

Considered: _____

WATER PERMIT NO. 5316-3 44

HAP No. same 796-4320

Name of Applicant San Baysinger

Post Office Address RR1 Box 204 Woonsocket, SD 57385

Amount of Water Claimed 1 cfs Total Acres 60

Source of Water Supply dugout - groundwater

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

PRIORITY Date Received April 11, 1989 Fee \$150.00 Remarks Requesting

> 1 cfs / 70 acres

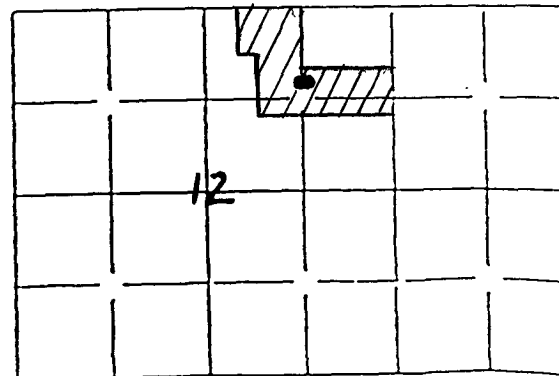
Corrected Application Received _____ Period of Annual Use May 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED Apr 19, 1989 APPROVED CONDITIONAL (Circle one)

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

Diversion Point approx. 200' north of the
center of NE 1/4 Sec 12-T107N-R62W

Land to be Irrigated NE 1/4 Sec 12-T107N-R62W



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map aerial photo PREPARED BY Lynda Steichen Reviewed and the Number

assigned on April 20, 1989 By Susan Enzar



No. 5316-3 Hydrologic Unit 10160011
Basin James R.
Newspaper Woonsocket News Box 218 57385 (Thurs)

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. 796-4320
Post Office Address RA1 Box 204 Woonsocket State S. Dak 57385
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) 1 CFS 44 9904 Total acres irrigated 60

3. Source of Water supply dugout

4. Location of point of diversion north of the center of the N.E. quarter 12-107-62
approximately 200'

County Danbar

5. Counties where water will be used Danbar

6. Annual period during which water is to be used May 1 thru Oct. 31

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

Land Description	No. Acres Irr.
NW NE Sect 12-107-62	22
NE NE "	15
SW NE "	8
SE NE "	15

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: alf. melons, pumpkins

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 Danbar)^{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 11th day of April 19 89
Luma Schabot
Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5316-3 FOR IRRIGATION

Date of first receipt of application April 11, 1989.
Date Soil/Water Compatibility Permit received April 19, 1989.

The Water Management Board approved Water Permit Application No. 5316-3 on July 26, 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. 5316-3 appropriates 0.86 cubic feet of water per second from a dugout to irrigate 60 acres. The dugout is located approximately 200 feet north of the center of the NE1/4 and acreage to be irrigated is in the NE1/4; 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 - October 31.
3. The date from which applicant may claim right is April 11, 1989.
4. One-fifth of the construction is to be completed on or before January 26, 1992.
5. All construction is to be completed on or before July 26, 1994.
6. Water is to be put to beneficial use on or before July 26, 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

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

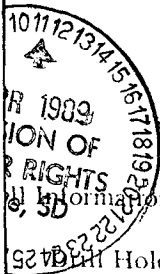
WATER MANAGEMENT BOARD

By: _____

John H. Hatcher
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

SEP 12 1989

(date)



Supplemental information

(type or print in ink)

Information - Proposed construction

Drill Hole Diameter _____ Depth _____

Casing Type _____ Diameter _____ Thickness _____

Screen Type _____ Diameter _____ Thickness _____

Gravel Pack Thickness _____ Length of Gravel Pack _____

Depth to Top of Water Bearing Material _____

Depth to Water (ground surface to water level) _____

Distance to nearest existing domestic well:

On applicants property _____ On property owned by others _____

Layout Information Estimates

Surface Dimensions 180' long 60' wide Depth 12' Aug 1971

Depth to water (ground surface to water level) 7'

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.

