

WATER PERMIT NO. 6242A-3

Name of Applicant: Gary D Wipf

Address: 17801 401st Ave, Frankfort SD 57440

Phone: 605 472-1690

Amount of Water Claimed: no additional

Total Acres: no additional

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Spink

Type of Waste Disposal System:

Location: 8 miles southeast of Frankfort

PRIORITY Date Received: 11-16-01

Fee: \$50

Corrected Application Received::

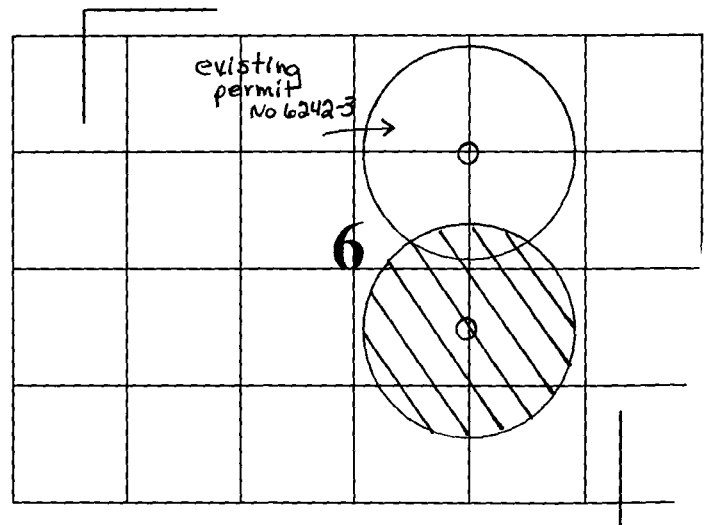
Period of Annual Use: May 1 – October 31

Remarks: move the center pivot authorized by No. 6242-3 approximately 1800 feet to the south

Diversion Point: N ½ SE ¼ Sec 6-T115N-R61W

Land to be Irrigated: S ½ NE ¼, SE ¼

Sec 6-T115N-R61W



Depth of Well: _

Well Driller: :

Remarks:

Type of Map: aerial

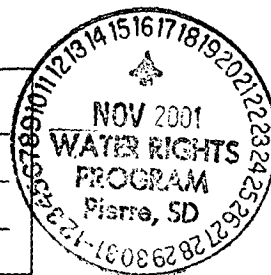
Prepared by: Shane Jordan

Reviewed and the Number Assigned on: XX

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>62424-3</u>	Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>	
	Newspaper <u>Redfield Press, Redfield</u>	



Application For Permit To Appropriate Water For Irrigation

Type of Application: New Vested Right X Amendment/Correction to Permit No. 6242-3
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) Movement of irrigated acres to adjacent field
See Map & attached letter

1. Name of Applicant Gary D. Wipf Phone 605 472 1690
(check one) X Owner Tenant/lessee

Mailing Address 17801 401st Ave Frankfort, SD State 57440
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed No (1.56 cfs) *CFS or **GPM ***AF Total Acreage No Change (130 AC)
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply well

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) at center point of center pivot N1/2 SE1/4 sec 6 - T115N - R61W
County Spink

5. County or counties where water will be used Spink

6. Annual period during which water is to be used Existing permit (May-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
SW1/4 of NE1/4 of 6-115-61	20	SW1/4 of SE1/4 of 6-115-61	10
SE1/4 of NE1/4 of 6-115-61	20	SE1/4 of SE1/4 of 6-115-61	10
NW1/4 of SE1/4 of 6-115-61	38		
NE1/4 of SE1/4 of 6-115-61	38		

8. Give a description of the project. (Attach sheet if more space is needed)

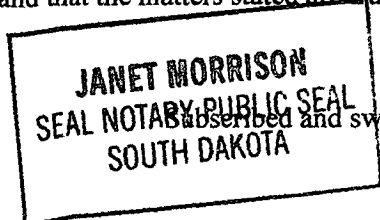
See attached letter & map

STATE OF SOUTH DAKOTA) SS

County of Spink

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)

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



Applicant's signature Gary D. Wipf
Subscribed and sworn to before me this 15 day of November 2001

Janet Morrison
Notary Public signature
My commission expires 3-13-2003

SOUTH DAKOTA
WATER PERMIT NO. 6242A-3

Date of first receipt of application November 16, 2001.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6242A-3 to Gary D. Wipf, 17801 401st Avenue, Frankfort SD 57440 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. 6242A-3 amends Water Permit No. 6242-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6242-3 appropriates 1.56 cubic feet of water per second from either an existing well authorized by Water Right No. 1312-3 located near the center of the SW ¼ Section 6, T115N, R61W or a new well (Tulare:East James Aquifer) to be located in the NE ¼ Section 6, for irrigation of 138 acre in NE1/4 of Section 6, all in T115N, R61W. This permit proposes to move the center pivot approximately 1800 feet south with the well to be located in the approximate center of the N ½ SE ¼ Section 6 to irrigate 138 acres located in portions of the S ½ NE ¼, SE ¼ Section 6; all in T115N-R61W. The water source for this irrigation system is the Tulare:East James Aquifer and no increase in the diversion rate or number of acres irrigated 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: May 1 – October 31.
3. The date from which applicant may claim right is October 1, 1976 (established by Water Permit No. 6242-3).
4. The date of approval of Permit No. 6242A-3 is February 25, 2002.
5. One-fifth of the construction is to be completed on or before August 25, 2004.
6. All construction is to be completed on or before February 25, 2007.
7. Water is to be put to beneficial use on or before February 25, 2011.
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. The well authorized by Permit No. 6242A-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 16 2002

date



Supplemental Information

(type or print in ink)

Similar To well
in SW of 6 ~ 115-61
Mary D. Wiff

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

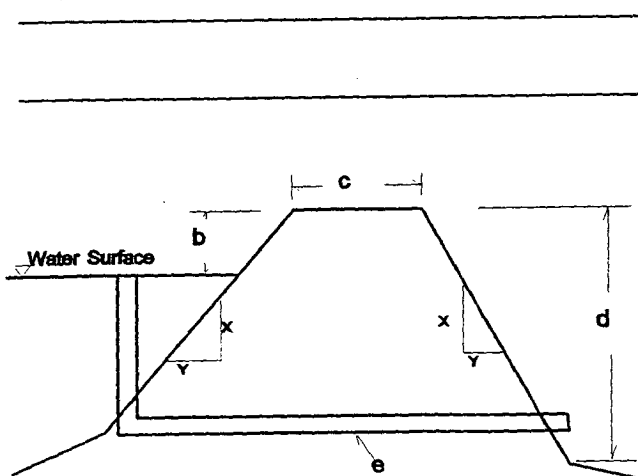
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. 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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

416974

Pierre, November 16, 2001

RECEIVED OF Gary Wipf, 17801 401st Avenue, Frankfort, SD 57440-7303
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6242A-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6242A-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	100 00

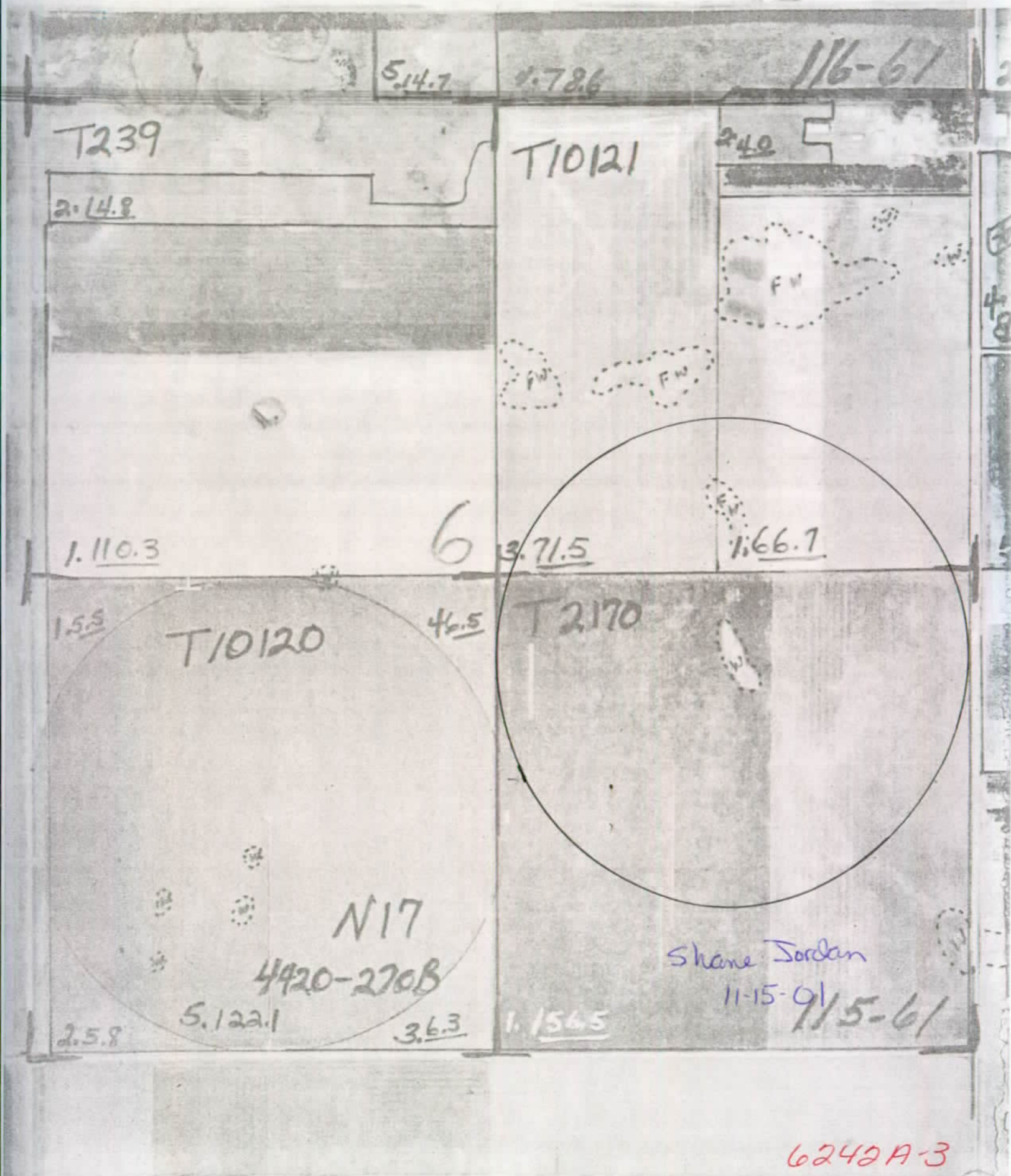
By Darland Erbe
Chief Engineer *gm*

Water Permit # 6242-3 is
located in N.E. $\frac{1}{4}$ of 6-115-61.

I would like to amend the
permit, to allow the center
point of the center pivot
irrigation system to be moved
approx. 500 feet south of the
boundary between N.E. $\frac{1}{4}$ + S.E. $\frac{1}{4}$
of 6. This would allow the
center pivot to avoid the farm
site, large wetlands, and a
drainage ditch in the N.E. $\frac{1}{4}$ of 6.

Gary D. Wipf
Gary D. Wipf

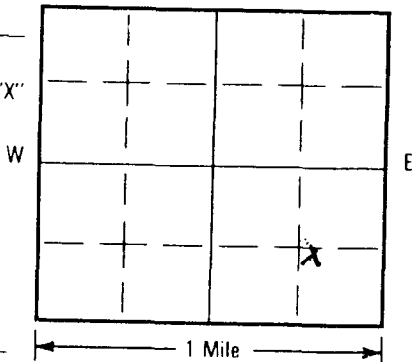
MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP.



SOUTH DAKOTA WATER WELL COMPLETION REPORT

6242A-3
07-92

Location SE 1/4 Sec 6 Twp 115 Rg 61
County Spink
Please mark well location with an "X"



Well Owner: Dary Wigh
Business Name: _____
Address: 17881 401 av.
Frankfort SD.

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>yellow clay</u>	<u>0</u>	<u>17</u>
<u>yellow sand</u>	<u>17</u>	<u>30</u>
<u>grey sand</u>	<u>30</u>	<u>81</u>

Well Completion Date

5/3/02

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from _____ (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>1 1/2</u> IN	<u>0</u> FT	<u>61</u> FT	<u>24</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Cement No. of Sacks 20 Grout Weight _____ lb./gal From 0 ft. To 20 ft.

Describe grouting procedure _____

line to 20 ft.

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 1 1/2 IN Length 20 FEET

Material 3/4" PVC

Slot Size 0.54 Set From 61 Feet to 81 Feet

Other information _____

gravel packed

WAS A PACKER OR SEAL USED? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: _____

gellets

☐ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

STATIC WATER LEVEL 12 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

Describe: 800 gpm

☐ Bailed

turbine

☐ Other _____

Pumping Level Below Land Surface

32 ft. After 6 Hrs. pumped 700 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 446

And this report is true and accurate.

Drilling firm Bullman and Well Drills

Signature of License Representative: _____

R. E. Kuehl

Signature of Well Owner or Equitable Property Holder: _____

RECEIVED

AUG 21 2002

WATER RIGHTS PROGRAM

Date: _____

REPORT ON WATER PERMIT APPLICATION NO. 6242A-3
for Gary D. Wipf
December 17, 2001

Application No. 6242A-3 proposes to amend Water Permit No. 6242-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6242-3 appropriates 1.56 cfs from either an existing well authorized by Water Right No. 1312-3 located near the center of the SW $\frac{1}{4}$ of section 6, T115N R61W or a new well to be located in the NE $\frac{1}{4}$ of section 6, T115N R61W for irrigation of 138 acres also located in the NE $\frac{1}{4}$ of section 6. This application proposes to move the irrigated acreage approximately 1800 feet south with the well to be located in the approximately center of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of section 6 to irrigate 138 acres located in portions of the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ of section 6; all in T115N R61W in Spink County.

AQUIFER – TULARE EAST JAMES (T-EJ)

The Tulare East James consists of outwash (sand and gravel) which can be under confined or water table conditions but in this area would be confined and under artesian conditions. Even though the aquifer is confined it behaves as if the aquifer were under water table conditions. The hydrographs for nearby observation wells show this clearly. The aquifer underlies about 167 square miles and contains an estimated 630,000 acre feet of recoverable water in storage in Spink County (Goodman, 1984). Recharge to the aquifer has been estimated at about 0.76 inches per year (Kuiper, 1984) or a range of from 0.38 inches per year to 1.52 inches per year (Hedges, 1983). This equates to an average recharge volume of about 6,800 acre feet per year for the Tulare East James aquifer. Ground water movement is from northeast to southwest in this area and toward Timber Creek and the James River (Hamilton, 1996).

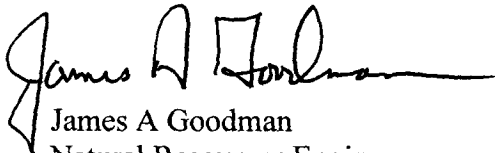
The Water Right Program monitors 33 observation wells completed into the Tulare East James aquifer in Spink County. Water levels show good response to climatic conditions and to pumping. One of the observation wells SP-77K is located in the same section as this application. A hydrograph for this observation well is included with this report. In general, the water level record indicates that interference is not a concern (Water Rights, 2001).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing water rights within one mile of this application. These are Water Right Nos. 1321-3 and 1201-3. Interference is not expected to be a problem. The two existing wells have been used for many years with no apparent problems. The well for this application will be located about one-half mile from two existing production wells. The observation well, SP-77K, will be located within one-half mile of the proposed production well for this application. This observation well does not fluctuate significantly from the existing pumping. A hydrograph of observation well SP-77K is included with this report.

CONCLUSIONS

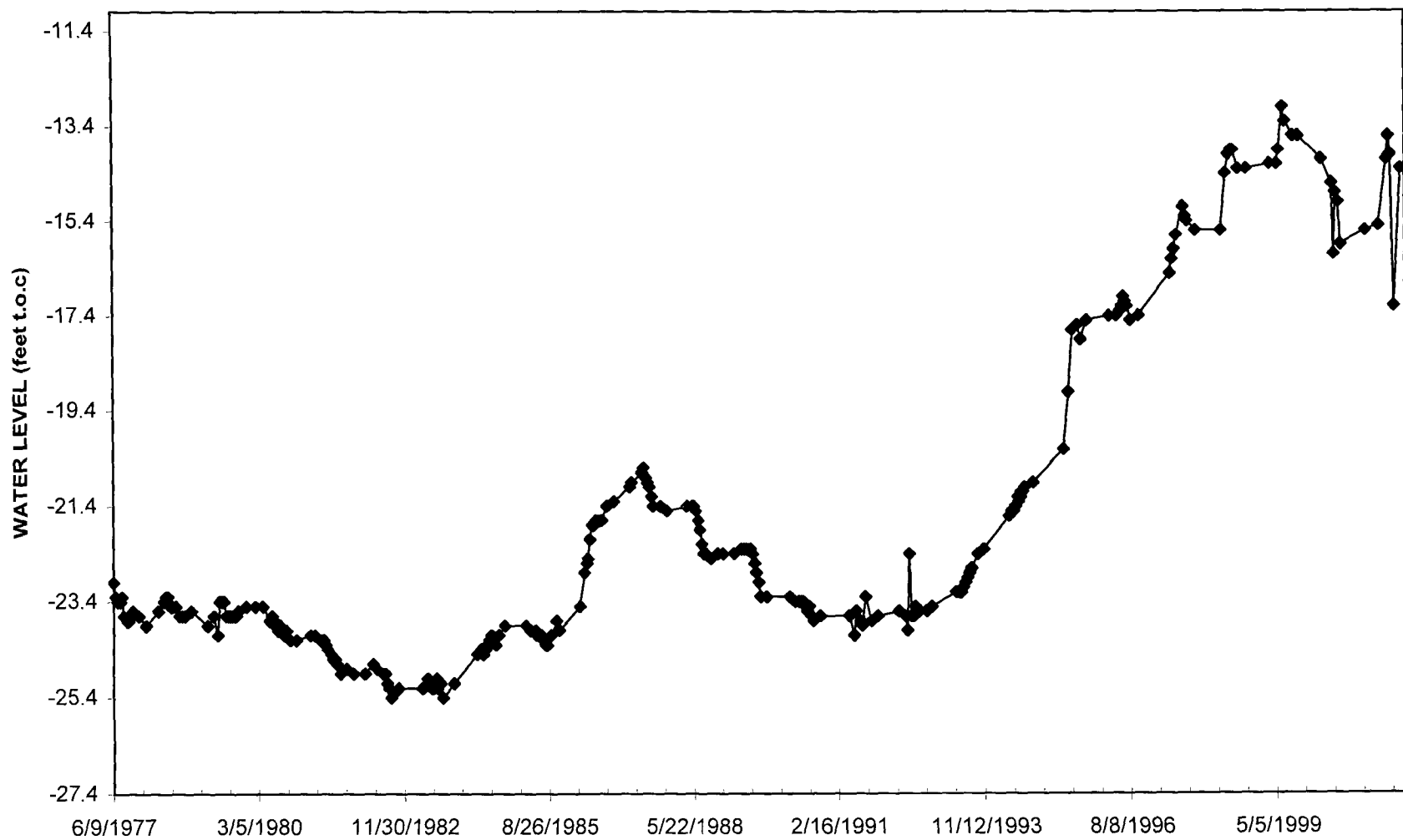
1. The Tulare East James aquifer has been determined to be fully appropriated by the Water Management Board. (See Findings of Fact and Conclusions of Law for Denial of Water Permit Application No. 5527-3).
2. This application is simply a transfer. This water is already appropriated by Water Permit No. 6242-3 and is limited to 1.56 cfs and 138 acres of irrigated land.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Approval of this application is not expected to adversely affect nearby water rights.
5. Part of the lands under this new application were covered under Water Permit No. 4739-3 which was cancelled in 1987 for failure to construct. A test well log filed with that permit indicates medium to coarse sand from 26 to 90 feet below land surface. This would be the Tulare East James aquifer and matches with other hydrogeologic information in this area.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Goodman, J.A., 1984, Report on Water Permit Applications No. 5009-3 Duane Muxon, No. 3178-3 MJT Inc. and No. 2235A-3 Gary D Wipf, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.
- Hamilton, L.J., L.W. Howells, 1996, Water Resources of Spink County, South Dakota, WRI 96-4056, USGS, Rapid City, SD, 57702.
- Kuiper, L.K., 1984, Appraisal of Water Resources of Eastern Part of the Tulare Aquifer, Beadle, Hand and Spink Counties, SD, WRI 84-4978, USGS, Huron, SD, 57350.
- Water Rights, 2001, Unpublished Observation Well Data for Spink County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
SP-77K**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6242A-3, Gary D. Wipf**

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. 6242A-3, Gary D. Wipf, 17801 401st Avenue, Frankfort, SD 57440.

The Chief Engineer is recommending APPROVAL of Application No. 6242A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following 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. The well authorized by Permit No. 6242A-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
January 4, 2002



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 7, 2002

Redfield Press
Box 440
Redfield, SD 57469-0440

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6242A-3 to Appropriate Water to be published twice. Please publish the first notice on January 16, 2002 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 Gary D. Wipf, 17801 401st Ave., Frankfort, SD 57440 (Ph # 605-472-1690).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6242A-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of January 7, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6242A-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

January 7, 2002

Gary D. Wipf
17801 401st Ave.
Frankfort, SD 57440

Dear Mr. Wipf:

Water Permit Application No. 6242A-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 Redfield Press printed at Redfield, SD (Ph # 605-472-0822). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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.

Instruction to Newspaper - Publish first Notice on January 16, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6242A-3
to Amend Water Permit No. 6242-3

Notice is given that Gary D Wipf, 17801 401st Ave, Frankfort SD 57440 has filed an application for a water permit to amend Water Permit No. 6242-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6242-3 appropriates 1.56 cubic feet of water per second from either an existing well authorized by Water Right No. 1312-3 located near the center of the SW ¼ Section 6, T115N, R61W or a new well (Tulare:East James Aquifer) to be located in the NE ¼ Section 6, for irrigation of 138 acre in NE1/4 of Section 6, all in T115N, R61W. This application proposes to move the center pivot approximately 1800 feet south with the well to be located in the approximate center of the N ½ SE ¼ Section 6 to irrigate 138 acres located in portions of the S ½ NE ¼, SE ¼ Section 6; all in T115N-R61W. The water source for this irrigation system is the Tulare:East James Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6242A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 February 4, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Spink

SS

I, Mark E. Davis, of said County and State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield, in said County and State, by THE REDFIELD PRESS, and has been such newspaper during the time hereinafter mentioned, and that I Mark E. Davis, the undersigned, am Publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the legal or official notice entitled:

No. 97 Notice Of Application (Gary Wipf)

a printed copy of which is hereto attached, was printed and published in said newspaper in 2 successive issues, to wit:

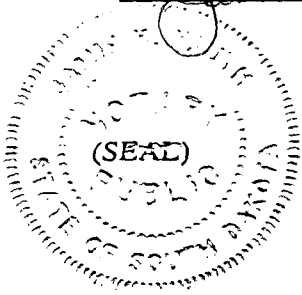
The first publication being made on January 11, 2002
2nd January 23, 2002 5th 20
3rd 20 6th 20
4th 20 7th 20

that the full amount of the fee charged for publishing the same to-wit: the sum of \$ 49.74, insures to the benefit of the publisher of THE REDFIELD PRESS, that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Signature of Mark E. Davis

Subscribed and sworn to before me this 28th day of January, 2002.

Signature of Notary Public, Spink County, South Dakota



MY COMMISSION EXPIRES 10/20/06

24.87 each

Notice of Application

No. 97 NOTICE OF APPLICATION NO. 6242A-3

To Amend Water Permit No. 6342-3 Notice is given that Gary D. Wipf, 17801 401st Ave, Frankfort SD 57440 has filed an application for a water permit to amend Water Permit No. 6242-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6242-3 appropriates 1.56 cubic feet of water per second from either an existing well authorized by Water Right No. 1312-3 located near the center of the SW 1/4 Section 6, T115N, R61W or a new well (Tulare: East James Aquifer) to be located in the NE 1/4 Section 6, for irrigation of 138 acre in NE 1/4 of Section 6, all in T115N, R61W. This application proposes to move the center pivot approximately 1800 feet south with the well to be located in the approximate center of the N 1/2 SE 1/4 Section 6 to irrigate 138 acres located in portions of the S 1/2 NE 1/4 SE 1/4 Section 6, all in T115N-R61W. The water source for this irrigation system is the Tulare: East James Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6242A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 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 in "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing is given above. A petition filed by either an interested person or the applicant must be filed by February 4, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(Jan. 16, 23)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 2002

Gary D. Wipf
17801 401st Ave.
Frankfort, SD 57440

Dear Mr. Wipf:

The Notice of Application No. 6242A-3 as published in the Redfield Press on January 16 and 23, 2002 contained an error in the legal description of the location of the lands to be irrigated. Enclosed is a copy of the affidavit of publication. I have circled the error. The notice needs to be readvertised to correct the error. This readvertisement is necessary to ensure your water permit is free from any legal entanglements due to insufficient public notice.

Therefore, another notice has been sent to the Publisher of the Redfield Press (Ph # 605 472-0822). A copy of the notice is enclosed.

If you have any questions, please contact me.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

c: Redfield Press



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 2002

Redfield Press
Box 440
Redfield, SD 57469-0440

ATTENTION: Legal Public Notice

Enclosed is a Notice of Application No. 6242A-3 for Gary D. Wipf that needs to be readvertised due to a publication error in the legal description of the well location. Please publish the first notice on February 6, 2002 with the second publication 7 days later.

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6242A-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of January 30, 2002 enclosing Notice to Appropriate Water by Application No. 6242A-3 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 February 6, 2002 with the second publication 7 days later.

NOTICE OF APPLICATION NO. 6242A-3
to Amend Water Permit No. 6242-3

Notice is given that Gary D Wipf, 17801 401st Ave, Frankfort SD 57440 has filed an application for a water permit to amend Water Permit No. 6242-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6242-3 appropriates 1.56 cubic feet of water per second from either an existing well authorized by Water Right No. 1312-3 located near the center of the SW $\frac{1}{4}$ Section 6, T115N, R61W or a new well (Tulare:East James Aquifer) to be located in the NE $\frac{1}{4}$ Section 6, for irrigation of 138 acres in NE $\frac{1}{4}$ of Section 6, all in T115N, R61W. This application proposes to move the center pivot approximately 1800 feet south with the well to be located in the approximate center of the N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 6 to irrigate 138 acres located in portions of the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 6; all in T115N-R61W. The water source for this irrigation system is the Tulare:East James Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6242A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 February 25, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Spink

RECEIVED

SS
MAR 19 2002

WATER RIGHTS
PROGRAM

I, Mark E. Davis, of said County and State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield, in said County and State, by THE REDFIELD PRESS, and has been such newspaper during the time hereinafter mentioned, and that I Mark E. Davis, the undersigned, am Publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the legal or official notice entitled:

NO. 97 Notice of Application
(Wright)

a printed copy of which is hereto attached, was printed and published in said newspaper in 2 successive issues, to wit:

The first publication being made on Jan. 16, 2002
2nd Jan. 23, 2002 5th 20
3rd 20 6th 20
4th 20 7th 20

that the full amount of the fee charged for publishing the same to-wit: the sum of \$ 49.74, insures to the benefit of the publisher of THE REDFIELD PRESS, that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Mark E. Davis

Subscribed and sworn to before me this 18th day of March, 2002.

Jamie R. Brown
Notary Public, Spink County, South Dakota

MY COMMISSION EXPIRES 10/20/06

Notice of Application

No. 97

NOTICE OF APPLICATION NO.
6242A-3

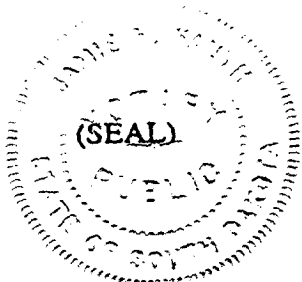
To Amend Water Permit No. 6242-3
Notice is given that Gary D. Wipf, 17801 401st Ave, Frankfort SD 57440 has filed an application for a water permit to amend Water Permit No. 6242-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6242-3 appropriates 1.56 cubic feet of water per second from either an existing well authorized by Water Right No. 1312-3 located near the center of the SW 1/4 Section 6, T115N, R61W or a new well (Tulare: East James Aquifer) to be located in the NE 1/4 Section 6, for irrigation of 138 acre in NE 1/4 of Section 6, all in T115N, R61W. This application proposes to move the center pivot approximately 1800 feet south with the well to be located in the approximate center of the N 1/2 SE 1/4 Section 6 to irrigate 138 acres located in portions of the S 1/2 NE 1/4, SE 1/4 Section 6, all in T115N-R61W. The water source for this irrigation system is the Tulare: East James Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6242A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 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 in "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605.773-3352)" and the applicant's mailing is given above. A petition filed by either an interested person or the applicant must be filed by February 25, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(Jan. 16, 23)





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 16 2002

Gary D. Wipf
17801 401st Avenue
Frankfort, SD 57440

Dear Mr. Wipf:

Enclosed is Water Permit No. 6242A-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

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

Date 7-8-02

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

RECEIVED

JUL 09 2002

WATER RIGHTS
PROGRAM

FROM:

Gary D. Wipf
(name)17801 401st Ave
(address)Frankfort SD. 57440
(city, state, zip)605 472 1690
(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6242A-3 states that the water use system is to be constructed by _____, and water is to be put to beneficial use by _____.

(date) (date)

The water use system was completed on 5-15-02.

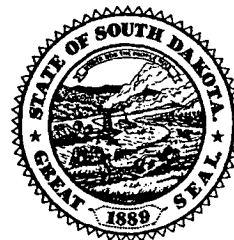
(date)

Applying the water to beneficial use was completed on 5-15-02.

(date)

You may schedule an investigation so that the water license may be issued.

Gary D. Wipf
(signature)



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

I have this day, May 23, 2012, made a thorough examination of the water use system constructed by Gary D Wipf, 17801 401st Avenue, Frankfort SD 57440 holder of Permit Nos. 6242-3 and 6242A-3, bearing the priority of October 1, 1976 authorizing the diversion of 1.56 cu. ft. per second from the Tulare:East James Aquifer for irrigation purposes, in Spink County.

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

A. Works used to divert the water:

One well in place each with a 100 HP pump/motor

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

Approximately 1,000 feet of underground pipeline from well to pivot center

C. Works used to apply water to beneficial use:

One 8 tower T-L center pivot

The system is in the following condition excellent. The point of diversion is located specifically Lat 44.79788 Lon -98.20228 --- approx. 2,280 feet north and 430 feet west of southeast corner Section 6, T115N, R61W (NE ¼ SE ¼) The works are capable of diverting a total of 1.56 cfs from the one well which is used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in Section 6, T115N, R61W

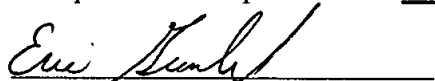
SW ¼ NE ¼	24 acres
SE ¼ NE ¼	24 acres
NW ¼ SE ¼	38.5
NE ¼ SE ¼	38.5
SW ¼ SE ¼	6.5
SE ¼ SE ¼	6.5

This breakdown of acres is a best estimate based on 1) information provided and 2) viewing the 2012 FSA aerial using ArcMap,

comprising a total of 138 acres of land and the license should be issued for 1.56 cfs based on the capacity of the well and center pivot.

