

Considered: _____

WATER PERMIT NO. 5314-3 41

HAP No. Same 796-4320

Name of Applicant Dan Baysinger

Post Office Address Rt. 1, Box 204 Woonsocket, SD 57385

Amount of Water Claimed 1 cfs Total Acres 60

Source of Water Supply dugout groundwater/runoff

Water to be used for irrigation County Sanborn

About 3 miles NE of Woonsocket

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Feb. 23, 1989 Fee \$150⁰⁰ Remarks Requesting

> 1 cfs/10 acres

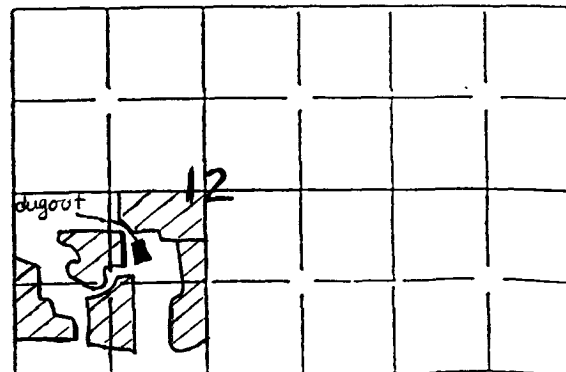
Corrected Application Received Mar 1, 1989 Period of Annual Use May 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED Apr 10, 1989 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point NE 1/4 SW 1/4 Section 12-T107N-R62W

Land to be Irrigated SW 1/4 Section 12-T107N-R62W



Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map aerial photo PREPARED BY Bryan Smith Reviewed and the Number

assigned on April 5, 1989 By Joan A. Brower



(See instructions)

No. 5314-3 Hydrologic Unit 10160006
Basin James R.
Newspaper Woonsocket News Box 218 57385
(Week)

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

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

1. Name of Applicant Dan Baysinger Phone No. 7964320
Post Office Address Rt 1 Box 204 Woonsocket State SD Zip Code 57385
(Street, RR or Box) (City)
2. Amount of water claimed (c.f.s.) 1 CFS Total acres irrigated 60
3. Source of Water supply Dug out
4. Location of point of diversion Center of Sect 12-107-62
NE 1/4 SW 1/4 4
County Sanborn
5. Counties where water will be used Sanborn
6. Annual period during which water is to be used May 1 thru Oct 30
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.
NW 1/4 SW 1/4 Sec 12-T107N-R62W	10
NE 1/4 SW 1/4 "	24
SW 1/4 SW 1/4 "	15
SE 1/4 SW 1/4 "	11

Land Description	No. Acres Irr.

Attach sheet if more space is needed

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

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

STATE OF SOUTH DAKOTA)
County of Sanborn) ss

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

Signed Dan Baysinger
Subscribed and sworn to before me this 20th day of Oct 20 19 88
Thomas R. Schabot
Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5314-3 FOR IRRIGATION

Date of first receipt of application February 23, 1989.

Date Soil/Water Compatibility Permit received April 10, 1989.

Date of return to applicant for required corrections, amendments or changes February 27, 1989.

Date of receipt of corrected application March 1, 1989.

The Water Management Board approved Water Permit Application No. 5314-3 on May 10, 1989 for Dan Baysinger, RR #1 Box 204, Woonsocket, South Dakota 57385 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5314-3 appropriates 0.85 cubic feet of water per second from a 2.76 acre-feet dugout to irrigate 60 acres. The dugout is located in the NE1/4 SW1/4 and the acreage to be irrigated is located in the SW1/4; all in Section 12, T107N, R62W.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 to October 31.
3. The date from which applicant may claim right is February 23, 1989.
4. One-fifth of the construction is to be completed on or before November 10, 1991.
5. All construction is to be completed on or before May 10, 1994.
6. Water is to be put to beneficial use on or before May 10, 1998.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

- 1) Permit No. 5314-3 authorizes construction of one dugout with a storage capacity of 2.76 acre-feet.
- 2) Permit No. 5314-3 is approved for a diversion rate of 0.85 cfs.
- 3) This permit is approved subjects to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

SEP 12 1989
(date)



Woonsocket, R.I.

Feb 21, 1989

Dear Sir:

I am enclosing the application for irrigation permit. I understand Brochings sent you a copy of the water analysis the lab number is 88-0482. The sample was taken from a newly dug dugout and since it was a very dry year I can understand some salt but this dugout will be filled with snow & rain which come through a natural flow with which will be filling the dugout. I think this should be taken into consideration.

The copy of water analysis was sent to Division of Conservation in Providence.

Sincerely yours,
Don Baysinger
221 Bond St

Woonsocket, R.I.

57385

SOUTH Dakota Department of
Water & Natural Resources

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

February 27, 1989

Dan Baysinger
Rt. 1, Box 204
Woonsocket, SD 57385

Dear Mr. Baysinger:

This is in response to the water permit application received from you on February 23, 1989.

The application is incomplete for the following reason(s):

- (1) Each forty acre subdivision must be listed in No. 7 on the enclosed application. Using the map you submitted, also enclosed, we have determined the acreage to be as follows:

NW1/4 SW1/4	Section 12-T107N-R62W	---	19 acres
NE1/4 SW1/4	"	---	25 acres
SW1/4 SW1/4	"	---	15 acres
SE1/4 SW1/4	"	--	11 acres

Total			70 acres

- (2) The correct fee for irrigating 70 acres is \$225 (see enclosed instruction sheet). The check for \$150 that you submitted is also enclosed.
- (3) The legal description of the point of diversion, No. 4 on the enclosed application, should be changed to the NE1/4 SW1/4 Section 12-T107N-R62W if the dugout is located as shown on the map.

The Water Management Board cannot consider a water permit application until it is complete. Please specify the correct acreage and the location of the point of diversion on the enclosed application, and return it, along with the map and the proper fee to begin processing of your water permit application.

Feel free to contact us if you have any questions.

Sincerely,

Susan A. Bowar

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosure

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411657

Pierre, February 2, 1989

RECEIVED OF Dan Baylanger, Route 1, Box 204, Woonsocket, SD 57385

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

Fee for Application for Permit No. <u>5314-3</u> to Appropriate Water, to construct works and to put water to beneficial use	150	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	150 00

By John Hatch/mra
Chief Engineer

John Hatch/mra

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4364

WR#

OWNERS NAME: Dan Baysinger OWNERS ADDRESS: Rt. 1, Box 204
Woonsocket, SD 57385

COUNTY LAND LOCATED IN: Sanborn PHONE: 796-4320

LEGAL DESCRIPTION:

☐ Well

☒ Surface

1. LOCATION NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12-T107N-R62W (dugout)

Depth _____

Legal Description	Acres	Legal Description	Acres
<u>NE$\frac{1}{4}$ SW$\frac{1}{4}$ Sec. 12-T107N-R62W</u>	<u>10</u>		
<u>NE$\frac{1}{4}$ SW$\frac{1}{4}$ " "</u>	<u>24</u>		
<u>SW$\frac{1}{4}$ SW$\frac{1}{4}$ " "</u>	<u>15</u>		
<u>SE$\frac{1}{4}$ SW$\frac{1}{4}$ " "</u>	<u>11</u>		
		<u>TOTAL ACRES = 60</u>	

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

3. CROPS TO BE IRRIGATED: alfalfa, melons, pumpkins, corn

WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-0121 & 89-0122 7. ADJUSTED (SAR): 1.68 & 3.94
5. SALINITY (EC X 10⁶): 570 & 650 8. PERCENT SODIUM: 30.12 & 45.37
6. SODIUM (SAR): 1.25 & 2.19

Requirements: The areas mapped as Durrstein silt loam (Dh) and Durrstein-Farmsworth complex (Dk) are soils which naturally contain excessive sodium & salts. These areas are unsuited to irrigation & shall not be irrigated.

The drainageways which transect the area shall be maintained in permanent vegetation.

A number of the soils in the area are subject to seasonal high water tables which may become perched under irrigation. Should these water tables become & remain perched, adequate internal drainage shall be provided as necessary, i.e. tile drainage.

Please be advised that we do not consider the Swampbuster Provision in developing recommendations. Before undertaking any drainage project, please contact your local conservation district.



X APPROVED

DISAPPROVED

WAIVER

X

REQUIREMENTS

Director, Division of Conservation

Date

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

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

04-04-1989

Sanborn

Name: Baysanger, D.
Address: c/o Division of
Conservation
Woonsocket, SD 57385

Date Rec'd MAR 20, 1989
Sample No. 89-0121
Source DUGOUT
Legal ID 107N62W12C

WATER ANALYSIS

Calcium (Ca)	49	ppm*	2.45	me/l**
Magnesium (Mg)	15	ppm	1.23	me/l
Sodium (Na)	39	ppm	1.70	me/l
Potassium (K)	10	ppm	0.26	me/l
Sulfate (SO4)	216	ppm	4.50	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	8	ppm	0.23	me/l
Bicarbonate (HCO3)	54	ppm	0.88	me/l
Carbonate (CO3)	0	ppm	0.00	me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	0.11	ppm		
Hardness (EDTA as CaCO3)		ppm		8-P.G.***
Total solids		ppm		
Total Cations			5.63	me/l
Total Anions			5.60	me/l
Alkalinity (Methyl Orange)	44	ppm(as CaCO3)		
Alkalinity (Phenolphthalein)	0	ppm(as CaCO3)		
Electrical Conductivity	570	micromhos per cm at 25 C		
Sodium Adsorption Ratio	1.25	Adjusted SAR	1.68	
Sodium	30.12	% of Cations		
Residual Sodium Carbonate	0.00	me/l		
pH	6.54			
Others:				

*ppm=parts per million
**me/l=millequivalents per liter
***g.p.g.=grains per gallon

COMMENTS:

Validated by JLS 3-15-89.

Analysis By: Shirley Mittan

Service Performed:
Irrigation Analysis

Total Cost: \$ 35.00
Amount Received: 0.00
Balance Due: 35.00

Make checks payable to: SDSU Water Quality Lab

Please write lab number on your check!

Lab No. 89-0121

NOT TO SCALE



Dugout Reservoir is 1550 Feet East and 1700 feet North of the Southwest Section Corner of Section 12-107-62 in Sanborn County. Areas outlined by Bryan W. Smith Cons. Tech. Sanborn County SCS.

REPORT ON APPLICATION NO. 5314-3
Dan Baysinger
April 3, 1989

Application No. 5314-3, Dan Baysinger, proposes to appropriate 1.0 cubic foot of water per second (cfs) from a dugout to irrigate 60 acres. The dugout will be located in the NE1/4 SW1/4 of Section 12, T107N, R62W and have a storage capacity of 2.76 acre-feet. The acreage to be irrigated is also in the SW1/4 of Section 12 which is located about three miles northeast of Woonsocket, SD.

Water Source

A combination of surface runoff and a very shallow Pleistocene aquifer (not named) will supply the dugout with water. The sand and gravel aquifer lies at the surface in the Woonsocket area (Steece, 1967). Observation well SA-57B (Water Rights, 1989) is located about one and one-half (1.5) miles to the northeast of the proposed dugout location. Water level records for the observation well reflect fairly constant readings with some yearly fluctuations. The yearly changes are probably a reflection of precipitation amounts since recharge to the shallow aquifer comes from infiltration of precipitation (Steece, 1965).

Review of Existing Water Rights

There is only one existing water right near the proposed dugout. The source of water for this water right is a 100 foot deep well which should not be effected by the dugout. There is also a similar application (5298-3) pending. Application No. 5298-3 proposes to irrigate 85 acres from three dugouts. The proposed location for the three dugouts is one mile to the east and is downstream of the dugout described on Application No. 5314-3. Application No. 5314-3 also has a priority date which precedes the priority date on the other pending application (5298-3).

Conclusions

1. Water is available from both surface runoff and the shallow Pleistocene aquifer.
2. The permit should be limited to 0.85 cfs since there is only 60 acres to be irrigated.
3. There will be no interference with existing water rights or pending applications.
4. Observation well records reflect fairly constant readings with yearly fluctuations dependent upon precipitation amounts.

James L. Wendte

James L. Wendte
Natural Resources Engineer

Approved by:

James A. Goodman

James A. Goodman, P.E.
Hydrologist

Bibliography

Steece, F.V., L.W. Howells, 1965, Geology and Ground Water Supplies in Sanborn County, South Dakota, for United States Geological Survey, DWNr, SDGS, Vermillion, SD, 57069.

Steece, F.V., 1967, Glacial Drift Aquifers in Sanborn County, South Dakota, DWNr, SDGS, Vermillion, SD, 57069.

Water Rights Division, 1989, Observation Well File SA-57B, DWNr, Division of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5314-3, Dan Baysinger

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. 5314-3, Dan Baysinger, Rt 1, Box 204, Woonsocket SD.

The Chief Engineer is recommending APPROVAL of Application No. 5314-3 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:

1. Permit No. 5314-3 authorizes construction of one dugout with a storage capacity of 2.76 acre-feet.
2. Permit No. 5314-3 is approved for a diversion rate of 0.85 cfs.
3. 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
April 3, 1989



Department of Water & Natural Resources

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

April 6, 1989

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

Dan Baysinger
RR #1, Box 204
Woonsocket, SD 57385

Dear Mr. Baysinger:

Water Permit Application No. 5314-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Woonsocket News printed at Woonsocket SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation will be sent to you at a later date. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

April 6, 1989

Woonsocket News
P.O. Box 218
Woonsocket, SD 57385

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5314-3 to be published twice. Please publish the first notice on or before April 12, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Dan Baysinger, RR #1, Box 204, Woonsocket, SD 57385.

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

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

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

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

Name

Newspaper



Instruction to Newspaper - Publish first Notice on or before April 12, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5314-3 to Appropriate Water

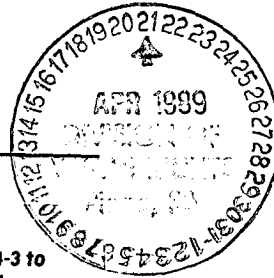
Notice is given that Dan Baysinger, RR #1, Box 204, Woonsocket, SD 57385 has filed an application for a water permit to appropriate 1.0 cubic feet of water per second from a dugout to irrigate 60 acres. The dugout is located in the NE1/4 SW1/4 and the acreage to be irrigated is located in the SW1/4; all in Section 12, T107N, R62W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5314-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at 523 E. Capitol, Joe Foss Building, Room 216, Pierre, SD on May 10, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by April 28, 1989.

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



STATE OF SOUTH DAKOTA)
County Sanborn) ss.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. W29-2t

SOUTH Dakota Department of
Water & Natural Resources

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

May 4, 1989

Dan Baysinger
RR 1, Box 204
Woonsocket SD 57385

Dear Mr. Baysinger:

Enclosed is the Report and the Recommendation of the Chief Engineer for Water Permit Application No. 5314-3 which will be considered at the May 10, 1989 Water Management Board Meeting.

Sincerely,

Karen Schlaak

KAREN SCHLAAK
Senior Secretary
605 773-3352

enclosures





Department of Water & Natural Resources

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

SEP 12 1989

Dan Baysinger
RR #1 Box 204
Woonsocket, SD 57385

Dear Mr. Baysinger:

Enclosed is Water Permit No. 5314-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.





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

Date Sept 18, 1989

TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181

FROM: Dan Bayminger RR1 Box 204 Woonsocket, R. Dak.
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5314-3.

Water Permit No. 5314-3 states that the diversion system is to be constructed by Dan Bayminger, and that the water it put to beneficial use by Dan Bayminger.

The diversion system was completed on June 15, 1989.
Applying the water to beneficial use was completed on July 3, 1989.

You may schedule an inspection so that the Water License may be issued.

Dan Bayminger
signature

Woonsocket R.I. Dak

Nov 20, 1989

Dear Aes -

I don't know for sure how much water we pumped so I called out there and you told me to get name of pump and send it to you and then you would try to figure it out.

Name of pump - Berkley

model T-1 B.M. 2069

another no is B.H.P. 32

~~Q~~ R.P.M. 2600

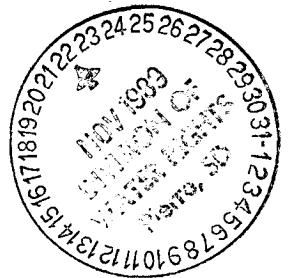
rated in put shaft speed 550

also at bottom of plate B.M. 1924

These numbers were hard to make out but I think they are right. If you need more information please let me know. Thank you

Sincerely yours

Don Baysinger



File No. 5314-3 and 5316-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Dan Baysinger

ADDRESS: RR#1 Box 204 Woonsocket, SD 57385 COUNTY: Sanborn

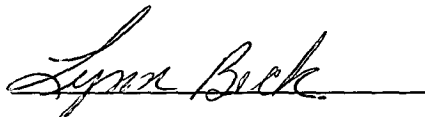
DATE: 8/1/91 TELEPHONE: (605) 796-4320

RE: Inspection of completed works.

COMMENTS:

Spoke with Mrs. Baysinger, she said they have not irrigated all lands under the permits yet, but intend to as needed. They were not irrigating while I was there, the works were not set up, but they had 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.

A handwritten signature in cursive script, reading "Lynn Beck", followed by a horizontal line.

Lynn Beck

Natural Resources Engineer III

DENR, Water Rights Division

Permit No. 5314-3

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 Dan
Baysinger of RR#1 Box ⁸⁵⁰ ~~204~~ Woonsocket, SD 57385 holder of Permit No. 5314-3, bearing the
priority of February 23, 1989 authorizing the diversion of 0.85 cu. ft. per second and/or
the storage of 2.76 acre-feet of the waters of surface runoff for irrigation purposes, in
Sanborn County.

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

A. Works used to divert the water:

1 - 44'x130' dugout to collect surface runoff. 1 pump - Berkeley model no. T-1 BM2069
with variable capacity depending on head. 6" ribbed rubber pipe from dugout to pump.
Tractor driven with a John Deere 4010.

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

1450' of 4" to 3" aluminum pipe.

C. Works used to apply water to beneficial use:

Towline existing of 890' of 3" aluminum pipe, Semninger sprinklers model no. 7025 RD.

The system is in the following condition good - not set up at time of inspection. The
point of diversion is located 1550' E and 1700' N of SW1/4 corner Sec. 12 T107N R62W in
the NE1/4 SW1/4 Sec. 12. The works are capable of diverting and conveying to the place of
use 0.85 (PTO driven, capable of diverting authorized Water Right) cu. ft. per second of
water and/or storing 2.76 acre-feet of water which is to be used for irrigation. Water
has been put to beneficial use to the maximum extent as follows:

NW1/4 SW1/4 - 10 ac., NE1/4 SW1/4 - 25 ac., SW1/4 SW1/4 - 14 ac., SE1/4 SW1/4 - 11 ac.
all in Sec. 12 T107N R62W

comprising a total of 60 acres of land and the license should be issued for 0.85 cfs
and/or 2.76 acre-feet of storage.

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are:

Date 8/1/91


Lynn Beck
Natural Resources Engineer III
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 5314-3

1. Legal location of wells: N/A

Dams and Structures Dugout - NE1/4 SW1/4 Sec. 12 T107N R62W

2. Well Information: Well Drilling Firm N/A

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

Casing a) diameter inches Screen a) type

b) length feet b) length feet

c) type Static Water Level feet

Pump a) make Berkeley

Motor a) make John Deere 4010 Tractor

b) model b) model no.

c) size c) horsepower rating

d) capacity GPM d) serial no.

e) turbine pump - no. of stages

f) operating PSI

3. Distribution lines or canals

a) size 4"-3" inches

b) type Aluminum

c) length 1450 feet

4. Dam Information:

a) height to crest feet

m) Outlet tubes:

b) height to primary spillway feet

1) diameter inches

c) height to secondary spillway feet

2) type

d) crest width feet

3) valved (Y/N)

e) crest length feet

4) valve type

4. Dam Information Continued:

- | | | |
|--------------------------------------|-------|---------------------------|
| f) spillway length | feet | 5) location on structure: |
| g) spillway width | feet | |
| h) approx. storage | AC-FT | n) Category of Dam |
| i) approx. storage to crest | AC-FT | |
| j) date constructed | | |
| k) inspection sheet completed? (Y/N) | | |
| l) name of contractor | | |

5. System Type a) sideroll:

- 1) length feet
- 2) diameter of pipe inches
- 3) make, model & number of sprinklers
- 4) spacing of sprinklers feet
- 5) nozzle size

b) towline:

- 1) length 890 feet
- 2) make, model & number of sprinklers Senninger
- 3) spacing of sprinklers
- 4) nozzle size

c)gun:

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

d) center pivot:

- 1) make
- 2) number of towers
- 3) distance between towers
- 4) overall length feet
- 5) end gun (Y/N)

e) gated pipe:

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

- 6) high or low pressure
- 7) make and size of nozzles:
- 8) capacity (GPM)

5. System Type Continued:

- | | |
|-------------------|---------------------|
| f) portable boom: | g) siphons: |
| 1) make | 1) size inches |
| 2) nozzle size | 2) number |
| 3) capacity (GPM) | |

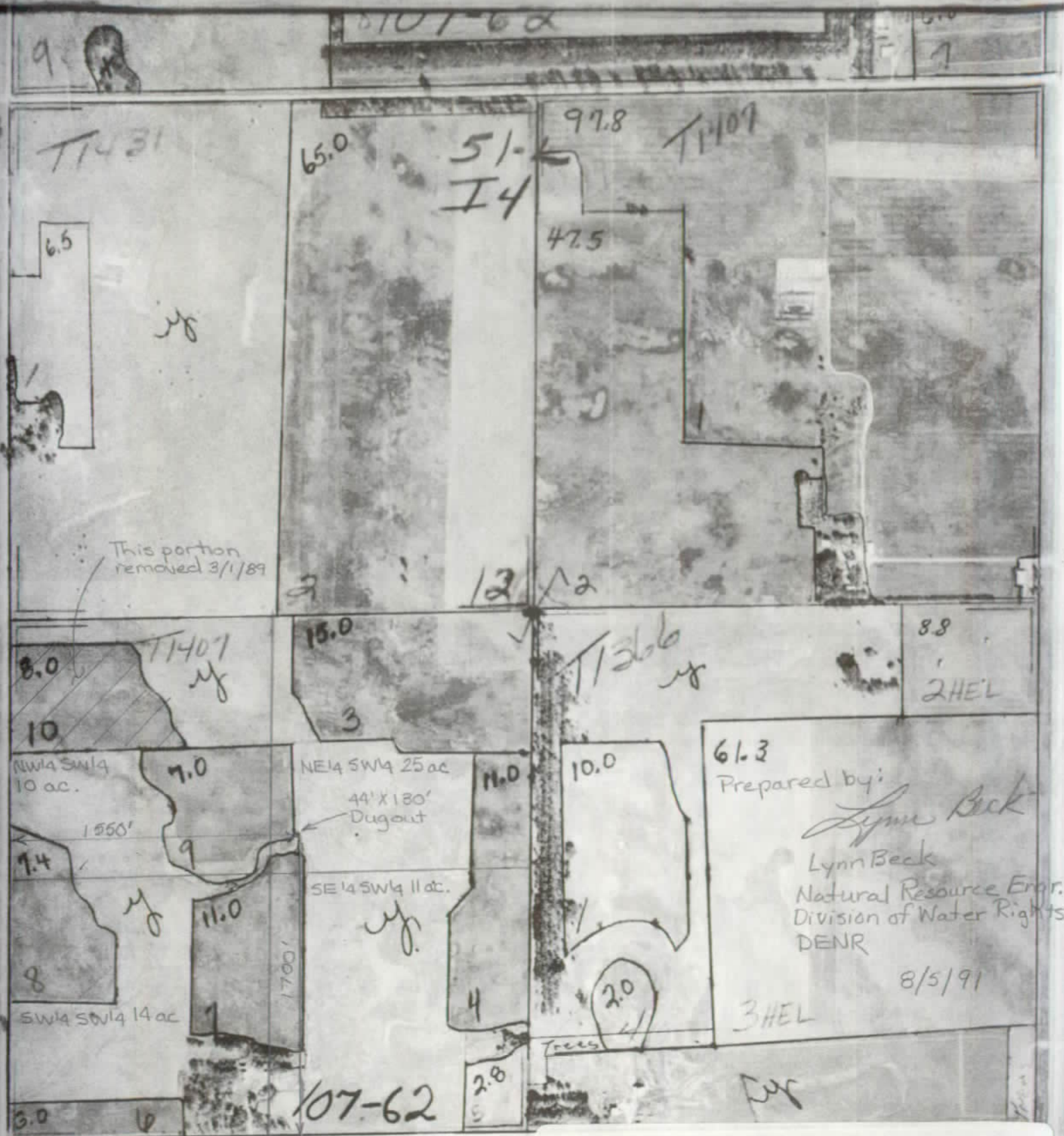
NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project

- | 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? |
| ☒ | | 4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period? |
| ☒ | | 5. Is chemigation used? |
| | | 6. If yes, does equipment comply with chemigation rules? |

REMARKS:

NOT TO SCALE



total acres = 60
in. SW 1/4 Sec. 26 T107N R62W

53/4-3.



GREAT FACES. GREAT PLACES.

August 15, 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

5314-3

Dan Baysinger
RR #1 Box 204
Woonsocket, SD 57385

Dear Mr. Baysinger:

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 No. 5314-3, 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 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,

Genny McMath
Natural Resources Analyst
(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

412860

Pierre, October 3, 19 91

RECEIVED OF Dan or Lila Baysinger, RR 1, Box 204, Woonsocket, SD 57385

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>5314-3</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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5314-3

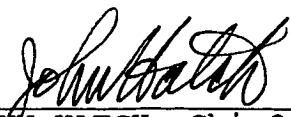
(1) Dan Baysinger of RR 1, Box 850, Woonsocket, SD 57385 made Application No. 5314-3, February 23, 1989 for a water permit to appropriate 0.85 cubic feet of water per second from a 2.76 acre-feet dugout, Sanborn County, South Dakota for irrigation purposes. Permit No. 5314-3 with a priority date of February 23, 1989 was approved May 10, 1989 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before May 10, 1994 and for the application to beneficial use of said water on or before May 10, 1998. The permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" which stated the diversion system was completed on June 15, 1989. The water was applied to beneficial use on July 3, 1989.

(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 0.85 cubic feet of water per second for beneficial use. The location of the diversion point is: 1550'E and 1700'N of the SW corner of Section 12, T107N, R62W (NE 1/4 SW 1/4).

(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:

T107N, R62W Section 12	NW 1/4 SW 1/4	10 Acres
	NE 1/4 SW 1/4	25 Acres
	SW 1/4 SW 1/4	14 Acres
	SE 1/4 SW 1/4	11 Acres
	Total-----	60 Acres

(4) Pursuant to Section 46-5-30.1 Dan Baysinger of RR 1, Box 850, Woonsocket, SD 57385 the holder(s) and/or owner(s) of Water Permit No. 5314-3 is issued a license to appropriate water, the right to use 0.85 cubic feet of water per second from a 2.76 acre-feet dugout with a priority date of February 23, 1989 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 5314-3 and subject to South Dakota State Law.

 FEB 17 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



FEB 17 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

5314-3

Dan Baysinger
RR 1, Box 850
Woonsocket, SD 57385

Dear Mr. Baysinger:

Enclosed is Water License No. 5314-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412860 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2008

NOTICE

TO: DAN BAYSINGER, 22747 SD HWY 37, WOONSOCKET, SD 57385
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5314-3 & 5316-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5314-3 & 5316-3 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, 2008** 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) 5314-3 & 5316-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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 3, 2008**, 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/E0455V6-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.

5314-3

McMath, Genny

From: Sanborn County Register of Deeds [sancorod@santel.net]
Sent: Thursday, February 21, 2008 3:37 PM
To: McMath, Genny
Subject: Re: Land ownership in Sanborn County

Hi

The last deed of entry is to Sandra K. Beckman (Dan's daughter) with an address of: 38040 S Ridge Dr-
Wessington Springs SD 57382

Have a great day

Lynn Brueske

Sanborn County Register of Deeds

----- Original Message -----

From: Genny.McMath@state.sd.us

To: sancorod@santel.net

Sent: Thursday, February 21, 2008 1:28 PM

Subject: Land ownership in Sanborn County

I am in the process of reviewing two water rights held by Dan Baysinger.

The legal descriptions are as follows: N ½ NE ¼, SE ¼ NE ¼ and the SW ¼ all in
Section 12, T107N, R62W.

Is it possible to obtain the name and mailing address of the new owner(s) of the
land?

Thank you in advance for your help.

Genny McMath

Water Rights Program

DENR

605 773-5455



**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 22, 2008

5314-3
5316-3

Sandra Beckman
38040 S Ridge Dr
Wessington Springs SD 57382

Dear Ms. Beckman:

I am contacting you in regard to Water Right Nos. 5314-3 and 5316-3 listed in the name of Dan Baysinger. The Sanborn County Register of Deeds has you listed as owner of the land described in these water rights. I have included a copy of each of the water licenses to give you an idea of what is covered under each one.

If you intend to irrigate the land, the water rights should be transferred to your name. Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review the forms and complete as needed. Upon completion, please return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed are materials originally addressed to Dan Baysinger concerning last year's irrigation questionnaire. Please review the questionnaires and if possible complete and return them along with the transfer forms.

If you have any questions concerning the enclosed materials, please give me a call.

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

MAR - 3 2008

WATER RIGHTS
PROGRAM

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

No. 5314-3

Date: 2-26-08

I/We request that Water Right No. 5314-3

formerly owned by: Dan Baysinger

be transferred to: (name & address) Sandy Beckman

38040 Southridge Drive

Wessington Spring, S.D. 57382

Telephone No. 605-539-9660

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

60 acres - SW 1/4 Section 12, T107N, R62W

I/We understand that the validity of Water Right No. 5314-3 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 Sandy Beckman, the new owner, certify that the above information is true and correct.

Sandy Beckman
(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 3/3, 20 08

RECEIVED OF Dennis Beckman 38040 South Ridge DR Wess Springs SD 57382

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>5314-3</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.

63009

By

Imanol Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 2008

5314-3

5316-3

Sandy Beckman
38040 Southridge Dr
Wessington Springs SD 57382

Dear Ms. Beckman:

Thank you for the prompt return of the irrigation questionnaires and also the ownership changes for Water Right Nos. 5314-3 and 5316-3. The ownership changes have been completed. The water rights formerly listed in the name of Dan Baysinger are now listed in your name.

Enclosed are your Receipt Nos. 03559 and 03560 in the amount of \$2.50 each. You may keep these for your records.

You have complied with all the necessary requirements as far as filing the ownership changes and the annual irrigation questionnaires. The next mailing from our office will be in October, 2008 when we will be sending you questionnaires for this irrigation season.

Sincerely,

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

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

enclosures