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. Primary Outlet Capacity _____
If Pipe, diameter _____

f. Secondary Spillway Capacity _____
Spillway width _____

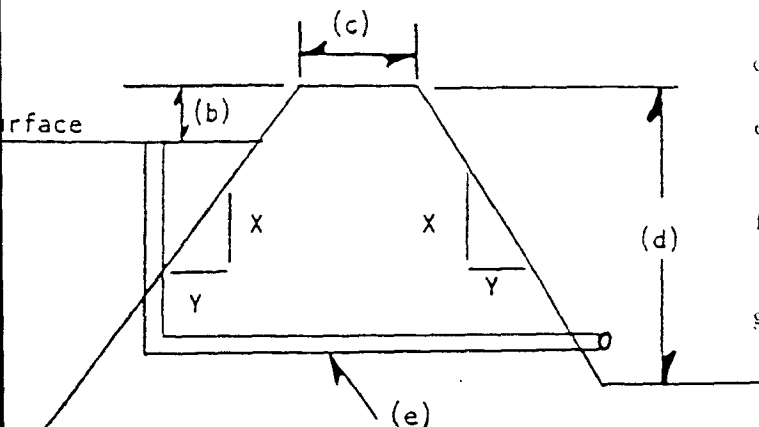
g. X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



San Bayinger
of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 12, 1989

RECEIVED OF 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. <u>5346-3</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 / Mrs
Chief Engineer

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4370

WR#

OWNERS NAME: Dan Baysinger

OWNERS ADDRESS: RR 1, Box 204

Woonsocket, SD 57385

COUNTY LAND LOCATED IN: Sanborn

PHONE: 796-4320

LEGAL DESCRIPTION:

☐ Well

☒ Surface

1. LOCATION approximately 200' N of the center of NE $\frac{1}{4}$ Sec. 12-T107N-R62W

Depth _____

Legal Description	Acres	Legal Description	Acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12-T107N-R62W	22		
NE $\frac{1}{4}$ NE $\frac{1}{4}$ " "	15		
SW $\frac{1}{4}$ NE $\frac{1}{4}$ " "	8		
SE $\frac{1}{4}$ NE $\frac{1}{4}$ " "	15	TOTAL ACRES =	60

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

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

WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-0122

7. ADJUSTED (SAR): 3.94

5. SALINITY (EC X 10⁶): 650

8. PERCENT SODIUM: 45.37

6. SODIUM (SAR): 2.19

Requirements: 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 and remain perched, adequate internal drainage shall be provided as necessary, ie. tile drainage.



☒ APPROVED

☐ DISAPPROVED

☐ WAIVER

☒ REQUIREMENTS

Peter D. Smith
Director, Division of Conservation

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

Date 4/13/89



Program Assistance - ASCS

Lynda Stueken

NOT TO SCALE

8107-62



Appl. No. 5316-3

Report on Application No. 5316-3
Dan Baysinger
June 6, 1989

This application proposes to appropriate 0.86 cfs from an existing dugout to irrigate 60 acres. The dugout is located approximately 200 feet north of the center of the NE1/4 and the acreage to be irrigated is located in the NE1/4; all in Section 12, T107N, R62W in Sanborn County.

Aquifer - Pliestocene Unknown (PSU)

The source of water is a shallow water table aquifer which is supplying water to the dugout. There probably is very little runoff which would be getting to the dugout. Without testing it cannot be taken for granted that a dugout can continuously supply 0.86 cfs. In all likelihood the dugout could only produce that rate for a short period of time (depending on storage in dugout) and then the dugout would have to be allowed to refill.

The Division of Water Rights measures one observation well SA-57B which is located 1 mile east of this application which is completed into the shallow aquifer. There are some yearly fluctuations in water levels which reflect changes in precipitation.

Review of Existing Water Permits

There have been two recently approved permits No. 5298-3 and 5314-3 which are located within 1 mile of this diversion. Interference is not likely. All diversions are from dugouts and include surface flows into those dugouts. Drawdowns created by pumping from dugouts should not extend very far from the dugout. In fact the biggest problem should be getting the amount of water needed from the dugout.

Conclusions

1. Water is available from this ground water source.
2. Dugouts can be a reliable source but generally do not provide sustained rates of productions. Testing is necessary to evaluate the effectiveness of this dugout as a water source.
3. Interference should not be a problem.


