

# WATER PERMIT NO. 6914-3

Name of Applicant: Hartman & Pahl Farms

Address: 18755 280<sup>th</sup> Ave, Pierre SD 57501

Phone: 605 264-5533

Amount of Water Claimed: 1.33 cfs

Total Acres: 73 acres

Source of Water Supply: Missouri River

Water to be used for: irrigation

County: Sully

Type of Waste Disposal System:

Location: 22 miles west of Onida

PRIORITY

Date Received: 12-6-07

Application/License Fee: \$275.00

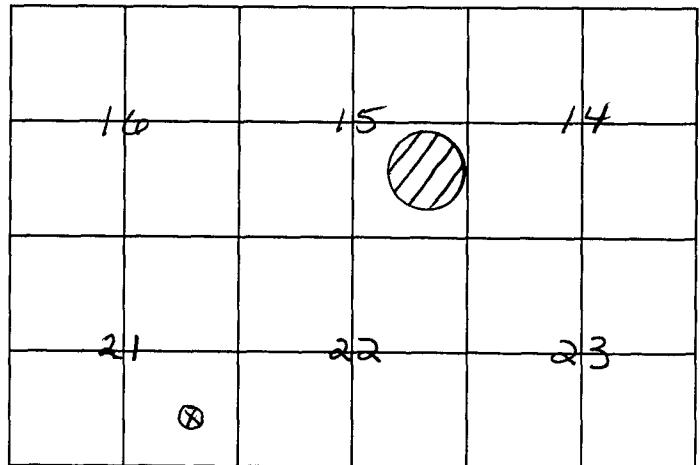
Corrected Application Received:

Period of Annual Use: April 1 – Sept 30

Remarks: Using the same diversion point as authorized by Water Right No. 5761-3

Diversion Point: SE ¼ SE ¼ Sec 21-T114N-R81W

Land to be Irrigated: SE ¼ Sec 15-T114N-R81W



Depth of Well: NA

Well Driller: :

Remarks:

Type of Map: aerial

Prepared by: Karen LaFurge, Sully Co FSA

Reviewed and the Number Assigned on: 12-10-07

By: Karen Schlaak

Notice of Hearing - date to intervene: \_\_\_\_\_

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

|                                                                                                                    |                                                  |                                 |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|---------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>6914-3</u> (office use only)              | Hydrologic Unit <u>10130105</u> |
|                                                                                                                    | Basin <u>Missouri River</u>                      |                                 |
|                                                                                                                    | Newspaper <u>Onida Watchman PO Box 245 Onida</u> |                                 |
|                                                                                                                    | <u>605-258-2604</u> <u>57564</u>                 |                                 |

RECEIVED  
 DEC - 6 2007  
 WATER RIGHTS PROGRAM

## Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. \_\_\_\_\_

(Use predates Mar 2, 1955)

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

- Name of Applicant HARTMAN & PAHL FARMS Phone 605-264-5533  
 (check one) ☒ Owner ☐ Tenant/lessee  
 Mailing Address 18755 280th AVE. PIERRE State SD  
 (Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1,33\*CFS or 600 \*\*GPM \*\*\*AF Total Acreage 73  
 (\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply MISSOURI RIVER
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)  
W1/2 SE1/4 SEC 21-T114N-R81W  
SE 1/4 County SULLY
- County or counties where water will be used SULLY
- Annual period during which water is to be used APRIL/SEPT Oct. 31
- 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 |
|-----------------------|-------|------------------|-------|
| SE1/4 SEC.15-1144-81W | 73    |                  |       |
|                       |       |                  |       |
|                       |       |                  |       |
|                       |       |                  |       |

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

ADD ACRES TO PROJECT Request more than 1 cfs / 70 AC

STATE OF SOUTH DAKOTA) SS  
 County of SULLY

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)

ROGER SHOUP [OPERATOR], 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 Roger Shoup

Subscribed and sworn to before me this 11 day of December 2007

SHIRLY J. LIVERMONT  
 NOTARY PUBLIC  
 SOUTH DAKOTA

10-11-2013

**SOUTH DAKOTA  
WATER PERMIT NO. 6914-3**

---

Date of first receipt of application December 6, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6914-3 to Hartman & Pahl Farms, c/o Roger Shoup, 18755 280<sup>th</sup> Ave, Pierre SD 57501 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. 6914-3 appropriates 1.33 cubic feet of water per second (cfs) from the Missouri River utilizing an existing diversion point authorized by Water Right No. 5761-3 located in the SE ¼ SE ¼ Section 21 to irrigate 73 acres located in the SE ¼ Section 15; all in T114N-R81W.
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 December 6, 2007.
4. The date of approval of Permit No. 6914-3 is February 11, 2008.
5. One-fifth of the construction is to be completed on or before August 11, 2010.
6. All construction is to be completed on or before February 11, 2013.
7. Water is to be put to beneficial use on or before February 11, 2017.
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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so require, Permit No. 6914-3 authorizes a maximum diversion rate of 1.33 cfs for the irrigation of 73 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

