

WATER PERMIT NO. 5774-3

Phone: 873-2703

Name of Applicant: Poinsett Hutterian Brethern, Inc.

Post Office Address: Box 146, Estelline SD 57234

Amount of Water Claimed: no add'l Total Acres: 132 add'l

Source of Water Supply: groundwater

Water to be used for: irrigation County: Hamlin

About 6 miles northwest of Estelline

PRIORITY Date Received: 2-16-93 Fee: \$250 Remarks: change the

location of well, additional well and additional lands

Corrected Application Received: 2-19-93 Period of Annual Use: April 1 - Oct 31

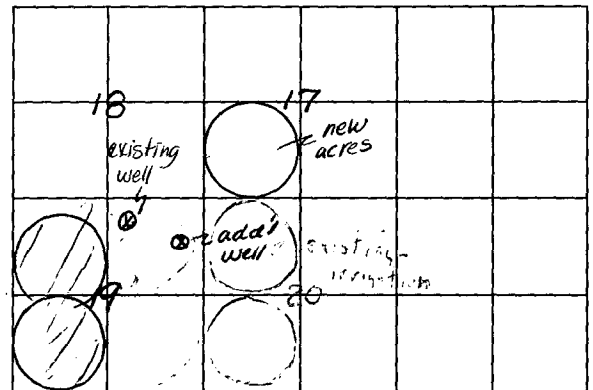
WATER QUALITY APPROVAL RECEIVED: 5-25-93 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES NO REMARKS:

Diversion Point: NE 1/4 NE 1/4 & NW 1/4 NE 1/4

Sec 19-T114N-R51W

Land to be Irrigated: SW 1/4 Sec ¹⁷~~20~~-T114N-R51W



Well Log: Driller: Pullman Drilling Licensed YES X NO

Depth of Well: 50 feet REMARKS:

Type of Map: aerial PREPARED BY: Bonnie Lund Reviewed and the Number

Assigned on: 5-26-93 By: Karen Schlaak

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

(See instructions)

No. 5774-3 Hydrologic Unit 10170202
Basin Big Sioux River
Newspaper Hamlin Co Republican, Box 50

Castlewood 57223

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 Poinsett Hutterian Brethern, Inc. Phone No. 873-2703
- Post Office Address Box 146 Estelline State SD 57234
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed (c.f.s) no add'l Total acres irrigated 403 (132 add'l)
3. Source of Water supply groundwater
4. Location of point of diversion Well #1 500'W & 1270'S from NE corner Sec. 19-T114N-R51W (NE 1/4 NE 1/4)
Well #2 2120'W & 700'S from NE corner Section 19-T114N-R51W (NW 1/4 NE 1/4)
County Hamlin
5. Counties where water will be used Hamlin
6. Annual period during which water is to be used April 1 - October 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 1/4 SW 1/4	33
NE 1/4 SW 1/4	33
SE 1/4 SW 1/4	33
SW 1/4 SW 1/4	33

Section 17-T114N-R51W

Attach sheet if more space is needed

Land Description	No. Acres Irr.
Land under permit 2175-3	
NW 1/4	143
SW 1/4	128

Section 20-T114N-R51W

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

This application is to change the location of the diversion point of Well #2 and add a new diversion point - Well #1. Also, acreage in Sec. 17 is to be added for irrigation.

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 Hamlin) ss.

Joshua Wollman, on behalf of Poinsett Hutterian Brethern, Inc.

I, Joshua Wollman, 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 Wollman Sec Treas

Subscribed and sworn to before me this 8th day of February 19 93

Bonnie Lund

Notary Public



My Comm Exp 10-2-93

SOUTH DAKOTA WATER PERMIT NO. 5774-3

Date of first receipt of application February 16, 1993.

Date Soil/Water Compatibility Permit received May 25, 1993.

Date of return to applicant for corrections, amendments or changes February 17, 1993.

Date of receipt of corrected application February 19, 1993.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5774-3 to Poinsett Hutterian Brethern, Inc., Box 146, Estelline SD 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. 5774-3 authorizes 1 additional well, specifies the correct location of an existing well and to irrigate 132 additional acres. Water Permit No. 2175-3 appropriates 4.15 cubic feet of water per second (cfs) for irrigation of 291 acres located in the W 1/2 Section 20 from one well located in the NE 1/4 NW 1/4 Section 20; all in T114N-R51W. An inspection of Permit No. 2175-3 found two wells capable of diverting 1.67 cfs to irrigate 291 acres. This permit authorizes one additional well (Big Sioux:Brookings Aquifer) 50 feet deep located in the NE 1/4 NE 1/4 Section 19 and corrects the location of the existing well which is located in the NW 1/4 NE 1/4 Section 19; all in T114N-R51W. This permit also authorizes irrigation of an additional 132 acres located in the SW 1/4 Section 17-T114N-R51W. No increase in the 1.67 cfs developed diversion rate from the two wells is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet annually 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: April 1 - October 31.
3. The date from which applicant may claim right is May 25, 1993.
4. The date of approval of Permit No. 5774-3 is August 9, 1993.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

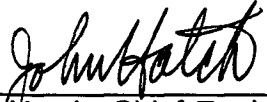
QUALIFICATIONS

1. The wells 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.
2. Water Permit No. 2175-3 and this Permit, combined, authorize a diversion rate of 1.67 cfs from the two wells.

(continued)

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

WATER MANAGEMENT BOARD

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

SEP 17 1993
date

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 26 IN. Depth 50 FT.
- b) Casing Type PVC Diameter 16 IN. Thickness ? 1/4 IN.
- c) Screen Type PVC SLOTTED Diameter 16 IN. Thickness 1/4 IN.
- d) Gravel Pack Thickness 5 IN. Length of Gravel Pack 18 FT.
- e) Depth to Top of Water Bearing Material 20 FT.
- f) Depth to Water (ground surface to water level) 6 FT.
- g) Distance to nearest existing domestic well:
On applicants property — On property owned by others ~ 1/2 mi

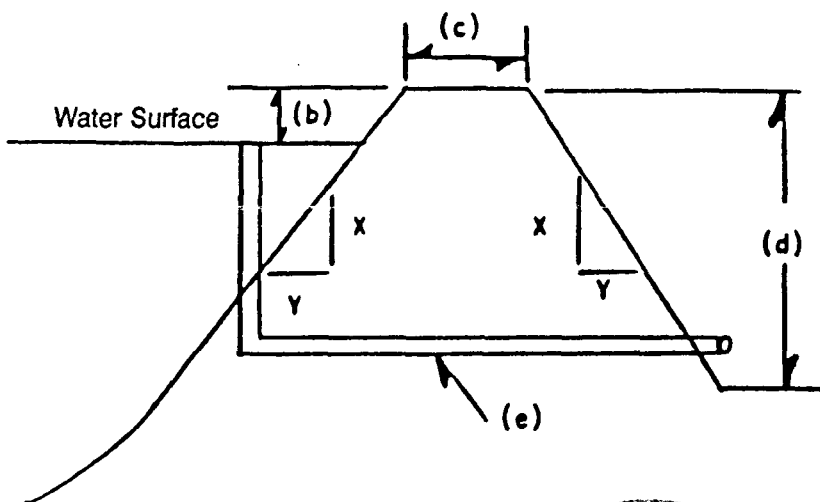
2. Dugout Information

- 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 for each dam. The locations of the dams need to be shown on the map submitted with the application.

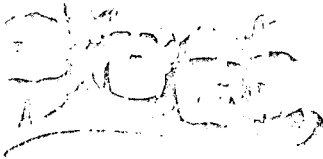
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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 _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area above Dam _____ Acres



South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3181

July 5, 1991

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

Dear Mr. Wollman:

When I was inspecting your permits on June 19, 1991, I found a land discretion on Water Permit No. 2175-3. You are irrigating the SW 1/4 of Section 17-T114N-R51W and not the SW 1/4 of Section 20-T114N-R51W. Water Permit No. 2175-3 is for the NW 1/4 and the SW 1/4 of Section 20-T114N-R51W. On a previous inspection of the same permit, you were irrigating the SW 1/4 of Section 20. If you plan to continue to irrigate this section, please let me know or I will eliminate it from the Water License. Once this land is eliminated, you can not irrigate that land again. Therefore, it is important for you to tell me your plans for this section of land.

The SW 1/4 of Section 17 is not covered by Water Permit No. 2175-3 or any other permit of yours. I have enclosed partially completed application papers to correct this discretion. Please complete and have them signed in the presence of a notary public. Return the application along with a \$250.00 application fee to this office. This application changes the Well #2 diversion point, adds Well #1 diversion point, and adds the acreage in Section 17 which is not covered under Permit No. 2175-3. Locations of the wells are marked on the enclosed map.

Our office has no record of your well logs for either of the wells for this application. Please send a copy of these logs along with the application.

If you have any questions, please feel free to contact me at (605) 773-3352.

Sincerely,

Norma C. Job
Natural Resources Engineer I
Division of Water Rights

File No. 2175-3

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Poinsett Hutterian Brethern Inc.

ADDRESS: Estelline SD 57234

COUNTY: Hamlin

DATE: 9/13/91

TELEPHONE:

RE: Permit on Section 17-T114N-R51W

COMMENTS:

Hal Warner from the SDSU Dept. of Agriculture called looking for information on a water permit for the SW 1/4 of Section 17. I had sent a new application form to Joshua Wollman to pick up this land that was not permitted. Joshua Wollman from the Poinsett Hutterian Brethern Inc. thought that he already had a permit on the land. Looking back on the permits, an application no. 2176-3 was located covering this section of land. In the application, it had mentioned that it was cancelled on 10/29/1979 by staff action. From the fiche, it appears this application was never a permit. I talked to Jim Stukel and he told me that a soil/water compatibility permit was never issued on that section of land. There is not a record of money being received or the permit being signed. It appears that Joshua Wollman needs a new permit for this land.

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.

Norma C. Job

NORMA C. JOB

Natural Resources Engineer I
DENR, Water Rights Division



COPY

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 1993

GREAT FACES. GREAT PLACES.

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

Dear Mr. Wollman:

I am writing in reference to our recent phone conversation regarding the irrigation of the SW1/4 Section 17, T114N, R51W. I have carefully reviewed the files and the following is my understanding of the permitting issues that need to be addressed for this parcel of land.

The SW1/4 of Section 17 is not currently authorized for irrigation. However, you have irrigated this quarter in the past utilizing two wells located in the N1/2 NE1/4 Section 19. The irrigation of this quarter is interconnected on a rotation basis with your irrigation of the W1/2 Section 20. Water Permit No. 2175-3 appropriates 4.15 cfs from one well which was to be located in the NE1/4 NE1/4 Section 20 to irrigate the W1/2 Section 20. The application to permit the irrigation of the SW1/4 Section 17 will require a change in the location of the diversion point authorized by Water Permit No. 2175-3 and additional diversion point.

I have enclosed a partially completed application which should serve to bring you into compliance with water rights law for this land. This application assumes that there is no additional diversion rate from the wells. The application will need the following action by you:

1. Sign application and notarize.
2. Complete well information on Supplemental Information sheet.
3. Submit well logs for wells (if you have).
4. Submit \$250 application filing fee.
5. Submit a water sample for analysis (label and instructions enclosed).
6. Submit and ASCS aerial map of Section 19, T114N, R51W showing the location of the two wells. The map must be signed by a ASCS official.

Please feel free to contact me if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Division
605 773-3352

enclosure

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Poinsett Colony WP Application

ADDRESS: _____ COUNTY: Hamlin

DATE: 2/17/93 TELEPHONE: 873-2703

RE: Discussion with Josh Wollman

COMMENTS:

I called Josh Wollman regarding the water permit application submitted by Poinsett Colony. I had the following questions:

1. They will need to submit an application filing fee of \$250.
Mr. Wollman stated that once sent a bill they would pay the fee.
2. I asked what area in Section 17, T114N, R51W was to be irrigated. I noted that the map submitted with the application outlined the SW 1/4 and portions of the SE 1/4 of Section 17. I stated the application and my previous conversation was that only the SW 1/4 Section 17 was to be irrigated. Mr. Wollman verified that only the center pivot area in SW 1/4 Section 17 was to be irrigated under this application.
3. I stated that on the map of Section 19 they also showed the location of the well authorized by WR No. 2174A-3 and I asked if this well was to be used for irrigation of the W 1/2 Section 20 and the SW 1/4 Section 17. Mr. Wollman stated this might occur if there was a shortage of water when one of the other well stopped producing.

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: Eric S. Lundberg



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

* I N V O I C E *

Invoice No. 20411 2-28-93

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

Application for Permit to Appropriate Water
Within the State of South Dakota

\$250.00

Please pay this amount:

\$250.00

to: Water Rights Division
523 E Capitol
Pierre SD 57501-3181

Karen Schlaak
KAREN SCHLAACK
Natural Resources Analyst
605 773-3352

REPORT ON APPLICATION NO. 5774-3
for Poinsett Hutterian Brethern, Inc.
June 16, 1993

Application No. 5774-3 proposes one additional well, specify the correct location of an existing well and to irrigate 132 additional acres. Water Permit No. 2175-3 appropriates 4.15 cfs for irrigation of 291 acres located in the W 1/2 section from one well located in the NW 1/4 NW 1/4 of section 20; all in T114N R51W. This application is for one additional well approximately 50 feet deep located in the NE 1/4 NE 1/4 of section 19 and corrects the location of the existing well which is located in the NW 1/4 NE 1/4 of section 19; all in T114N R51W. This application is also to irrigate an additional 132 acres located in the SW 1/4 of section 17 in T114N R51W in Hamlin County.

AQUIFER - BIG SIOUX BROOKINGS (BS-B)

The Big Sioux Brookings is an alluvium mantled outwash (sand and gravel) under unconfined (water table) conditions in this area. The aquifer underlies 88,500 acres and contains an estimated 331,880 acre feet of recoverable water in storage in Hamlin County (Hedges, 1982). The aquifer is hydraulically connected to the Big Sioux North aquifer to the north, extends into Deuel County to the east and also extends into Brookings County to the south. Ground water movement is from east to west and north to south in the area of this application (Kume, 1985). The Big Sioux River acts as a hydrologic boundary for the aquifer and serves as a recharge/discharge zone.

The Division of Water Rights monitors 21 observation wells completed into the Big Sioux Brookings aquifer in Hamlin County. The aquifer responds with climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1993).