JAMES A. GOODMAN
Hydrologist

Bibliography

Water Rights, 1989, Observation Well Records for SA-57B, SD DWR,
Division of Water Rights, Joe Foss Building, Pierre, SD 57501

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5316-3, 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. 5316-3, Dan Baysinger, RR 1, Box 204, Woonsocket SD.

The Chief Engineer is recommending APPROVAL of Application No. 5316-3 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 qualification:

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
June 6, 1989

 **Department of
Water & Natural Resources**

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

June 15, 1989

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

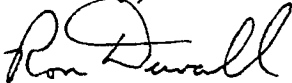
Dan Baysinger
RR 1, Box 204
Woonsocket SD 57385

Dear Mr. Baysinger:

Water Permit Application No. 5316-3 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. The recommendation of the Chief Engineer and a report on the application will be sent later. 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



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

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

June 15, 1989

Woonsocket News
Box 218
Woonsocket SD 57385

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5316-3 to be published twice. Please publish the first notice on or before June 22, 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 June 22, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5316-3 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 0.86 cubic feet of water per second from one existing dugout to irrigate 60 acres. The dugout is located approximately 200 feet north of the center of the NE 1/4 and the acreage to be irrigated is located in the NE 1/4; 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. 5316-3 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 the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City SD on July 26, 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 July 14, 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 July 14, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 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.

No. 5316-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Sanborn) ss.

I, _____ hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Woonsocket News

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

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

June 22, 1989

June 29, 1989

Gerald W. Klaus
(Signature)

Publisher
(Title)

6/29/89
(Date Signed)

Cost of Printing: \$26.68

NOTICE OF HEARING ON
APPLICATION NO. 5316-3
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 0.86 cubic feet of water per second from one existing dugout to irrigate 60 acres. The dugout is located approximately 200 feet north of the center of the NE 1/4 and the acreage to be irrigated is located in the NE 1/4; all in Section 12-T107N-R62W.

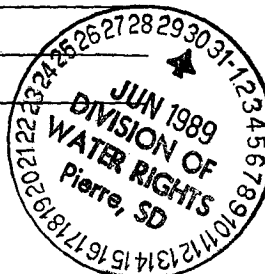
Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends Approval of Application No. 5316-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City, SD on July 26, 1989 at 10:00 a.m. 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 July 14, 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 July 14, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 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.

W39-27





Department of Water & Natural Resources

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

July 12, 1989

Dan Baysinger
RR 1, Box 204
Woonsocket SD 57385

Dear Mr. Baysinger:

Enclosed is the Report and Recommendations of the Chief Engineer
for Water Permit Application No. 5316-3.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
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 57385-9630

Dear Mr. Baysinger:

Enclosed is Water Permit No. 5316-3 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,

A handwritten signature in black ink, appearing to read "John Hatch".

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: Don Baysinger name RR1 Box 204 address Woonsocket S. Dak. 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. 5316-3.

Water Permit No. 5316-3 states that the diversion system is to be constructed by Don Baysinger, and that the water it put to beneficial use by Don Baysinger.

The diversion system was completed on June 15, 1989.

Applying the water to beneficial use was completed on July 25, 1989.

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

Don Baysinger
signature

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

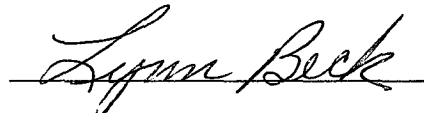
DATE: 8/1/91 TELEPHONE: (605) 796-4320

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", written over a horizontal line.

Lynn Beck

Natural Resources Engineer III

DENR, Water Rights Division

File No. 5316-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Dan Baysinger

ADDRESS: RR 1 Woonsocket, SD 57385 COUNTY: Sanborn

DATE: 9-23-91 TELEPHONE: 605 796-4320

RE: Which lands they wish to irrigate on 5316-3.

COMMENTS:

Mrs. Baysinger told me that they do not wish to irrigate in the SW1/4 NE1/4 Sec. 12, T107N, R62W but would like to add acreage to the NW1/4, NE1/4 and SE1/4 NE1/4 Sec. 12, T107N, R62W. The total acreage would remain 60.

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".

Lynn Beck

Natural Resources Engineer III

DENR, Water Rights Division

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>5316-3</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 Hitchcock
Chief Engineer

Permit No. 5316-3

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. 5316-3, bearing the priority of April 11, 1989 authorizing the diversion of 0.86 cu. ft. per second ~~and/or~~ ~~the storage of N/A 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 - 38'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:

760' of 4" to 3" aluminum pipe.

C. Works used to apply water to beneficial use:

Towline existing of 660' of 3" aluminum pipe, Semminger sprinklers model no. 7025 RD.

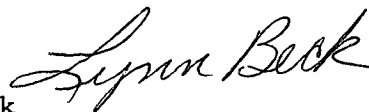
The system is in the following condition good - not set up at time of inspection. The point of diversion is located 200' N of the center of the NE1/4 Sec. 12 T107N R62W. The works are capable of diverting and conveying to the place of use 0.86 (PTO driven, capable of diverting authorized Water Right) cu. ft. per second of water ~~and/or storing N/A 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 - 24 ac., NE1/4 - 22 ac., SE1/4 - 14 ac. all in the NE1/4 Sec. 12 T107N R62W comprising a total of 60 acres of land and the license should be issued for 0.86 cfs ~~and/or N/A acre feet of storage.~~

Application permit qualifications have been complied with ☒ Yes No

Exceptions to compliance are:

Date 8/1/91

A handwritten signature in cursive script that reads "Lynn Beck".

Lynn Beck
Natural Resources Engineer III
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 5316-3

1. Legal location of wells: N/A

Dams and Structures Dugout - NE1/4 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 T-1 BM2069 b) model no.
c) size c) horsepower rating
d) capacity variable 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 760 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 660 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)
- 6) high or low pressure
- 7) make and size of nozzles:

e) gated pipe:

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

- 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



5316-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5316-3

(1) Dan Baysinger of RR 1, Box 850, Woonsocket, SD 57385 made Application No. 5316-3, April 11, 1989 for a water permit to appropriate 0.86 cubic feet of water per second from a dugout, Sanborn County, South Dakota for irrigation purposes. Permit No. 5316-3 with a priority date of April 11, 1989 was approved July 26, 1989 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before July 26, 1994 and for the application to beneficial use of said water on or before July 26, 1998.

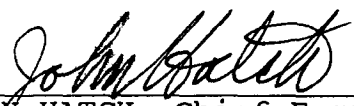
The "Notice of Completion of Works and Application of Water to Beneficial Use" was received by the permit holder on September 19, 1989. The "Notice" indicated the diversion system was completed June 15, 1989, and the water placed to use July 25, 1989.

(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 0.86 cubic feet of water per second for beneficial use. The location of the diversion point is: 200'N of the center of the NE 1/4 Section 12, T107N, R62W.

(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 NE 1/4	24 Acres
	NE 1/4 NE 1/4	22 Acres
	SE 1/4 NE 1/4	14 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. 5316-3 is issued a license to appropriate water, the right to use 0.86 cubic feet of water per second from a dugout with a priority date of April 11, 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. 5316-3 and subject to South Dakota State Law.

 AUG 7 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 7 1992

5316-3

Dan Baysinger
RR 1, Box 850
Woonsocket, SD 57385

Dear Mr. Baysinger:

Enclosed is Water License No. 5316-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412861 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



5316-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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.

5316-3

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 cursive script that reads "Genny McMath".

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

enclosures

RECEIVED

MAR - 3 2008

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5316-3

Date: 2-26-08

I/We request that Water Right No. 5316-3

formerly owned by: Dan Baysinger

be transferred to: (name & address) Sandy Beckman

38040 Southridge Drive

Westington Spring, D.O. 57382 Telephone No. 605-539-9660

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

60 acres - N 1/2 NE 1/4, SE 1/4 NE 1/4 Section 12, T107N, R62W

I/We understand that the validity of Water Right No. 5316-3 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>5316-3</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.

3000

By

Spencer E. Baker
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