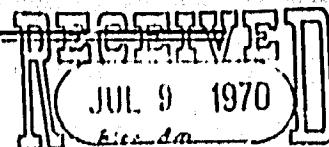


Water Right Number 1761-3

1. Considered September 9, 19 70
2. Name of Applicant Michael J. Connelly Trust (Merle Goedken) Mgr.
3. Post Office Address 720 Woodlawn Drive, Sioux Falls, S.D.
4. Amount of water claimed IXX 1.10
5. Source of water supply Well - ground water
6. Water to be used for irrigation
Acres to be irrigated 80.00
7. Water to be diverted and used in _____ Union _____ County _____
about 3 Miles 5 of ELK POINT
8. Proof of Publication
Received 9-9-70
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 1761-3

Water Division No. 3 Big Sioux River District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable.)

1. Name of applicant Michael J. Connolly Trust (Mar. 1 National Mar.)
Postoffice address 720 Woodlawn Drive, County Union, State Sioux Falls, S. D.

I. If a corporation

- (a) Name of same _____
(b) Date and place of incorporation _____
(c) Amount of capital stock _____
(d) Amount paid in _____
(e) Names and addresses of directors _____

(NOTE--A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Contract(b) Cash on hand, \$ Adm. fee

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Mike Connolly #13. Amount of water claimed 1.1 cubic feet per second4. Source of water supply Will NW 1/4 NW 1/4 S 20E, 1320' FROM NW CORNER, SECTION 84, T41N, R14W5. Location of point of diversion Shown on Map on UNION bank UNION County.6. Annual period or periods during which water is to be used April thru Oct.

7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- Gravity

(a) Number of acres to be irrigated 20 acres.(b) Legal subdivisions to be irrigated WN 1/4 30 - 21 - 119

(NOTE--A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use _____ Name any of the above uses claimed

(b) Amount of power to be generated 50 Electric horse power.

Amount claimed for engine cooling _____

(c) Location of plant As shown on map.

(d) Method of developing power _____

(e) Point where water will be returned to stream On same owner's property rods. On property owned by others _____ rods

MAP No 1284-3

8. Estimated cost of work:

(a) Head Gates, \$.....

(b) Pumping plant, \$.....

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures\$.....

Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom feet; length at top

.....feet; thickness at bottom feet; thickness at top

feet; slope at front water face; slope at back face

material used in construction

(b) Reservoir: Capacity when filled acres feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH.....FEET DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY

(c)* Head gate: Width.....feet; height feet;

Material

(d) Canal: Total length miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 5.....years.

11. Time required for complete application of water to the proposed beneficial use 4.....years.

12. Choice of newspaper for publication of notice of intention to appropriate

LEADER-COURIER, ELK POINT, S. DAK.

STATE OF SOUTH DAKOTA

County of Union

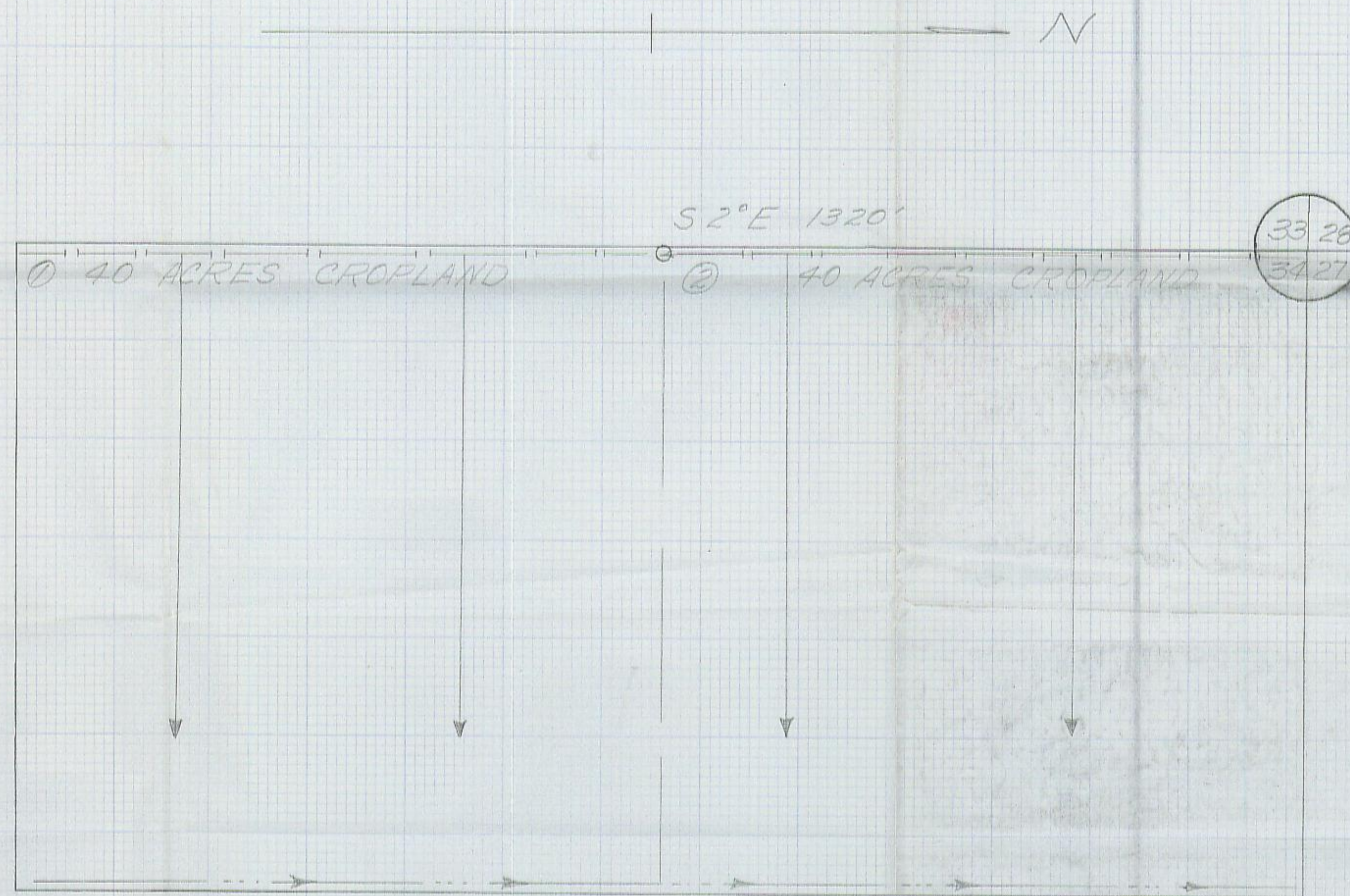
I, M. E. Goodken, being, first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed by M. E. Goodken - manager

Subscribed and sworn to before me this 2nd day of July 1920

F. Lawrence De. Mearl
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



Scale: 1" = 200'

Point of Diversion - S 2° E 1320' From NW Corner 34.91-49

JOHN CONNELLY
LAND LEVELING DESIGN
W½ NW¼ Section 34, T.91-R.49

Remarks by State Water Resources Commission:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, SEPTEMBER 10, 1970

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a.m. upon the 9TH day of JULY, 1970.

State Water Resources Commission

By:

Burton J. Jones
for Chief Engineer, Executive Officer

Number of permit 1761-3

Date of first receipt of application JULY 9, 1970

Date of return to applicant for correction, amendments or changes required as follows: ---, 19---

Date of receipt of corrected application ---, 19---

Date from which applicant may claim right JULY 9, 1970

Approved SEPTEMBER 10, 1970, Recorded in Book 11 Page 178

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

MARCH 10, 1973

2nd. The whole of said work is to be completed on or before SEPTEMBER 10, 1975

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

SEPTEMBER 10, 1979

4th. The water appropriated shall be used for the purpose of IRRIGATION

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 1.1 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before SEPTEMBER 10, 1979; said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 10TH day of SEPTEMBER, 1970.

State Water Resources Commission

By:

Geo. J. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued

September 13, 1979

Water License Issued

September 13, 1979

Form 1A -- Wells (Supplement to Form 2)

6. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36", Depth 100

Type of casing Concrete or steel
(wood, concrete, steel, etc.)

Size of casing 18", Thickness of casing 2" or gauged

Length of casing 100. If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen slotted

Size of perforated screen 18" 20"
(diameter) (length)

Thickness of gravel pack 6-9", length of gravel pack 20 +

(c) Water Bearing Materials

Distance to water 30' Character of water bearing materials _____

Thickness of water bearing material 60'

(d) Pump and Motor

Type of pump Positive
(centrifugal, propeller, mixed flow, etc.)