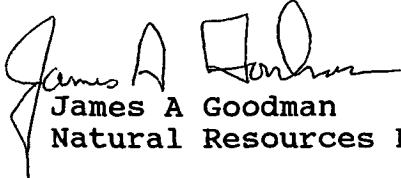
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are numerous other water permits/rights in this area. Interference is not expected to be a concern. Drawdown caused by pumping does not extend very far from individual production wells. These are existing wells and have been in use for many years with no apparent problems.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer.
2. Interference is not expected to be a concern. This a shallow water table aquifer and drawdown caused by pumping does not extend very far from an individual production well.

3. This application, if approved will authorize diversion from a new well (#1) and authorize moving the diversion point for water permit No. 2175-3 to well (#2). This application will also authorize irrigation of the SW 1/4 of section 17.
4. According to the inspection report done in 1986 (Ahadi), the two wells (#1 and #2) were capable of diverting 750 gpm. If this is correct then the combined diversion rate for Permit No. 2175-3 and this permit should be 1.67 cfs. This would be the maximum diversion allowed for the lands to be irrigated by three center pivots.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Kume, J., 1985, Water Resources of Deuel and Hamlin Counties, South Dakota, USGS WRI 84-4069, USGS, Huron, SD, 57350.

Water Rights, 1993, Unpublished Observation Well Records for Hamlin County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

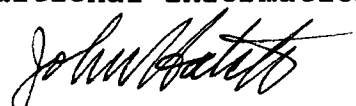
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5774-3, Poinsett Hutterian Brethern, Inc.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5774-3, Poinsett Hutterian Brethern, Inc., c/o Joshua Wollman, Box 146, Estelline, SD 57234.

The Chief Engineer is recommending APPROVAL of Application No. 5774-3 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 wells 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.
2. Water Permit No. 2175-3 and this Permit, combined, authorize a diversion rate of 1.67 cfs from the two wells.
3. The wells approved under this Permit are located near domestic wells which may obtain water from the same aquifer. The well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplied in adequate domestic wells.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


JOHN HATCH, Chief Engineer
July 8, 1993



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

July 13, 1993

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

Dear Mr. Wollman:

Water Permit Application No. 5774-3 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 County Republican printed at Castlewood, SD (Ph # 793-2293). For your information, a copy of the notice, 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 Hearing 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 13, 1993

Hamlin County Republican
Box 50
Castlewood, SD 57223

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5774-3 to be published twice. Please publish the first notice on July 22, 1993, 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 (Ph # 873-2703).

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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
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 July 22, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5774-3 to Appropriate Water
and to Amend Water Permit No. 2175-3

Notice is given that Poinsett Hutterian Brethern, Inc., Box 146, Estelline, SD 57234 has filed an application for a water permit for one additional well, to specify the correct location of an existing well and to irrigate 132 additional acres. Water Permit No. 2175-3 appropriates 4.15 cubic feet of water per second for irrigation of 291 acres located in the W 1/2 Section 20 from one well located in the NE 1/4 NW 1/4 Section 20; all in T114N-R51W. An inspection of Permit No. 2175-3 found two wells capable of diverting 1.67 cfs to irrigate 291 acres. This application is for one additional well (Big Sioux:Brookings Aquifer) 50 feet deep located in the NE 1/4 NE 1/4 Section 19 and corrects the location of the existing well which is located in the NW 1/4 NE 1/4 Section 19; all in T114N-R51W. This application is also to irrigate an additional 132 acres located in the SW 1/4 Section 17-T114N-R51W. No increase in the 1.67 cfs developed diversion rate from the two wells is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5774-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 9, 1993.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Hamlin) ss



I, Donna Holman

certify that the attached printed Notice was
 taken from the Hamlin County
Republican
 printed and published in Castlewood

County of Hamlin and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

July 22, 1993
July 29, 1993

Cost of Printing: \$44.96

Donna Holman

(Signature)

Publisher

(Title)

7/29/93

(Date Signed)

WATER PERMIT NOTICE

NOTICE OF APPLICATION
 NO. 5774-3 to Appropriate
 Water and to Amend
 Water Permit No. 2175-3

Notice is given that Poinsett Hutterian Brethren, Inc., Box 146, Estelline, SD 57234 has filed an application for a water permit for one additional well, to specify the correct location of an existing well and to irrigate 132 additional acres. Water Permit No. 2175-3 appropriates 4.15 cubic feet of water per second for irrigation of 291 acres located in the W 1/2 Section 20 from one well located in the NE 1/4 NW 1/4 Section 20; all in T114N-R51W. An inspection of Permit No. 2175-3 found two wells capable of diverting 1.67 cfs to irrigate 291 acres. This application is for one additional well (Big Sioux: Brookings Aquifer) 50 feet deep located in the NE 1/4 NE 1/4 Section 19 and corrects the location of the existing well which is located in the NW 1/4 NE 1/4 Section 19; all in T114N-R51W. This application is also to irrigate an additional 132 acres located in the SW 1/4 Section 17-T114N-R51W. No increase in the 1.67 cfs developed diversion rate from the two wells is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5774-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 9, 1993.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

(published July 22 & 29, 1993)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 19, 1993

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

Dear Mr. Wollman:

Enclosed is your check for \$250.00. Our records indicate the \$250.00 application fee for Water Permit No. 5774-3 was submitted February 19, 1993 (Receipt No. 413645).

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 17 1993

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

Dear Mr. Wollman:

Enclosed is Water Permit No. 5774-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

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

Date 9/18/96

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Jonathan Hallman RR1 Box 132A
(name) (address)
Castwood SD 57223 605 793 2115
(city) (state) (zip) (phone)

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. 5774-3.

Water Permit No. 5774-3 states that the diversion system is to be constructed by Claremont Colony, and that the water is put to beneficial use by
(date)

9/18/96
(date)

The diversion system was completed on 6/8/94
(date)

Applying the water to beneficial use was completed on 6/8/94
(date)

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

Jonathan Hallman
(signature)

RECEIPT

413645

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ February 19 _____, 19 93

RECEIVED OF Poinsett 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. <u>5774-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	250	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 _____		

(Any Other Work Provided by Law)	Total	250 00

By John Hatch
Chief Engineer

1992

1992



NOT TO SCALE

1251 1323 14 15
2175-3



2175-3

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4776

WR#

OWNERS NAME: POINSETT HUTTERIAN BROTHERS, INC. OWNERS ADDRESS: BOX 146
ESTELLINE, SD 57234

COUNTY LAND LOCATED IN: HAMLIN PHONE: 873-2703

LEGAL DESCRIPTION: (2) ☒ Wells ☐ Surface

1. LOCATION Well #1 500'W & 1270'S from NE corner 19-T114N-R51W
Depth Well #2 2120'W & 700'S from NE corner 19-T114N-R51W

Legal Description	Acres	Legal Description	Acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 17-T114N-R51W	33	NW $\frac{1}{4}$ 20-T114N-R51W	128
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 17-T114N-R51W	33	SW $\frac{1}{4}$ 20-T114N-R51W	143
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 17-T114N-R51W	33		
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 17-T114N-R51W	33		

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

3. CROPS TO BE IRRIGATED: _____

WATER QUALITY:		93-0133 & 93-0134
4. WATER SAMPLE NUMBER:	93-0133 & 93-0134	7. ADJUSTED (SAR): 0.48 & 1.26
5. SALINITY (EC X 10 ⁶):	700 & 850	8. PERCENT SODIUM: 4.97 & 10.34
6. SODIUM (SAR):	0.20 & 0.49	

Requirements:

The drainage way found in the Southeast of 17 and the Northeast of the project area shall remain in permanent vegetation to address the potential for bank erosion; additional protection in areas where the pivot may cross the area.

The areas mapped as Castlewood silty clay and Parnell silty clay loam, undrained are subject to wetness and ponding. Should this occur, permanent vegetation is required.



Russell J. Stone
Director, Division of Conservation

5-24-93
Date

XXX APPROVED
____ DISAPPROVED
____ WAIVER

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

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

#4 Location of well: N 1/4 SW 1/4 NE Section 19 Township 114 Range 57
Well owner: Deinertt Catary (Name) _____ (Address) _____
Date well drilling completed: 2-3-77 Purpose of well: Irrigation
(domestic, irrigation, municipal, industrial, other)
WELL LOG
Layers, top to top in feet:

WELL LOG

[illegible]

(2) PUMP INSTALLATION

Company name and size of pump WESTERN LAND ROLLER HR. 60
Type of pump Turbine Capacity of installed pump 662 G.P.M.
Depth of pump placement 40 ft., Date of pump installation _____
WATER SURFACE MEASURING TUBE

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.406 of Chapter 49.4, MINNESOTA WELL CONSTRUCTION STANDARDS.

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



Ed H. LACEY & SONS
Name of Pump Installation Contractor

1951-5

(1) WELL CONSTRUCTION

Location of well: _____ 1/4 _____ 1/4 _____ Section 19 Township 114 Range 51

Well owner Picsett Colony Estelline, SD
(Home) (Address)

Date well drilling completed 5/14/73 Purpose of well IRRIGATION
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
0 to 2	top soil	Depth to static water level _____ 7' 8" ft.
2 to 5	sandy clay	Name of producing aquifer (if known) _____
5 to 10	sand & gravel	Total depth of drill hole _____ 48 ft.
10 to 17	clay	Depth to bottom of casing _____ 48 ft.
17 to 40	gravel w/ clay balls	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
40 to 48	sand & gravel	0 - 28 ft. 16" O.D. (.2193 x .11) Steel
48 to 50	clay	
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
		28 ft - 48 ft. (20 ft) 16" O.D.
		TON-SON IRRIGATOR SCREEN
		If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

EMPIRE IRRIGATION DRILLING CO., INC.
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump WESTERN LAND ROLLER TRIP 8" PUMP HP 75

Type of pump 8" TURBINE Capacity of installed pump 900 G.P.M.

Depth of pump placement 34 ft., Date of pump installation 5/28/73

(3) WATER SURFACE MEASUREMENT TUBE

On some wells on air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

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

EMPIRE IRRIGATION DRILLING CO., ETC.
Name of Pump Installation Contractor

PULLMAN DRILLING — DRILLERS LOG

Phone: 1-800-451-4884

Poinsett Colony
JOB NAME

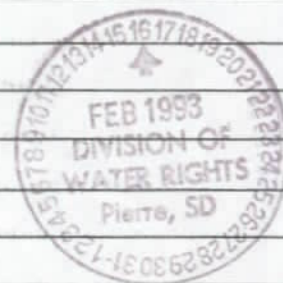
Estelline SD.
57234
LOCATION

~~DATE~~

RIG NO.

J D P.
FOREMAN

DEPTH	TIME	REMARKS
10 ft.		North well
20 ft.		0-4 Drift
30 ft.		4-18 yellow sand.
40 ft.		10-20 " "
50 ft.		20-40 med sand.
53 ft.	T.O.	40-53 med sand.
53 ft.		26 in Drill Hole
39 ft.		14 in PVC Blank.
14 ft.		16 in PVC Slotted
10 ft.		0-3 Drift.
20 ft.		4-18 yellow sand.
30 ft.		10-20 " "
40 ft.		21-51 med sand.
50 ft.	T.P.	
50 ft.		26 in Drill Hole
36 ft.		14 in PVC. Drain
14 ft.		16 in PVC. Slotted.
For NE 1/4 sec 19		
To supply water for sec 17 & 19		



PULLMAN DRILLING — DRILLERS LOG

Phone: 1-800-451-4884

Poinsett Colony

Estelline S 17
57234

[REDACTED]

J. D. P.

JOB NAME

LOCATION

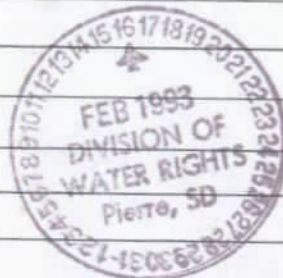
DATE

RIG NO. 5

FOREMAN

Jt No.	DEPTH	TIME	REMARKS
1	20		0-3 Topsoil 3-20 Coarse sand to Gravel & Rocks
2	40		20-40 Coarse sand to Gravel & Rocks
3	53		40-53 Coarse sand to Gravel & Rocks Hit Blue Clay at 53'
4			
5			
6			16" Well
7			T.D. 53'
8			14' .057 slotted
9			39' 16" Blank
10			
11			NO E
12			NE 1/4 of Sec 19 To supply Water for
13			Sec 17 & 19
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			

Well Log THAT supplies
Water for Sec 17-114-51





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 27, 1996

5774-3
2174A-3
2175-3

Jonathan Wollman
Claremont Colony
RR 1 Box 132A
Castlewood, SD 57223

Dear Mr. Wollman:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2175-3, 2174A-3 and 5774-3, has been completed. Your final water right document, the Water License, can now be issued. The applicable portions of Water Permit No. 2175-3 and Water Right No. 2174A-3 will be incorporated into Water License No. 5774-3.

The permits are currently listed in the name of Poinsett Hutterian Brethren, Inc. It is our understanding that the land is now owned by Claremont Colony. Prior to licensing, the permits will need to be transferred to Claremont Colony. Enclosed are partially completed "Notice of Transfer" of ownership forms. Please review the forms for accuracy and make any necessary corrections. Upon completion, please sign the forms in the presence of a notary and return them to our office. A \$2.50 filing fee is required for each transfer (total of \$7.50).

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee (for licensing) and \$7.50 (transfers) from you, we will begin processing the ownership changes and your Water License. **Please remit a total of \$57.50 to: Department of Environment & Natural Resources Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181**

Sincerely,

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

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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5774-3

Date: September 29, 1996



I/We request that Water Permit No. 5774-3

formerly owned by: Poinsett Hutterian

be transferred to: (name & address) Claremont Hutterian Brethern Inc.

RR2 Box 1324 Castlewood SD 57823

Telephone No. 605 793 2115

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

SW¼ Section 17, T114N, R51W

I/We understand that the validity of Water Permit No. 5774-3 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 attached to cover the filing fees as required under SDCL 46-2-13.

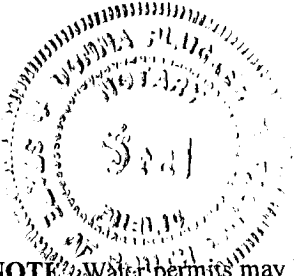
STATE OF SOUTH DAKOTA)

County of Hamlin)

I/We Jonathan Hollman being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Jonathan Hollman
(Signed)

Subscribed and sworn to before me this 30th day of September, 19 96.



Donna Plucker
(Notary Public)

My Commission Expires Nov. 29, 2002

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

415132

Division of Water Rights

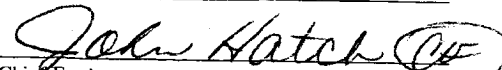
South Dakota Department of Environment and Natural Resources

Pierre, _____, October 2, 19 96

RECEIVED OF Claremont Hutterian Brethern, Inc., RR 2, Box 132A, Castlewood, SD 57223
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. _____		
Fee for Filing Transfer Form <u>Water Permit No. 5774-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch 
Chief Engineer

RECEIPT

415133

Division of Water Rights

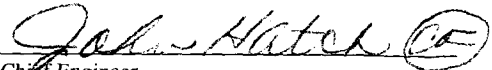
South Dakota Department of Environment and Natural Resources

Pierre, _____, October 2, 19 96

RECEIVED OF Claremont Hutterian Brethern, Inc., RR 2, Box 132A, Castlewood, SD 57223
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>5774-3</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

REPORT ON INSPECTION OF PERMIT NO. 5774-3

DATE OF INSPECTION: 9/18/1996

Other permit(s) associated with the project: 2174A-3 & 2175-3

Contact Person & Address: Johnathan Wollman, R1 Box 132A, Castlewood, SD

DIVERSION POINT LEGAL LOCATION: from the NE corner of Section 19 T114N-R51W:

Well #1 - 1300 ft south and 550 ft west; Well #2 - 700 ft south and 2250 ft west; Well #3 - 2050 ft south and 2100 ft west

WATER SUPPLY Source: groundwater, Big Sioux: Brookings Aquifer

Well Information:

- 1) Well Drilling Firm: Lacey Drilling and Empire Drilling 2) No. of Wells 3
3) Depth(s) 42, 48, 42 feet 4) Well log is available yes

WELL 1

Casing:

- 1) Diameter 16 inches 2) Length 30 feet
3) Type steel

Screen:

- 1) Type stainless steel Length 12 feet
3) Static water level 12 feet

Pump:

- 1) Make Western Land Roller 2) Model ?
3) Size 12 4) Capacity 250 GPM

Motor:

- 1) Make US Electrical 2) Model No. F405A
3) Horsepower rating 30 hp

WELL 2

Casing:

- 1) Diameter 16 inches 2) Length 38 feet
3) Type steel

Screen:

- 1) Type stainless steel
- 2) Length 10 feet
- 3) Static water level 7 feet

Pump:

- 1) Make Western Land Roller
- 2) Model ?
- 3) Size 12
- 4) Capacity 450 GPM

Motor:

- 1) Make US Electrical
- 2) Model No. ?
- 3) Horsepower rating 40 hp

WELL 3

Casing:

- 1) Diameter 16 inches
- 2) Length 30 feet
- 3) Type steel

Screen:

- 1) Type stainless steel
- 2) Length 12 feet
- 3) Static water level 12 feet

Pump:

- 1) Make Western Land Roller
- 2) Model 8707380
- 3) Size 12
- 4) Capacity 700 GPM

Motor:

- 1) Make GE
- 2) Model No. 5K6258XH1A
- 3) Horsepower rating 75 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 8700 feet

SYSTEM TYPE:

SW1/4 Sec 17- Center pivot:

- 1) Make Valley
- 2) Overall length 1280 feet

- 3) Number of towers 7
- 4) End gun y
- 5) High or low pressure high
- 6) Capacity 900 GPM

NW1/4 Sec 20- Center pivot:

- 1) Make Zimmatic
- 2) Overall length 1280 feet
- 3) Number of towers 7
- 4) End gun yes
- 5) High or low pressure high
- 6) Capacity 900 GPM

NE1/4 Sec 19- Center pivot:

- 1) Make Lockwood
- 2) Overall length 950 feet
- 3) Number of towers 5
- 4) End gun yes
- 5) High or low pressure high
- 6) Capacity 400 GPM

SE1/4 Sec 19- Center pivot:

- 1) Make Zimmatic
- 2) Overall length 1280 feet
- 3) Number of towers 11
- 4) End gun y
- 5) High or low pressure high
- 6) Capacity 700 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

Permit No. 5774-3
Big Sioux River - Water District

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

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

On, September 18, 1996, I made a thorough examination of the water use system constructed by Poinsett Colony (now owned by Claremont Colony) of Box 146, Estelline, SD holder of Permit No. 2174A-3, bearing the priority of December 16, 1974 authorizing the diversion of 1.56 cu. ft. per second and Permit No. 2175-3, bearing the priority of December 16, 1974 authorizing the diversion of 4.15 cu. ft. per second and Permit No. 5774-3, bearing the priority of May 25, 1993 for the waters of groundwater, Big Sioux Aquifer 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:

3 Western Land Roller pumps with a combined capacity of 1400 gpm

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

8300 ft of 8 inch PVC

C. Works used to apply water to beneficial use:

four center pivots

The system is in the following condition **good**. The point of diversion is located **from the NE corner of Section 19 T114N-R51W:**

Well #1 - 1300 ft south and 550 ft west; Well #2 - 700 ft south and 2250 ft west; Well #3 - 2050 ft south and 2100 ft west. The works are capable of diverting and conveying to the place of use **3.12** cu. ft. per second of water to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

Land in Section 17 T114N-R51W:

<u>NW1/4 SW1/4 - 30 ac</u>	<u>NE1/4 SW1/4 - 34 ac</u>
<u>SE1/4 SW1/4 - 34 ac</u>	<u>SW1/4 SW1/4 - 30 ac</u>
<u>NW1/4 SE1/4 - 2 ac</u>	<u>SW1/4 SE1/4 - 2ac</u>

Land in Section 20 T114N-R51W:

<u>NW1/4 NW1/4 - 33 ac</u>	<u>NE1/4 NW1/4 - 33 ac</u>
<u>SE1/4 NW1/4 - 33 ac</u>	<u>SW1/4 NW1/4 - 33 ac</u>

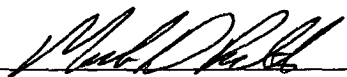
Land in Section 19 T114N-R51W:

<u>NW1/4 NE1/4 - 38.5 ac</u>	<u>NE1/4 NE1/4 - 10 ac</u>
<u>SE1/4 NE1/4 - 23 ac</u>	<u>SW1/4 NE1/4 - 29.5 ac</u>
<u>NW1/4 SE1/4 - 37 ac</u>	<u>NE1/4 SE1/4 - 39.2 ac</u>
<u>SE1/4 SE1/4 - 10.5 ac</u>	<u>SW1/4 SE1/4 - 11 ac</u>
<u>NE1/4 NW1/4 - 2.3 ac</u>	

comprising a total of 465 acres of land and the license should be issued for 3.12 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none



Mark D. Rath

Natural Resources Engineer
DENR, Water Rights Program

10/2/96

Date

Licensing of Acreage Outside of Permitted Area

NAME: Claremont Colony; attn Johnathan Wollman

ADDRESS: R1 Box 132A, Castlewood, SD

DATE: 9/18/1996 COUNTY: Hamlin

AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

The acreage developed for irrigation is **132** acres as compared to **132** acres authorized by the permit.

UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage**

4 acres located in the W1/2 of the SE1/4 of Sec 17 are contiguous to irrigated acres in the SW1/4 of Sec 17; all in T114N- R51W

- **Owned by Same Property Owner**

The acres are all owned by Claremont Colony

- **Developed Prior to Expiration of Construction Period**

The changed acres were developed as part of the original project within the construction period.

RECOMMENDED ACTION

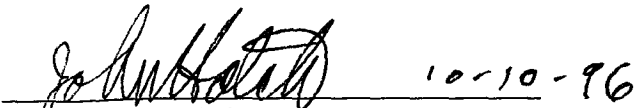
Based on the above criteria, it is recommended that the **4** acre area be included in the water license.



Mark D Rath, Natural Resources Engineer
Water Rights Program

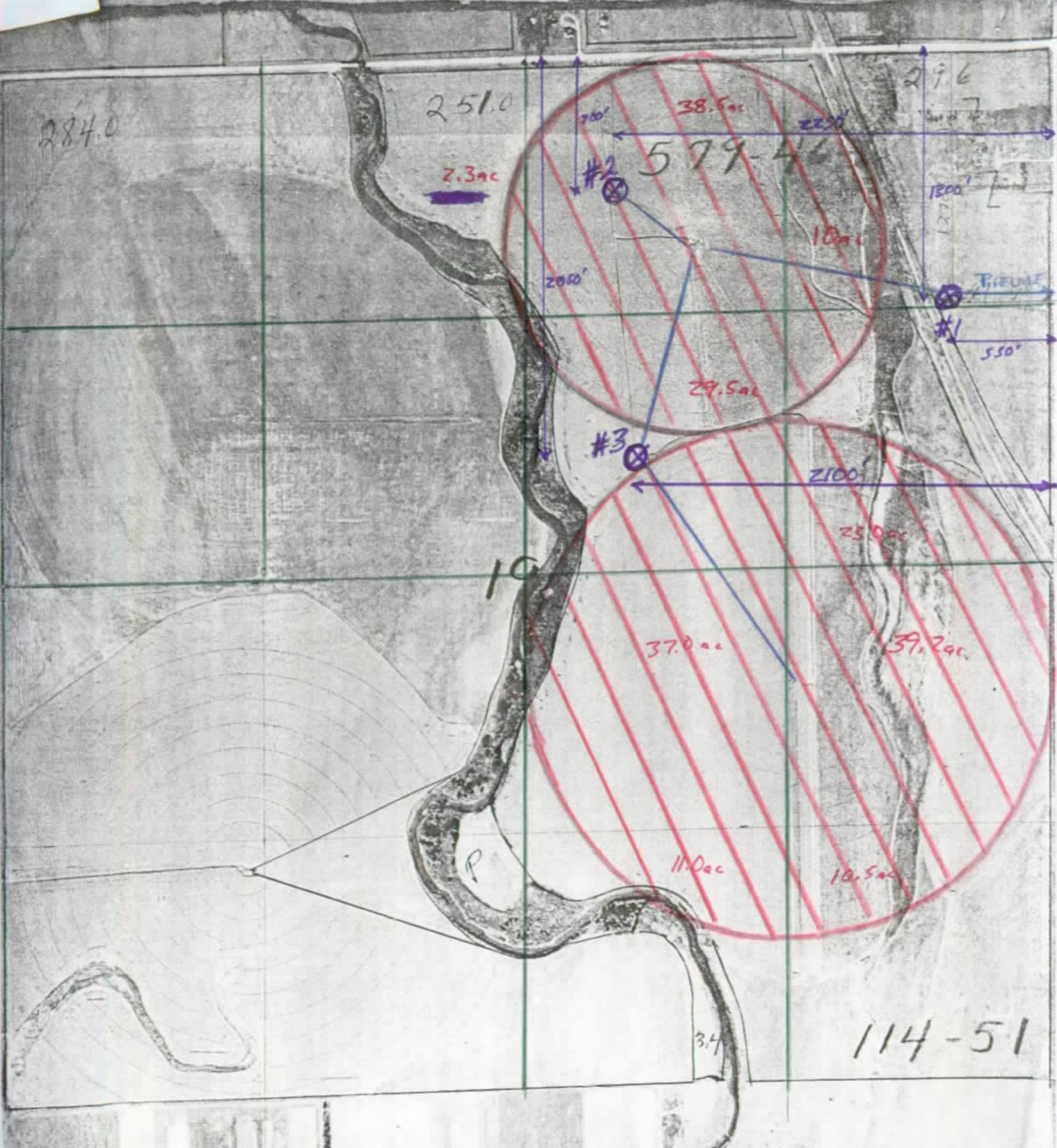
The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.

 10-10-96

John Hatch, Chief Engineer
Water Rights Program

NOT TO SCALE



Mark D Rath
 Mark D Rath
 Natural Resources Engineer
 Division of Water Rights
 Date 9/25/96

NOT TO SCALE

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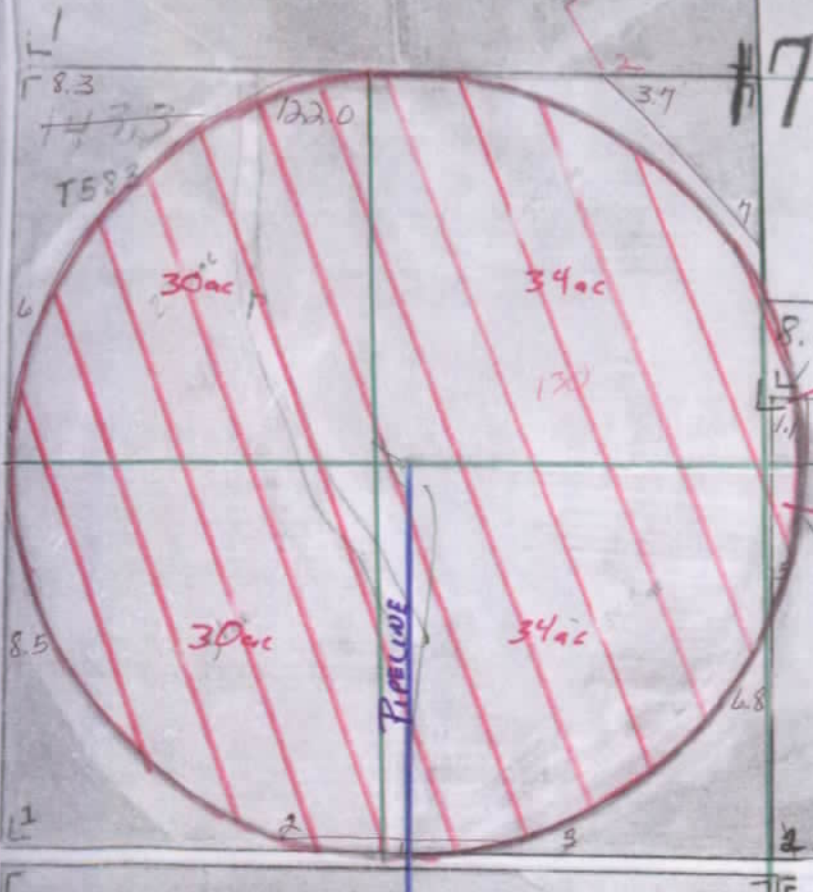
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114-51

Mark D Rath
Natural Resources Engineer
Division of Water Rights
Date 9/25/96

NOT TO SCALE

114-51

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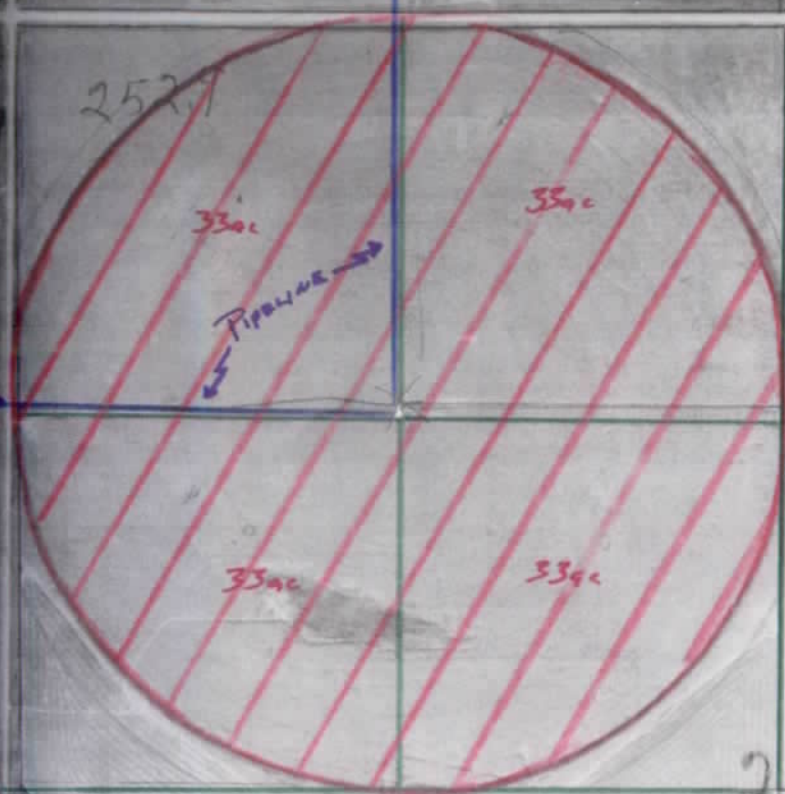
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114-51



2175-3

43.6

Mark D Rath

Mark D Rath
Natural Resources Engineer
Division of Water Rights
Date 9/25/96

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5774-3**

(1) Poinsett Hutterian Brethern, Inc. made Application No. 5774-3, February 16, 1993 for a water permit to add one additional well, specify the correct location of an existing well and add 132 additional acres on an existing irrigation project, authorized under Water Permit No. 2175-3, in Hamlin County, South Dakota. Water Permit No. 5774-3, with a priority date of May 25, 1993 was approved August 9, 1993 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of said water completed. Water Permit No. 5774-3 was obtained after an investigation of Water Permit No. 2175-3 found the project was not developed as originally permitted. Water Permit No. 5774-3 did not allow for an increase in the 1.67 cfs developed diversion rate from the two wells.

The 132 additional acres authorized under Water Permit No. 5774-3 were to have been in the SW $\frac{1}{4}$ Section 17. The center pivot system constructed for the SW $\frac{1}{4}$ was shifted slightly to the east and covers 4 acres in the SE $\frac{1}{4}$ of Section 17. Pursuant to SDCL 46-5-30.5, the Chief Engineer makes a finding that the acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application.

The entire irrigation project consists of land authorized under Water Right No. 2174A-3 and Water Permit Nos. 2175-3 & 5774-3. On October 7, 1996, Nos. 2174A-3, 2175-3 & 5774-3 were transferred to Claremont Hutterian Brethern, Inc. The applicable portions of Water Right No. 2174A-3 and 2175-3 are incorporated into this Water License No. 5774-3. The priority dates, as they pertain to the acres irrigated, are described in (3) of this license.

(2) It is certified that the holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.12 cubic feet of water per second for beneficial use. The location of the diversion points are Well #1 - 1300'S & 550'W; Well #2 - 700'S & 2250'W; Well #3 - 2050'S & 2100'W; all from the NE corner of Section 19, T114N, R51W (Well #1-NE $\frac{1}{4}$ NE $\frac{1}{4}$; Well #2-NW $\frac{1}{4}$ NE $\frac{1}{4}$; Well #3-SW $\frac{1}{4}$ NE $\frac{1}{4}$).

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

Section 17, T114N, R51W May 25, 1993 priority date established under 5774-3		Section 19, T114N, R51W December 16, 1974 priority date established under 2174A-3		Section 20, T114N, R51W December 16, 1974 priority date established under 2175-3	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	30 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$	38.5 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	34 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$	23.0 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	34 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$	29.5 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$	30 acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$	10.0 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	2 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.3 acres		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	2 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$	37.0 acres		
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	10.5 acres		
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.2 acres		
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	11.0 acres		
TOTAL ACRES IRRIGATED - 465					

continued

Water License No. 5774-3
Claremont Hutterian Brethern
Page 2

(4) Pursuant to South Dakota Water Law 46-5-30.1 Claremont Hutterian Brethern, Inc., RR #1 Box 132A, Castlewood, SD 57223 the holder and/or owner of Incorporated Water Permit No. 5774-3 is issued a license to appropriate water, the right to use 3.12 cubic feet of water per second from ground water (three wells) with priority dates of December 16, 1974 and May 25, 1993 from locations 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. 5774-3 and subject to South Dakota State Law.



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

OCT 17 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 17 1996

5774-3

Claremont Hutterian Brethern, Inc.
%Johnathan Wollman
RR 1, Box 132A
Castlewood, SD 57223

Dear Mr. Wollman:

Enclosed is Water License No. 5774-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 415130, 415131 and 415132 in the amount of \$2.50 which you paid for the transfer of ownership on Water Right No. 2174A-3 and Water Permit Nos. 2175-3 and 5774-3. Also enclosed is Receipt No. 415133 in the amount of \$50.00 which you paid for the investigation 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. 5774-3, 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 Program
(605) 773-3352

gm
enclosures

NOTE: The applicable portions of Water Right No. 2714A-3 and 2175-3 are incorporated into this Water License No. 5774-3.



5-774-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: CLAREMONT COLONY, JONATHAN WOLLMAN, 46271 184th ST, CASTLEWOOD, SD 57223

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaires

Our records indicate that the 2011 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2579-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 & 7193-3 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 7, 2012** 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) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 & 7193-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2579-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 2012

Jonathan Wollman
Claremont Colony
46271 184th St
Castlewood SD 57223

RE: Water Permit or Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 & 7193-3

Dear Mr. Wollman:

I am writing to acknowledge receipt of the 2011 irrigation questionnaires for Claremont Colony.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3 and 7193-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

F. Comments or other permit(s) associated with the project:

According to Jonathon Wollman, the well covered by No. 6606-3 is also being used to irrigate acreage in section 19 in conjunction with several other wells covered by Water Right No. 5774-3. In order to determine what action is needed to get this well added as a water source for the acreage covered by No. 5774-3, an additional inspection will be needed. I didn't have access to the file for No. 5774-3 while in the field and the status of other wells covered by No. 5774-3 was not investigated. Depending on the situation, it may be possible to add the well as an administrative action if the overall diversion rate and acres for No. 5774-3 remain unchanged or a new permit may be needed to increase the amount of water or acres being irrigated.



Ron Duvall

Water Rights Permitting Administrator
DENR, Water Rights Program

Date report completed: November 3, 2015



5774-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: CLAREMONT COLONY, JONATHAN WOLLMAN, 46271 184th ST, CASTLEWOOD, SD 57223

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2579-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** 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:

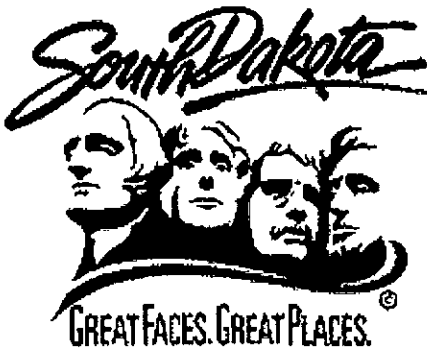
1. Suspend or cancel Permit No(s) 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2579-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: MVHIMM**

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.

5774-3



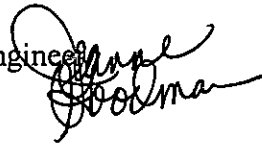
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 27, 2020

NOTICE OF ENTRY OF ORDER
FOR AMENDMENT AND ONE YEAR SUSPENSION OF WATER RIGHTS

TO: Jonathan Wollman, Claremont Colony, 46271 184th St, Castlewood SD 57223

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: Amendment of Water Right No. 2579-3 and One Year Suspension of Water Right Nos. 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3

On February 26, 2020, the Water Management Board took the following actions on Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3

The Board amended Water Right No. 2579-3 to add the following qualification effective immediately:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

The Board also ordered:

Effective March 26, 2020, Water Right Nos. 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 be suspended for the 2020 irrigation season for failure to submit the 2019 irrigation questionnaires.

If the 2019 irrigation questionnaires are received prior to March 26, 2020, the suspensions will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2020 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2020 unless the 2019 irrigation questionnaires are submitted by March 26th.

After March 26th, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2019 irrigation questionnaires and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 6-7, 2020, in Pierre, SD. The letter should include your reasons for not completing the 2019 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place. Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on February 27, 2020, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage; prepaid envelopes containing a Notice dated February 27, 2020 regarding Water Management Board action taken February 26, 2020 for Irrigation Questionnaire violations addressed as stated below:

One Year Suspensions:

Water Right No. 6947-3

Joel Adler, 48353 149th St, Milbank SD 57252

Water Permit No. 7655-3

Thomas Brady, 265 Antler Dr., Yankton SD 57078

Water Right Nos. 2698-2 & 2721-2

Neil & Lupita Fanning, 220 Rangely Ct., Simi Valley CA 93065

Water Right No. 5947-3

Sean Davis, Fish Lake Country Club, 24385 393rd Ave., Letcher SD 57359

Water Permit Nos. 7008A-3 and 7009A-3

Roger D Hanson, 615 E 72nd St., Kansas City MO 64131

Water Right No. 7043-3

Corey Johannsen, 502 Main St., Tolstoy SD 57475

Donald & Dianna Stotz, 14850 328th Ave, Tolstoy SD 57475

Water Right No. 876-1

Gene E Johnson, 19610 US Hwy 85, Belle Fourche SD 57717

Water Right No. 1213B-1

Charles & Cathy Kimbril, 19027 137th Ave, Vale SD 57788

Water Right No. 410B-2

Kathi Koester, PO Box 206, Custer SD 57730-0206

Water Permit No. 8253-3

James Makens, Makens Oak Tree LLP, 42563 168th St, Clark SD 57225

Water Permit Nos. 5849-3 and 6194-3

Josh Oakley, Meadow Creek Golf Course, PO Box 511, Volga SD 57071-0511

Water Right Nos. 2521-3 and 2934-3

Henry Decker, Pembroke Hutterian Inc., 35955 139th St, Ipswich, SD 57451 7103

Water Right Nos. 5566-3 & 7615-3 and Water Permit No. 7616-3

Wayne Reiersen, 30048 Reiersen Pl., Pollock SD 57648

Water Permit No. 2350-3

Bill Boyer, President, River Valley Farms, PO Box 486, Alcester SD 57001 0486

Water Right No. 4737-3

RUS Farms Real Estate LLC, 3283 Dogwood Ave., Rock Valley IA 51247

Water Right No. 2954-3

Lane Tekrony, 47840 180th St, Clear Lake SD 57226-5405

Water Right Nos. 6131-3 and 6132-3

Daniel Ulmer, PO Box 433, Menno SD 57045 0433

Water Right Nos. 2631A-3 and 5451-3
Merritt Ulmer, PO Box 433, Menno SD 57045-0433
Merritt & Marie Ulmer, 1402 S Cage #217, Pharr TX 78577

Water Right No. 553-1
Richard W Kieffer, 14555 Hamlet Pl, Sturgis SD 57785

Three Year Suspensions:

Water Right No. 6168-3
Robert Hattum, 21744 W Bend Rd, Harrold SD 57536

Water Right No. 2106-2
Stuart Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701

Amendments:

Water Right Nos. 804-2 & 995-2
Robert Berry, 23331 Hwy 14, Midland SD 57552

Water Right No. 766-2
Gene Fortune, PO Box 60, Interior SD 57750 0060

Water Right Nos. 516-1 and 715-1
Lawrence Woodward, PO Box 220, Dupree SD 57623 0220

Both Suspend and Amendments

Water Right No. 960-3 and Water Permit No. 472A-3
Chad Binger, 18309 383rd Ave, Tulare SD 57476

Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3
Jonathan Wollman, Claremont Colony, 46271 184th St, Castlewood SD 57223

Water Right Nos. 3012-3 and 7323B-3
Mark Morlock, 33820 112th St., Eureka SD 57437-6005
Marvin Morlock, 11072 339th Ave, Eureka SD 57437-6003

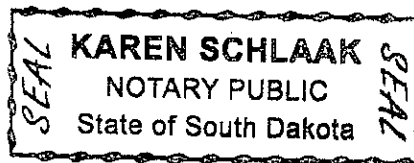
Water Right No. 399-2 and Water Permit No. 2668-2
Steve L Simunek, 27851 S Buffalo Gap Rd, Oral SD 57766

Eric Gronlund
Eric Gronlund
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 27th day of February, 2020.

Karen Schlaak
Karen Schlaak
Notary Public
My Commission expires April 1, 2025





5774-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 2020

Jonathan Wollman
Claremont Colony
46271 184th St
Castlewood SD 57223

RE: Water Right Nos. 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3

Dear Mr. Wollman:

On February 26th the Water Management Board ordered the above listed Water Rights suspended if the 2019 irrigation questionnaires were not received prior to March 26, 2020. The questionnaire information for your water rights has been received.

Since the irrigation questionnaires are on file, no violations have occurred, and no suspensions will take place. You may irrigate during the 2020 irrigation season.

If you have any questions, please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with a large, stylized initial "G".

Genny McMath
Water Rights Program
605 773-3352



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: CLAREMONT COLONY, JONATHAN WOLLMAN, 46271 184th ST, CASTLEWOOD, SD 57223

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** 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) 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3 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 before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: NNMIGU**

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.

5774-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 1, 2022

Jacob Wollman
Claremont Colony
46271 184th St
Castlewood SD 57223

RE: Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3, 7491-3

Dear Mr. Wollman:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
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