

WATER PERMIT NO. 5917-3

Name of Applicant: Lynell Hofer

Address: RR 1, Box 169, Freeman SD 57029

Phone: 605 925-7140

Amount of Water Claimed: no add'l Total Acres: 40

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Hutchinson

Type of Waste Disposal System: NA

Location: 7 miles west and 3 miles north of Freeman

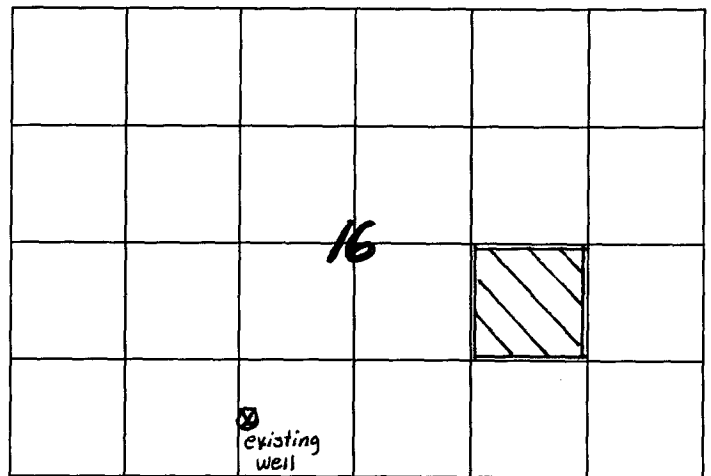
PRIORITY Date Received: 3-19-96 Fee: \$150

Corrected Application Received: Period of Annual Use: April 1 - October 31

Remarks: Proposes to use an existing well authorized by Water Right No. 5020-3

Diversion Point: SE 1/4 SW 1/4 Sec 16-T99N-
R57W

Land to be Irrigated: NE 1/4 SE 1/4 Sec 16-
T99N-R57W



Depth of Well: 242 feet deep

Well Driller: Pullman Well Drilling

Remarks:

Type of Map: aerial

Prepared by: Robert A. ?

Reviewed and the Number Assigned on: 3-19-96

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 5917-3**

Date of first receipt of application March 19, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5917-3 to Lynell Hofer, RR 1, Box 169, Freeman SD 57029 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. 5917-3 authorizes irrigation of 40 additional acres. Water Right No. 5020-3 appropriates 3.78 cubic feet of water per second from two wells 275 and 242 feet deep (Lower James Missouri Aquifer) located in the center of the W 1/2 NW 1/4 Section 22 and the SE 1/4 SW 1/4 Section 16 to irrigate 328 acres located in the N 1/2 SW 1/4, SE 1/4 SW 1/4 Section 15, N 1/2 SW 1/4, SE 1/4 SW 1/4 Section 16, NW 1/4 NW 1/4 Section 21, NW 1/4 Section 22; all in T99N-R57W. This permit irrigates 40 additional acres located in the NE 1/4 SE 1/4 Section 16 from the existing well located in the SE 1/4 SW 1/4 Section 16; all in T99N-R57W. This permit does not authorize any increase in the diversion rate authorized by Water Right No. 5020-3.
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 March 19, 1996.
4. The date of approval of Permit No. 5917-3 is April 22, 1996.
5. One-fifth of the construction is to be completed on or before October 22, 1998.
6. All construction is to be completed on or before April 22, 2001.
7. Water is to be put to beneficial use on or before April 22, 2005.
8. 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 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.
2. Diversion of water authorized by Water Permit No. 5917-3 may not exceed 1 cfs per 70 acres.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

JUL 2 1996

date



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>5917-3</u> Hydrologic Unit <u>10160011</u>
	Basin <u>James River</u>
	Newspaper <u>Freeman Courier, Freeman, SD</u>



Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)

add NE 1/4 of SE 1/4 of Sec 16-99-57 to permit No 4706-3

1. Name of Applicant Lynell Hofer ☒ Owner ☐ Tenant/Lessee Phone 605-925-7140
(check one) (check one)
- Mailing Address RR 1 Box 169 Freeman State SD 57029
(Street, RR, or Box) (Zip Code)
2. Amount of water claimed no add'l *CFS or **GPM ***AF Total Acreage 40 more
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply West well of application ~~7706~~ 5020-3
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
600' South of center of SW 1/4 of Sec 16-99-57
SE 1/4 SW 1/4 County Hutchinson
5. County or counties where water will be used Hutchinson
6. Annual period during which water is to be used April 1 - Oct 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>NE 1/4 of SE 1/4 of 16-99-57</u>	<u>40</u>		

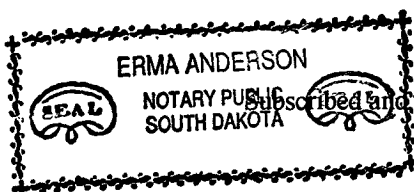
8. Give a description of the project. (Attach sheet if more space is needed)
Map enclosed. I will not increase gallonage of well

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of Hutchinson ss

I, Lynell Hofer, the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.



Signed Lynell Hofer
Subscribed and sworn to before me this 18th day of March 19 96
Erma Anderson
Notary Public

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Lynell Hofer

ADDRESS: RR 1, Box 169, Freeman, SD COUNTY: Hutchinson

DATE: March 18, 1996 TELEPHONE: 925 -7140

RE: Call regarding using an existing well to irrigate the acreage authorized by Permit No. 5900-3

COMMENTS:

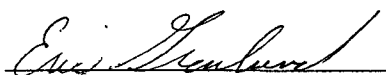
Mr. Hofer called regarding Water Permit No. 5900-3 which was just issued. Permit No. 5900-3 authorized irrigation of 40 acres from a Niobrara Formation well. Mr. Hofer, upon issuance of the permit, discovered that the Niobrara Formation will not produce the kind of well he anticipated and the point he chose. He will have to move the well approximately 1,000 feet from the proposed location to get adequate water. This being the case, he decided it will be cheaper to run a pipeline 1,500 feet from an existing well instead of drilling a new well and still having to lay 1,000 feet of pipeline.

I explained to Mr. Hofer that since the existing well was constructed into a different aquifer (Lower James:Missouri Aquifer) that a new water permit will be required. Mr. Hofer inquired why a new water permit is necessary if he does not increase the diversion rate. I explained that although there is not increase in the diversion rate, there will be an increase in the volume of water applied to the land (40 acres more land). Mr. Hofer understand and will apply for a new water permit.

Mr. Hofer called back and stated the local SCS man was gone for the week. He wanted to know what he can do to get the permitting process moving. I said that we had a properly signed map of the irrigated acres from Water Permit No. 5900-3 and the existing well is covered by a map that should be on file with the applicable water permit file. I stated that this will suffice for meeting the map requirements.

Mr. Hofer was going to send the application to us immediately.

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: 

RECEIPT

414860

Division of Water Rights

South Dakota Department of Environment and Natural Resources

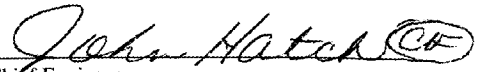
Pierre, _____, March 19____, 19__96

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

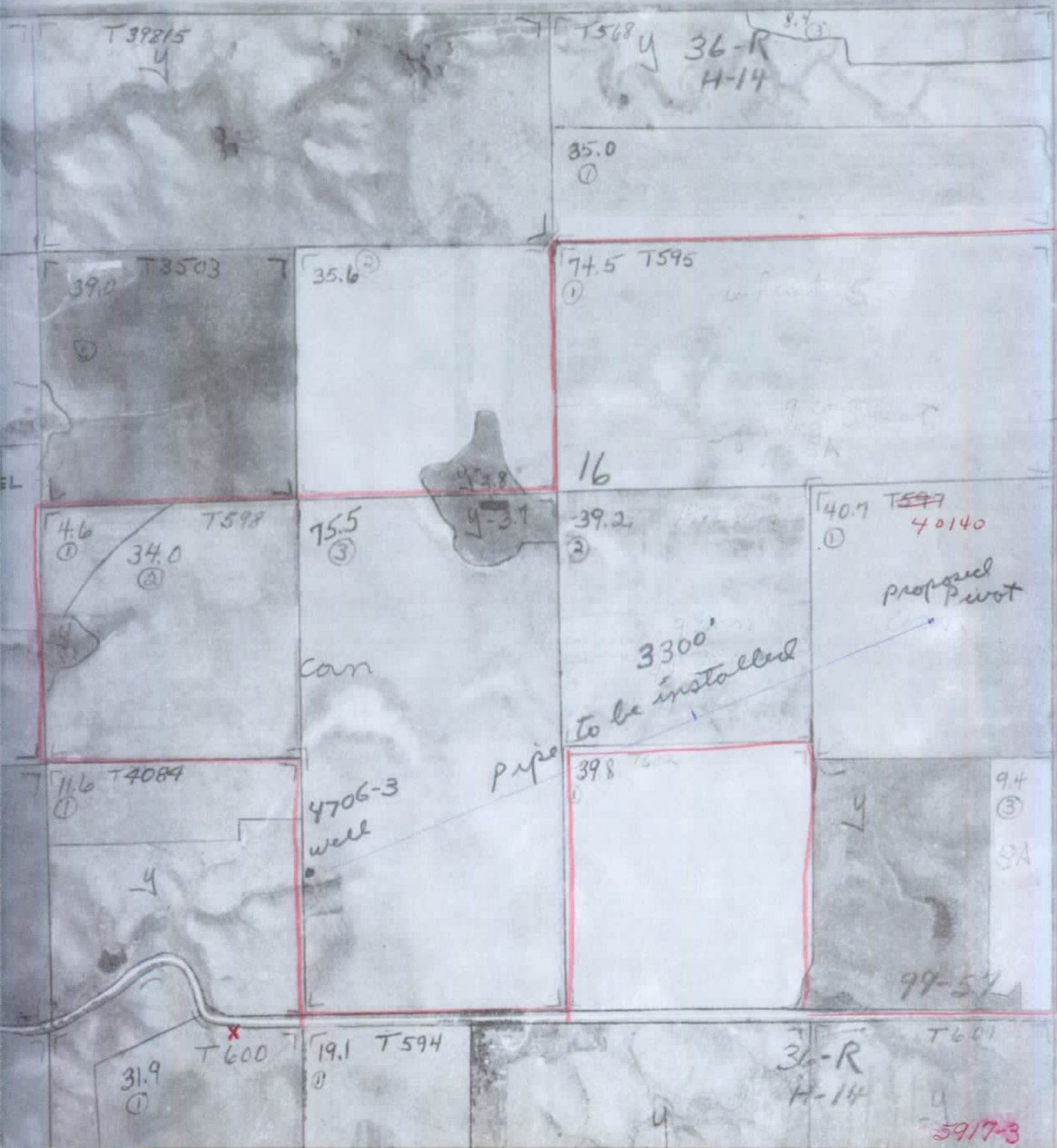
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>5917-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

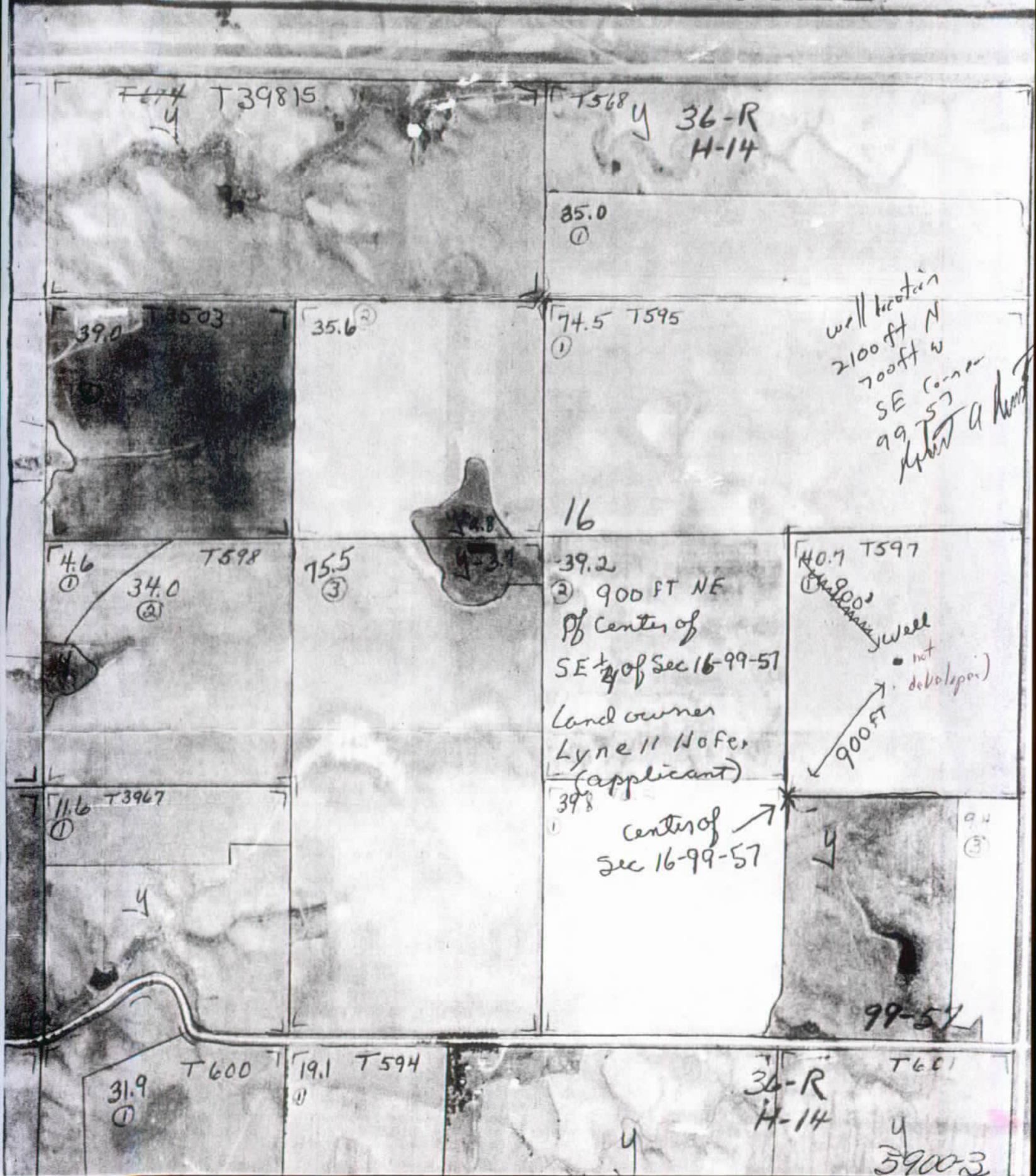
(Any Other Work Provided by Law)	Total	150 00

By John Hatcher 
Chief Engineer

NOT TO SCALE



NOT TO SCALE

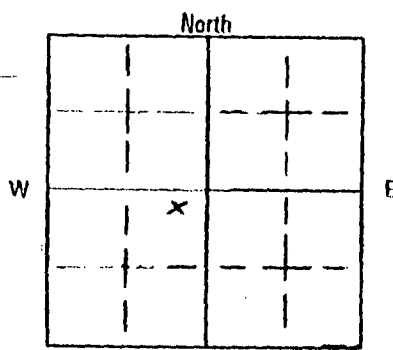


NOT TO SCALE



SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NE 1/4 SW 1/4 Sec 16 Twp 9-N Rg 57-WCounty HutchinsonPlease mark well
location with
an "X"Well Completion Date 6-19-81

PROPOSED USE:

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

Method of Drilling

Reverse

CASING DATA:

☒ Steel ☒ Plastic ☐ Other
 If other describe stainless steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>16</u> IN	<u>0</u> FT	<u>212</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 ☐ NO

To what depth? _____ FEET

What is grouting material? _____

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

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

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

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

Explain _____

Bacteriological analysis ☒ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name Lynell HoferAddress RR Freeman, SD 57029

Well Log

Depth

Formation

From

To

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

TD 242'STATIC WATER LEVEL 135

If flowing, closed in pressure _____

GPM flow _____ through _____

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped800 GPM w/air☐ 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

Signature of Well Owner

Date _____

REPORT ON WATER PERMIT APPLICATION NO. 5917-3
for Lynell Hofer
March 21, 1996

Application No. 5917-3 proposes to irrigate 40 additional acres. Water Right No. 5020-3 appropriates 3.78 cfs from two wells, 275 and 242 feet deep, located in the center of the W 1/2 NW 1/4 of section 22 and the SE 1/4 SW 1/4 of section 16 to irrigate 328 acres located in the N1/2 SW 1/4, SE 1/4 SW 1/4 of section 15, N1/2 SW 1/4, SE 1/4 SW 1/4 of section 16, NW 1/4 NW 1/4 of section 21, NW 1/4 of section 22; all in T99N R57W in Hutchinson County. This application is to irrigate 40 additional acres located in the NE 1/4 SE 1/4 of section 16 from the existing well located in the SE 1/4 SW 1/4 of section 16 in T99N R57W. This application, if approved, does not authorize any increase in the diversion rate authorized by Water Right No. 5020-3.

AQUIFER - LOWER JAMES MISSOURI (LJM)

The Lower James Missouri is a buried glacial outwash (sand and gravel) which is under confined or artesian conditions at this site. However, over most of Hutchinson County the aquifer is predominantly under water table conditions. The aquifer underlies 268 square miles and contains an estimated 2.367 million acre feet of water in storage in Hutchinson County (Lindgren, 1990). Ground water movement is generally toward the James River and in the area of this application is from northeast to southwest. The aquifer is areally extensive into Hansen County to the north and into Yankton County to the south. The aquifer is hydraulically connected to the James River and possibly to the bedrock Niobrara Formation.

The Water Rights Program monitors an observation well HT-81D which is located in this immediate area. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. Also the effects of pumping are obvious with a seasonal fluctuation of as much as eight feet during the irrigation season. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1996). A hydrograph for this observation well is included with this report.

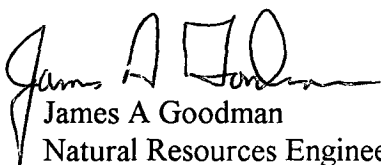
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing water permit No. 5478-3 located about one mile west of this application. Interference is not a concern. The water levels do not fluctuate significantly as shown by the hydrograph. These wells have been in use with no apparent problems.

CONCLUSIONS

1. Water is available from the Lower James Missouri aquifer.

2. The aquifer is confined and under artesian conditions at this site. Drawdown will occur but this is not significant. There should not be any impairment of existing rights. This well has been in use for many years with no apparent problems.
3. There is no request for any additional diversion rate from this well and the diversion rate from this well will remain at 900 gpm.


James A Goodman
Natural Resources Engineer

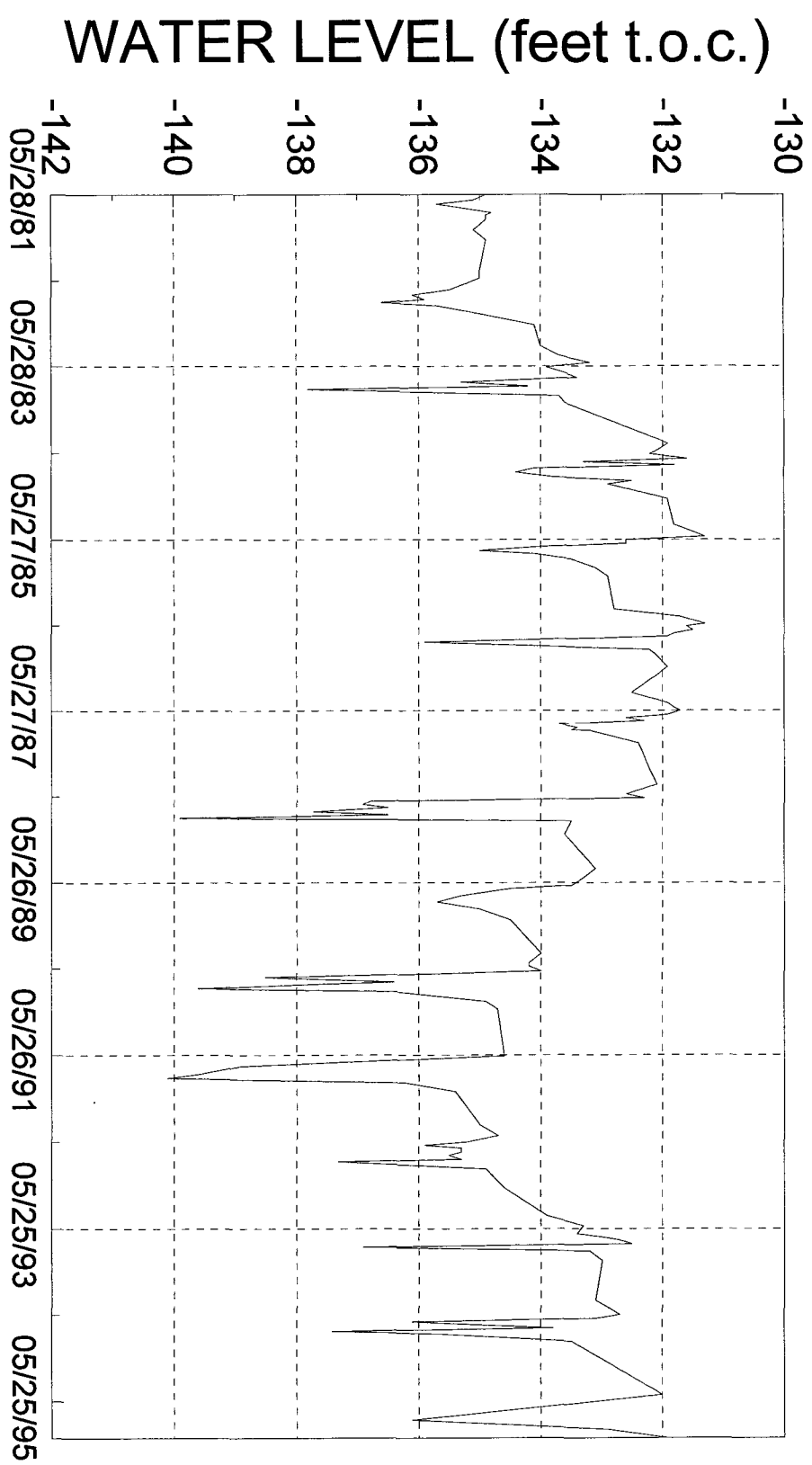
BIBLIOGRAPHY

Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, USGS WRI 90-4093, USGS, Huron, SD, 57350.

Water Rights, 1996, Unpublished Observation Well Data for Hutchinson County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

HT-81D



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5917-3, Lynell Hofer**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5917-3, Lynell Hofer, RR 1, Box 169, Freeman, SD 57029.

The Chief Engineer is recommending APPROVAL of Application No. 5917-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been 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. Diversion of water authorized by Water Permit No. 5917-3 may not exceed 1 cfs per 70 acres.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized flourish at the end.

JOHN HATCH, Chief Engineer
March 27, 1996



**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.

March 28, 1996

Lynell Hofer
RR 1, Box 169
Freeman, SD 57029

Dear Mr. Hofer:

Water Permit Application No. 5917-3 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 Freeman Courier printed at Freeman, SD (Ph # (605) 925-7033). 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
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

March 28, 1996

Freeman Courier
Box 950
Freeman, SD 57029-0950

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5917-3 to be published twice. Please publish the first notice on April 3, 1996, 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 Lynell Hofer, RR 1, Box 169, Freeman, SD 57029 (Ph # (605) 925-7140).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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 Program
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 April 3, 1996, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5917-3 to Appropriate Water
and to Amend Water Right No. 5020-3

Notice is given that Lynell Hofer, RR 1, Box 169, Freeman, SD 57029 has filed an application for a water permit to irrigate 40 additional acres. Water Right No. 5020-3 appropriates 3.78 cubic feet of water per second from two wells 275 and 242 feet deep (Lower James Missouri Aquifer) located in the center of the W 1/2 NW 1/4 Section 22 and the SE 1/4 SW 1/4 Section 16 to irrigate 328 acres located in the N 1/2 SW 1/4, SE 1/4 SW 1/4 Section 15, N 1/2 SW 1/4, SE 1/4 SW 1/4 Section 16, NW 1/4 NW 1/4 Section 21, NW 1/4 Section 22; all in T99N-R57W. This application is to irrigate 40 additional acres located in NE 1/4 SE 1/4 Section 16 from the existing well located in the SE 1/4 SW 1/4 Section 16; all in T99N-R57W. This application, if approved, does not authorize any increase in the diversion rate authorized by Water Right No. 5020-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5917-3 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 Program, 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 April 22, 1996.

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 Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Hutchinson) SS

I, Jim L. Walther

certify that the attached printed Notice was

taken from the Freeman
Courier

printed and published in Freeman

County of Hutchinson and State of

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

April 3, 1996

April 10, 1996

Cost of Printing: 41.48

Jim L. Walther
 (Signature)

Publisher
 (Title)

4-15-96
 (Date Signed)



Notice of Application No. 5917-3 to Appropriate Water and to Amend Water Right No. 5020-3

Notice is given that Lynell Hofer, RR 1, Box 169, Freeman, SD 57029 has filed an application for a water permit to irrigate 40 additional acres. Water Right No. 5020-3 appropriates 3.78 cubic feet of water per second from two wells 275 and 242 feet deep (Lower James Missouri Aquifer) located in the center of the W 1/2 NW 1/4 Section 22 and the SE 1/4 SW 1/4 Section 16 to irrigate 328 acres located in the N 1/2 SW 1/4, SE 1/4 SW 1/4 Section 15, N 1/2 SW 1/4, SE 1/4 SW 1/4 Section 16, NW 1/4 NW 1/4 Section 21, NW 1/4 Section 22; all in T99N-R57W. This application is to irrigate 40 additional acres located in NE 1/4 SE 1/4 Section 16 from the existing well located in the SE 1/4 SW 1/4 Section 16; all in T99N-R57W. This application, if approved, does not authorize any increase in the diversion rate authorized by Water Right No. 5020-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5917-3 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.

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

Lynell Hofer
RR 1, Box 169
Freeman, SD 57029

Dear Ms. Hofer:

Enclosed is Water Permit No. 5917-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.

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



Date 7-11-96

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

FROM: Lynell Hofa RR 1 Box 169
(name) (address)
Freeman SD 57029 925-7140
(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. 5917-3.

Water Permit No. 5917-3 states that the diversion system is to be constructed by 5-22-2001, and that the water is put to beneficial use by
(date)

5-22-2005
(date)

The diversion system was completed on 7-7-96
(date)

Applying the water to beneficial use was completed on 7-2-96
(date)

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

Lynell Hofa
(signature)



AUG 13 2001

Lynell Hofer
27618 431 st Ave
Freeman SD 57029

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dear Mr. Hofer:

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

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

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

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

Sincerely,

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

enclosures