Name of pump _____, size 10 +

Kind of motor Electric
(gasoline, electric, diesel, etc.)

Horsepower 2 1/2 - 30 Name of Motor _____

(e) Complete well

Capacity 1000 GP at drawdown of 9 ft. Estimated cost 3500

(f) Owner of land upon which well is located Michael J. Connolly Trust
Name

Address _____

(g) Distance to nearest existing wells

On same owner's property _____ rods. On property owned by others _____ rods

WATER LICENSE NO. 1761-3

(1) WHEREAS, On the 9th day of July A. D. 1970
Michael J. Connelly Trust

made Water Right Application No. 1761-3 for a permit to use 1.1 cubic feet per second of the waters of groundwater (one well)
County of Union, State of South Dakota, for Irrigation

purposes; and
(2) WHEREAS, On the 10th day of September A. D. 1970
Permit No. 1761-3, with a date of priority of July 9th 1970
was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 10th day of September A. D. 1975 and for the application to beneficial use of said water on or before the 10th day of September A. D. 1979

and:
(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.1 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent:
to irrigate 80 acres in W½ NW¼ Section 34, T91N, R49W

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Michael J. Connolly Trust

of Jefferson, SD

the holder _____ and owner _____ of said permit No. 1761-3 a water right, dating from July 9, 1970

to use of 1.1 cubic feet per second of the waters of ground water (one well)

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point South 2° East, 1320' from the NW corner,

Section 34, T91N, R49W

and conduct to and upon 80 acres in the 1/2 NW 1/4, Section 34, T91N, R49W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1761-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 13th day of September A. D.

Nineteen Hundred and seventy-nine

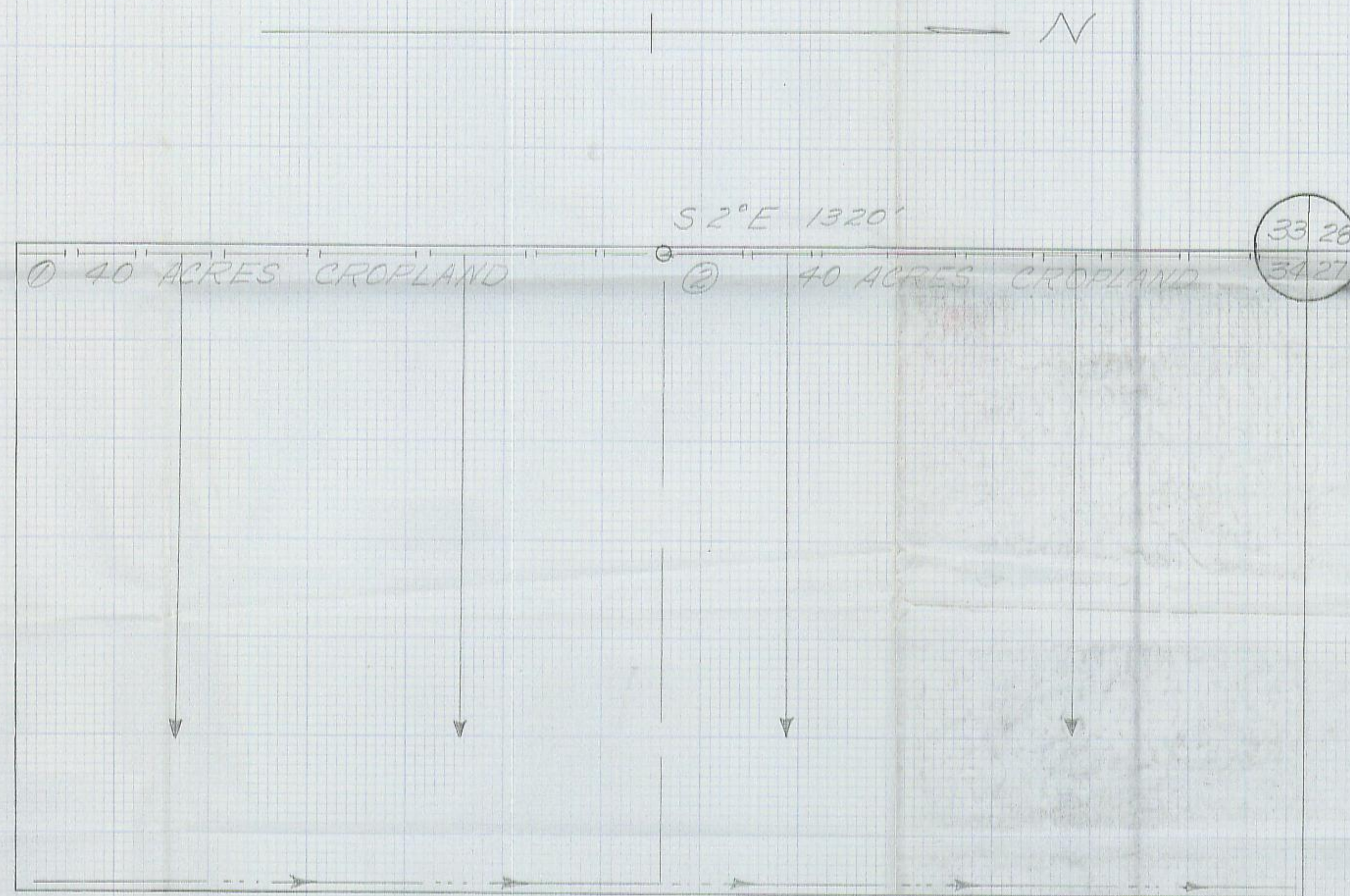
Board of Water Management

By:



Chief Engineer

JOHN HATCH



Scale: 1" = 200'

Point of Diversion - S 2° E 1320' From NW Corner 34.91-49

JOHN CONNELLY
LAND LEVELING DESIGN
W½ NW¼ Section 34, T.91-R.49

Permit No. 1761-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Michael J. Connelly Trust

_____ the holder _____ of
 Permit No. 1761-3, issued upon Application No. 1761-3, bearing date of priority of July 9, 1970
 authorizing the diversion of 1.1 cu. ft. per second of the waters of ground water (one well)
 County of Union, State of South Dakota at a point South 2° East, 1320' from the NW corner, Section 34, T91N, R49W

_____ for Irrigation

purposes, has 5 complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit, that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.2 cu. ft. per second of water.

Date September 13, 1979

John Hatch
 JOHN HATCH, Chief Engineer
 Water Rights, WMD

Publish first publication, on or before August 13, 1970NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 4, 1970Notice is hereby given that the Michael J. Connelly Trustwhose post office address is Sioux Falls, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.1cubic feet of water per second of time from the ground water through the
Mike Connelly #1, the point of diversion of which is to be located in the _____NW 1/4of Section 34, Twp. 91N, Range 49W. Said water to be used for the purpose

of providing irrigation on the following described land:

W 1/2 NW 1/4, Section 34, T91N, R49WThis application No. 1761-3 will be considered by the Water Resources Commission at their office at Pierre upon the 9th day of September, 1970, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialistcc: Nerle Goodken, Manager
Michael J. Connelly Trust
720 Woodlawn Drive
Sioux Falls, S.D.

No. 1716-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Byron Helgerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the The Leader Courier

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____
city of Elk Point

County of Union and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

August 13, 1970

August 20, 1970

August 27, 1970

September 3, 1970

Byron Helgerson
(Signature)

Editor and publisher
(Title)

September 3, 1970
(Date Signed)

NOTICE INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501,
August 4, 1970.

Notice is hereby given that the Michael J. Connelly Trust whose post office address is Sioux Falls, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.1 cubic feet of water per second of time from ground water through the Mike Connelly No. 1, the point of diversion of which is to be located at the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Twp. 91N, Range 49W. Said water to be used for the purpose of providing irrigation on the following described land: W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 34, T91N, R49W.

This application No. 1731-3 will be considered by the Water Resources Commission at their office at Pierre upon the 9th day of September, 1970, at 2:00 P.M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By: BURTON F. JONES,
Water Rights Specialist
(Pub. Aug. 13, 20, 27, Sept. 3)

RECEIVED
SEP 9 1970

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

DRILLER'S LOG OF WELL

Union

Location of Well: _____ 1/4, _____ 1/4, Section 34, Township 91, Range 49

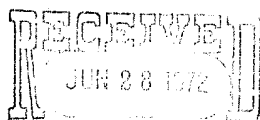
Well to be drilled for: John Connolly Estates Elk Point, So. Dakota
(Name) (Address)

Owner of land (if other than above) Merle Goodken
(Name) (Address)

Date well drilling started May 27 finished June 1

Purpose of well irrigation
(domestic, irrigation, municipal, industrial, other)

Diameter <u>16</u> inches 0' Feet 6' Feet Feet Feet 45' Feet 47' Feet 98' Feet	Gumbo & top soil Describe kind of materials drilled through (add layers on back of form if necessary) yellow & grey clay mixed layer of grey sand mixed with wood start of formation. Course gravel & sand layer of boulders about 83' Water bearing material	Ground Surface Elevation: _____ (If Available) Kind and thickness of casing to be installed: <u>transite 1/2"</u> Size of casing to be installed: <u>61</u> feet of <u>16</u> inches diameter _____ feet of _____ inches diameter _____ feet of _____ inches diameter Type of Seal between casing sizes: <u>casing all one size</u> _____ Kind of perforated screen to be installed: Material <u>transite</u> (steel, wood, concrete, etc.) Size of Screen: Diameter <u>16"</u> inches Length <u>37'</u> feet Size openings <u>1/8"</u> inches Depth below ground surface to which water rises in well <u>15</u> feet.
--	--	--



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 1761-3Water Division 3 BIG SIOUX RIVER Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by MICHAEL J. GONNELLY TRUST of 1/2 WILLIAM J. CURRAN, JEFFERSON holder of Permit No. 1761-3, bearing date of priority of JULY 9, 1970 authorizing the diversion of 1.1 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in UNION County.

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

The Water Use System consists of,

A. Works used to divert the water:

110' DEEP WELL WITH 16" STEEL CASING
WESTERN LAND ROLLER PUMP
POWERED BY 30HP U.S. ELECTRIC MOTOR

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

C. Works used to apply water to beneficial use.

80 ROWS OF 8" GATED PIPE WITH 30" SPACING ON
GATES

The system is in the following condition: GOODThe point of diversion is located S 2° E, 1320' FROM THE NW CORNER,
SECTION 34, T9N, R49WThe works are capable of diverting and conveying to the place of use 2.22
cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: FOR IRRIGATING THE W² NW⁴, SECTION 34, T9N, R49Wcomprising a total of 80 acres of land.

Date

AUGUST 9, 1979

(Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7025

PIERRE, September 4, 1977

RECEIVED OF Connolly Farms & Frank Fitch, 1717 Pierce Street, Sioux City, IA 51105
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. 1761-3		
Fee for inspecting Beneficial Use, and issuing Water License No. 1761-3		50 00
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filling _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL		50 00

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer
JOHN HATCH gy

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-5352

September 13, 1979

Michael J. Connelly Trust
& William J. Curran
Jefferson, SD 57038

Dear Mr. Curran:

Enclosed herewith are, Water License No. 1761-3 and Certificate of Construction.

Water License No. 1761-3 is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH: 9Y

enclosures

NOTE: Your pump capacity is 2.22 c.f.s. (997 gpm) and based upon the acreage actually irrigated, you are entitled to divert 1.1 c.f.s. (494 gpm). Any diversion in excess of 1.1 c.f.s. would be a violation of your Water Right.

JH:plh



GREAT FACES. GREAT PLACES.

February 1, 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

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

PATRICK V WALSH-OPERATOR
RR #1 BOX 88
ELK POINT SD 57025

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 1761-3, 3677-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 1761-3, 3677-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

cc: William Curran, Rt 1, Box 88, Jefferson SD 57038



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 12, 1991

1761-3

(1761-3)
3677-3
5283-3

Patrick V Walsh
RR #1 Box 88
Elk Point, SD 57025

Dear Mr. Walsh:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and/or chemical use data for Water Permit Nos. 1761-3, 3677-3 and 5283-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

If you have any questions, please contact Genny M. Math, at (605) 773-3352.

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

cc: William Curran, RR #1 Box 88, Jefferson, SD 57038



1761-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: PATRICK WALSH, 47844 COUNTY RD 1B, ELK POINT, SD 57025
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 5283-3, 1761-3, 3677-3 & 5814-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1761-3, 3677-3 & 5814-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5283-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5283-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1761-3, 3677-3 & 5814-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2003

1761-3
3677-3
5283-3
5814-3

Patrick Walsh
47844 County Rd 11B
Elk Point SD 57025

Dear Mr. Walsh:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 1761-3, 3677-3, 5283-3 and 5814-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

ORIGINAL Repl. well
permit # 1761-3

WATER WELL COMPLETION REPORT

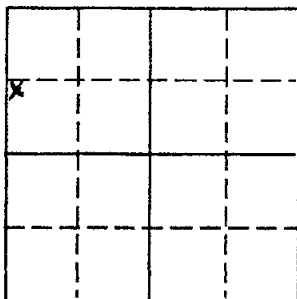
11-02

Location SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 34 Twp 91N Rg 49

County UNION

North

Please mark well
location with an "X"



Well completion Date

8-2-13

1 Mile

Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from N/A (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>54</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>88</u> FT	<u>28</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>		<u>63</u> Lb/gal	<u>3</u> Ft	<u>3</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure Pressure grouted

SCREEN:

☒ Perforated pipe ☐ Manufactured

Diameter 16 Inches Length 40 Feet

Material PVC

Slot Size .080 Set From 88 Feet to 128 Feet

Other information

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? HTH Tabs

Lab sample sent to for
water quality analysis ☐ No, Why Not?

IRRIG. well

Well Owner: MARY Eby

Business Name: PAT WALSH (TENANT)

Address1: 47844 COUNTY Rd 1B

Address2:

City, State, Zip: ELK POINT S.D. 57025

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Topsoil - clay/gumbo	0	3
clay - Brown & Grey	3	55
SAND/gravel - MED	55	60
clay - BLUE	60	63
SAND/gravel - BL/green med	63	105
COAL w/sand streaks	105	110
gravel - RED/yellow med	110	125
cobble & rocks	125	128

STATIC WATER LEVEL

17'

FEET

If flowing: closed in pressure

N/A

PSI

GPM flow

through

N/A

Inch pipe

Controlled by

☐ Valve

☐ Reducers

☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped

Describe:

Test Pumped by

☐ Bailed

Others

☐ Other

Pumping Level Below Land Surface

Ft. After

Hrs. pumped

GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

RECEIVED

JAN 29 2014

WATER RIGHTS
PROGRAM

This well was drilled under license #

763

And this report is true and accurate.

Drilling firm:

SALMON well Co.

Signature of License Representative:

Mary D. Salmon

Signature of Well-Owner or Equitable Property Holder:

Date:

Please return White Copy to DENR Water Rights

523 E. Capitol Ave., Pierre SD 57501

1761-3

McMath, Genny

Subject: FW: Walsh Well Drilling Log

From: rpwalsh@vyn.midco.net [<mailto:rpwalsh@vyn.midco.net>]
Sent: Thursday, January 09, 2014 9:16 AM
To: McMath, Genny
Cc: rpwalsh@vyn.midco.net
Subject: Walsh Well Drilling Log

Genny,

Thanks again for the nice email concerning filling out the irrigation forms. I just talked to Salmon Well Company of Wakefield Nebraska. They actually helped drill the replacement well you called me about for permit number 1761-3 (Leveled) in the W1/2 of NW1/4 of Sec 34 T91N R49W. They also helped Vern drill new well for permit number 7399-3 (Rat Ranch) in the NW1/4 & N1/2 of the SW 1/4 of Sec 28 T90N R48W. Vern was in the process of retiring and I think that Salmon Well Company dug the wells, but Vern Vahoc of Dakota Drilling & Backhoe actually placed the pumps and motors. I think that is how that worked, not 100% sure though. I do know that it was a team effort and both Salmon & Vahoc worked together on those two wells.

I talked to Salmon Well Company today and they said they have the well drilling logs for the well you called me about, but they are waiting on some information from Vern (who now lives in Las Vegas, NV) to complete the information so that it can be sent to you in Pierre. I think those two wells were dug in late July and early August. Vern just sent us the bills in late December. So he is not fast at getting some of the paperwork done. Hopefully, he will get the information to Salmon that they need from him and they can complete the reports and send them to you.

That's pretty much everything I know about the matter at this time. Hopefully that helps. I included the contact information for Salmon Well Company and Dakota Drilling & Backhoe below.

Talk to you later,

Robert Walsh

*47844 County Rd 1B
Elk Point, SD 57025
605-670-0486
rpwalsh@vyn.midco.net
Salmon Well Company
Gary Salmon
307 Oak St
Wakefield, NE 68784
Phone: 402-287-2236
Gary email: redsxtone@msn.com
Dakota Drilling & Backhow, Inc.*

Vern Vahoc
507 142nd St.
South Sioux City, NE 68776
Phone: 402-494-5208
Vern Cell: 712-251-7596

KRIENER FARM MANAGEMENT, INC.

1761-3

September 1, 2020

Genny McMath
DENR – Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED

SEP 03 2020

WATER RIGHTS
PROGRAM

RE: Mary Eby Trust

Dear Genny:

I have enclosed the 3 Notice of Transfer of Ownership forms and 2 checks totaling \$150 for the Mary Eby Trust.

Thank you for all your help on the transfer.

If you have any questions please contact me a (712) 239-0311 or e-mail at dankriener@aol.com

Sincerely,



Dan Kriener, AFM
President

Dan C. Kriener, AFM
President



4110 Floyd Blvd.
Sioux City, IA 51108

Email: dankriener@aol.com

Office: 712-239-0311
Fax: 712-239-0312
Mobile: 712-253-2546
Home: 712-568-3573

NOTICE OF TRANSFER OF OWNERSHIP

PAID

SEP - 3 2020

Ck# 1288

RECEIVED

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

SEP 03 2020

WATER RIGHTS
PROGRAM

No. 1761-3

Date: 9-1-2020

I/We request that Water Right No. 1761-3

formerly owned by: Michael Connelly Trust

be transferred to: (name & address) Mary Eby Trust, Kriener Farm Management, Inc.

4110 Floyd Blvd., Sioux City, IA 51108

Telephone No. 712-239-0311

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

80 acres - W 1/2 NW 1/4 Section 34, T91N, R49W

I/We understand that the validity of Water Right No. 1761-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Mary Eby Trust, the new owner, certify that the above information is true and correct.

Mary Eby Trust
By Kriener Farm Management, Inc.
For Jim Fitch, Trustee

Dan Kriener, President

(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 3, 2020

RECEIVED OF Mary Eby Trust, (Walsh) 4110 Floyd Blvd. Sioux City IA 51108

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$
Fee to retain Future Use Permit No. _____ after period of seven years.	\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$
Fee for Filing Transfer Form <u>1761-3</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law) TOTAL	\$50.00

By Eric Gronlund
Chief Engineer
me

1761-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 3, 2020

1761-3
3677-3
4701-3

Dan Kriener, President
Kriener Farm Management Inc
4110 Floyd Blvd
Sioux City IA 51108

RE: Mary Eby Trust

Dear Mr. Kriener:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for transferring Water Right Nos. 1761-3, 3677-3 and 4701-3.

The ownership changes have been completed. The above listed water rights formerly held by Connelly Farms or Michael Connelly Trust are now listed under the Mary Eby Trust.

Receipts for the filing fees are enclosed. Thank you for following up on the ownership changes. If you have any questions about the water rights, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

JAN 27 2025

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 1761-3

OFFICE OF
WATER

Date: 1-26-2025

I/We request that Water Right/Permit No. 1761-3 formerly owned by:
Mary Eby Trust be transferred to:

New Owner Name: Robert Peter Walsh

Address: 47844 County Rd 1B mobile: 1-605-670-0486

City, State, Zip Elk Point, SD 57025 email: rpwalsh@vyn.midco.net

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

The West half of the Northwest Quarter, Section 34, Township 91 North, Range 49 West of the 5th P.M., Union County, South Dakota Containing 80 acres more or less.

☒ I understand that the validity of Water Right/Permit No. 1761-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Robert Peter Walsh, the new owner, certify that the above information is true and correct.

Robert Peter Walsh
Robert Peter Walsh (Jan 26, 2025 13:53 CST)
(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three-year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date January 27th 2025

RECEIVED OF Robert P Walsh 47544 County Rd 1B Elk Point SD 57025

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form #3677-3 & #1761-3	\$100.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$100.00

By Eric Gronlund
Chief Engineer

GR



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 29, 2025

1761-3
3677-3

Robert Peter Walsh
47844 County Rd 1B
Elk Point SD 57025

Dear Walsh:

I have received the "Notice of Transfer of Ownership" forms, and the required fees submitted for Water Right Nos. 1761-3 & 3677-1. Enclosed is a copy of each original license and receipt of payment for your records.

Water Right Nos. 1761-3 & 3677-3, previously held by the Mary Eby Trust, is now listed under yourself. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the water rights, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the water rights will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTE: The validity of Water Right Nos. 1761-3 & 3677-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures