1984

RECEIVED OF Lynell Hofer, RR#1, Box 106 Freeman, SD 57029

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

Fee for Application for Permit No. 5020-3 to Appropriate Water, to construct works and to put water to beneficial use	1.00	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for		
(Any Other Work Provided by Law)		
Total	1.00	00

By

Chief Engineer

JOHN L. T. [Signature]

REPORT ON WATER PERMIT APPLICATION NO. 5020-3

LYNELL HOFER

May 22, 1984

Water Permit Application No. 5020-3 is for 0.46 cfs to irrigate 31.9 additional acres from an existing 230 foot deep well in Hutchinson County. The well is authorized to irrigate 120 acres in SW 1/4 Section 16, T99N, R57W under Water Permit No. 4706-3. The additional 31.9 acres requested in this application are in NW 1/4 Section 21, T99N, R57W. The proposed water source is the Chateau-East Water Management Unit.

Discussion

Chateau-East contains an estimated 133,880 acre-feet of recoverable water in storage in Hutchinson and Turner Counties¹. There have been 2580 acre-feet appropriated from the aquifer², which is 2.0% of the estimated recoverable storage.

Water Rights Division observation well HT-81D monitors water levels of the Chateau aquifer approximately 1/4 mile from the existing irrigation well in Section 16. The water level record of HT-81D indicates that the water level fluctuates seasonally, but the supply of water available in the aquifer is not being depleted³. The water level measured on April 18, 1984 is the highest level recorded since the well was installed in 1981.

Conclusions

1. Unappropriated water is available for Water Permit Application No. 5020-3.
2. Approval of Application No. 5020-3 will not cause any additional interference problems with existing water rights or adequate domestic wells.



FRANK SMITH

Water Resources Engineer

References

1. Hedges, Burch, Iles, Barari, Schoon, Evaluation of Ground Water Resources, Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, SDGS, Vermillion, 1982.
2. Water Right Files, DWNr, Division of Water Rights, Pierre SD 1984.
3. Observation Well Files, DWNr, Division of Water Rights, Pierre SD, 1984.
4. Irrigation Questionnaire Files, DWNr, Division of Water Rights, Pierre SD, 1984.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 5020-3, Lynell Hofer

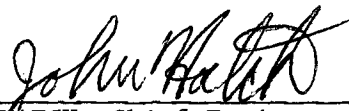
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5020-3, Lynell Hofer, RR 1, Box 106, Freeman SD.

The Chief Engineer is recommending APPROVAL of Application No. 5020-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

The irrigation well approved under this Permit will be located near domestic wells and other 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 adequate wells having prior water rights.

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

See the attached report for additional information.



JOHN HATCH, Chief Engineer
May 22, 1984

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hutchinson) ss.



I, Glenn Gering hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Freeman Courier

A newspaper which during the whole time of publication of said no **Notice of Hearing on**
herein after stated, has been and is printed and published in the **Application No. 5020-3**
to Appropriate Water

City of Freeman

County of Hutchinson and State of South Dak
that the said notice was published in said newspaper on the follo
two dates:

May 30, 1984

June 6, 1984

Glenn Gering
(Signature)

Publisher
(Title)

June 8, 1984
(Date Signed)

Cost of Printing: \$38.48

Notice is hereby given that
Lynell Hofer whose mailing ad-
dress is RR#1, Box 106,
Freeman, South Dakota has
made an application for a per-
mit to appropriate 0.46 cubic
feet per second from ground-
water, existing 230' deep well,
authorized by permit No.
4706-3. The point of diversion is
located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec-
tion 16-T99N-R57. This applica-
tion is to irrigate an additional
31.90 acres located in the
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21-T99N-
R57W.

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water
Rights Division recommends
Approval of Application No.
5020-3 because 1) unap-
propriated water is available,
2) will be no unlawful impair-
ment of existing rights, 3) ben-
eficial use of water and 4) is in
the public interest.

This application will be con-
sidered by the Water Manage-
ment Board at Foss Building,
Room 216, 523 E. Capitol,
Pierre, South Dakota, July 11,
1984 at 10:00 A.M.

The recommendation of the
Chief Engineer is not final or
binding upon the Board and the
Board is authorized to make a
determination on this applica-
tion after it reaches a conclu-
sion based upon facts presented
at the public hearing. Any in-
terested person who may be af-
fected by a Board decision and
who intends to participate in
the hearing before the Board
and present evidence or cross-
examine witnesses according
to SDCL 1-26, must file a writ-
ten petition with BOTH the Ap-
plicant and the Chief Engineer
by June 29, 1984. The petition
may be informal, but it must in-

clude a statement describing
the petitioners interest in the
application, the reason for the
petitioner's opposition to or
support of the application, and
the signature and mailing ad-
dress of the petitioner or his
legal counsel if legal counsel is
obtained. The applicant need
not file a petition.

This application is made pur-
suant to the provisions of SDCL
46-1-1 thru 46-1-9, 46-1-12 thru
46-1-15, 46-2-3.1, 46-2-9, 46-2-11,
46-2-13, 46-2-17, 46-5-1 thru
46-5-16, 46-5-24, 46-5-25, 46-5-30.2,
46-5-31, 46-2A-1 thru 46-2A-10,
46-2A-12; 46-6-3, 46-6-3.1,
46-6-6.1, 46-6-10, 46-6-13, 46-6-14;
and Board Rules ARSD
74:02:01:01 thru 74:02:01:15.

This hearing is an adversary
proceeding. The applicant or
any person, after filing a peti-
tion, has the right to be present
or to be represented by a
lawyer. These and other due
process right will be forfeited if
they are not exercised. Deci-
sions of the Board may be ap-
pealed to the Circuit Court and
the State Supreme Court as
provided by law.

Any person wishing a copy of
the Chief Engineer's recom-
mendation, further information
on this application or to assure
access to the hearing by the
handicapped can contact the
Water Rights Division, DWNR,
Joe Foss Bldg. Pierre, SD (605
773-3352) for assistance prior to
the hearing date. The time of
the hearing will be automat-
ically extended for at least
twenty days upon written re-
quest of the applicant or any
person who has filed a petition
to oppose or support the ap-
plication. The request for ex-
tension must be filed with the
Chief Engineer by June 29,
1984.

WP or WR No. 5020-3

Instruction to Newspaper - Publish first publication of the following Notice on or before May 30, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5020-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Rights No. _____~~

Notice is hereby given that Lynell Hofer whose mailing address is
RR#1, Box 106, Freeman, South Dakota has made an application for a permit

to appropriate 0.46 cubic feet per second from groundwater, existing 230' deep well,
 authorized by permit No. 4706-3. The point of diversion is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 Section 16-T99N-R57. This application is to irrigate an additional 31.90 acres
 located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21-T99N-R57W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends
Approval of Application No. 5020-3 because 1) unappropriated water is available,
 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and
 4) is in the public interest.

This application will be considered by the Water Management Board at Foss Building,
Room 216, 523 E. Capitol, Pierre, South Dakota, July 11 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by June 29, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) ~~46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35, (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25, (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 29, 1984.

NOT TO SCALE

36-R

35.0

39.0
39.0

35.6

74.5

16

35.9

74.8

39.2

40.7

C
Set Aside

D
Set Aside

11.6

39.8

x Well ← Permit No. 4706-3

pipe
←

99-57

31.9

19.1

36-R

← Land to be irrigated
← owner Lynnell Hoyer

A/M# 5020-3

Robert A. Remick DC SCS
Manno SP



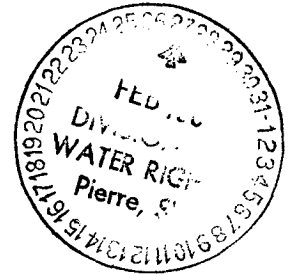
Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

February 23, 1984

Lynell Hofer
RR 1, Box 106
Freeman, SD 57029



Dear Mr. Hofer:

In reviewing your soil and water compatibility application for the East 31.9 acres of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ 21-99-57, the irrigation staff is recommending a Straight Approval of your application to the State Conservation Commission at their March 8, 1984 meeting. The Straight Approval recommendation is based on the water quality and the soil of the area you intend to irrigate. We also foresee no potential problems with good management.

The area mapped as Betts and Ethan loams, 15 to 40% slope is excessively steep and subject to a severe erosion hazard. This area is along the western edge of the project and should be avoided. Through proper positioning of the pivot and the use of an automatic shut off on the end gun as part of your management, you may adequately address this problem area.

A major concern in your management plan will be to control erosion for this reason we recommend the use of conservation tillage.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Administrator

cf

cc: Division of Water Rights

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

OWNERS NAME: Lynell Hoyer OWNERS ADDRESS: R.R. 1 Box 106
Freeman S.D. 57029
COUNTY LAND LOCATED IN: Hutchinson PHONE: 925-7140
TENANT'S NAME AND ADDRESS: (Same)

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION SE 1/4 of SW 1/4 of 16-99-57 (3900' N 76° W of SE corner
Depth 252 (of Sec. 16, T99N, R57W)

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____
Diversion Location _____

Legal Description	Acres	Legal Description	Acres
<u>E 31.9 acres of NW 1/4 of NW 1/4 of 21-99-57</u>	<u>31.9</u>	<u>(map enclosed)</u>	



3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1981

LEGAL DESCRIPTION: SE 1/4, NE 1/4, NW 1/4 of SW 1/4 of 16-99-57 - NW 1/4 of 22-99-57 -
IN WHAT NAME: Lynell Hoyer NW 1/4, NE 1/4, SE 1/4 of SW 1/4 of 15-99-57

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

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify)

6. CROPS TO BE IRRIGATED: Soybeans Corn Alfalfa

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

7. WATER SAMPLE NUMBER: 81-263 (water from existing well) 10. ADJUSTED (SAR): 0.79
8. SALINITY (EC X 10⁶): 1200 11. PERCENT SODIUM: 4.75
9. SODIUM (SAR): 0.029

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____

by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

DAY OF April, 1984

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

☒ 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 RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

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



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

March 12, 1984

*3/14/84
Hofer called did not know
he needed W/R for this extra
acreage.*

Lynell Hofer
RR 1, Box 106
Freeman SD 57029

Dear Mr. Hofer:

We have received the Soil/Water Compatibility permit approval to irrigate
lands in Hutchinson County from groundwater.

As of this date we have not received your application.

If you have any questions, please contact this office.

Sincerely,

BETTY WESTLUND
Natural Resources Analyst

BW:ks

encl: Form 2 & 2A
instruction sheet

Equal Opportunity Employer

Conversation or File Documentation

Lynell Hofer

NAME OF PERSON OR FILE: _____

ADDRESS: Freeman COUNTY _____DATE: May 4, 1984 TELEPHONE 925-7140RE: application

COMMENTS:

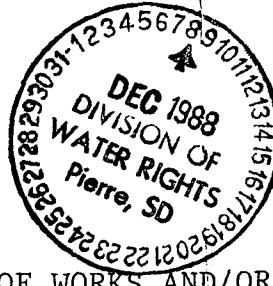
Mr. Hofer called for info on completing an application for
additional acreage on an existing permit (No. 4706-3)

He stated he would be using the same well, just adding more
pipe to his system and irrigation^{to} 32 more acres, with no
additional cfs.

He said the form 2A would be the same information as was used
for his other permit-I told him we could get the information
from there and he would not have to complete another form.

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: Lynell



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

Post Office _____

Date 12-3-88

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.

5020-3

Water Right Permit No. 5020-3 states that the diversion system is to be constructed by _____, and that the water is put to beneficial use by _____.

The diversion system was completed on 6-1-88. Applying the water to beneficial use was completed on 6-1-88.

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.


(Signature)

LYNELL HOFER
RR1 BOX 106
FREEMAN, SD 57029

#5020-3
#4706-3

SOUTH Dakota Department of
Water & Natural Resources

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

February 17, 1989

Lynell Hofer
RR 1, Box 106
Freeman, SD 57029

Dear Mr. Hofer:

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

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

The new standards include:

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

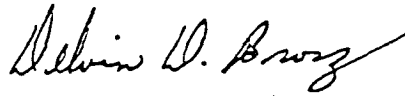


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

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

Very truly yours,

for 
JOHN HATCH, Chief Engineer
Water Rights Division

Conversation or File Documentation

NAME OF PERSON OR FILE: LYNELLE HOFERADDRESS: RR #1 BOX 106 FREEMAN, SD 57029 COUNTY HUTCHINSONDATE: 8/21/91 TELEPHONE (605) 925-7140RE: INSPECTION

COMMENTS:

DIDN'T FIND ANYONE HOME.

THIS SYSTEM USES WELL #3 UNDER PERMIT
4706-3. NOT PRESENTLY HOOKED UP BUT
PIPE IS IN PLACE. THEY WERE IRRIGATING
SW14 SEC. 16 WHILE I WAS THERE.

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: Lynn Beck

LICENSE FOR PERMIT NUMBER 5020-3

1. Legal location of wells: SE1/4 SW1/4 Sec. 16 T99N-R57W

Dams and Structures N/A

2. Well Information: Well Drilling Firm PULLMAN Grimshaw Drilling Co. JAN 11/30/46

Completion Report? Yes X No No. of Wells 1 Depth(s) 246 feet

Casing a) diameter 16 inches Screen a) type 16" stainless steel

b) length 212 feet

b) length 30 feet

c) type PVC

Static Water Level 135 feet

Pump a) make Western Land Roller

Motor a) make US Electric

b) model

b) model no.

c) size

c) horsepower rating 100

d) capacity 900 GPM

d) serial no.

e) turbine pump - no. of stages

f) operating PSI 55

3. Distribution lines or canals

a) size 8 inches

b) type Aluminum

c) length 2180 feet

4. System Type a) sideroll:

b) towline:

1) length feet

1) length feet

2) diameter of pipe inches

2) make, model & number of

3) make, model & number of

sprinklers

sprinklers

3) spacing of sprinklers

4) spacing of sprinklers feet

4) nozzle size

5) nozzle size

- | | |
|---------------------------------|--------------------------------------|
| c)gun: | d) center pivot: |
| 1) make | 1) make <u>Valley Self Propelled</u> |
| 2) nozzle size | 2) number of towers <u>5</u> |
| 3) capacity (GPM) | 3) distance between towers |
| 4) hose size inches | 4) overall length <u>650</u> feet |
| 5) hose length feet | 5) end gun (Y/N) <u>Y</u> |
| e) gated pipe: | 6) high or low pressure <u>high</u> |
| 1) length feet | 7) make and size of nozzles: |
| 2) diameter inches | |
| 3) spacing of gates inches | 8) capacity (GPM) <u>900</u> |

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

Indicate any other permit(s) which are associated with project Permit No. 4706-3

- | Yes | No | Check Items |
|----------|----|---|
| <u>X</u> | | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit? |
| <u>X</u> | | 2. Special qualifications to permit being abided by? |
| <u>X</u> | | 3. All structures, wells and lands on map? |
| <u>X</u> | | 4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period? |
| <u>X</u> | | 5. Is chemigation used? |
| | | 6. If yes, does equipment comply with chemigation rules? |

REMARKS: The well used by this permit is under permit no. 4706-3 in the SE1/4 SW1/4 Se 16 T99N-R57W.

Permit No. 4706-3/5020-3

James River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Lynell Hofer of RR1 Box 106, Freeman, SD 57029 holder of Permit Nos. 4706-3/5020-3, bearing the priority of April 2, 1981/May 14, 1984 authorizing the diversion of 5.35/0.46 cu. ft. per second of the waters of Chateau-East Aquifer for irrigation purposes, in Hutchinson County.

LOWER JAMES MISSOURI (JMS) 11/20/85

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

A. Works used to divert the water:

#1 well - 275' deep, 16" PVC casing and 16" PVC screen; Western Land Roller pump, 800 GPM @ 30 PSI; US Electric Motor model no. 404 TP WPI, 100 HP.

#3 well - 246' deep, 212' of 16" PVC casing, 30' of 16" stainless steel screen; Western Land Roller pump, 900 GPM @ 55 PSI; US Electric motor, 100 HP.

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

660' of 8" steel to c.p. Sec. 22 and an additional 2640' of 8" steel to c.p. Sec. 15; 400' of 8" PVC to c.p. Sec. 16; 2180' of 8" PVC to c.p. in Sec 21

C. Works used to apply water to beneficial use:

(total of 4 pivots) 3 Valley Electric center pivots 8 tower, 1290' long with end guns, pivot #1 is low pressure and pivots #2 & #3 are high pressure, #1 & #2 - 800 GPM, #3 - 900 GPM. and 1 Valley Self-Propelled center pivot, 5 towers, 650' long, high pressure - 900 gpm

The system is in the following condition c.p. #1 and #2 are in good condition, while c.p. #3 is rusted and has some leaking, #4 is in good condition. The point of diversion is located well #1 - 1320' S and 660' E of the NW corner Sec. 22 T99N-R57W; well #3 - 944' N and 3784' W of the SE corner Sec. 16 T99N-R57W. The works are capable of diverting and conveying to the place of use 3.78 cu. ft. per second of which is to be used for irrigation.

Page 2

Report of Examination of Works

Water has been put to beneficial use to the maximum extent as follows:

Section 15 T99N-R57W:

NW1/4 SW1/4 32 acres
NE1/4 SW1/4 32 acres
SE1/4 SW1/4 32 acres

Section 16 T99N-R57W:

NW1/4 SW1/4 32 acres
NE1/4 SW1/4 32 acres
SE1/4 SW1/4 32 acres

Section 22 T99N-R57W:

NW1/4 NW1/4 16 acres
NE1/4 NW1/4 32 acres
SE1/4 NW1/4 32 acres
SW1/4 NW1/4 26 acres

Section 21, T99N, R57W

NW1/4 NW1/4 30 acres

comprising a total of 328 acres of land and the license should be issued for 3.78 cfs.

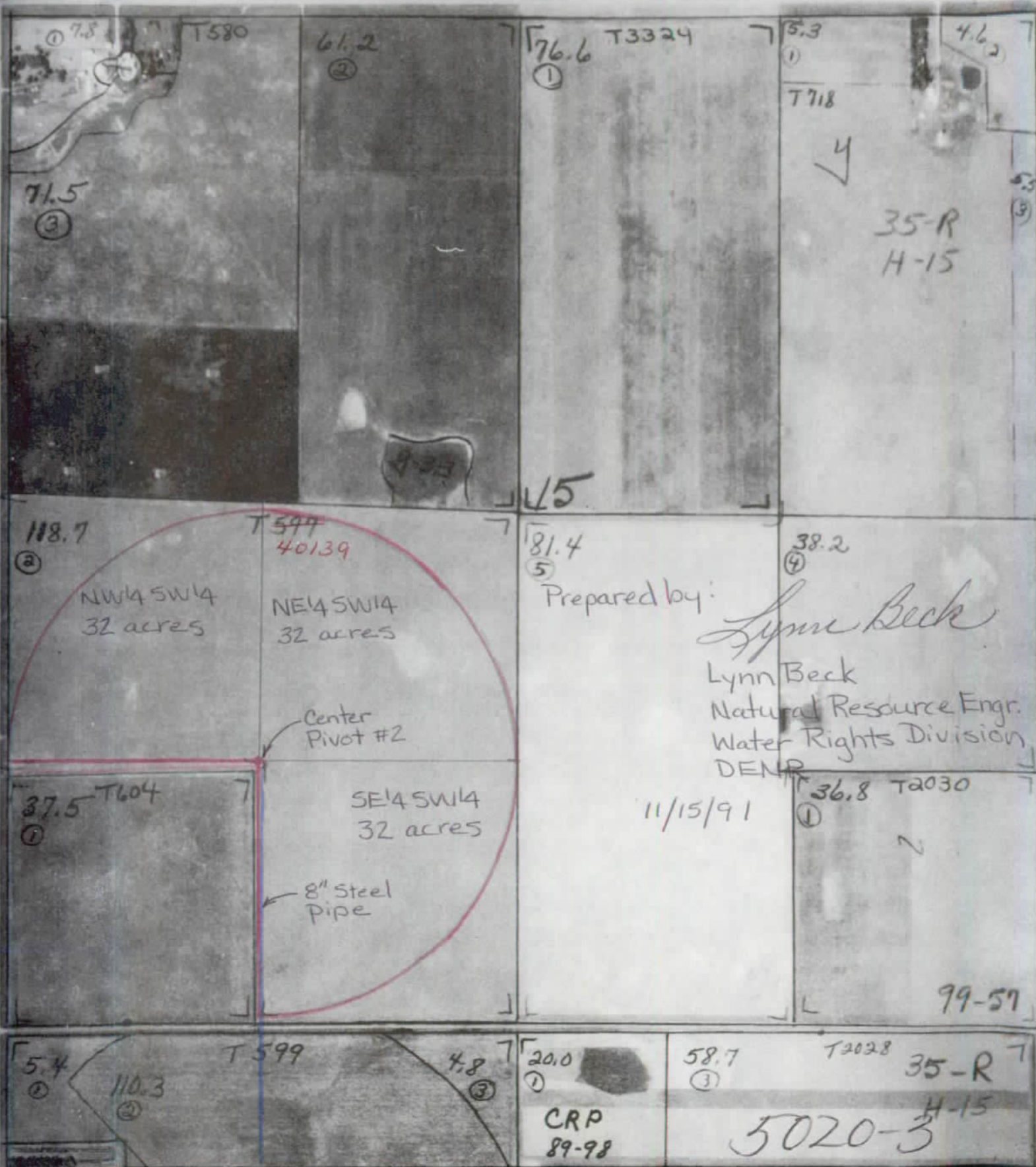
Applicable permit qualifications have been complied with ☒ Yes No

Exceptions to compliance are: none Date 9-23-91

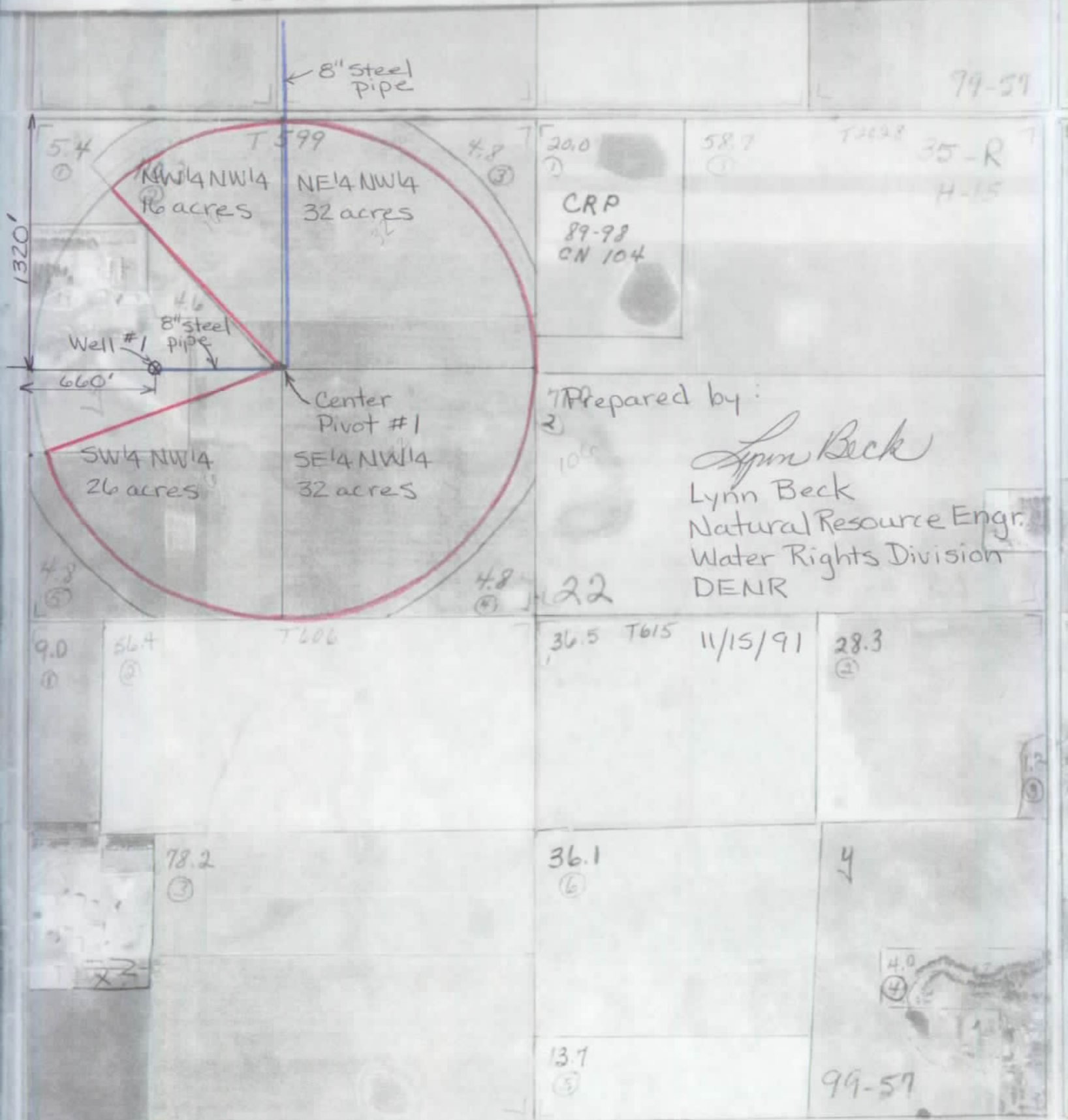


Lynn Beck
Natural Resources Engineer III
DENR, Water Rights Division

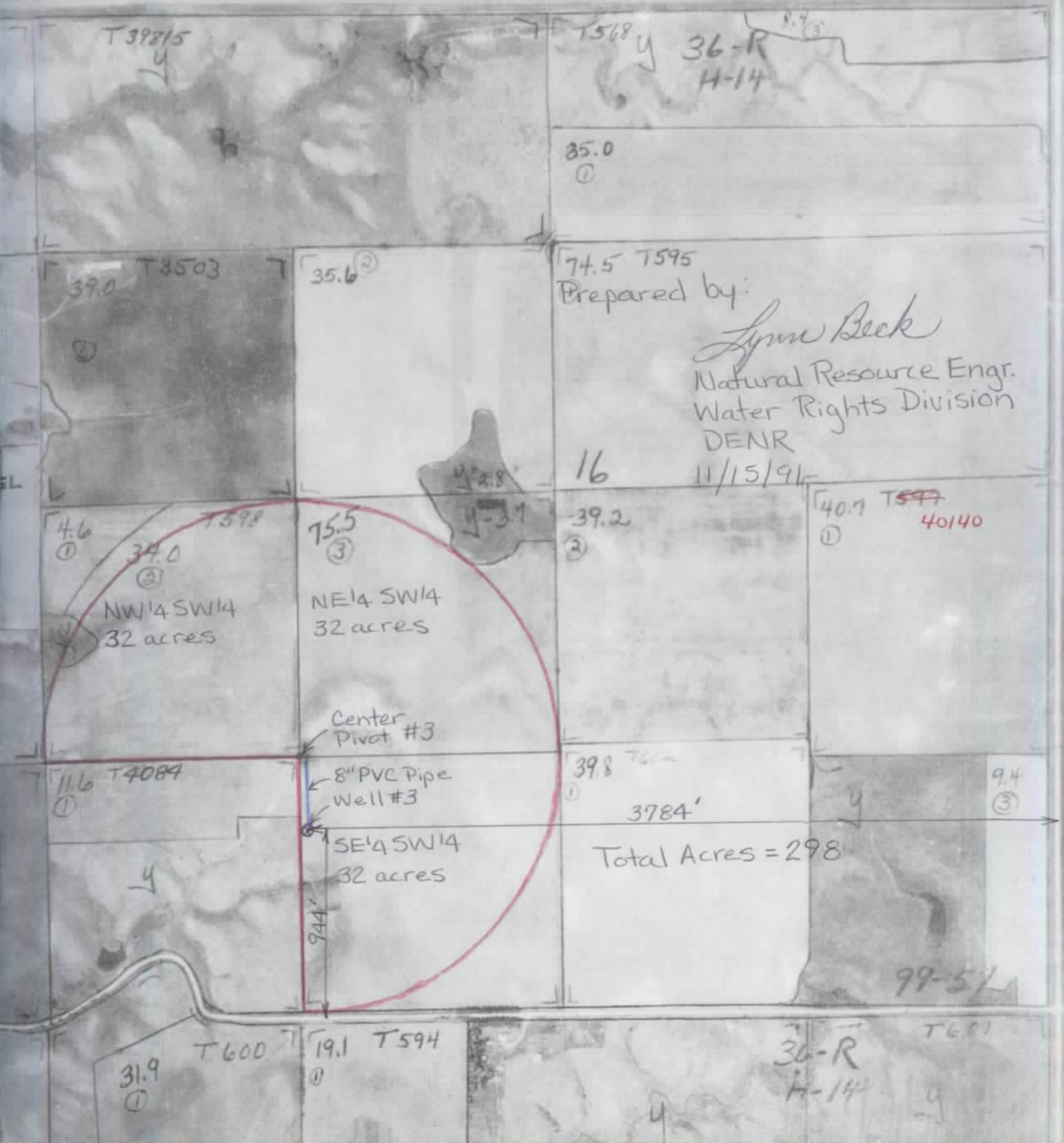
NOT TO SCALE



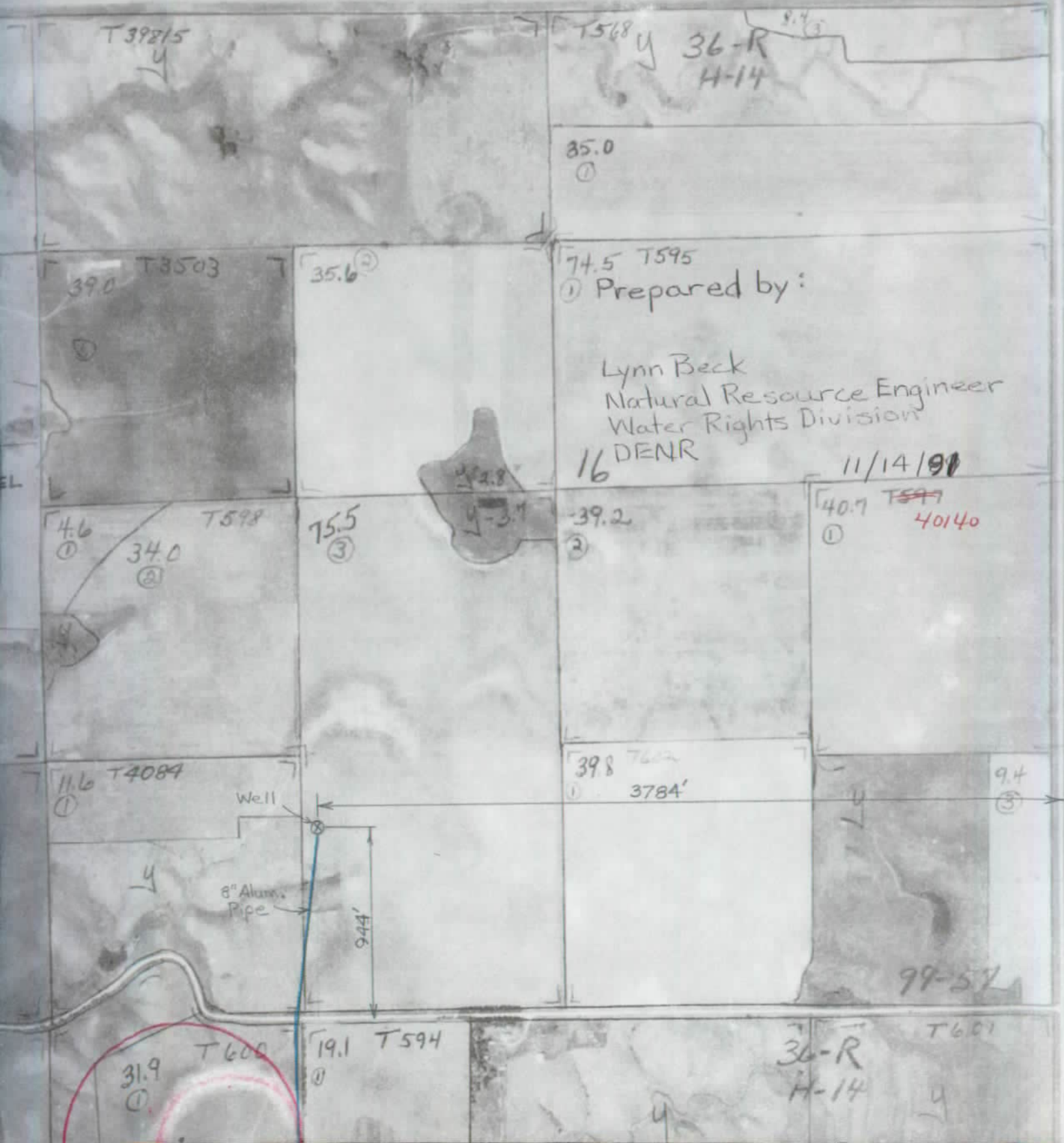
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NOT TO SCALE



NOT TO SCALE



NOT TO SCALE





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 23, 1992

Permit No. 5020-3

Lynell Hofer
RR 1, Box 106
Freeman, SD 57029

Dear Mr. Hofer:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 4706-3 and 5020-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 4706-3 will be incorporated into 5020-3.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413310

Pierre, July 16, 1992

RECEIVED OF Lynell Hofer, Rt 1 Box 169, Freeman, SD 57029

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>5020-3</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

Chief Engineer

John Hatch

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5020-3

(1) Lynell Hofer of RR 1, Box 106, Freeman, SD 57029 made Application No. 5020-3, May 14, 1984 for a water permit to appropriate 0.46 cubic feet of water per second from groundwater (existing well), Hutchinson County, South Dakota for irrigation purposes. Permit No. 5020-3 with a priority date of May 14, 1984 was approved July 11, 1984 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before July 11, 1989 and for the application to beneficial use of said water on or before July 11, 1993.

Water Permit No. 5020-3 was obtained to allow additional acreage to be irrigated from an existing well authorized under Water Permit No. 4706-3. The additional acreage (NW 1/4 NW 1/4 Section 21, T99N, R57W) retained a priority date of May 14, 1984.

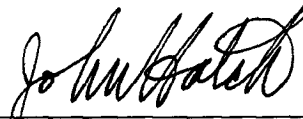
The applicable portions of Water Permit No. 4706-3 are incorporated into this Water License No. 5020-3. A priority date of April 2, 1981 (established under No. 4706-3) is retained for irrigation of land in Sections 15, 16 and 22, T99N, R57W. The land in Section 21, T99N, R57W carries a May 14, 1984 priority date.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.78 cubic feet of water per second for beneficial use. The location of the diversion points are: 1320'S and 660'E of the NW corner Section 22 and 944'N and 3784'W of the SE corner of Section 16, both in T99N, R57W.

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

T99N, R57W Section 15	NW 1/4 SW 1/4	32 Acres
	NE 1/4 SW 1/4	32 Acres
	SE 1/4 SW 1/4	32 Acres
Section 16	NW 1/4 SW 1/4	32 Acres
	NE 1/4 SW 1/4	32 Acres
	SE 1/4 SW 1/4	32 Acres
Section 21	NW 1/4 NW 1/4	30 Acres
Section 22	NW 1/4 NW 1/4	16 Acres
	NE 1/4 NW 1/4	32 Acres
	SE 1/4 NW 1/4	32 Acres
	SW 1/4 NW 1/4	26 Acres
	Total-----	328 Acres

(4) Pursuant to Section 46-5-30.1 Lynell Hofer of RR 1, Box 106, Freeman, SD 57029 the holder(s) and/or owner(s) of Incorporated Water Permit No. 5020-3 is issued a license to appropriate water, the right to use 3.78 cubic feet of water per second from groundwater (two wells) with priority dates of April 2, 1981 and May 14, 1984 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5020-3 and subject to South Dakota State Law.



AUG 12 1992

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 12 1992

5020-3

Lynell Hofer
RR 1, Box 106
Freeman, SD 57029

Dear Ms. Hofer:

Enclosed is Water License No. 5020-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413310 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

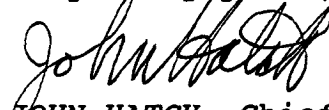
The September 23, 1991 inspection of your water use system found that chemigation was used on the land in Section 16, T99N, R57W. At that time, your chemigation equipment did not meet standards. Prior to future chemigation use, you will need to bring your system into compliance with Water Management Board Rules 74:02:09:07. This section states that a tube, pipe, or similar conduit shall be used to discharge the solution at least 20 feet from the irrigation water source.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5020-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

Lynell Hofer
Page 2

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch", written in dark ink.

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

enclosures

NOTE: The applicable portions of Water Permit No. 4706-3 are incorporated into this Water License No. 5020-3.



AUG 13 2001

Lynell Hofer
27618 431 st Ave
Freeman SD 57029

Dear Mr. Hofer:

Enclosed are Water License Nos. 5980-3, 6034-3 and 6035-3. These are the final water right documents completing your process of obtaining a Water Right. Receipts for the investigation and issuance of the Water Licenses are also enclosed.

The applicable portions of Nos. 5020-3, 5917-3 and 6035-3 have been incorporated into No. 5980-3. The applicable portions of No. 5020-3 have been incorporated into No. 6034-3. The applicable portions of Nos. 5020-3 and 5980-3 have been incorporated into No. 6035-3.

For your information, SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by these Water Rights, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

5020-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr