

Water Right Number 1771-3

1. Considered November 4, 1970
2. Name of Applicant Russell Kneek
3. Post Office Address Davis
4. Amount of Water claimed .55
5. Source of Water supply Ground water
6. Water to be used for irrigation
- Acres to be irrigated 90
7. Water to be diverted and used in Turner County
about 2 miles North of Davis
8. Proof of Publication Received 10-19-70
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

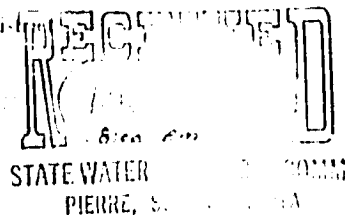
10. Remarks:

Cancel 541-3

No. 1771-3Map No. 412-3 Water Division No. 3 VERMILION RIVER

(Blank to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Russell Knack
 Postoffice address Davis, State S.D. (Dakota)
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of others
3. Name of diversion work Irrigation well
4. Amount of water claimed (cubic feet per second) 250 g.p.m.
5. Source of water supply well
6. Location of point of diversion 410 ft South of well #1

- County Turner
7. Annual period or periods during which water is to be used June July and Sept.
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 90 acres

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>West of well</u>	<u>55</u>		
<u>East of well</u>	<u>35</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 10 weeks years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Hawley Leader
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Irrigate landEstimated Total Cost \$ 990.⁰⁰

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

)s.

County of Turner

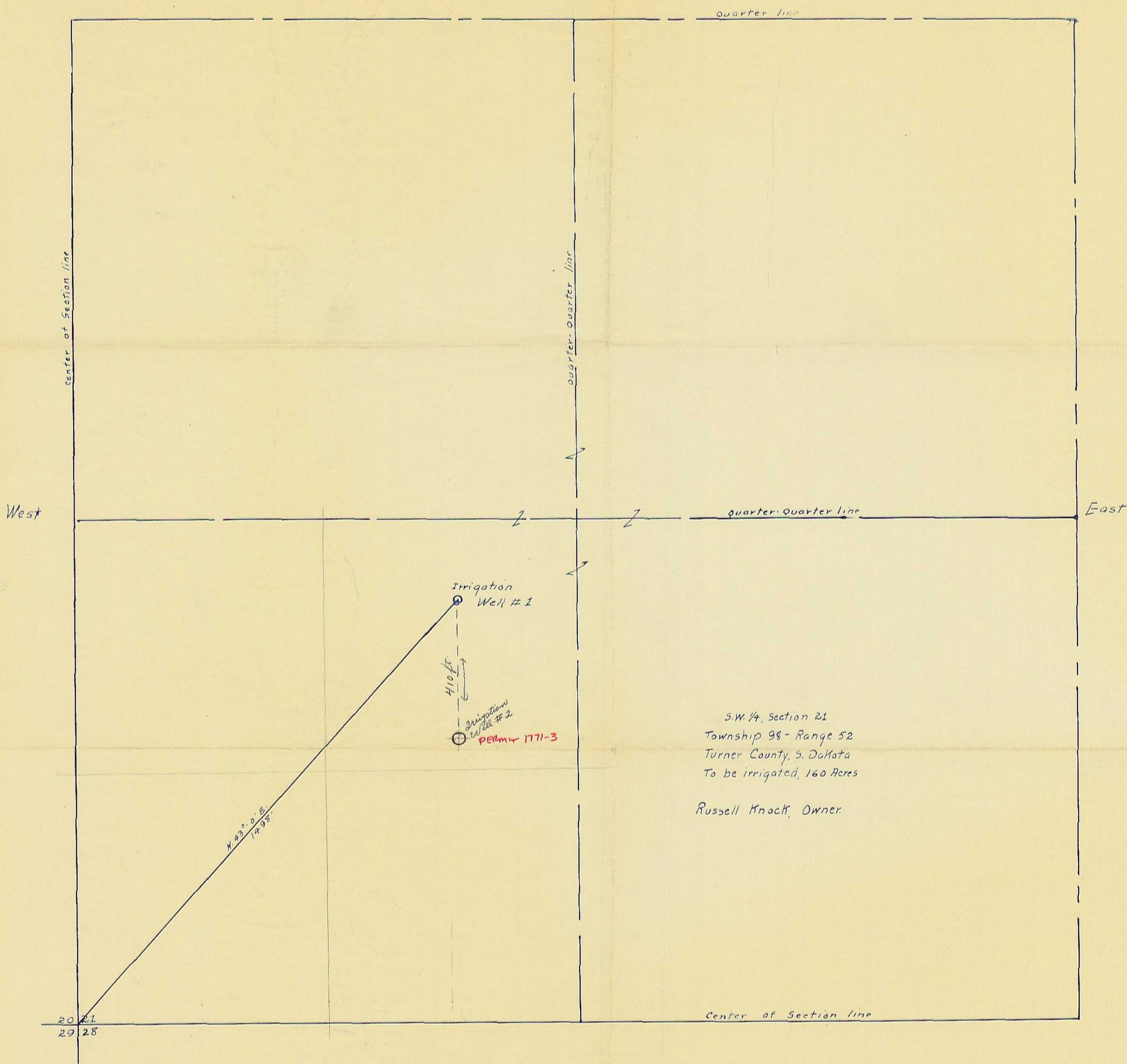
I, Russell Knack the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Russell KnackSubscribed and sworn to before me this 12 day of August 1920Dr. J. Miller

MY COMMISSION SEE Notary Public (or other qualified officer)

North

412.3 Map No.
(541.3 Appl. No.)
1771-3



Russell Knock Irrigation Project # 1
S.W. 1/4 of Section 21, Township 98 - Range 52,
Turner County, South Dakota.

I, Ellis V. Nelson, a licensed engineer, hereby certify that I have made a survey of the S.W. 1/4 of Section 21, Township 98 - Range 52, Turner County, South Dakota and located Irrigation Well # 1 as indicated on the above plat.
Dated at Sioux Falls, South Dakota, July 21 - 1958.

Ellis V. Nelson
Licensed Engineer

State of South Dakota } ss.
County of Minnehaha }

On this 21st day of July, 1958, before me, the undersigned officer, personally appeared Ellis V. Nelson known to me, or satisfactorily proven to be the person whose name is subscribed to the within certificate and acknowledged that he executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal.

[Signature]
Notary Public

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1771-3
RUSSELL KNOCK DAVIS
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications:
 (State)

PRIOR TO APPROVAL OF THIS PERMIT, PERMIT NO 541-3, ~~AND~~
~~WAS~~ WAS CANCELLED, AND THE PRIORITY FOR .78 CFS
 WAS TRANSFERRED TO THIS PERMIT, AS REQUESTED BY THE
 PERMIT HOLDER. (SEE ATTACHED STATEMENT)

The irrigation well approved under this Permit is located near
 domestic 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.

Date of first receipt of application AUGUST 13 19 70
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application — 19 —
 Approved NOVEMBER 4 19 70 Recorded in Book 11 Page 199

WATER RIGHT PERMIT NO. 1771-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1771-3 authorizing the construction of
 the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right
 Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is .78 CFS FROM JULY 22, 1958
.55 CFS FROM AUGUST 13, 1970
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~ — 19 —
3. The whole of said work is ~~to be~~ completed ~~on or before~~ — 19 —
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED 19 —
5. The water appropriated shall be used for the purpose of IRRIGATION
6. 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.
7. The amount of the appropriation herein granted shall not exceed 1.33 cubic feet per second; neither shall it
 exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses
 served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 ^{WAS}
 actually and beneficially applied for irrigation on or before THIS DATE 19 —; said water to be used during the
 following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 6TH day of NOVEMBER 19 70

WATER RESOURCES COMMISSION

By:

[Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 16 19 70

Water License Issued NOVEMBER 16 19 70

attachment

WATER RIGHT No. 1771-3 RUSSELL KNOCK

Water Permit No. 541-3 authorizes the diversion of up to 2.28 c.f.s. of water from a shallow well to irrigate up to 160 acres, comprising the SW $\frac{1}{4}$ of Section 21, T98N, R52W.

Inspection of the Water Permit No. 541-3 system, made on October 28, 1970 indicated the maximum development capacity of the system was 0.78 c.f.s. of water. Therefore this diversion rate with its priority of July 22, 1958 is transferred to Water Permit No. 1771-3.

Water Permit No. 1771-3 authorizes the diversion of 0.55 c.f.s. of water from an additional shallow well to supplement the irrigation of 90 of the 160 acres in Water Permit No. 541-3.

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter 30 in, Depth 38 ft

(2) Casing, Type Concrete (wood, concrete, steel, etc), Diameter 18" Thickness 2"

(3) Perforated Screen.

Type Concrete, Diameter 18", Length 24 ft

(4) Gravel Pack. Thickness 6 in, Length of gravel pack 38 ft

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 8 ft black dirt, 7 ft coarse sand
2.3 ft. fine sand

Depth to top of water bearing material 10 ft

Depth to bottom of water bearing material 38 ft

Thickness of water bearing material 24 ft

Depth to water (ground surface to water level) 10 ft

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 25 rds. On property owned by others _____ rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Russell Krook
Signature of Applicant

WATER LICENSE NO. 1771-3

(1) WHEREAS, On the 13th day of August A. D. 19 70
Russell Fnoch

made Water Right Application No. 1771-3 for a permit to use 1.33 cubic feet per second of the waters of ground water

County of Turner, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 6th day of November A. D. 19 70
Permit No. 1771-3, with a date of priority of July 22, 1958 and August 13, 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 6th day of November A. D. 19 70 and for the application to beneficial use of said water on or before the 6th day of November A. D. 19 70

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 1.33 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.

for irrigating the SW $\frac{1}{4}$, Section 21, T98N, R52W, consisting of 160 acres

(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 Russell Inocel
_____ of S. Davin, S.D.
the holder _____ and owner _____ of said permit No. 1,71-3 a water right, dating from July 22, 1958 and
August 12, 1970 to use of 1.55 cubic feet per second of the waters
of ground water
in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 14.98' North 42° East of the SW Corner, Section 21,
T98N, R52W, and a point 400' South of this location
_____ and conduct to and upon SE 1/4, Section 21, T98N, R52W
_____ for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1771-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 16th day of November A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.V. GRILES

Permit No. 1771-3Water Diversion No. 3 VERMILLION RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Russell Knock

_____ the holder _____ of
Permit No. 1771-3, issued upon Application No. 1771-3, bearing date of priority of July 22, 1958 and
August 13, 1970 authorizing the diversion of 1.33 cu. ft. per second of the waters of _____
ground water _____ County of Turner, State of South Dakota at _____
points 1498' North 43° East of the SW Corner, Section 21, T98N, R52W, and
a point 400' South of this location
_____, for irrigation

purposes, has _____ 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 1.33 cu. ft. per second of water.

Date November 16, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Turner) ss.

I, Ken Hofmeister hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Hurley Leader

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 Hurley, S. Dak.

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

September 24, 1970

October 1, 1970

October 8, 1970

October 15, 1970

Ken Hofmeister
(Signature)

Editor
(Title)

October 15, 1970
(Date Signed)

LEGAL NOTICE

NOTICE OF INTENT TO
APPROPRIATE WATER

Notice is hereby given that
Russell Knock whose post office
address is Davis, South Dakota,
has made an application in ac-
cordance with the provisions of
the water laws of South Dakota
for a permit to appropriate for
beneficial use .55 cubic feet of
water per second of time from
ground water through the Knock
Well No. 2, the point of diversion
of which is to be located in the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Twp.
98N, Range 52W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:
SW $\frac{1}{4}$ AND W $\frac{1}{4}$ SE $\frac{1}{4}$, Section
21, T98N, R52W

This application No. 1771.3
will be considered by the Water
Resources Commission at their
office at Pierre upon the 4th day
of November, 1970, at 2:00 P.M.
All interested persons may ap-
pear and be heard.

WATER RESOURCES COM-
MISSION

By: BURTON F. JONES,
Water Rights Specialist

Pub. Sept. 24, Oct. 1-8-15

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—Adults:
—Children

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RECEIVED
OCT 19 1970

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

1771-3

Publish first publication, on or before October 8, 1970**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

September 17, 1970Russell Knock

Notice is hereby given that _____

whose post office address is Davis, 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.55 cubic feet of water per second of time from ~~the~~ ground water through theKnock Well #2, the point of diversion of which is to be located in the _____NE 1/4 SW 1/4of Section 21, Twp. 98N, Range 52W. Said water to be used for the purpose of providing irrigation on **portions of** the following described land:SW 1/4 AND W 1/2 SE 1/4, Section 21, 98N, R52W

This application No. 1771-3 will be considered by the Water Resources Commission at their office at Pierre upon the 4th day of November, 1970, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

cc: Russell Knock, Davis, S.D.

By:

BURTON F. JONES, Water Rights Specialist

1771-3

3

REPORT OF EXAMINATION OF WORKS

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 Russell Knock
_____ of _____ Davis, South Dakota holder_____
of Permit No. 1771-3, bearing date of priority of .78 c.f.s. from July 22, 1958
.55 c.f.s. from August 13, 1970, 19x
authorizing the diversion of 1.33 cu. ft. per second of the waters of ground water
for irrigation purposes, in Turner 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:
Old well, 40 ft. deep - 18" steel casing
Peerless 5 inch pump, belt device
Gasoline powered tractor

New Well, 33 ft. deep - 18" concrete casing
Pomona pump, 5 inch
Farmall tractor, gasoline, Mod. F20

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

1/2 mile of 4, and 5 inch main line

C. Works used to apply water to beneficial use.

one "Vermeer" portable boom, Mod. 140
1/8 mile sprinkler pipe (hand moved)

The system is in the following condition: good

The point of diversion is located Old well, 1498 ft. N.43° 0' E., of the SW corner of Section 21,
T98N, R52W. New well is located 410 feet south of old well

The works are capable of diverting and conveying to the place of use 1.33

cu. ft. per second of water which is to be used for irrigation

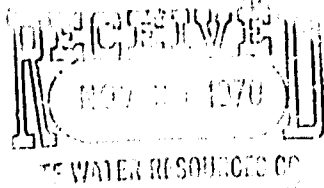
Water has been put to beneficial use to the maximum extent as follows: irrigation of the SW $\frac{1}{4}$ of Section 21, T98N, R52W with supplemental irrigation of the east 35 acres of the W $\frac{1}{2}$ of said SW $\frac{1}{4}$ and West 35 acres of the E $\frac{1}{2}$ of said SW $\frac{1}{4}$.

comprising a total of 160 acres of land.

Date October 28, 1970

Donald Priscall
(Signature)

DONALD DRISCOLL, Deputy Chief Engineer
Water Resources Commission



Stress, S. Dak.
Nov. 19, 1970

Dear Sir:

I received my water license today, but would like some additional information concerning form no. 2, on permit number 1771-3 on line number 1 which states months water is to be used. August is omitted. We also irrigate in August so we are wondering why that month is left out.

I want the month of August to be included on my permit. I wrote you last week and have not received any yet.

Sincerely,

Russell Krock

November 23, 1970

Mr. Russell Fnoch
Davis
South Dakota 57021

Dear Mr. Fnoch:

Regarding your letter requesting the inclusion of the month of August for irrigation, the Permit was issued for water to be used from June thru September inclusive. (See #7 on second page of Form 2.

Should you have further questions, feel free to contact us.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/bw



1771-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 21, 1995

1771-3
3829-3

Gary Knock
46020 283rd Street
Davis, SD 57021

Dear Mr. Knock:

Enclosed are two partially completed *Notice of Transfer of Ownership* forms for use in filing ownership changes on Water Right Nos. 1771-3 and 3829-3, currently listed in the name of Russell Knock. It is my understanding, from the notation made on the 1995 irrigation questionnaires, that you now own the land described in the water rights.

Please review the forms for accuracy and make any necessary corrections. Please sign the forms in the presence of a notary public and return them to our office with a \$2.50 filing fee for each transfer (\$5.00 total).

If you have any questions concerning completion of the transfer forms, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1771-3

Date: Dec 26-95

I/We request that Water Right No. 1771-3

formerly owned by: Russell Knock, RR 1 Box 83, Davis, SD 57021

be transferred to: (name & address) Gary Knock, 46020 283rd Street, Davis, SD 57021

Telephone No. (605) 238-5616

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

160 acres - SW 1/4 Section 21, T98N, R52W

I/We understand that the validity of Water Right No. 1771-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Lincoln)

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

Gary Knock
(Signed)

Subscribed and sworn to before me this 26 day of Dec, 19 95.

Rita C. Temple
(Notary Public)

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414727

Pierre, _____ December 23, 19 95

RECEIVED OF Gary Knock, Box 83, Davis, SD 57021

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 1771-3</u>		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	2	50

B. John H. Hirsch
Chief Engineer



1771-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 2, 1996

No. 1771-3
3829-3

Gary Knock
46020 283rd Street
Davis, SD 57021

Dear Mr. Knock:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 1771-3 and 3829-3.

Our records now show you as the owner of Water Right Nos. 1771-3 and 3829-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure