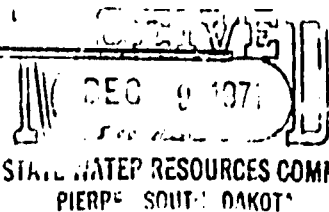


Water Right Number 1910-3

1. Considered JANUARY 19, 19 72
2. Name of Applicant ORIE KNEEN
3. Post Office Address ARTESIAN
4. Amount of Water claimed 1.48
5. Source of Water supply REDSTONE CREEK
6. Water to be used for IRRIGATION
Acres to be irrigated 104
7. Water to be diverted and used in SANBORN County
about 3W 4N miles of ARTESIAN
8. Proof of Publication
Received 1-7-72
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

NO DAM OR IMPEDIMENT IN
REDSTONE CREEK



No. 1910-3
 Water Division No. 3 JAMES RIVER District _____
 (Blanks 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 Orie Kneen
 Postoffice address Artesian, County Sanborn, State South Dakota 57314

- I. If a corporation No
- (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) _____
 - (b) Cash on hand, \$ _____
 - (c) Treasury stock, \$ _____
 - (d) Bonds to be issued, \$ _____
 - (e) Other resources, \$ _____

2. Name of diversion work Pumping points on Redstone Creek
3. Amount of water claimed 1.48 cubic feet per second
4. Source of water supply Redstone Creek
AT POINTS 559030' W, 353 FEET FROM THE NE CORNER AND
5. Location of point of diversion See attached maps. N 75° 30' E 920 FEET FROM THE CENTER OF SECTION 24, T107N, R60W, AND FROM A POINT N 47° 45' E, 1306 FEET FROM THE NW 1/4 CORNER SECTION 30, T107N, R60W on either bank SAUBORN County.
6. Annual period or periods during which water is to be used April 1 to July 30
7. To be used for:

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

- (a) Number of acres to be irrigated 104 acres. 52 N 2 NW 1/4 SEC 30, T107N, R60W - 30 AC
See attached map. 32 NE 1/4, SEC 24, T107N, R60W 55 AC.
- (b) Legal subdivisions to be irrigated See attached map. NE 1/4 NW 1/4 & NW 1/4 SEC 24, T107N, R60W 19 AC.

(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 _____ horse power.
 Amount claimed for engine cooling _____
- (c) Location of plant _____
- (d) Method of developing power _____
- (e) Point where water will be returned to stream _____

MAP NE 1353-3

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 filledacre 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; heightfeet;
Material
(d) Canal: Total lengthmiles.

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 One years.
11. Time required for complete application of water to the proposed beneficial use Two years.
12. Choice of newspaper for publication of notice of intention to appropriate
..... WOONSOCKET NEWS

STATE OF SOUTH DAKOTA

County of Beadwell } ss.

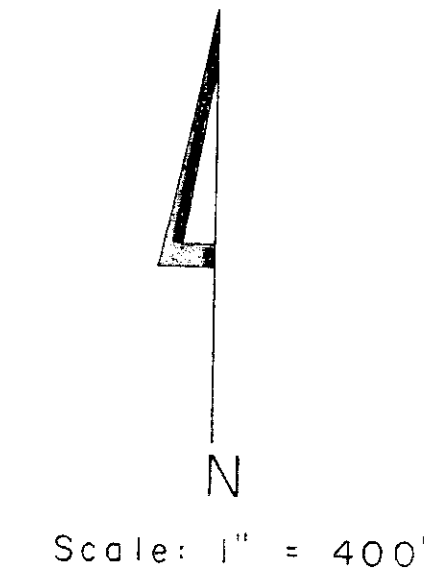
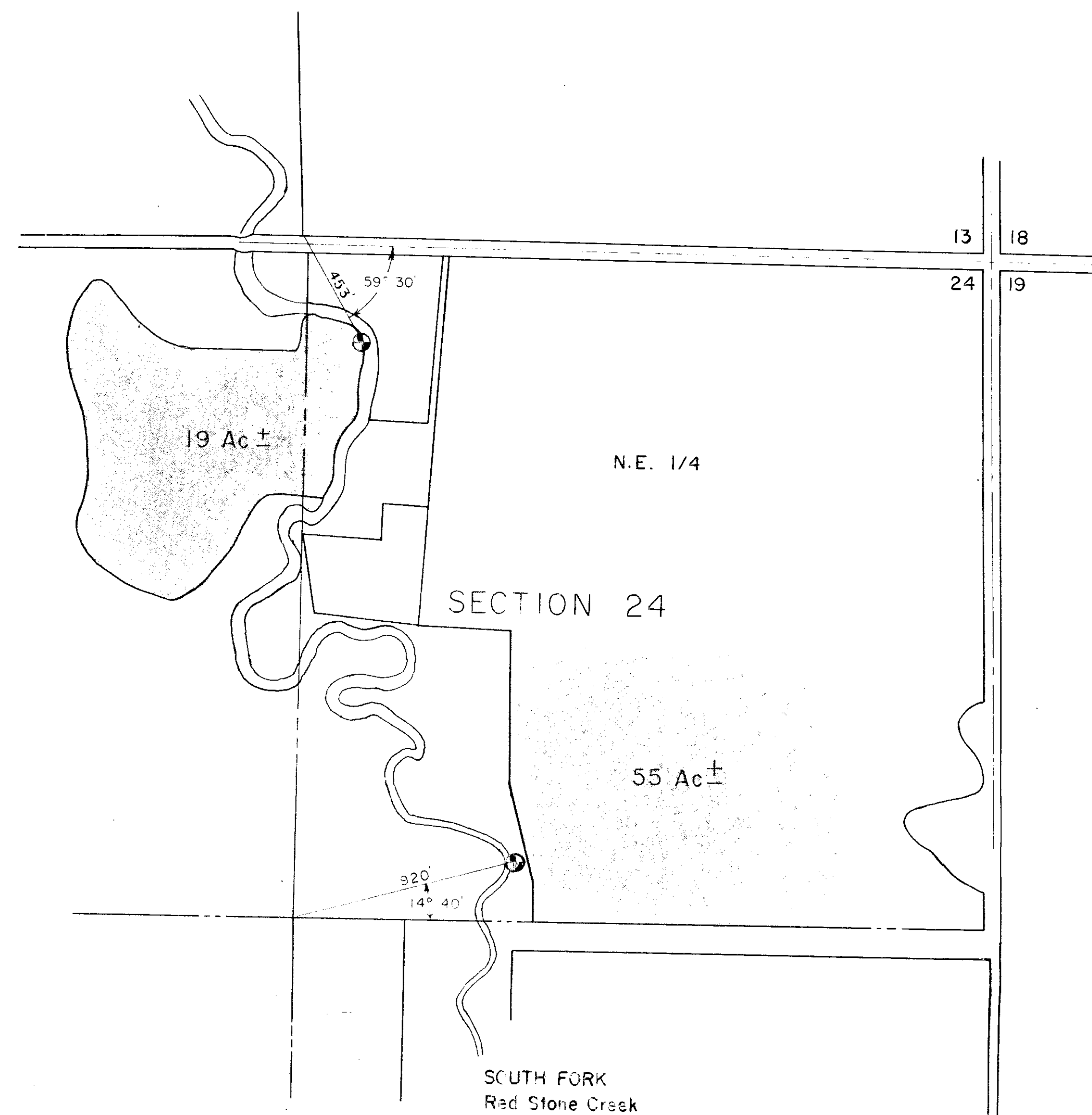
I, Orie Kneen, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and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

Signed Orie Kneen

Subscribed and sworn to before me this 24 day of December 19 71

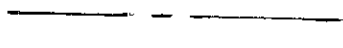
Notary Public (or other qualified officer.)

My Comm. expires 12/31/71
Dec 1, 1971



IRRIGATED LANDS ARE LOCATED IN SECTION 24
IN T107N, R60W OF THE 5th P.M. AND OWNED
BY ORIE KNEEN.

LEGEND

-  Irrigated Areas
-  Diversion Point
-  Section Line
-  Quarter Line

SURVEYOR'S CERTIFICATE
I, Paul E. Schmucker, a Registered Engineer and Land Surveyor of Mitchell, South Dakota, do hereby certify that at the request of Orie Kneen and under his direction for the purposes indicated therein, I did, on or prior to November 16, 1971, survey the diversion points shown on this plot.
I FURTHER CERTIFY that the within and foregoing plot is in all respects true and correct.
Dated this 10th day of November, 1971.

Paul E. Schmucker
Registered Engineer and Land Surveyor

STATE OF SOUTH DAKOTA)
COUNTY OF DAVISON) SS

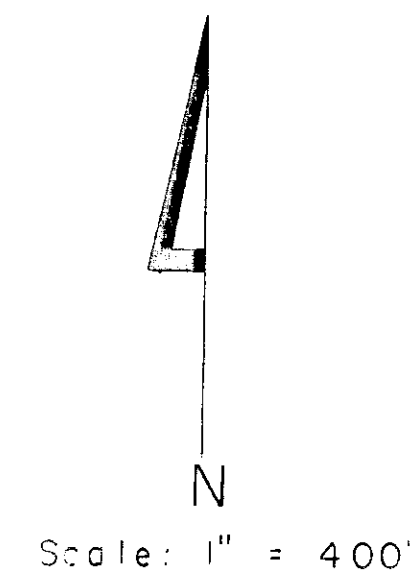
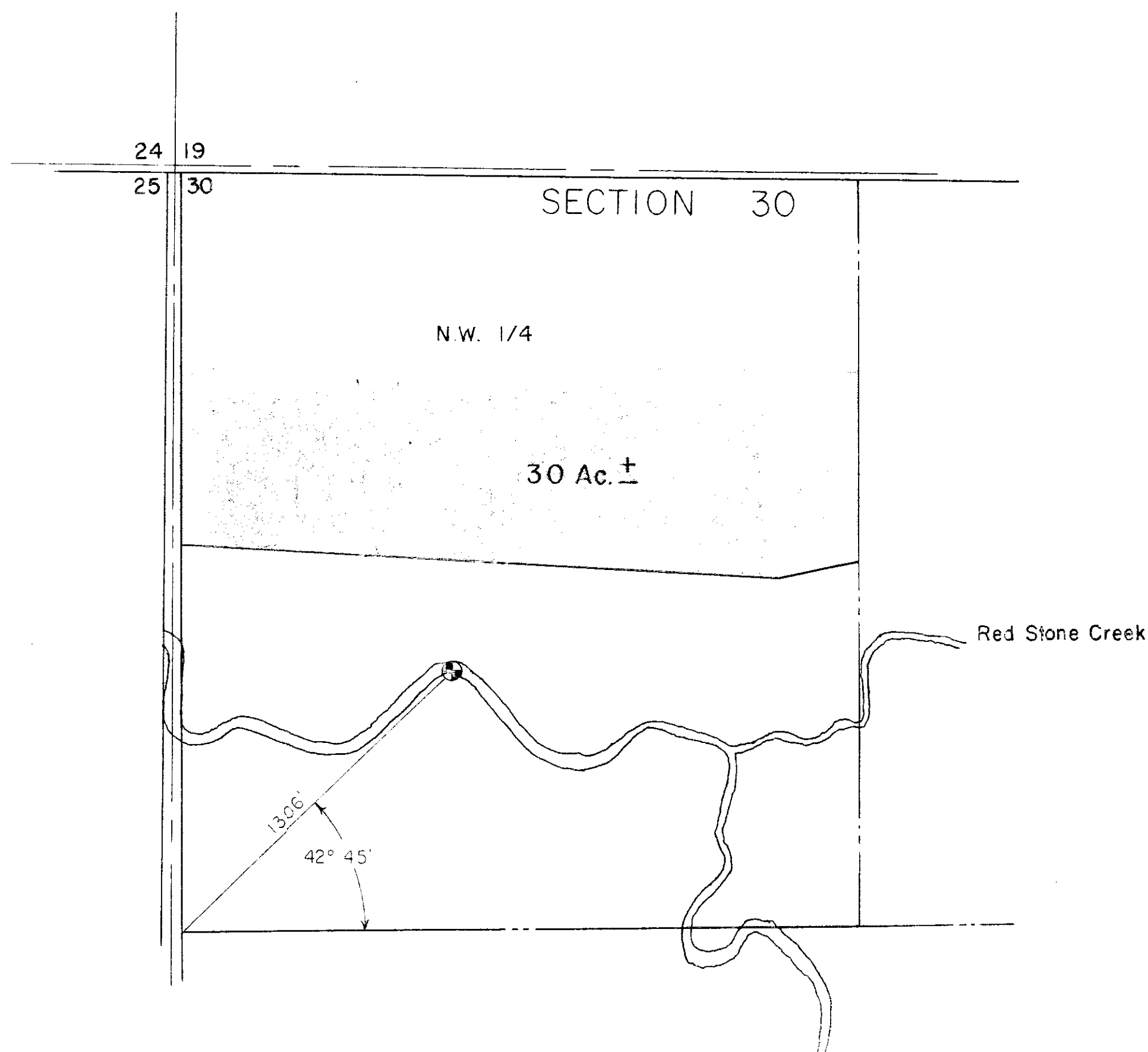
On this, the 17th day of November, 1971, before me, the undersigned a Notary Public in and for said County and State, personally appeared Orie Kneen, well known to me to be the Owner, who is described in and who executed the foregoing and with-
in instrument, and duly acknowledged to me that he executed the same in his official capacity as a Registered Engineer and Land Surveyor, and for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public, South Dakota
My commission expires August 1, 1979