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: none Date Report Completed: June 16, 2014



Eric Gronlund

Natural Resources Engineer

DENR, Water Rights Program

**** Water Permit No. 6242A-3 amended Water Permit No. 6242-2 to transfer acres by moving the center pivot approximately 1,800 feet to the south. The water license should incorporate these two permits into one water right under No. 6242A-3.**

FIELD INVESTIGATION REPORT FOR PERMIT NO. 6242A-3

DATE OF INVESTIGATION:	May 23, 2012
NAME & ADDRESS OF PERMIT HOLDER	Gary D Wipf <u>17801 401st Avenue</u> <u>Frankfort SD 57440</u>
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Gary Wipf, owner/operator
DIVERSION POINT LEGAL LOCATIONS	<u>Lat 44.79788 Lon -98.20228 --- approx. 2,280</u> <u>feet north and 429 feet west of southeast corner</u> <u>Section 6, T115N, R61W (NE ¼ SE ¼)</u>

WELL INFORMATION:

- 1) Well Drilling Firm: **Pullman**
- 2) No. of Wells 1
- 3) Depth(s) 81 feet
- 4) Well logs is available Yes
- 5) Comment:

Casing:

- 1) Diameter 16 inches
- 2) Length 61 feet
- 3) Type plastic

Screen:

- 1) Type PVC
- 2) Length 20 feet
- 3) Static water level 12 feet

Pump: well

- 1) Make Wester Land pump
- 2) Model FPS550ST8
- 3) Size
- 4) Capacity 700 GPM well

Motor:

- 1) Make Armarillo Turbine
- 2) Model No. SA-100A
- 3) Horsepower rating 100 hp

SYSTEM TYPE:

Center pivot:

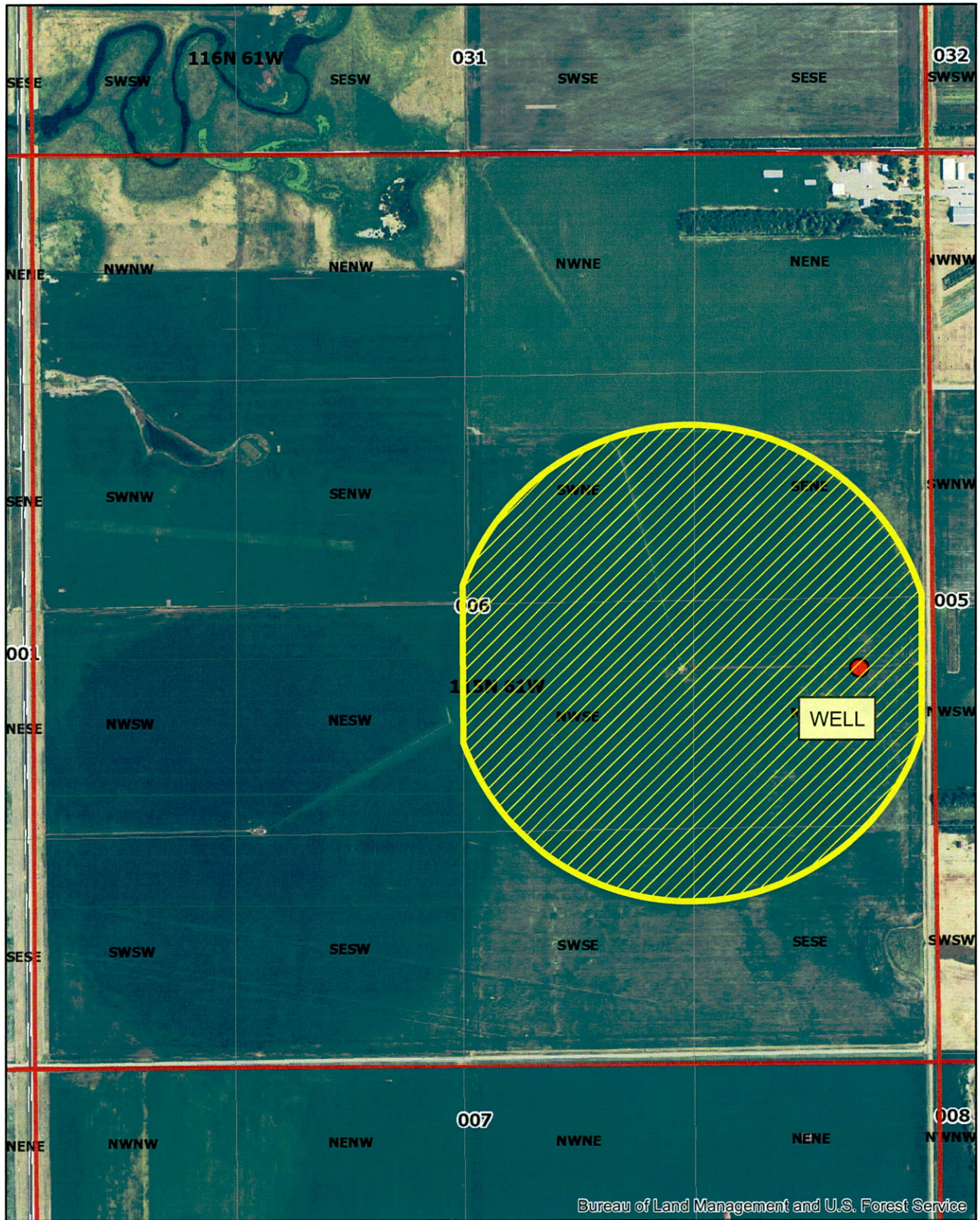
- 1) Make **T-L**
- 2) Overall length **approx. 1300** feet (w/o endgun)
- 3) Number of towers **8 tower**
- 4) Distance between towers _____ feet
- 5) End gun **Yes**
- 6) High or low pressure **50 psi**
- 7) Capacity **700** GPM

CHEMIGATION EQUIPMENT: **No**

PERMIT QUALIFICATIONS:

- 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**

COMMENTS:



1,000 500 0 1,000 Feet



well is approximately 2,280 feet north and 430 feet west
of southeast corner of Section 6, T115N, R61W

Eric Gronlund

Eric Gronlund
Water Rights Program, DENR
Licensing Investigation May 23, 2012



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



6242A-3

JUL 07 2014

6242-3
6242A-3

Gary D Wipf
17801 401st Ave
Frankfort SD 57440

Dear Mr. Wipf:

Enclosed is Water License No. 6242A-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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. 6242A-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.

Upon licensing, the applicable portions of Water Permit No. 6242-3 were incorporated into Water License No. 6242A-3. 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.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6242A-3

(1) Gary D Wipf, 17801 401st Ave., Frankfort SD 57440 made Application No. 6242A-3, November 16, 2001 for a water permit to amend Water Permit No. 6242-3 by transferring a portion of irrigated acreage and diversion point to other land. The water source for the irrigation system, located in Spink County, South Dakota, is the Tulare East James Aquifer. Water Permit No. 6242A-3 did not allow for an increase in the diversion rate or acres irrigated. Permit No. 6242A-3, with a priority date of October 1, 1976 (established under Water Permit No. 6242-3) was approved February 25, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 25, 2007 and for the application to beneficial use of said water on or before February 25, 2011.

The applicable portions of Water Permit No. 6242-3 are incorporated into this water license. A priority date of October 1, 1976 is retained.

(2) It is certified that the permit 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 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 2,280 feet north and 430 feet west of the SE corner of Section 6, T115N, R61W (NE $\frac{1}{4}$ SE $\frac{1}{4}$).

(3) The permit 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 6, T115N, R61W			
NW $\frac{1}{4}$ SE $\frac{1}{4}$	38.5 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$	24 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	38.5 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$	24 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6.5 acres		
SE $\frac{1}{4}$ SE $\frac{1}{4}$	6.5 acres	Total	138 acres

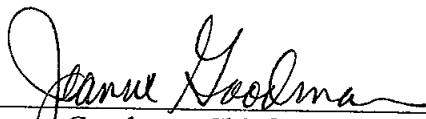
(4) Pursuant to South Dakota Water Law 46-5-30.1 Gary D Wipf, 17801 401st Ave., Frankfort SD 57440 the holder and/or owner of Incorporated Water Right No. 6242A-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from ground water - one well (Tulare East James Aquifer) with a priority date of October 1, 1976 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6242A-3 and subject to the following qualifications:

- 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.
- The well authorized by Permit No. 6242A-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. ***Well drilled by Pullman Drilling in May, 2002. Log on file with the Water Rights Program.***

continued

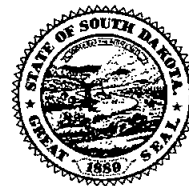
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 07 2014

date



6242A-3



I have recieved water
Liconse # 6242A-3

Just To note
The well is Located at the
pivot - not where your map
shows

Thanks
Gary

RECEIVED

JUL 10 2014

WATER RIGHTS
PROGRAM

Aberdeen 605.725.1000 Groton 605.397.2323 Redfield 605.475.1000



nvc.net

6242A-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 6242A-3, Gary Wipf

ADDRESS: 17801 401st Avenue, Frankfort SD COUNTY: Spink County

DATE: July 28, 2014 TELEPHONE: 460-1690

RE: well location

I contacted Gary Wipf regarding his comment that the well location represented on the map for Water License No. 6242A-3 is wrong. The well is located at the pivot center. I stated my recollection from May o 2002 and the GPS coordinate indicate the well was in the NE ¼ SE ¼ of Section 6, T115N, R61W. I asked if he drilled a new well. Mr. Wipf stated the well has been in this location since 2002 when it was drilled.

I will change the report of examination of works accordingly and the water license can be reissued.

NAME: Eric Hummel

Permit Nos. 6242-3 and 6242A-3
James River - Water District

**Amended 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

I have this day, May 23, 2012, made a thorough examination of the water use system constructed by Gary D Wipf, 17801 401st Avenue, Frankfort SD 57440 holder of Permit Nos. 6242-3 and 6242A-3, bearing the priority of October 1, 1976 authorizing the diversion of 1.56 cu. ft. per second from the Tulare:East James Aquifer for irrigation purposes, in Spink County.

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

A. Works used to divert the water:

One well in place each with a 100 HP pump/motor

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

Well is very near pivot center – 8 inch pipe connect well to pipe

C. Works used to apply water to beneficial use:

One 8 tower T-L center pivot

The system is in the following condition excellent. The point of diversion is located specifically Lat 44.79788 Lon -98.20628 --- approx. 2,260 feet north and 1,450 feet west of southeast corner Section 6, T115N, R61W (NW ¼ SE ¼) The works are capable of diverting a total of 1.56 cfs from the one well which is used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in Section 6, T115N, R61W

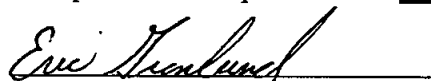
SW ¼ NE ¼	24 acres
SE ¼ NE ¼	24 acres
NW ¼ SE ¼	38.5
NE ¼ SE ¼	38.5
SW ¼ SE ¼	6.5
SE ¼ SE ¼	6.5

This breakdown of acres is a best estimate based on 1) information provided and 2) viewing the 2012 FSA aerial using ArcMap,

comprising a total of 138 acres of land and the license should be issued for 1.56 cfs based on the capacity of the well and center pivot.

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: none Date Amended Report Completed: July 28, 2014



Eric Gronlund

Natural Resources Engineer

DENR, Water Rights Program

**** Water Permit No. 6242A-3 amended Water Permit No. 6242-3 to transfer acres by moving the center pivot approximately 1,800 feet to the south. The water license should incorporate these two permits into one water right under No. 6242A-3.**

FIELD INVESTIGATION REPORT FOR PERMIT NO. 6242A-3

DATE OF INVESTIGATION:	May 23, 2012
NAME & ADDRESS OF PERMIT HOLDER	Gary D Wipf <u>17801 401st Avenue</u> <u>Frankfort SD 57440</u>
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Gary Wipf, owner/operator
DIVERSION POINT LEGAL LOCATIONS	<u>Lat 44.79788 Lon -98.20628 --- approx. 2,260</u> <u>feet north and 1,450 feet west of southeast</u> <u>corner Section 6, T115N, R61W (NW ¼ SE</u> <u>¼)</u>

WELL INFORMATION:

- 1) Well Drilling Firm: **Pullman**
- 2) No. of Wells 1
- 3) Depth(s) 81 feet
- 4) Well logs is available Yes
- 5) Comment:

Casing:

- 1) Diameter 16 inches
- 2) Length 61 feet
- 3) Type plastic

Screen:

- 1) Type PVC
- 2) Length 20 feet
- 3) Static water level 12 feet

Pump: well

- 1) Make Western Land pump
- 2) Model FPS550ST8
- 3) Size
- 4) Capacity 700 GPM well

Motor:

- 1) Make Armarillo Turbine
- 2) Model No. SA-100A
- 3) Horsepower rating 100 hp

SYSTEM TYPE --Center pivot:

- 1) Make T-L
- 2) Overall length approx.. 1300 feet (w/o endgun)
- 3) Number of towers 8 tower
- 4) Distance between towers _____ feet
- 5) End gun Yes
- 6) High or low pressure 50 psi
- 7) Capacity 700 GPM

CHEMIGATION EQUIPMENT: No

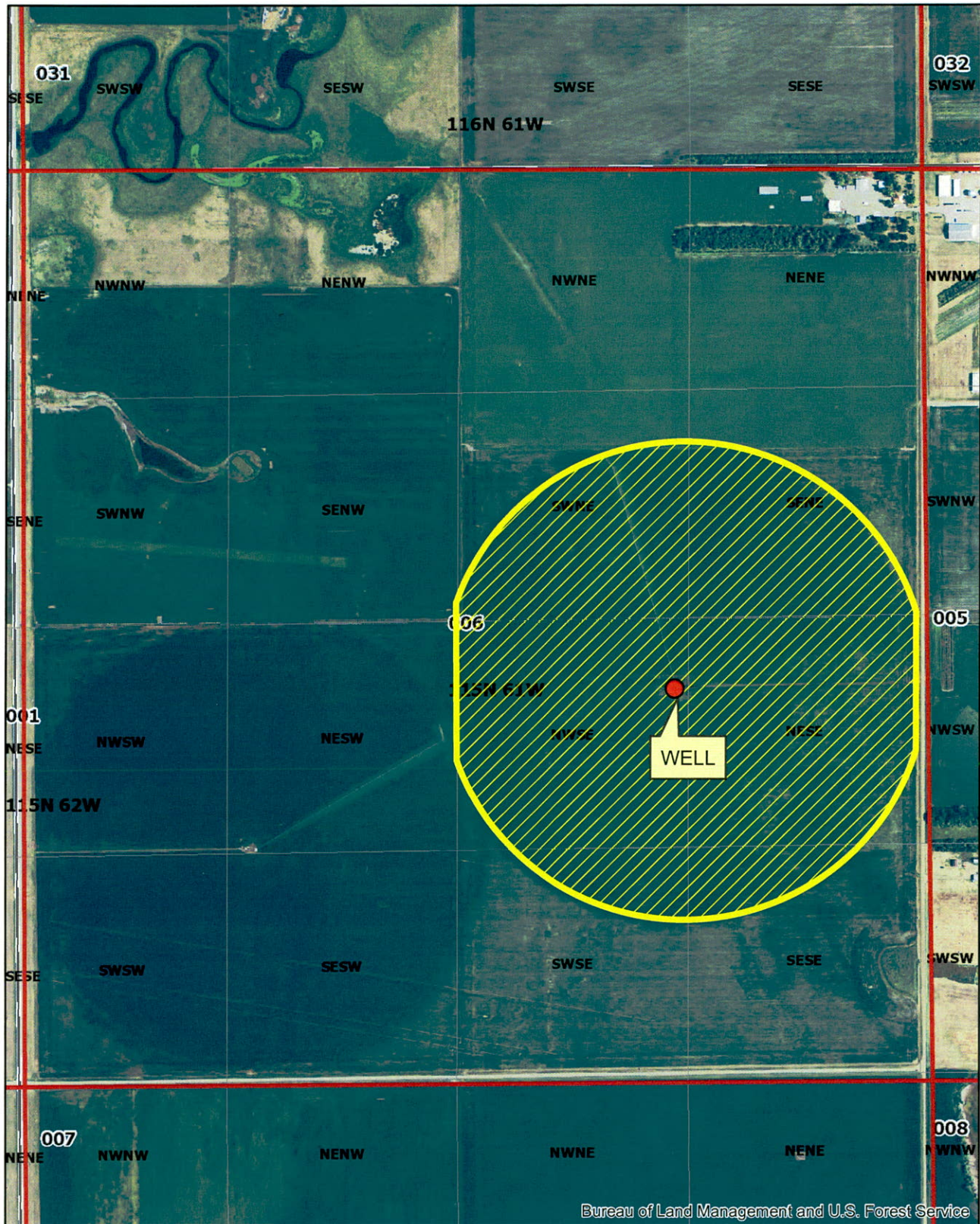
PERMIT QUALIFICATIONS:

- 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

COMMENTS:

Based on my conversation with Mr. Wipf on July 28, 2014, the irrigation center pivot was replaced in 2012 after the licensing investigation was conducted.

Upon receiving the water license, Mr. Wipf sent a note that the well location is wrong. I contacted him to find out if a new well was drilled. He indicated it is the same well that has been there since 2002. I looked on the FSA aerial and map.google.com and could not see the well at the location I originally marked. Based on this, I conclude that an error was made on my part and the license should be reissued as set forth in this amended report of examination of works.



1,000 500 0 1,000 Feet



well is approximately 2,260 feet north and 1,450 feet west
of southeast corner of Section 6, T115N, R61W

Eric Gronlund
Water Rights Program, DENR
Licensing Investigation May 23, 2012



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



6242A-3

AUG 18 2014

Gary D Wipf
17801 401st Ave
Frankfort SD 57440

Dear Mr. Wipf:

Enclosed is Reissued Water License No. 6242A-3. The license was reissued to correct an error in the well location. Included with your license is an updated map the staff engineer prepared based on the corrected well location.

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.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 6242A-3

(1) Gary D Wipf, 17801 401st Ave., Frankfort SD 57440 was issued Water License No. 6242A-3, July 7, 2014 for a water right to divert 1.56 cubic feet of water per second from ground water (one well, Tulare East James Aquifer), located in Spink County, South Dakota for irrigation purposes. The applicable portions of Water Permit No. 6242-3 were incorporated into the water license. A priority date of October 1, 1976 was retained.

Upon issuance of the water license, an error was discovered in the legal description of the well location. Water License No. 6242A-3 is being reissued to correct the error. The remaining portions of the original license have not been altered.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 2,260 feet north and 1,450 feet west of the SE corner of Section 6, T115N, R61W (NW ¼ SE ¼).

(3) The permit 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 6, T115N, R61W

NW ¼ SE ¼	38.5 acres	SW ¼ NE ¼	24 acres
NE ¼ SE ¼	38.5 acres	SE ¼ NE ¼	24 acres
SW ¼ SE ¼	6.5 acres		
SE ¼ SE ¼	6.5 acres	Total	138 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Gary D Wipf, 17801 401st Ave., Frankfort SD 57440 the holder and/or owner of Incorporated Water Right No. 6242A-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from ground water - one well (Tulare East James Aquifer) with a priority date of October 1, 1976 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6242A-3 and subject to the following qualifications:

- 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.
- The well authorized by Permit No. 6242A-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *Well drilled by Pullman Drilling in May, 2002. Log on file with the Water Rights Program.*

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



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 18 2014

date