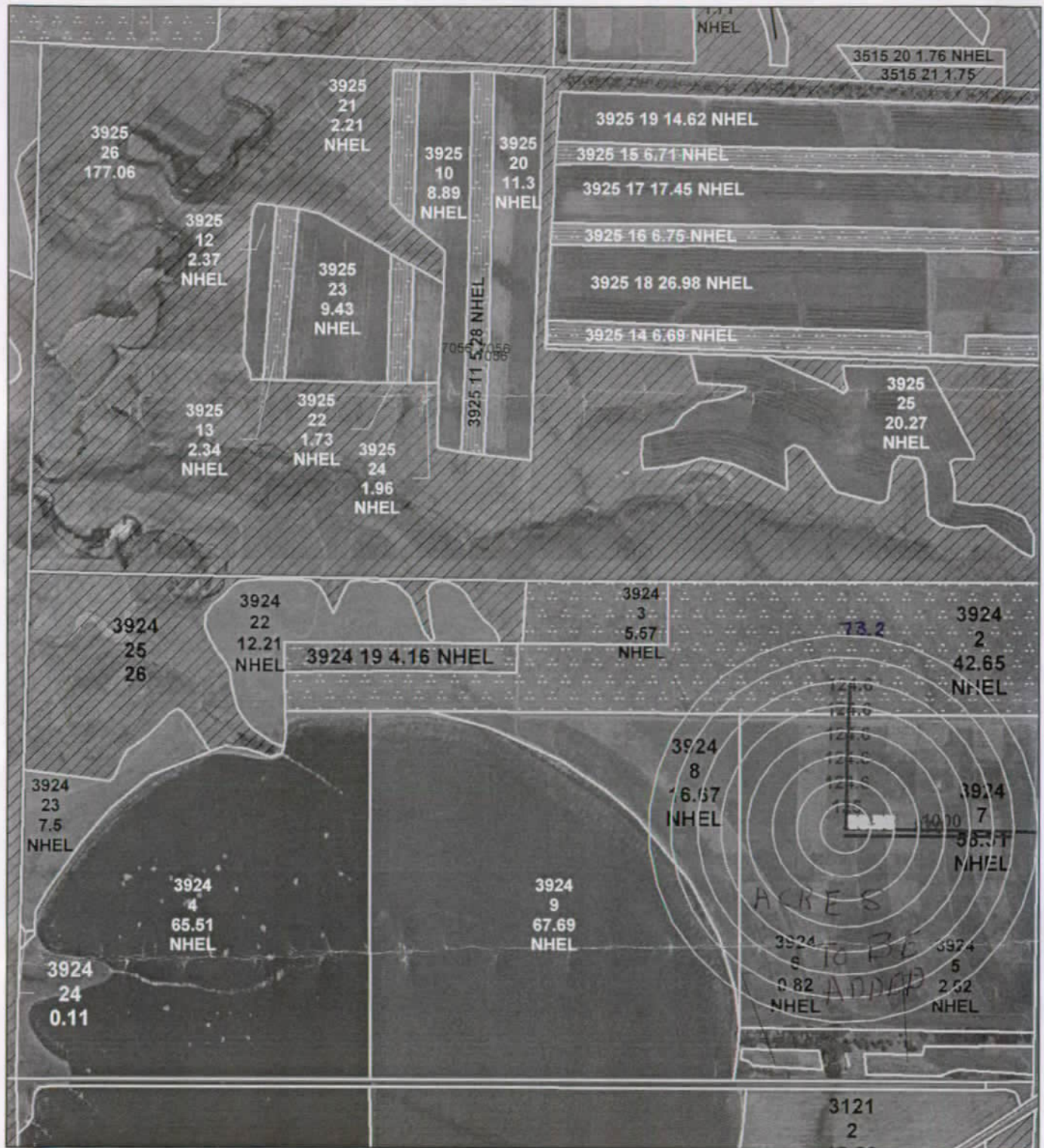
**WATER MANAGEMENT BOARD**

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

APR 02 2008

date





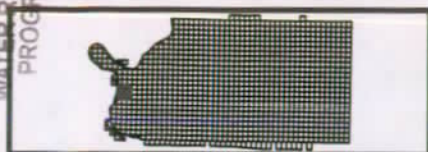
USDA - Farm Service Agency

# Sully County, SD

15-114N-81W

1:8,590

May 21, 2007



## Legend

- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- Rangeland

## Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions



Kaen LaFuge  
12-5-07



USDA - Farm Service Agency

**Sully County, SD**

21-114N-81W

1:8,613

May 21, 2007



**Legend**

- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- Rangeland

**Wetland Determination Identifiers**

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions



USDA FSA maps are for FSA Program administration only. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability. FSA MAPS DO NOT REPRESENT A LEGAL SURVEY. The user accepts the data 'as is' and assumes all risks associated with its use. Wetland points reflect records available with NRCS and may or may not constitute a full inventory of the property. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data. Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

RECEIVED

DEC - 6 2007

WATER RIGHTS  
PROPRIETARY

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/7, 20 07

RECEIVED OF CJC Inc Gene Hartman PO Box 837 Huron SD 57350

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

|                                                                                                                        |       |        |
|------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>6914-3</u> to Appropriate Water, to construct and to put water to beneficial use | 225   | 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>6914-3</u>            | 50    | 00     |
| Fee for Filing Transfer Form _____                                                                                     |       |        |
| Fee for _____                                                                                                          |       |        |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                                    |       |        |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                                     |       |        |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                                 |       |        |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                              |       |        |
| (Any Other Work Provided by Law)                                                                                       | TOTAL | 275 00 |

No.

03226

By

Laurel Erbe

Chief Engineer

J

**Water Rights Program - DENR**

**File Documentation**

**File No.** 6914-3

**County:** Sully

**Name of Person:** Roger Shoup

**Address:** 18755 280<sup>th</sup> Ave Pierre SD

**Date:** 1-9-08 **Telephone:** 605-264-5533

**RE:** Diversion clarification for the application

**Comments:**

*I spoke with Mr. Shoup concerning whether this project would be utilizing the existing Missouri River utilized by Nos. 5671-3 and 6163C-3. Mr. Shoup said it will be the same diversion system utilizing the canal and storage pond.*



Mark D Rath  
Natural Resources Engineering Specialist



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 6914-3, Hartman and Pahl Farms**

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. 6914-3, Hartman and Pahl, c/o Roger Shoup, 18755 290<sup>th</sup> Avenue, Pierre SD 57501..

The Chief Engineer is recommending APPROVAL of Application No. 6914-3 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) it is in the public interest with the following qualifications:

1. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so require, Permit No. 6914-3 authorizes a maximum diversion rate of 1.33 cfs for the irrigation of 73 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
2. 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 16, 2008

## REPORT ON WATER PERMIT APPLICATION NO. 6914-3

Hartman and Pahl Farms

January 9, 2008

Application No. 6914-3, Hartman and Pahl Farms, c/o Roger Shoup, 18755 290<sup>th</sup> Ave, Pierre SD 57501 has filed an application for a water permit to appropriate 1.33 cubic feet of water per second from the Missouri River utilizing an existing diversion point authorized by Water Right Nos. 6163B-3, 6163C-3 and 6326-3 located in the SE ¼ SE ¼ Section 21 to irrigate 73 acres located in the SE ¼ Section 15; all in T114N-R81W. The proposed project is located 22 miles west of the town of Onida in Sully County.

### Review of the Water Source

The water source for this application is the Missouri River impounded behind Oahe Dam. The U.S. Army Corps of Engineers (USACE) constructed Oahe Dam in the 1950's and 1960's as part of a six reservoir Pick-Sloan project for the Missouri River. The six project dams; Ft Peck, Garrison, Oahe, Big Bend, Ft Randall and Gavins Point; are operated as a system providing storage and water releases for the Congressionally authorized purposes of which irrigation is included. Specifically Oahe Reservoir can impound up to 23.4 million acre-feet of water (MAF) when full. Due to an ongoing 7 year region wide drought, Oahe reservoir is currently 11.3 (MAF) below full and down 38.4 feet from full and down 25.9 feet below the top of the multiple use storage zone. Water availability is not a concern when using the Missouri River as a source, but accessing water due to declining water levels and receding shore line as reservoir levels drop can become an issue.

### Review of the Proposed Project and Existing Water Rights

There are 262 existing water rights/permits appropriating water from the Missouri River in South Dakota. Since water availability is not an issue, approval of this permit would not adversely affect these existing water rights.

The applicant is requesting a diversion rate greater than the allowed 1 cfs per 70 irrigated acres for this permit. South Dakota Codified Laws (SDCL) 46-5-6 allows the Water Management Board to

issue water permits with a greater diversion rate if the method of irrigation so requires. In this case the applicant intends to install a center pivot that will utilize an existing irrigation diversion point authorized by water permit/right Nos. 5671-3, 6163B-3, 6163C-3 and 6326-3. Generally the design capacity of an irrigation pump is sized so that it will give a rated capacity based upon the center pivot making a full rotation. The designed pump capacity will be greater than 1 cfs per 70 acres.

### Conclusions

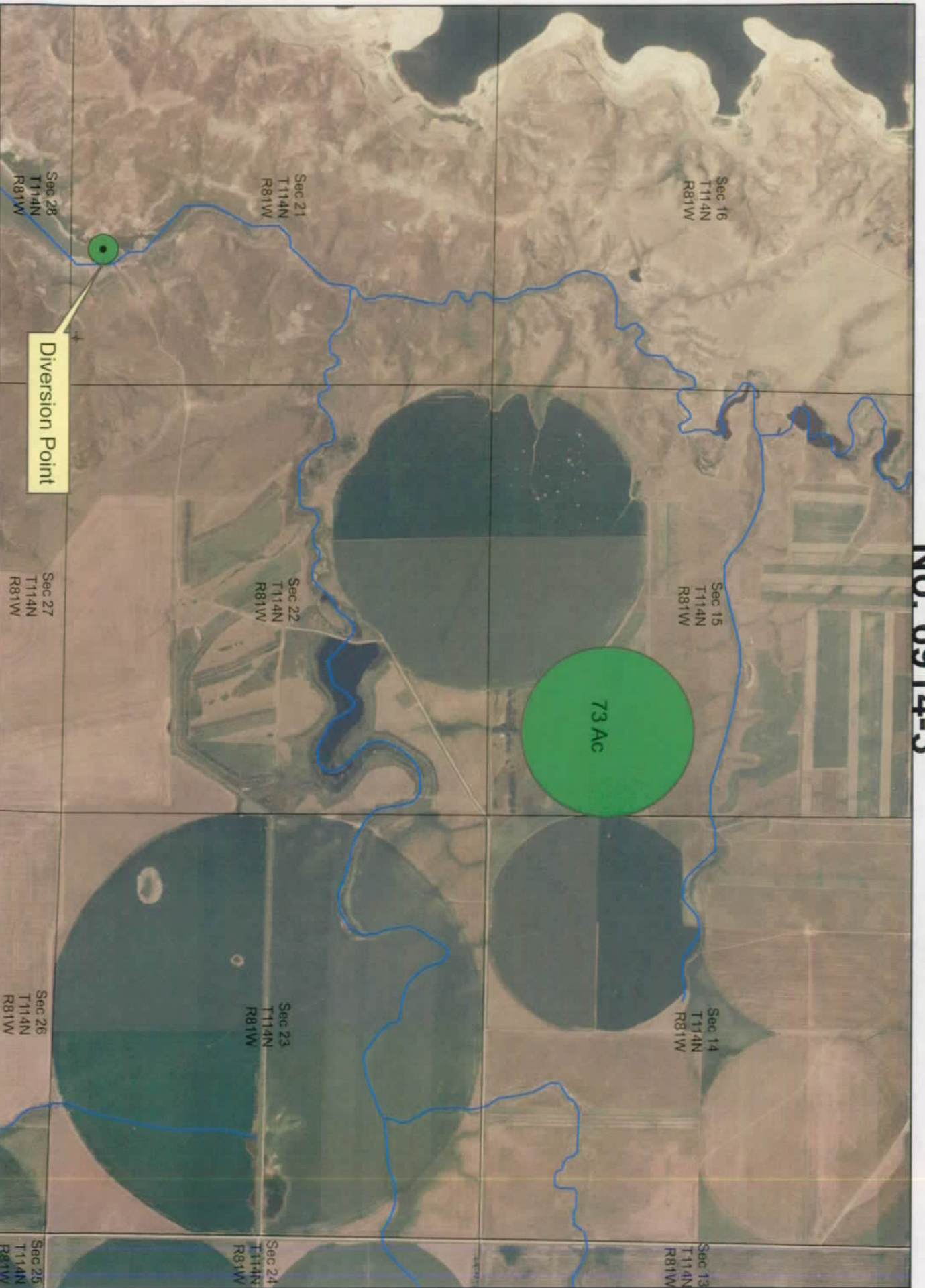
1. This application proposes to appropriate 1.33 cubic feet of water per second from the Missouri River for irrigation purposes.
2. The diversion rate greater than the 1 cfs per 70 irrigated acres can be allowed by SDCL 46-5-6 if the Water Management Board determines the method of irrigation so requires a greater diversion rate.
3. Approval of this permit would not adversely affect existing water rights.

A handwritten signature in black ink, appearing to read 'Mark D. Rath', with a stylized, cursive script.

Mark D. Rath

Natural Resources Engineering Specialist

# No. 6914-3



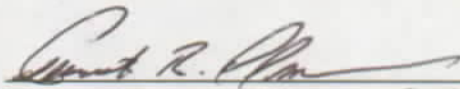
## AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA )  
COUNTY OF SULLY )

Curtis R. Olson of said County and State, being first duly sworn on his oath, says that the **ONIDA WATCHMAN** is a weekly newspaper of general circulation, published in the English language in the City of Onida, in said County and State, by said Curtis R. Olson, and has been admitted to the United States mail under the second class mailing privilege at all times hereinafter mentioned, and that all of said times has had more than 200 bona fide paid subscribers; that I, the undersigned, am the publisher of said newspaper, in charge of the legal/display advertising department thereof, and have personal knowledge of all the facts stated in the affidavit; and that the advertisement headed:

### NOTICE OF APPLICATION NO. 6914-3 TO APPROPRIATE WATER

A printed copy of which is hereto attached, was printed and published in said newspaper for **TWO** successive issues, the first publication made **2008** the **24th** day of **JANUARY**, and the last publication on **2008** the **31st** day of **JANUARY**, and that **\$41.61** being the full amount of the fee for publication of the annexed notice insured solely to the benefit of the publisher of said newspaper; that no arrangements or understanding for a revision thereof has been made with any person, and that no part thereof has been agreed to be paid to any other person whatsoever.



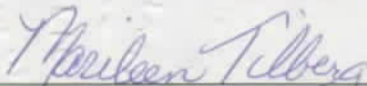
Curtis R. Olson

Subscribed and Sworn to me this

13th Day of February, 2008

(SEAL)

My commission expires April 24, 2010



Notary Public in and for Sully County, South Dakota

RECEIVED

FEB 14 2008

WATER RIGHTS  
PROGRAM

## NOTICE OF APPLICATION NO. 6914-3 TO APPROPRIATE WATER

Notice is given that Hartman & Pahl Farms, c/o Roger Shoup, 18755 280th Ave., Pierre SD 57501 has filed an application for a water permit to appropriate 1.33 cubic feet of water per second from the Missouri River utilizing an existing diversion point authorized by Water Right No. 5761-3 located in the SE 1/4 SE 1/4 Section 21 to irrigate 73 acres located in the SE 1/4 Section 15; all in T114N-R81W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6914.3 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 this 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 this 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 recommendations 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 11, 2008.

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. 4-5



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 17, 2008

Onida Watchman  
PO Box 245  
Onida SD 57564

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6914-3 to Appropriate Water to be published twice. Please publish the first notice on January 24, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Hartman & Pahl Farms, Roger Shoup, 18755 280<sup>th</sup> Ave, Pierre SD 57501 (Ph # 605-264-5533).

**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. 6914-3

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

Date \_\_\_\_\_

We are in receipt of your letter of January 17, 2008 enclosing Notice to Appropriate Water by Application No. 6914-3 which was first published in our issue of \_\_\_\_\_. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
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PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

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

January 17, 2008

Hartman & Pahl Farms  
c/o Roger Shoup  
18755 280<sup>th</sup> Ave  
Pierre SD 57501

Dear Mr. Shoup:

Water Permit Application No. 6914-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Onida Watchman printed at Onida SD (Ph # 605-258-2604). 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 report on the applications 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, 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. 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 24, 2008 with the second publication 7 days later. The applicant is responsible for payment.

---

NOTICE OF APPLICATION NO. 6914-3 to Appropriate Water

Notice is given that Hartman & Pahl Farms, c/o Roger Shoup, 18755 280<sup>th</sup> Ave, Pierre SD 57501 has filed an application for a water permit to appropriate 1.33 cubic feet of water per second from the Missouri River utilizing an existing diversion point authorized by Water Right No. 5761-3 located in the SE ¼ SE ¼ Section 21 to irrigate 73 acres located in the SE ¼ Section 15; all in T114N-R81W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6914-3 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 this 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 this 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 recommendations 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 11, 2008.

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.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
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523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

APR 02 2000

Hartman & Pahl Farms  
c/o Roger Shoup  
18755 280<sup>th</sup> Ave  
Pierre SD 57501

Dear Mr. Shoup:

Enclosed is Water Permit No. 6914-3 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

6914-3  
RECEIVED

NOV 24 2008

WATER RIGHTS  
PROGRAMNOTICE OF COMPLETION OF WORKS AND  
APPLICATION OF WATER TO BENEFICIAL USEDate 11-19-08TO: Water Rights Program, DENR  
523 E. Capitol  
Pierre, SD 57501-3181FROM: HARTMAN PAHL  
Roger Shoup

(name)

27994 184<sup>th</sup> ST

(address)

Pierre SD 57501

(city, state, zip)

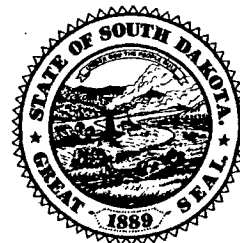
605-264-5533

(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. 6914-3 states that the water use system is to be constructed by4-20-08, and water is to be put to beneficial use by 5-1-08  
(date) (date)The water use system was completed on 4-20-08  
(date)Applying the water to beneficial use was completed on 5-10-08  
(date)

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

Roger Shoup  
(signature)



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

December 2, 2008

6326-3  
6914-3

Hartman & Paul  
c/o Roger Shoup  
27994 188<sup>th</sup> St  
Pierre SD 57501

Dear Mr. Shoup:

I am writing to acknowledge receipt of the "Notice of Completion of Works" forms that you sent in to let us know that you have completed your irrigation systems.

The systems are now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permits.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

Karen Schlaak  
Environmental Scientist  
Water Rights Program  
(605) 773-3352  
email: [karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

**McMath, Genny**

---

**Subject:** FW: Atten: G. McMath - Irrigation Questionnaire

5761-3, 6163B-3 & 6163C-3, 6326A-3 & 6914-3

-----Original Message-----

From: Jason McHenry [mailto:[jasonmchenry@venturecomm.net](mailto:jasonmchenry@venturecomm.net)]

Sent: Tuesday, August 09, 2016 1:11 PM

To: McMath, Genny

Cc: [marshallkniffen@venturecomm.net](mailto:marshallkniffen@venturecomm.net)

Subject: RE: Atten: G. McMath - Irrigation Questionnaire

That is the correct address for Marshall Kniffen and for Hartman and Pahl Farms.

Jason McHenry  
Hartman and Pahl  
(605) 222-1171

-----Original Message-----

From: McMath, Genny [mailto:[Genny.McMath@state.sd.us](mailto:Genny.McMath@state.sd.us)]

Sent: Tuesday, August 09, 2016 12:37 PM

To: 'Jason McHenry'

Cc: [marshallkniffen@venturecomm.net](mailto:marshallkniffen@venturecomm.net)

Subject: RE: Atten: G. McMath - Irrigation Questionnaire

Thank you - I will update our records. I have a mailing address of "18755 280th Ave., Pierre" ...is that still correct?

-----Original Message-----

From: Jason McHenry [mailto:[jasonmchenry@venturecomm.net](mailto:jasonmchenry@venturecomm.net)]

Sent: Tuesday, August 09, 2016 12:13 PM

To: McMath, Genny

Cc: [marshallkniffen@venturecomm.net](mailto:marshallkniffen@venturecomm.net)

Subject: RE: Atten: G. McMath - Irrigation Questionnaire

Genny, here is the contact information for the new manager at Hartman and Pahl Farm.

Marshall Kniffen  
[marshallkniffen@venturecomm.net](mailto:marshallkniffen@venturecomm.net)  
(605)464-0374

Jason McHenry  
Hartman and Pahl  
(605) 222-1171

**Water Permit Nos. 6914-3, 6326A-3, 6163B-3 and 6163C-3**  
**Missouri 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

I have this day, **November 12, 2015**, made a thorough examination of the water use system constructed by **Hartman & Pahl** of **18755 280<sup>th</sup> Ave., Pierre, SD 57501** holder of Permit Nos. **6914-3, 6326A-3, 6163B-3 and 6163C-3**, bearing the priority dates of **December 6, 2007, February 14, 2008, January 4, 2000 and January 4, 2000** authorizing the diversion of **1.33 cfs, No Additional, 3.66 cfs and 3.70 cfs** of water for **Irrigation** purposes, in **Sully** County.

Inspection contact & relationship     **Jason McHenry**  
to permit holder, if applicable:

**A. Works used to divert water:**

**Pump Site 1: Missouri River Diversion Point:**

**Pump:**

- 1) Make **(4) Cornell**
- 2) Model **6HH**
- 3) Capacity **5,000** GPM

**Motor:**

- 1) Make **(3) Baldor Electric, (1) Volvo Diesel**
- 2) Model No. **(3) Unknown, (1) Volvo TD-120H**
- 3) Horsepower rating **200** hp each

**Pump Site 2: Storage Dam, Water Permit No. 6163C-3**

**Pump:**

- 1) Make **Cornell**
- 2) Model **5RB-F16**
- 3) Capacity **2,500** GPM

**Motor:**

- 1) Make **John Deere**
- 2) Model **6086-T**
- 3) Horsepower rating **150** hp

**Pump Site 3: Water Permit Nos. 6914-3, 6163B-3 and 6163C-3**

**Pump:**

- 1) Make Cornell
- 2) Model 6H-CC
- 3) Capacity 2,500 GPM

**Motor:**

- 1) Make Baldor
- 2) Horsepower rating 100 hp

**Pump Site 4: Water Permit No. 6326A-3**

**Pump:**

- 1) Make Cornell
- 2) Model 5RB-F16
- 3) Capacity 2,500 GPM

**Motor:**

- 1) Make Baldor
- 2) Horsepower rating 150 hp

**B. Works used to apply water to beneficial use:**

**Center pivots:**

**Section 15-T114N-R81W:**

1- Zimmatic, 10 tower, low pressure system with an end gun, and 1,400 gpm capacity. (SW ¼)

1- Zimmatic, short 7 tower, high pressure system with an end gun, and 600 gpm capacity. (SE ¼)

**Section 14-T114N-R81W**

1 - Zimmatic, 7 tower, low pressure system with an end gun, and 800 gpm capacity. (NW ¼)

1 - Valley, 7 tower, low pressure system with an end gun, and 800 gpm capacity. (SW ¼)

1 - Reinke, 7 tower, low pressure system with an end gun, and 800 gpm capacity. (NE ¼)

**Section 36-T114N-R81W**

2 – Reinke, 7 tower, high pressure system with end guns, and 800 gpm capacity each. (NW ¼, SW ¼)

**Chemigation Equipment: Pump sites 2, 3 and 4**

- 1) Does chemigate Y
- 2) Main line check valve Y
- 3) Inspection port/air relief Y
- 4) Low pressure drain Y
- 5) Discharge is 20' from source Y
- 6) Interlock type electrical
- 7) Injection pump type CDS-John Blue Co. piston
- 8) Injection check valve Y
- 9) Injection line check valve or positive displacement pump Y
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y

**C. Works used to transport water to place of use:**

- 1) Type Steel, PVC Pipe and Earthen Canal

**D. Compliance with Permit Requirements:**

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows:

**Pump Site 1: Diversion Point from Missouri River**

**Approximately 850 feet north and 1,120 feet west of the SE corner of Section 21-T114N-R81W**  
**(N 44.66503, W -100.59312) (SE ¼ SE ¼)**

**Pump Site 2: Diversion Point from Storage Dam**

**Approximately 1,350 feet south and 2,215 feet west of the NE corner of Section 22-T114N-R81W**  
**(N 44.67325, W -100.57705) (SW ¼ NE ¼)**

**Pump Site 3:**

**Approximately 10 feet north and 1,335 feet east of the SW corner of Section 14-T114N-R81W**  
**(N 44.67716, W -100.56346) (SE ¼ SW ¼)**

**Pump Site 4:**

**Approximately 20 feet north and 2,010 feet east of the SW corner of Section 25-T114N-R81W**  
**(N 44.64830, W -100.53580) (SW ¼ SE ¼)**

The works are capable of diverting and conveying to the place of use 29.41 cu. ft. per second of water and/or storing 19 acre-feet of water which is to be used for Irrigation.

Water has been put to beneficial use to the maximum extent as follows:

**Water Permit No. 6914-3**

**Section 15-T114N-R81W**

NW ¼ SE ¼ - 11 acres  
NE ¼ SE ¼ - 25 acres  
SW ¼ SE ¼ - 10 acres  
SE ¼ SE ¼ - 27 acres  
Total: 73 acres

**Water Permit No. 6326A-3**

**Section 36-T114N-R81W**

NW ¼ NW ¼ - 33 acres  
NE ¼ NW ¼ - 33 acres  
SW ¼ NW ¼ - 33 acres  
SE ¼ NW ¼ - 33 acres  
Total: 264 acres

**Section 36-T114N-R81W**

NW ¼ SW - 33 acres  
NE ¼ SW - 33 acres  
SW ¼ SW - 33 acres  
SE ¼ SW - 33 acres

**Water Permit No. 6163B-3**

**Section 14-T114N-R81W**

NW ¼ NE ¼ - 32 acres  
NE ¼ NE ¼ - 32 acres  
SW ¼ NE ¼ - 32 acres  
SE ¼ NE ¼ - 32 acres  
Total: 256 acres

**Section 14-T114N-R81W**

NE ¼ NW ¼ - 32 acres  
SE ¼ NW ¼ - 32 acres  
NE ¼ SW - 32 acres  
SE ¼ SW - 32 acres

**Water Permit No. 6163C-3**

**Section 15-T114N-R81W**

NE ¼ SW - 14 acres  
NW ¼ SW - 5 acres  
SW ¼ SW - 37 acres  
SE ¼ SW ¼ - 40 acres

**Section 15-T114N-R81W**

SW ¼ SE ¼ - 31 acres  
NW ¼ SE ¼ - 4 acres

**Section 14-T114N-R81W**

**NW ¼ NW ¼ - 32 acres**

**SW ¼ NW ¼ - 32 acres**

**NW ¼ SW - 32 acres**

**SW ¼ SW - 32 acres**

**Total: 259 acres**

comprising a total of **852** acres of land. Combined with Water Right No. 5761-3, the total number of irrigated acres from the Missouri River is **2,848** acres.

The license should be issued for **29.41** cfs of water from the Missouri River for irrigation and fill a **19** acre-feet storage dam utilized in the irrigation system. The irrigation system has a maximum diversion rate of **34.31** cfs of water for **2,848** irrigated acres.

All structures, wells and lands on map **Y**

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

Water Permit Nos. 6914-3, 6326A-3, 6163B-3 and 6163C-3 authorize a total combined diversion of 8.69 cfs of water from the Missouri River for irrigation of 852 acres. The permits allow water to be diverted from the Missouri River from two diversion points located in the SE ¼ SW ¼ Section 4, SE ¼ SE ¼ Section 21, and two storage dams located in Section 11 and the SW ¼ NE ¼ Section 22; all in T114N-R81W. The diversion point from the Missouri River located in the SE ¼ SE ¼ Section 21 and the storage dam located in the SW ¼ NE ¼ Section 22 are currently licensed under Water Right No. 5761-3. Water Right No. 5761-3 authorizes the diversion of 27.78 cfs of water from the Missouri River, and storage of 19 acre-feet for irrigation of 1,997 acres.

At the time of the licensing inspections for these permits, water from the Missouri River was only diverted from the diversion point located in the SE ¼ SE ¼ Section 21, and the storage dam located in the SW ¼ NE ¼ Section 22; both in T114N-R81W.

Water from the Missouri River is pumped from Pump Site 1, uphill through pipe, into an earthen canal which begins in the SE ¼ Section 22, extends through Section 23, and ends in the approx. center of Section 24; all in T114N-R81W. Before water enters the canal, a gauge has been installed in the pipe which can measure the rate of flow through the pipe. The gauge can measure a maximum flow rate of 14,000 gpm. The manager for Hartman & Pahl Farms stated the maximum observed flow at the gauge was 13,200 gpm (29.41 cfs).

Water from the canal delivers water through gates to the storage dam, and buried pipe located along the canal delivers water to the irrigation systems. The canal is constructed so flow through the gates to the storage dam, and flow into pipe to the irrigation systems, flows downhill, delivering water to the pump sites listed above as Pump Sites 2, 3 and 4. The three pump sites deliver water to seven irrigation pivot systems which irrigate the land authorized under Water Permit Nos. 6914-3, 6326A-3, 6163B-3 and 6163C-3.

**Report of Examination of Works**  
Permit Nos. 6914-3, 6326A-3, 6163B-3 and 6163C-3

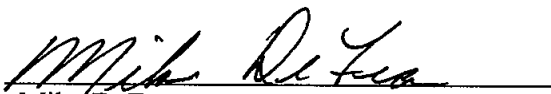
Pump Site 2, delivers water to one, 10 tower irrigation system authorized by both Water Right No. 5761-3 and Water Permit No. 6163C-3 from the storage dam. Water Right No. 5761-3 authorizes the irrigation of the NW ¼ and NE ¼ Section 22 and Water Permit No. 6163C-3 authorizes irrigation of the SW ¼ and a portion of the SE ¼ Section 15: all in T114N-R81W.

Pump Site 3, delivers water to four irrigation systems. One, 7 tower irrigation system authorized by Water Permit No. 6163B-3 irrigates the land located in the NE ¼ Section 14. Two, 7 tower irrigation systems authorized by both 6163B-3 and 6163C-3, irrigate the NW ¼ and SW ¼ Section 14, and, one, short 7 tower irrigation system authorized by Water Permit No. 6914-3 irrigates a portion of the SE ¼ Section 15: all in T114N-R81W. This pump site only operates two irrigation systems simultaneously.

Pump Site 4, delivers water to two, irrigation systems authorized by Water Permit No. 6326-3. Both are 7 tower irrigation systems that irrigate the NW ¼ and SW ¼ Section 36. This pump site is also capable of delivering water to two irrigation systems authorized by Water Right No. 5761-3 to irrigate the NE ¼ and SE ¼ Section 36: all in T114N-R81W. This pump site also only operates two irrigation systems simultaneously.

The map included with this report identifies the irrigated acres, pump sites, canal and distribution lines covered under Water Permit Nos. 6914-3, 6326A-3, 6163B-3 and 6163C-3 which were located during the inspection of these permits in addition to the irrigated acres, pump sites etc... covered under Water Right No. 5761-3. The information obtained for Water Right No. 5761-3 is from the previous inspection of the permit.

Water Permit Nos. 6914-3, 6326A-3, 6163B-3, 6163C-3 and Water Right No. 5761-3 should be incorporated while each retaining their Priority Dates of December 6, 2007, February 14, 2008, and January 4, 2000, for both Water Permit Nos. 6163B-3 and 6163C-3. Water Right No. 5761-3 has priority dates of July 22, 1976 for irrigation of 1,938 acres, and a Priority Date of February 26, 1993 for irrigation of 59 acres.

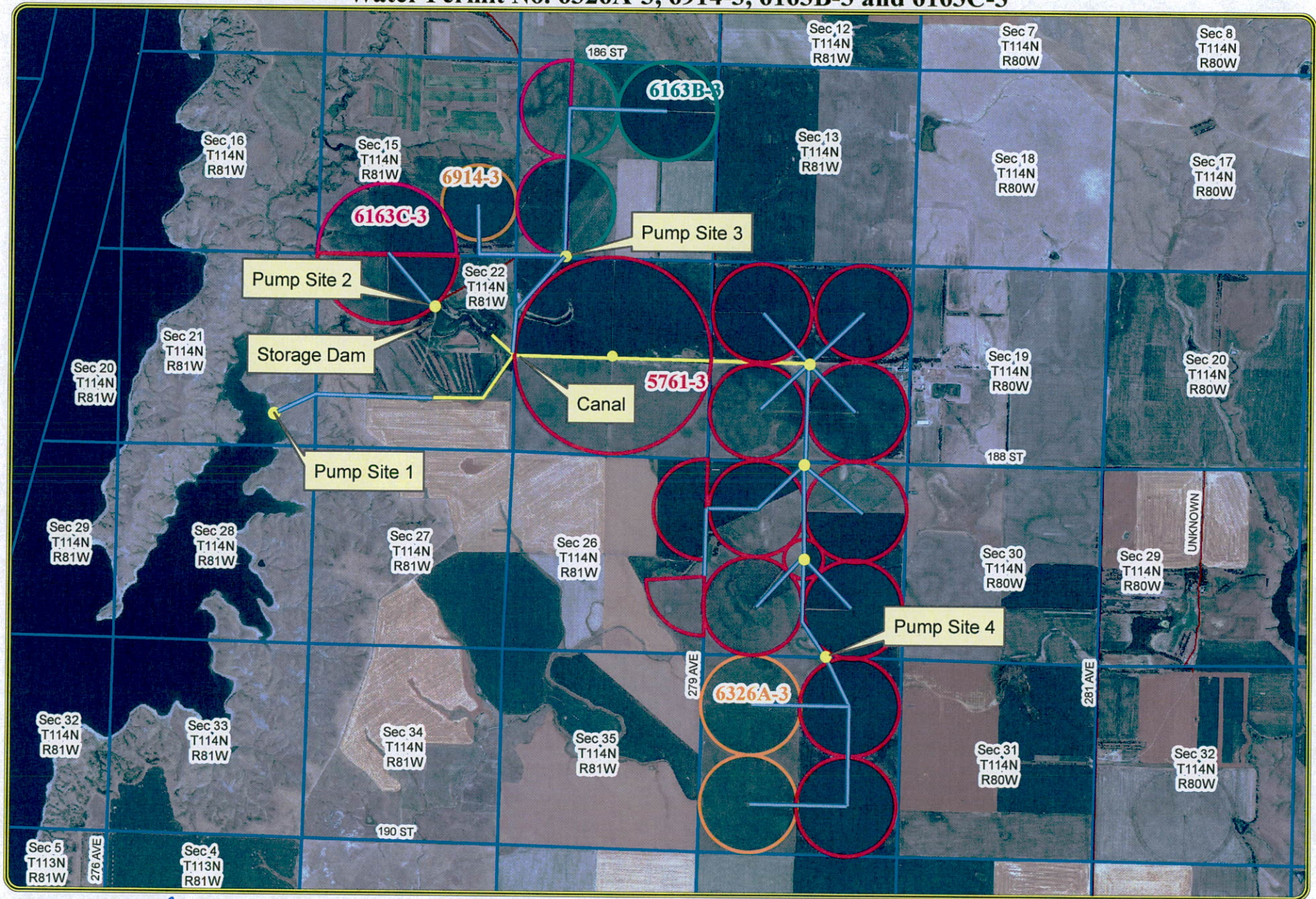
  
Mike DeFea

Natural Resources Engineer II  
DENR, Water Rights Program

Date report completed: **July 13, 2016**

# Hartman & Pahl Farms

## Water Permit No. 6326A-3, 6914-3, 6163B-3 and 6163C-3



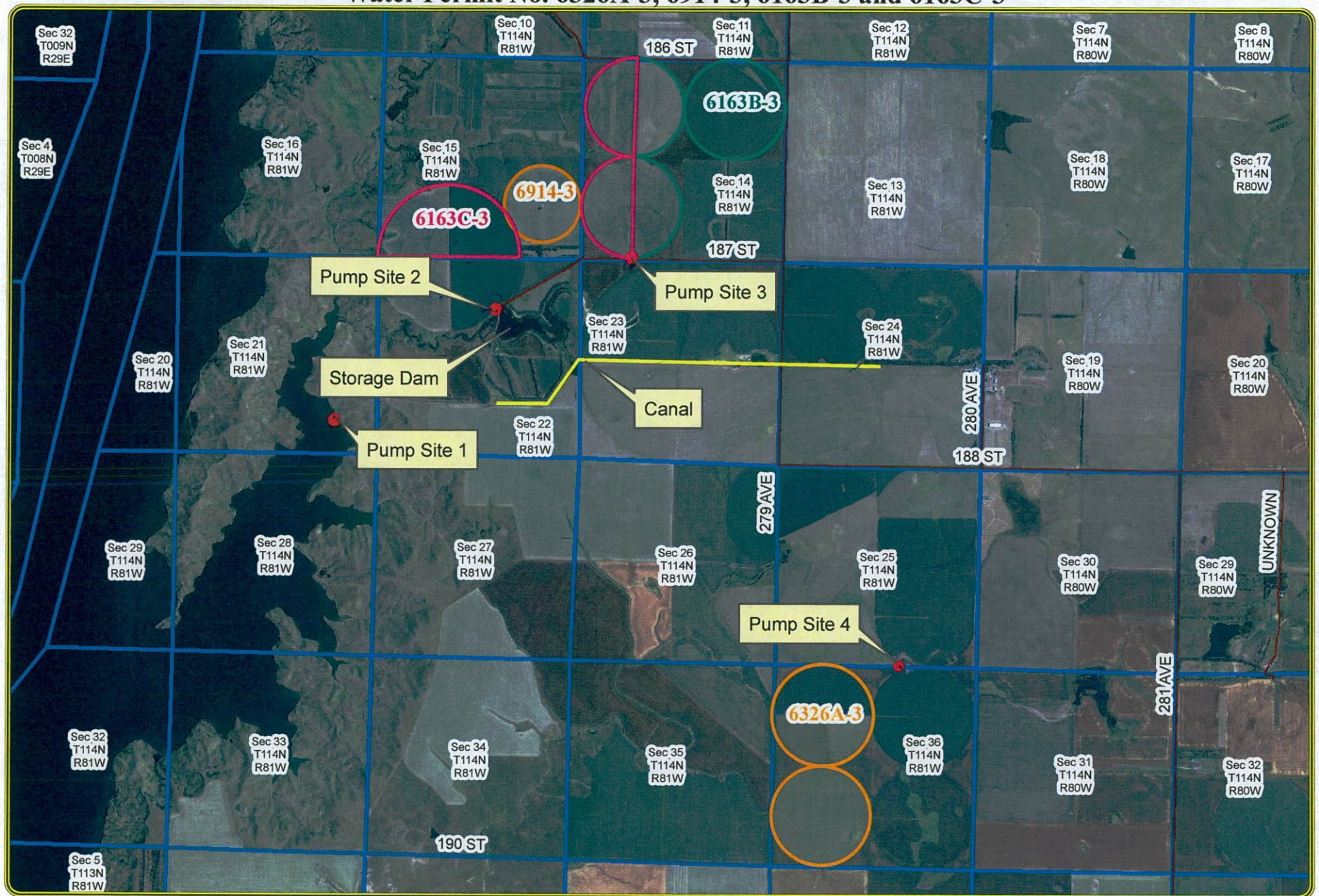
*Mike DeFea*  
Mike DeFea  
Natural Resources Engineer  
DENR, Water Rights Program  
July 13, 2016

0 0.5 1 2 Miles



# Hartman & Pahl Farms

## Water Permit No. 6326A-3, 6914-3, 6163B-3 and 6163C-3



*Mike DeFea*

Mike DeFea  
Natural Resources Engineer  
DENR, Water Rights Program  
July 13, 2016

0 0.5 1 2 Miles



*South Dakota*  
Department of Environment  
& Natural Resources  
Protecting SD's Tomorrow... Today

6914-3



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
<http://denr.sd.gov>

OCT 24 2016

Marshall Kniffen, Mgr  
Hartman & Pahl Farms  
18755 280<sup>th</sup> Ave  
Pierre SD 57501

RE: Permit/Right Nos. 5761-3, 6163B-3, 6163C-3, 6326A-3 & 6914-3

Dear Mr. Kniffen:

Enclosed is Water License No. 6914-3 for Hartman & Pahl Farms. This is the final water right document completing the process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

Upon licensing, the applicable portions of Water Right No. 5761-3 and Water Permit Nos. 6163B-3, 6163C-3 and 6326A-3 were incorporated into Water License No. 6914-3.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures

# STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 6914-3

---

(1) Hartman & Pahl Farms, 18755 280<sup>th</sup> Ave, Pierre SD 57501 made Application No. 6914-3, December 2, 2007 for a water permit to divert 1.33 cubic feet of water per second (cfs) from the Missouri River, Sully County, South Dakota for irrigation purposes. Permit No. 6914-3, with a priority date of December 6, 2007 was approved February 11, 2008 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 11, 2013 and for the application to beneficial use of said water on or before February 11, 2017.

Water Permit Nos. 6914-3, 6326A-3, 6163B-3 and 6163C-3 authorize a total combined diversion of 8.69 cfs of water from the Missouri River for irrigation of 852 acres. The permits allow water to be diverted from the Missouri River and a storage dam authorized under Water Right No. 5761-3. Water Right No. 5761-3 authorizes the diversion of 27.78 cfs of water from the Missouri River and storage of 19 acre-feet for irrigation of 1,997 acres.

The applicable portions of Water Right No. 5761-3 and Water Permit Nos. 6163B-3, 6163C-3 and 6326A-3 are incorporated into this Water License No. 6914-3. The priority dates retained are:

- 5761-3: July 22, 1976 and February 26, 1993;
- 6163B-3 and 6163C-3: January 4, 2000;
- 6326A-3: December 6, 2007; and
- 6914-3: February 14, 2008.

(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 29.41 cfs from the Missouri River with storage of 19 acre feet of water for beneficial use with a maximum diversion rate to the acreage of 34.31 cfs.

The location of the diversion points are:

**Pump Site 1 (Diversion Point from Missouri River):**

Approximately 850 feet north and 1,120 feet west of the SE corner of Section 21-T114N-R81W (N 44.66503, W -100.59312) (SE ¼ SE ¼)

**Pump Site 2 (19 acre foot Storage Dam):**

Approximately 1,350 feet south and 2,215 feet west of the NE corner of Section 22-T114N-R81W (N 44.67325, W -100.57705) (SW ¼ NE ¼)

**Pump Site 3 (Booster Pump):**

Approximately 10 feet north and 1,335 feet east of the SW corner of Section 14-T114N-R81W (N 44.67716, W -100.56346) (SE ¼ SW ¼)

**Pump Site 4 (Booster Pump):**

Approximately 20 feet north and 2,010 feet east of the SW corner of Section 25-T114N-R81W (N 44.64830, W -100.53580) (SW ¼ SE ¼)

continued

(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 14, T114N, R81W (Priority date – January 4, 2000)**

|           |          |           |          |           |          |
|-----------|----------|-----------|----------|-----------|----------|
| NW ¼ NE ¼ | 32 acres | NE ¼ NW ¼ | 32 acres | NE ¼ SW ¼ | 32 acres |
| NE ¼ NE ¼ | 32 acres | SE ¼ NW ¼ | 32 acres | SE ¼ SW ¼ | 32 acres |
| SW ¼ NE ¼ | 32 acres | NW ¼ NW ¼ | 32 acres | NW ¼ SW ¼ | 32 acres |
| SE ¼ NE ¼ | 32 acres | SW ¼ NW ¼ | 32 acres | SW ¼ SW ¼ | 32 acres |

**Section 15, T114N, R81W (Priority dates – January 4, 2000 & February 14, 2008 for 73 acres in SE ¼)**

|           |          |           |           |                                                                                                                                                                |
|-----------|----------|-----------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NE ¼ SW ¼ | 14 acres | SW ¼ SE ¼ | 40 acres* | <i>*Depending on which pivot is operating, a one acre overlap occurs in the irrigation of acreage in the SW ¼ SE ¼ - the one acre has both priority dates.</i> |
| NW ¼ SW ¼ | 5 acres  | NW ¼ SE ¼ | 15 acres  |                                                                                                                                                                |
| SW ¼ SW ¼ | 37 acres | NE ¼ SE ¼ | 25 acres  |                                                                                                                                                                |
| SE ¼ SW ¼ | 40 acres | SE ¼ SE ¼ | 27 acres  |                                                                                                                                                                |

**Section 22, T114N, R81W (Priority date: July 22, 1976)**

|           |          |           |          |
|-----------|----------|-----------|----------|
| NW ¼ NW ¼ | 36 acres | NW ¼ NE ¼ | 29 acres |
| NE ¼ NW ¼ | 40 acres | SW ¼ NE ¼ | 3 acres  |
| SW ¼ NW ¼ | 6 acres  |           |          |
| SE ¼ NW ¼ | 16 acres |           |          |

**Section 23, T114N, R81W (Priority date: July 22, 1976)**

|           |          |           |          |           |          |           |          |
|-----------|----------|-----------|----------|-----------|----------|-----------|----------|
| NW ¼ NW ¼ | 13 acres | NW ¼ NE ¼ | 37 acres | NW ¼ SW ¼ | 36 acres | NW ¼ SE ¼ | 40 acres |
| NE ¼ NW ¼ | 37 acres | NE ¼ NE ¼ | 12 acres | NE ¼ SW ¼ | 40 acres | NE ¼ SE ¼ | 35 acres |
| SW ¼ NW ¼ | 37 acres | SW ¼ NE ¼ | 40 acres | SW ¼ SW ¼ | 12 acres | SW ¼ SE ¼ | 36 acres |
| SE ¼ NW ¼ | 40 acres | SE ¼ NE ¼ | 36 acres | SE ¼ SW ¼ | 36 acres | SE ¼ SE ¼ | 11 acres |

**Section 24, T114N, R81W (Priority date: July 22, 1976)**

|           |          |           |          |           |          |           |          |
|-----------|----------|-----------|----------|-----------|----------|-----------|----------|
| NW ¼ NW ¼ | 29 acres | NW ¼ NE ¼ | 30 acres | NW ¼ SW ¼ | 30 acres | NW ¼ SE ¼ | 31 acres |
| NE ¼ NW ¼ | 28 acres | NE ¼ NE ¼ | 32 acres | NE ¼ SW ¼ | 28 acres | NE ¼ SE ¼ | 32 acres |
| SW ¼ NW ¼ | 30 acres | SW ¼ NE ¼ | 28 acres | SW ¼ SW ¼ | 32 acres | SW ¼ SE ¼ | 29 acres |
| SE ¼ NW ¼ | 30 acres | SE ¼ NE ¼ | 29 acres | SE ¼ SW ¼ | 30 acres | SE ¼ SE ¼ | 30 acres |

**Section 25, T114N, R81W (Priority dates: February 26, 1993 for 24 acres; July 22, 1976 for remaining)**

|           |          |           |          |           |          |           |          |
|-----------|----------|-----------|----------|-----------|----------|-----------|----------|
| NW ¼ NW ¼ | 32 acres | NW ¼ NE ¼ | 32 acres | NW ¼ SW ¼ | 32 acres | NW ¼ SE ¼ | 38 acres |
| NE ¼ NW ¼ | 32 acres | NE ¼ NE ¼ | 32 acres | NE ¼ SW ¼ | 38 acres | NE ¼ SE ¼ | 32 acres |
| SW ¼ NW ¼ | 32 acres | SW ¼ NE ¼ | 38 acres | SW ¼ SW ¼ | 32 acres | SW ¼ SE ¼ | 32 acres |
| SE ¼ NW ¼ | 38 acres | SE ¼ NE ¼ | 32 acres | SE ¼ SW ¼ | 32 acres | SE ¼ SE ¼ | 32 acres |

**Section 26, T114N, R81W (Priority dates: July 22, 1976 for E ½ NE ¼ and February 26, 1993 for E ½ SE ¼)**

|           |          |           |          |
|-----------|----------|-----------|----------|
| NE ¼ NE ¼ | 32 acres | NE ¼ SE ¼ | 22 acres |
| SE ¼ NE ¼ | 32 acres | SE ¼ SE ¼ | 13 acres |

**Section 36, T114N, R81W (Priority dates: July 22, 1976 for E ½ and December 6, 2007 for W ½)**

|           |          |           |          |           |          |           |          |
|-----------|----------|-----------|----------|-----------|----------|-----------|----------|
| NW ¼ NE ¼ | 32 acres | NW ¼ SE ¼ | 32 acres | NW ¼ NW ¼ | 33 acres | NW ¼ SW ¼ | 33 acres |
| NE ¼ NE ¼ | 32 acres | NE ¼ SE ¼ | 32 acres | NE ¼ NW ¼ | 33 acres | NE ¼ SW ¼ | 33 acres |
| SW ¼ NE ¼ | 32 acres | SW ¼ SE ¼ | 32 acres | SW ¼ NW ¼ | 33 acres | SW ¼ SW ¼ | 33 acres |
| SE ¼ NE ¼ | 32 acres | SE ¼ SE ¼ | 32 acres | SE ¼ NW ¼ | 33 acres | SE ¼ SW ¼ | 33 acres |

Total acreage irrigated: 2,848 acres

continued

(4) Pursuant to South Dakota Water Law 46-5-30.1 Hartman & Pahl Farms, 18755 280<sup>th</sup> Ave, Pierre SD 57501 the holder and/or owner of Incorporated Water Right No. 6914-3 is issued a license to appropriate water, the right to divert 29.41 cubic feet of water per second from the Missouri River with storage of 19 acre feet of water for beneficial use with a maximum diversion rate to the acreage of 34.31 cfs with priority dates of July 22, 1976, February 26, 1993, January 4, 2000, December 6, 2007 and February 14, 2008 from the locations 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. 6914-3 and subject to the following qualifications:

- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method or irrigation, time constraints, or types of soils so require, Permit No. 6914-3 authorizes a maximum diversion rate of 1.33 cfs for the irrigation of 73 acres with an annual volume not to exceed 2 acre-feet of water per acre per year. *(This qualification pertains to 73 acres described in the SE ¼ Section 15, T114N, R81W)*
- 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

OCT 24 2016

date

