

Considered: _____

WATER PERMIT NO. 5328-3

MAP No. same 873-2703

Name of Applicant Poinsett Hutterian Brethern, Inc.

Post Office Address Box 146, Estelline SD 57234

Amount of Water Claimed 1.85 cfs Total Acres 260 (see 5038-3)

Source of Water Supply ground water - 1 add'l well

Water to be used for irrigation County Hamlin

About 5 miles N of Estelline

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received 4/10/89 Fee 250⁰⁰ Remarks Appl is to add
a well to Perm. # No. 5038-3

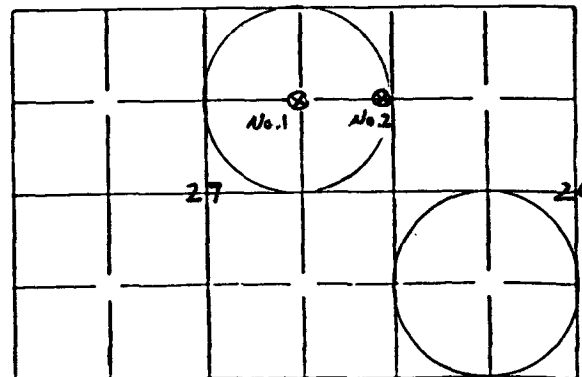
Corrected Application Received _____ Period of Annual Use June 1 - Sept 30

WATER QUALITY APPROVAL RECEIVED NA see 5038-3 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES NO REMARKS _____

Diversion Point add'l well: approx 1300 feet E
of the center of the NE 1/4 section 27-T114N-
R51W

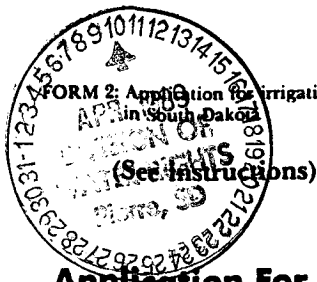
Land to be Irrigated NE 1/4 section 27; SW 1/4
section 26; all in T114N-R51W



Well Log: Driller Pullman Licensed YES NO

Depth of Well 80 feet REMARKS _____

Type of Map aerial photo PREPARED BY Alan R. Bender Reviewed and the Number
assigned on May 5, 1989 By [Signature]



FORM 2: Application for Irrigation (type or print)

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352
P.L. 3/30/89

No. 5328-3 Hydrologic Unit 10170202
Basin Big Sioux
Newspaper Hamlin Co. Republican Box 50 (thurs)
Castlewood 57223

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

- Type of Application: ☒ New ☐ Vested Right ☒ Amend Permit No. 5038-3
- ☐ Change Acreage ☐ Change diversion point(s) ☒ Add diversion point(s)
- ☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
1. Name of Applicant Poinsett Hutterian Brethern, Inc. Phone No. 873-2703
- Post Office Address Box 146, Estelline SD State 57234
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed (c.f.s) no-add 1.85 Total acres irrigated 260 (see 5038-3)
3. Source of Water supply ground water 1 additional well
4. Location of point of diversion Well No 2: approximately 1300 feet East of the center of
the NE 1/4 Section 27-T114N-R51W
- County Hamlin
5. Counties where water will be used Hamlin
6. Annual period during which water is to be used June 1 - Sept 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.
same acreage as authorized	
by Permit No. 5038-3	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: Corn Soy Beans
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 Brookings)^{ss}

I, Joshua Wellman 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 Joshua Wellman

Subscribed and sworn to before me this 7 day of April 19 89

Kelley Price
Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5328-3 FOR IRRIGATION

Date of first receipt of application April 10, 1989.
Date Soil/Water Compatibility Permit received January 14, 1985.
Date returned to applicant for required corrections, amendments or changes May 5, 1989.
Date of Receipt of corrected application May 9, 1989.

The Water Management Board approved Water Permit Application No. 5328-3 on July 26, 1989 for Poinsett Hutterian Brethern, Inc., Box 146, Estelline, South Dakota 57234 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. 5328-3 appropriates 1.85 cubic feet of water per second (cfs) from one additional well (Big Sioux-Brookings Aquifer) 80 feet deep to irrigate 260 acres. Water Permit No. 5038-3 appropriates 2.0 cfs from one well in the center of the NE1/4 Section 27-T114N-R51W to irrigate the same acreage. The additional well is located in the E1/2 NE1/4 Section 27 and the irrigated acreage is located in the NE1/4 Section 27; SW1/4 Section 26; all in T114N-R51W.
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: June 1 - September 30.
3. The date from which applicant may claim right is April 10, 1989.
4. One-fifth of the construction is completed.
5. All construction is completed.
6. Water is put to beneficial use.
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. The combined diversion rate authorized by Permit No. 5038-3 and No. 5328-3 may not exceed 3.71 cfs for irrigation of 260 acres.
2. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. This permit is approved subject 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)

Supplemental information

(type or print in ink)



1. Well Information - ~~Proposed~~ construction

WELL NO. 2

- a) Drill Hole Diameter 25 in Depth 80 ft
- b) Casing Type plastic Diameter 16 in Thickness _____
- c) Screen Type plastic Diameter 16 in Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 50
- f) Depth to Water (ground surface to water level) 7
- g) Distance to nearest existing domestic well:
 On applicants property > 5000' On property owned by others 1400'

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) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

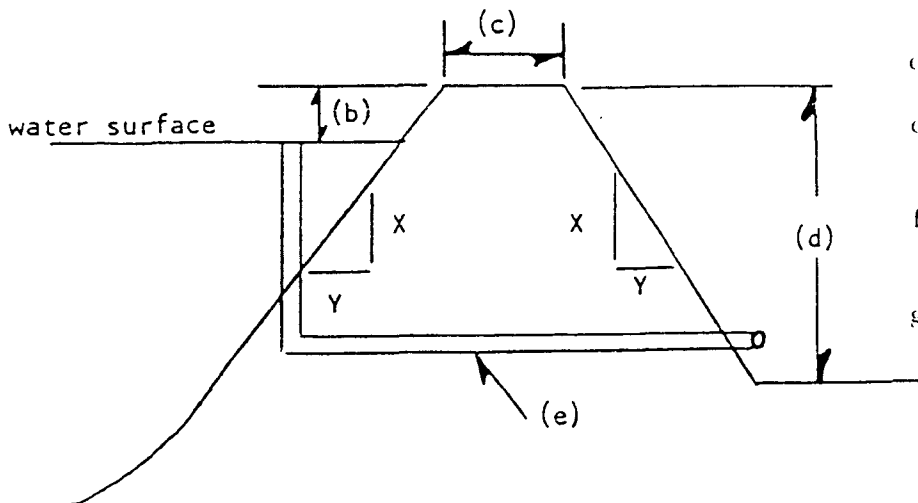
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Joshua Wollman,
 Signature of Applicant

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
March 17, 1988

Claremont Colony
Box 132A, RR 2
Castlewood SD 57223

Dear Sirs:

Well drillers reports filed with this office by Pullman Well Drilling indicates you have recently completed two new wells. The well driller is required by South Dakota Codified Laws (SDCL 46-6-11) to file a well construction report within 30 days of completion.

The purpose of the enclosed "Summary of South Dakota Water Law and Water Right Information" is to provide general information and to inform you of the responsibilities you have incurred. Specifically:

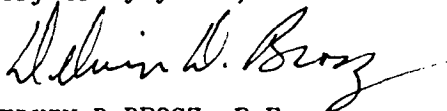
1. According to South Dakota Water Rights Law (SDCL 46-1-15, 46-5-9, 46-5-10), it is necessary to obtain a water permit to appropriate waters of this state. An exception to this requirement is for water used for domestic purposes. Domestic water uses that do not require a permit are listed under item 5 on the enclosed summary. Those activities that require permits are listed under item 7.
2. If your new well was drilled as a replacement well and if you do not plan to use the old well, the old well is considered abandoned and must be plugged pursuant to SDCL 46-6-27. Other abandoned wells must also be plugged.
3. If the old well is not to be abandoned, or will be used, the well must be sealed or capped at the surface pursuant to SDCL 46-6-27.

Based upon the information we have, you may need a water permit. Since we have no record of a water permit for this well, I am enclosing application forms and an instruction sheet for preparing a water right permit application.

Please complete the application and submit it with the required fee to the "Water Rights Division, Joe Foss Building, 523 E. Capitol, Pierre, SD 57501" by May 5, 1989.

If you have questions or need assistance contact Susan Bowar, Water Rights Division Engineer (605-773-3352).

Very truly yours,



DELVIN D BROSZ, P.E.
Hydrologist
JOHN HATCH, Chief Engineer
Water Rights Division

cc: well driller

enclosure

 **Department of
Water & Natural Resources**

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

March 31, 1989

Joshua Wollman
Poinsett Hutterian Brethern, Inc.
Box 146
Estelline SD 57234

Dear Mr. Wollman:

This letter is in response to our phone conversation on March 30, 1989 regarding Water Permit No. 5038-3.

You indicated that 2 wells are being used to irrigate the NE1/4 section 27 and the SW1/4 section 26 both in T114N-R51W. Permit No. 5038-3 authorizes construction of only 1 well. Therefore, the enclosed partially-completed application needs to be completed to allow for construction of a second well. The application fee to add a second well is \$50.00.

A map will also need to be sent showing the locations of the wells. The map needs to be signed according to the enclosed instruction sheet. Please label the wells No. 1 & 2 on the map and then label the enclosed Form 2A's accordingly.

If you have any questions, please contact me.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enc.

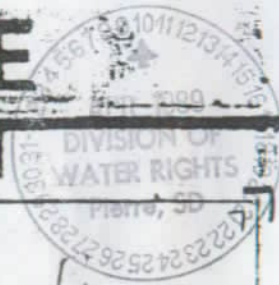


#1564

NE

1989

NOT TO SCALE



77.7
142.1

T609

155.6
T590

379-200-1

D15

Well
1

Well
2

Alan R. Bender

121.0 T637

148.4
T504

Appl. No. 5328-3

114 51

145.7
T510

379-200-R

D15

DATE OF WELL: 1988/11/4

TYPE: IRRIGATION

COUNTY: HAMLIN

TWP: 114-N

RG: 51-W

SEC: 27

LOCATION: NE NE

WELL OWNER LAST NAME: ~~CLAREMONT COLONY~~

FIRST NAME:

~~ADDRESS: PO BOX 132 A RR 2~~ *Point Hill Colony*~~CITY: CASTLEWOOD~~

ST: SD

ZIP: 57223

CASING DATA (STEEL, PLASTIC, OTHER): PLASTIC

SCREEN(PERF/MANUF): MANUF

DIA(in): 16

LGTH(ft): 20

PIPE DIA FROM TO HOLE DIA

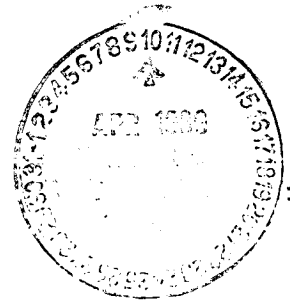
16 INCH.....0....60....25.....

*Robinson Manufacturing, Inc.**Box 146**Gettysburg, SD 57230*

MATERIAL: STAINLESS STEEL

SLOT SIZE FROM TO

.060.....60....80.....



FORMATION	FROM	TO
SANDY YELLOW CLAY.....	0.....	10
ROCKY YELLOW CLAY.....	10.....	20
SANDY YELLOW & BLUE CLAY.....	20.....	36
ROCKY.....	36.....	38
BLUE CLAY - ROCKY.....	38.....	50
ROCKS & GRAVEL.....	50.....	80
BLUE CLAY.....	80.....	81

PROPOSED USE (DOM, IRR, MUN, IND, TEST, STOCK): IRR

GROUT(YES/NO): YES

DEPTH(ft): 20

GROUTING MATERIAL: BENTONITE & CEMENT

PACKER or SEAL USED(YES/NO): YES

MATERIAL USED: PEAROCK 15 TON

WELL DISINFECTED(YES/NO): NO

EXPLAIN:

BACTERIOLOGICAL ANALYSIS(YES/NO): NO

LABORATORY SENT TO:

STATIC WATER LEVEL(ft): 7FT.

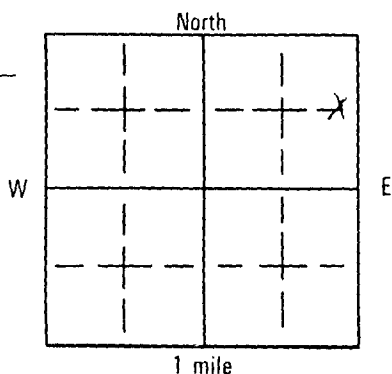
800 GPM W/ TURBINE

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NE 1/4 NE 1/4 Sec 27 Twp 114-N Rg 51-W

County

HamlinPlease mark well
location with
an "X"Well Completion Date 11-4-88

PROPOSED USE:

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

Method of Drilling:

reverse

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
____ LB/FT	<u>16</u> IN	<u>0</u> FT	<u>60</u> FT	<u>25</u> IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 20 FEETWhat is grouting material? Cement + bentoniteIf cement, number of sacks? 50Describe grouting procedure line

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 16 IN Length 20 FEETMaterial plasticSlot Size .057 Set From 60 Feet To 80 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? _____

Was well disinfected upon completion? ☒ YES ☒ NO

Exp-ain _____

Biological analysis ☐ YES ☒ NO

nt to _____

Well Owner:

Name Claremont ColonyAddress P.O. Box 132A RR2 Castlewood, S.D.

Well Log:

Depth 572.23

Formation

From

To

yellow clay sandy	0	10
rocky yellow clay	10	20
sandy yellow + blue clay	20	36
rocky	36	38
blue clay - rocky	38	50
rocks + gravel	50	80
blue clay	80	81

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other: specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped☐ Bailed

Describe: _____

☐ Other

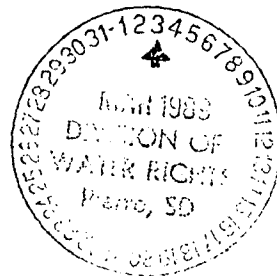
Pumping Level Below Land Surface

_____ 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:

Ralph Pullman

Signature of Well Owner:

Date

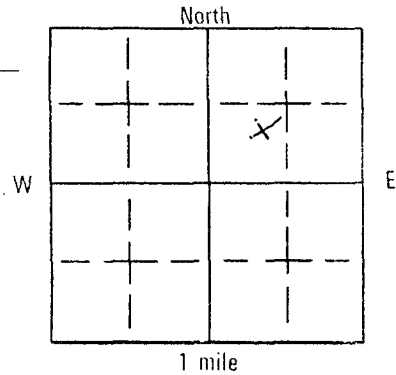
2-10-89

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location 10W 1/4 NE 1/4 Sec 27 Twp 114N Rg 51-WCounty Hamlin

Please mark well location with an "X"

Well Completion Date 10-10-88

PROPOSED USE:

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

Method of Drilling:

Reverse

Casing Data:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
____ LB/FT	<u>16</u> IN	<u>0</u> FT	<u>47</u> FT	<u>25</u> IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 20 FEETWhat is grouting material? Dentonite CementIf cement, number of sacks? 50Describe grouting procedure line

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 16 IN Length 20 FEETMaterial Stainless SteelSlot Size 000 Set From 47 Feet To 67 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? _____

Was well disinfected upon completion? ☒ YES ☒ NO

Explain _____

Bacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name Claremont ColonyAddress Box 132A RR2 Castlewood, S. DakWell Log: _____ Depth 57223

Formation

From

To

top soil yellow clay & gravel	0	2
blue clay	2	8
gravel	8	20
yellow sand & gravel	20	40
sand/coarse sand & gravel	40	67
blue clay	67	69

TD 67'STATIC WATER LEVEL 87 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed☐ OtherDescribe: 800 turbine

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 Drilling

Signature of License Representative:

Ralph Pullman

Signature of Well Owner:

Date

2-10-89

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
Division of Conservation

Office Use Only

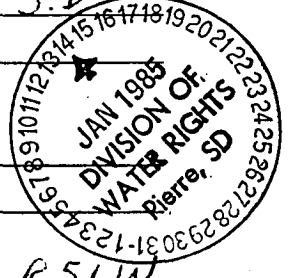
4128

WR#

OWNERS NAME: Poinsett Hutterian Brethren, Inc. OWNERS ADDRESS: Estelline, S.D.

COUNTY LAND LOCATED IN: Hamlin PHONE: 605-873-2703

TENANT'S NAME AND ADDRESS: same as above



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

1. WELL LOCATION Center of NE 1/4 of Sec. 27 T114N R51W
Depth 49'

2. SURFACE WATER SOURCE AND DIVERSION LOCATION:

Diversion Location

Legal Description	Acres	Legal Description	Acres
NE 1/4 Sec. 27 T114N R51W	160		
SW 1/4 Sec. 26 T114N R51W	160		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1976

LEGAL DESCRIPTION: Sec. 14 T114N R51W

IN WHAT NAME: same as above

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: X GUN: OTHER: (Specify)

6. CROPS TO BE IRRIGATED: Corn, soybeans, barley, alfalfa

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

7. WATER SAMPLE NUMBER: 84-0625 10. ADJUSTED (SAR): 0.43
8. SALINITY (EC X 10⁶): 560 11. PERCENT SODIUM 5.57%
9. SODIUM (SAR): 1.110.99

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 3:00 a.m. (p.m.) on 13th, 19 84, at the following location: NE 1/4 Sec. 27 T114N R51W 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 of Water Sampler.

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

14th DAY OF November, 1984.

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

X 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.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 10, 1989, 19 89

RECEIVED OF Poinsett Hutterian Brethern Inc., RR #1, Box 146, Estelline, SD 57234

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

Fee for Application for Permit No. <u>5328-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	50	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	50	00

By

John Hatch (ma)
Chief Engineer

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, May 9, 19 89

RECEIVED OF Joshua Wollman (Pointsett Muttarian Brethren) RR #1 Box 146 Estelline, SD
the following amount in fees for services rendered as provided for by law: 57234

Fee for Application for Permit No. <u>5328-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	200	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	200 00

By John Hatch/mra
Chief Engineer John Hatch/mra

Conversation or File Documentation

NAME OF PERSON OR FILE: Joshua WollmanADDRESS: Box 146, Estelline SD COUNTY HamlinDATE: May 5, 1989 TELEPHONE 873-2703RE: Application to add one well

COMMENTS:

Contacted Joshua Wollman to determine if the colony planned to operate both pivots together or separately. Mr. Wollman indicated that the pivots may be operated separately and that the application should be revised to include additional diversions above the 2.0 cfs specified on No. 5038-3.

The maximum diversion rate to operate one pivot (130 acres) is 6.85 cfs. The application should be qualified that the combined diversion rate of Permit No. 5038-3 and this application, if approved, can not exceed 3.71 cfs for irrigation of 260 acres.

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: Ron Russell

 **Department of
Water & Natural Resources**

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

May 5, 1989

Joshua Wollman
Poinsett Hutterian Brethern, Inc.
Box 146
Estelline SD 57234

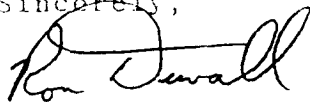
Dear Mr. Wollman:

This letter is in response to our phone conversation on May 5, 1989 regarding your permit application for one additional well to irrigate the NE1/4 section 27; SW1/4 section 26; all in T114N-R51W.

The application needs to be revised since both pivots may be operated together. The fee needs to be increased because this application is now to increase the pumping rate above the 2.00 cfs (900 gpm) authorized by Water Permit No. 5038-3. An additional fee of \$200.00 is needed to allow irrigation of the pivots together. The fee is based on irrigation of 130 acres from the wells together or individually. I will specify a diversion rate on the application as you instructed during our phone conversation.

Please contact me if you have any questions.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



SOUTH Dakota Department of
Water & Natural Resources

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

June 22, 1989

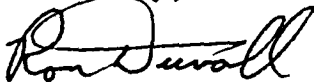
Joshua Wollman
Poinsett Hutterian Brethren, Inc.
RR 1, Box 146
Estelline SD 57234

Dear Mr. Wollman:

This letter is in response to receipt of the enclosed \$250.00 check with attached pink receipts for \$200.00 and \$50.00. The pink receipts show that the \$250.00 fee has already been received; therefore, I am returning your check for \$250.00.

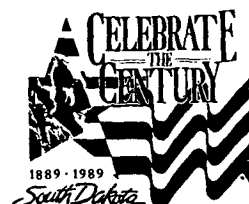
Please contact me if you have any questions.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



Report on Application No. 5328-3
Poinsett Hutterian Brethern
June 5, 1989

This application proposes to appropriate 1.85 cfs from one additional well approximately 80 feet deep to irrigate 260 acres. Water Permit No. 5038-3 appropriates 2.0 cfs from one well in the center of the NE1/4 of Section 27, T114N, R51W. The additional well is located in the E1/2 NE1/4 of Section 27 and the irrigated acreage is located in the NE1/4 of Section 27; SW1/4 of Section 26; all in T114N, R51W in Hamlin County. The combined diversion rate authorized by Permit No. 5038-3 and this application, if approved, may not exceed 3.71 cfs for irrigation of 260 acres.

Aquifer - Big Sioux - Brookings (BS-B)

This Big Sioux - Brookings (BS-B) is a glacial outwash (sand and gravel) aquifer generally under water table conditions in this area, although the log for this well would indicate the aquifer at the well site is under artesian conditions. The BS-B underlies 88,500 acres and contains 330,000 acre feet of recoverable water in Hamlin County (Hedges, 1982). Recharge to the Big Sioux Aquifer has been estimated to be 48,000 acre-feet per year and aquifer tests indicate a highly productive formation (Kume, 1985).

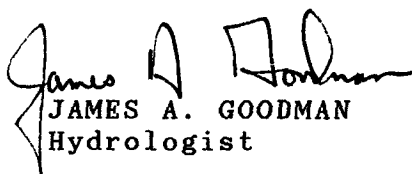
The Division of Water Rights monitors 22 observation wells completed into the BS-B Aquifer in Hamlin County. Water level records for these wells show a good correlation between precipitation and ground water levels. The influences of pumping are not apparent from the hydrographs (Water Rights, 1989). Two observation wells, HN-77E and HN-77F are located within 1 mile of this application.

Review of Existing Water Permits

There is one nearby permit No. 4130-3 which is located in the NW1/4 of Section 27. The well for this permit is approximately 3/4 mile west of the proposed well. An existing well for Permit No. 5038-3 is located 1/2 mile east of the well for No. 4130-3. This proposed diversion will be about 1/4 mile east of the diversion for 5038-3. Because of the characteristics of the Big Sioux Aquifer, drawdowns have not been significant in the area. Interference should not be a problem. The observation well records illustrate that significant drawdowns caused by pumping do not extend very far from a production well.

Conclusions

1. Water is available from the Big Sioux-Brookings Aquifer.
2. Interference is not expected to be a problem. The nearest existing production well is 1/4 mile away and is the applicant's. Drawdowns in this area have not been significant.
3. The observation well records indicate recharge to the BS-B Aquifer is more than sufficient to meet the demands of pumping.
4. Agricultural land practices above shallow water table aquifers such as the Big Sioux Brookings Aquifer have been shown to affect ground water quality.


JAMES A. GOODMAN
Hydrologist

Bibliography

- Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DWNR, SDGS, Vermillion, SD 57069
- Kume, J. 1985, Water Resources of Deuel and Hamlin Counties, SDGS WRI 84-4069, USGS, Huron, SD 57350
- Water Rights, 1989, Observation Well Records for BS-B Aquifer in Hamlin County, SD DWNR, Division of Water Rights, Joe Foss Building, Pierre, SD 57501

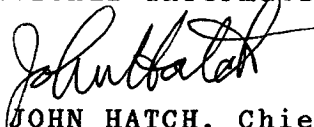
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5328-3, Poinsett Hutterian Brethern

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. 5328-3, Poinsett Hutterian Brethern, Box 146, Estelline SD.

The Chief Engineer is recommending APPROVAL of Application No. 5328-3 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. The combined diversion rate authorized by Permit No. 5038-3 and No. 5328-3 may not exceed 3.71 cfs for irrigation of 260 acres.
2. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
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
June 6, 1989



Department of Water & Natural Resources

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

June 14, 1989

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

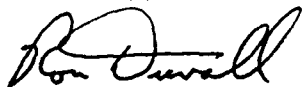
Poinsett Hutterian Brethern, Inc.
Joshua Wollman
Box 146
Estelline SD 57234

Dear Mr. Wollman:

Water Permit Application No. 5328-3 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 Hamlin Co. Republican printed at Castlewood SD. For your information, a copy of the notice is enclosed. The recommendation of the Chief Engineer and a report on the application are enclosed. 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

June 14, 1989

Hamlin Co. Republican
Box 50
Castlewood SD 57223

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5328-3 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 Poinsett Hutterian Brethern, Inc., Box 146, Estelline SD 57234.

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. 5328-3 to Appropriate Water

Notice is given that Poinsett Hutterian Brethern, Inc., Box 146, Estelline SD 57234 has filed an application for a water permit to appropriate 1.85 cubic feet of water per second (cfs) from one additional well (Big Sioux-Brookings Aquifer) 80 feet deep to irrigate 260 acres. Water Permit No. 5038-3 appropriates 2.0 cfs from one well in the center of the NE 1/4 Section 27-T114N-R51W to irrigate the same acreage. The additional well is located in the E 1/2 NE 1/4 Section 27 and the irrigated acreage is located in the NE 1/4 Section 27; SW 1/4 Section 26; all in T114N-R51W. The combined diversion rate authorized by Permit No. 5038-3 and this application, if approved, may not exceed 3.71 cfs for irrigation of 260 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5328-3 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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hamlin) ss.

I, Donna Holman

certify that the annexed printed copy of Notice of

Water was taken from the Hamlin Co.

A newspaper which during the whole time of pub
herein after stated, has been and is printed and pu

city of Castle

County of Hamlin and Sta
that the said notice was published in said newspa
two dates:

6/22/89 and

6/29/89

Donna Holman
(Signature)

Publisher
(Title)

6/29/89

(Date Signed)

NOTICE OF HEARING

NOTICE OF HEARING on Applica
tion No. 5328-3 to Appropriate
Water

Notice is given that Poinsett Hut
terian Brethren, Inc., Box 146,
Estelline SD 57234 has filed an appli
cation for a water permit to appropri
ate 1.85 cubic feet of water per sec
ond (cfs) from one additional well (Big
Sioux-Brookings Aquifer) 80 - feet
deep to irrigate 260 acres. Water
Permit No. 5038-3 appropriates 2.0
cfs from one well in the center of the
NE 1/4 Section 27-T114N-R51W to ir
rigate the same acreage. The addi
tional well is located in the E 1/2 NE 1/
4 Section 27 and the irrigated acre
age is located in the NE 1/4 Section
27; SW 1/4 Section 26; all in T114N-
R51W. The combined diversion rate
authorized by Permit No. 5038-3 and
this application, if approved, may not
exceed 3.71 cfs for irrigation of 260
acres.

Pursuant to SDCL 46-2A-2, the
Chief Engineer of the Water Rights
Division recommends APPROVAL of
Application No. 5328-3 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
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ing.

Any interested person that intends
to participate in the hearing before the

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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 describ
ing the petitioner's interest in the
application, the petitioner's reasons
for opposing or supporting the appli
cation 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 applica
tion or to assure access to the hearing
by the handicapped.

This hearing is an adversary pro
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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.
(published June 22, 29, 1989)

Cost of Printing: \$41.80





Department of Water & Natural Resources

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

SEP 12 1989

Joshua Wollman
Poinsett Hutterian Brethern, Inc.
Box 146
Estelline, SD 57234-0146

Dear Mr. Wollman:

Enclosed is Water Permit No. 5328-3 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". The signature is written in a cursive, flowing style.

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.

Hendler
Co

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

Date 9-18-89

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

FROM: Poinsett Hutterian Buth Estelline So. Dak. 57234
name Joshua Wollman address _____ city _____

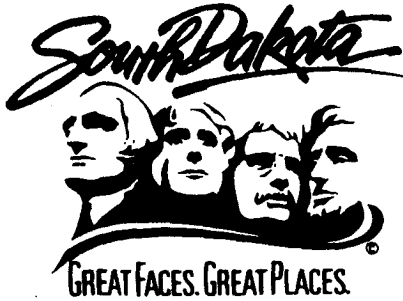
I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5328-3.

Water Permit No. 5328-3 states that the diversion system is to be constructed by 4-1-89, and that the water it put to beneficial use by 4-1-89 to 10-1-89

The diversion system was completed on 4-1-89.
Applying the water to beneficial use was completed on 4-1-89.

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

Joshua Wollman
signature



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 29, 1992

Permit No. 3223-3
5328-3

Poinsett Hutterian Brethern
%Joshua Wollman
RR 1, Box 146
Estelline, SD 57234

Dear Mr. Wollman:

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. 2413-3, 3223-3, 5038-3 and 5328-3 has been completed. Your final water right document, the Water Licenses, can now be issued. Upon licensing, the applicable portions of Water Permit No. 2413-3 will be incorporated into 3223-3, and the applicable portions of Water Permit No. 5038-3 will be incorporated into 5328-3.

Statutes require that we charge a \$50.00 fee per license for the inspection and issuance of the Water License. Upon receipt of the \$100.00 fee from you, we will begin processing your Water Licenses.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fees have 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

December 18, 1992

SECOND NOTICE

PERMIT NO: 3223-3
5328-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Poinsett Hutterian Brethern
%Joshua Wollman
RR 1, Box 146
Estelline, SD 57234

Dear Mr. Wollman:

On September 29, 1992, you were notified the final inspection fee of \$100.00 is due before Water License Nos. 3223-3 and 5328-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$100.00 fee, your Water Licenses will be sent to you. This is the final document for the perfection of your Water Rights. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

for John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

3223-3
5328-3

4a. Article Number

P 906 559 963

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

12-19-92

Poinsett Hutterian Brethern
%Joshua Wollman
RR 1, Box 146
Estelline, SD 57234

L

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

RECEIPT

413568

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ January 4, 19 93

RECEIVED OF Hoinsett Hutterian Brethren, Inc., RR 1 Box 146, Estelline, SD 57234

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5328-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

Big Sioux River Water District

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

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

 I have this day made a thorough examination of the water use system constructed by Poinsett Hutterian Brethern, Inc.

Box 146 of Estelline SD 57234 holder of
 Permit No. 5038-3 5328-3, bearing the priority of December 17 April 10 19 84 89 authorizing
 the diversion of 2 (but no more than 3.71 together) 1.85 cu. ft. per second of the waters of groundwater
 for irrigation purposes, in Hamlin County.

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

 A. Works used to divert the water: 2 wells

- well #1 - 60HP Western Land Roller pump SN-890158 capable of 500gpm
 #2 - Powered by a Weatherhouse Life-line motor Model # 326TP
 50HP Western Land Roller pump SN-890159 capable of 500gpm
 powered by a High Thrust U.S Electric Motor Model # 326TP WPI

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

8" PVC piping 1320' from Well #1 and 70' from Well #2

C. Works used to apply water to beneficial use:

center pivot on Section 26 - Zimmatic with 8 towers
 center pivot on Section 27 - Zimmatic with 10 towers
 Both are 1280' in length with end gun and run at high pressure.
 Both are capable of 500gpm.

 The system is in the following condition good

The point of diversion is located Well #1 70' West and 1450' South of the NE corner
Well #2 1250' South and 1380' West of the NE corner Section 27-
T114N-R51W

 The works are capable of diverting and conveying to the place of use 2.22

 cu. ft. per second of water which is to be used for irrigation

 Water has been put to beneficial use to the maximum extent as follows: Sec 26-T114N-R51W

<u>Section 27-T114N-R51W</u>	
<u>NW 1/4 NE 1/4 - 32.5 Acres</u>	<u>NW 1/4 SW 1/4 - 30 Acres</u>
<u>NE 1/4 NE 1/4 - 32.5 Acres</u>	<u>NE 1/4 SW 1/4 - 32.5 Acres</u>
<u>SW 1/4 NE 1/4 - 32.5 Acres</u>	<u>SW 1/4 SW 1/4 - 32.5 Acres</u>
<u>SE 1/4 NE 1/4 - 32.5 Acres</u>	<u>SE 1/4 SW 1/4 - 32.5 Acres</u>

 comprising a total of 257.5 acres of land and the license should be issued for 2.22 cfs

 Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are:

 Date 6/19/1991

Well #1 has Dec. 17, 84 priority
 Well #2 has April 10, 89 priority

Norma C. Tob
 (signature)

LICENSE FOR PERMIT NUMBER 5038-3 + 5328-3

1. Legal location of wells: NE 1/4 Section 27-T114N-R51W

dams & structures: _____

2. Well Information: Well Drilling Firm Pullman Well Drilling

Completion Report Yes X No _____ No. of Wells 2 Depth 80 47

Casing a) diameter 16" 16" Screen a) type PVC Steel

b) length 60 47 b) length 20 20

c) type PVC PVC Static Water Level 7

Pump a) make Western Land Roller Motor a) make Westinghouse High Thrust

b) model SN 89D158 SN 89D159 b) model No. 320TP 326TP WPI

c) size #1 IMP 47.94 Bowl 12C HD 8MWL c) horsepower rating 60 50

d) capacity 500 gpm

e) turbine pump - no. of stages 4

f) operating PSI _____

3. Distribution lines or canals

a) size 8"

b) type PVC

c) length 1320 70

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

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 _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

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

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

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

d) center pivot

Sec 26

Sec 27

- 1) make Zimatic
- 2) number of towers 8 10
- 3) distance between towers _____
- 4) overall length 1280
- 5) end gun (Y/N) Y
- 6) high or low pressure high
- 7) make & size of nozzles _____

- 8) capacity (GPM) 500

g) siphons

- 1) size _____
- 2) number _____

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.

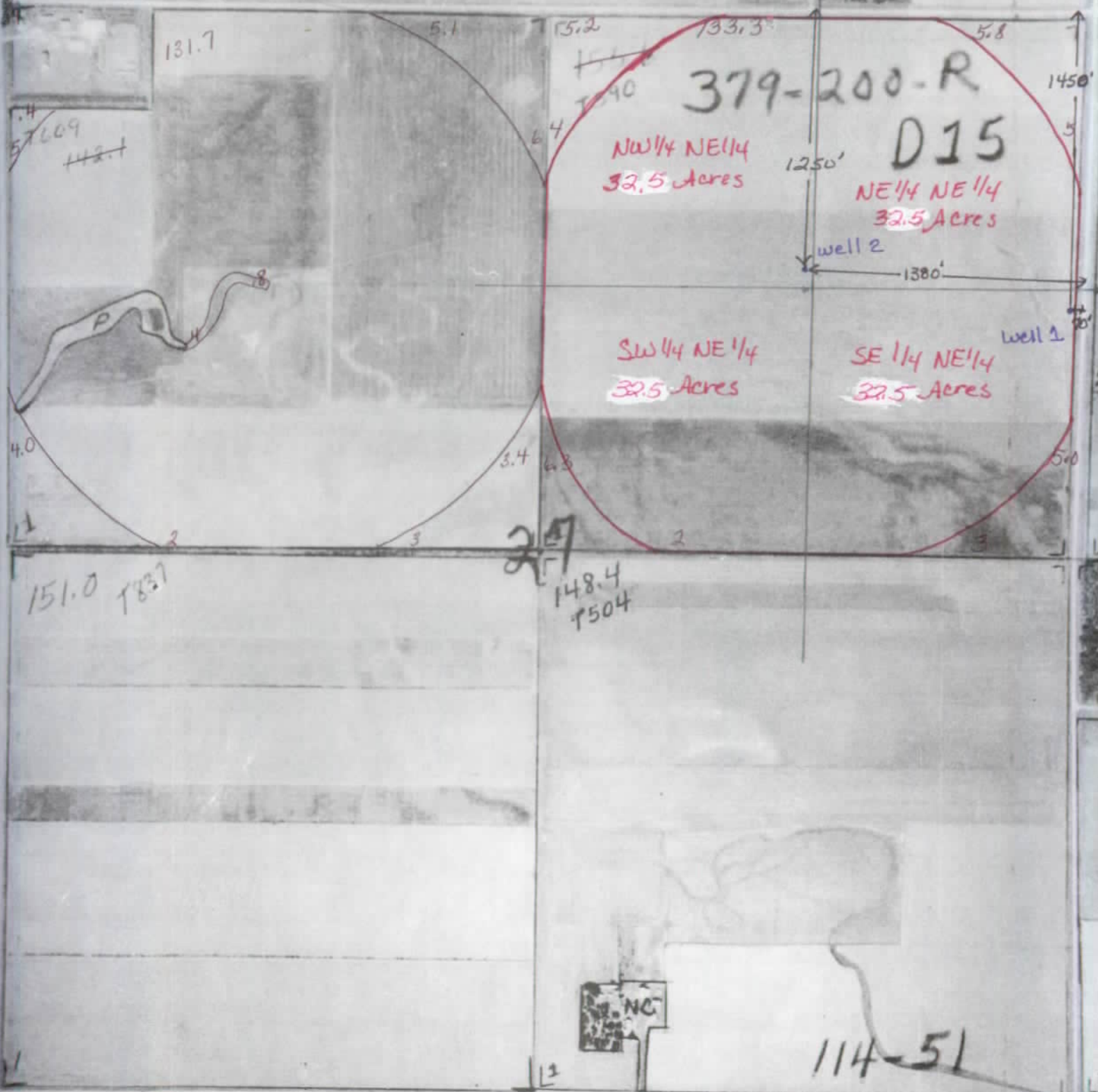
Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
<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:

Poinsett Colony

NOT TO SCALE



(1 of 2) License No.
5328-3

Poinsett Colony

NOT TO SCALE

57.1
T580

7.1
T588 6.1
158.4 134.9

7.5

379-200-R
015

NC

NC

50.0

5.5

2.6
T513
129.6

T2018
NC

132.6
146.5

5.3

NW 1/4 SW 1/4
30 Acres

NE 1/4 SW 1/4
32.5 Acres

10.8

SW 1/4 SW 1/4
32.5 Acres

SE 1/4 SW 1/4
32.5 Acres

NC

114-51

149.8
T585

License No.
(282) 5328-3

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5328-3

(1) Poinsett Hutterian Brethren, Inc., of RR #1 Box 146, Estelline, SD 57234 made Application No. 5328-3, April 10, 1989 for a water permit to appropriate 1.85 cubic feet of water per second (cfs) from groundwater (one well), Hamlin County, South Dakota for irrigation purposes on land authorized under Water Permit No. 5038-3. Permit No. 5328-3, with a priority date of April 10, 1989 was approved July 26, 1989 and issued to the applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 5328-3 appropriated water from an additional well to irrigate 260 acres described in Water Permit No. 5038-3. The combined diversion rate authorized by Nos. 5038-3 and 5328-3 could not exceed 3.71 cfs for the irrigation of the 260 acres.

The applicable portions of Water Permit No. 5038-3 have been incorporated into Water License No. 5328-3. Well #1 retains a priority date of December 17, 1984 as established under No. 5038-3. Well #2 retains a priority date of April 10, 1989 as established under No. 5328-3.

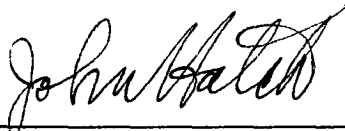
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.22 cubic feet of water per second for beneficial use. The location of the diversion points are Well #1 - 70 feet west and 1450 feet south of the NE corner; Well #2 - 1250 feet south and 1380 feet west of the NE corner; both in Section 27, T114N, R51W (#1-SE 1/4 NE 1/4 and #2-NW 1/4 NE 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:

T114N, R51W	Section 26	NW 1/4 SW 1/4	30.0 acres
		NE 1/4 SW 1/4	32.5 acres
		SW 1/4 SW 1/4	32.5 acres
		SE 1/4 SW 1/4	32.5 acres
	Section 27	NW 1/4 NE 1/4	32.5 acres
		NE 1/4 NE 1/4	32.5 acres
		SW 1/4 NE 1/4	32.5 acres
		SE 1/4 NE 1/4	32.5 acres
		Total	257.5 acres

Water License No. 5328-3
Poinsett Hutterian Brethren, Inc.
Page 2

(4) Pursuant to South Dakota Water Law 46-5-30.1 Poinsett Hutterian Brethren, Inc., of RR #1 Box 146, Estelline, SD 57234 the holder(s) and/or owner(s) of Incorporated Water Permit No. 5328-3 is issued a license to appropriate water, the right to use 2.22 cubic feet of water per second from groundwater (two wells) with priority dates of December 17, 1984 and April 10, 1989 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5328-3 and subject to South Dakota State Law.



JUN 11 1993

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

JUN 11 1993

5328-3

Joshua Wollman
Poinsett Hutterian Brethren, Inc.
RR 1, Box 146
Estelline, SD 57234

Dear Mr. Wollman:

Enclosed is Water License No. 5328-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413568 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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. 5328-3, 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.

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,

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

gm
enclosures

NOTE: The applicable portions of Water Permit No. 5038-3 have been incorporated into Water License No. 5328-3.