IRRIGATION WATER RIGHTS MAP				
ORIE KNEEN ARTESIAN, S. DAK.				
SCHMUCKER, PAUL, NOHR & ASSOC. CONSULTING ENGINEERS MITCHELL, SOUTH DAKOTA				
Drawn	L.C.	Date 9-9-71	File No.	SPT No.
Checked	E.A.N.	Date 9-9-71	2006	1
Approved	E.A.N.	Date 9-9-71	Rev No.	Of
Designer		Scale: 1" = 400'		2

MAP N2 1353-3 APPL N2 1910-3 (Sheet 1)



IRRIGATED LANDS ARE LOCATED IN SECTION 30
IN T107 N, R59 W OF THE 5th P.M. AND LEASED
BY ORIE KNEEN.

LEGEND

- Irrigated Areas
- Diversion Point
- Section Line
- Quarter Line

SURVEYOR'S CERTIFICATE

I, Bernie E. Schmucker, a Registered Engineer and Land Surveyor at Mitchell, South Dakota, do hereby certify that at the request of Orie Kneen and under his direction, for the purposes indicated therein, I did, on or prior to November 15, 1971, make the division points shown on this plat.

I FURTHER CERTIFY that this plat and foregoing plan is in all respects true and correct.

Dated this 15th day of November, 1971.

Bernie E. Schmucker
Registered Engineer and Land Surveyor

STATE OF SOUTH DAKOTA

COUNTY OF DEWISON

On this 15th day of November, 1971, before me, the undersigned a Notary Public in and for said County and State, personally appeared Bernie E. Schmucker, well known to me to be the person who is detainer and who executed the foregoing and with in instrument, and duly acknowledged to me that he executed the same in his official capacity as a Registered Engineer and Land Surveyor, and for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

David D. Pugh
Notary Public, South Dakota
My commission expires August 1, 1970

IRRIGATION WATER RIGHTS MAP

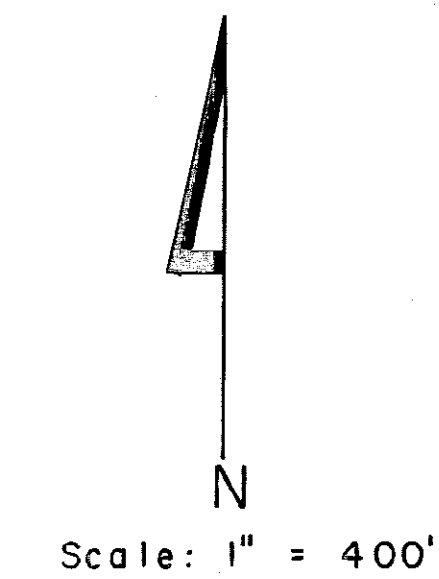
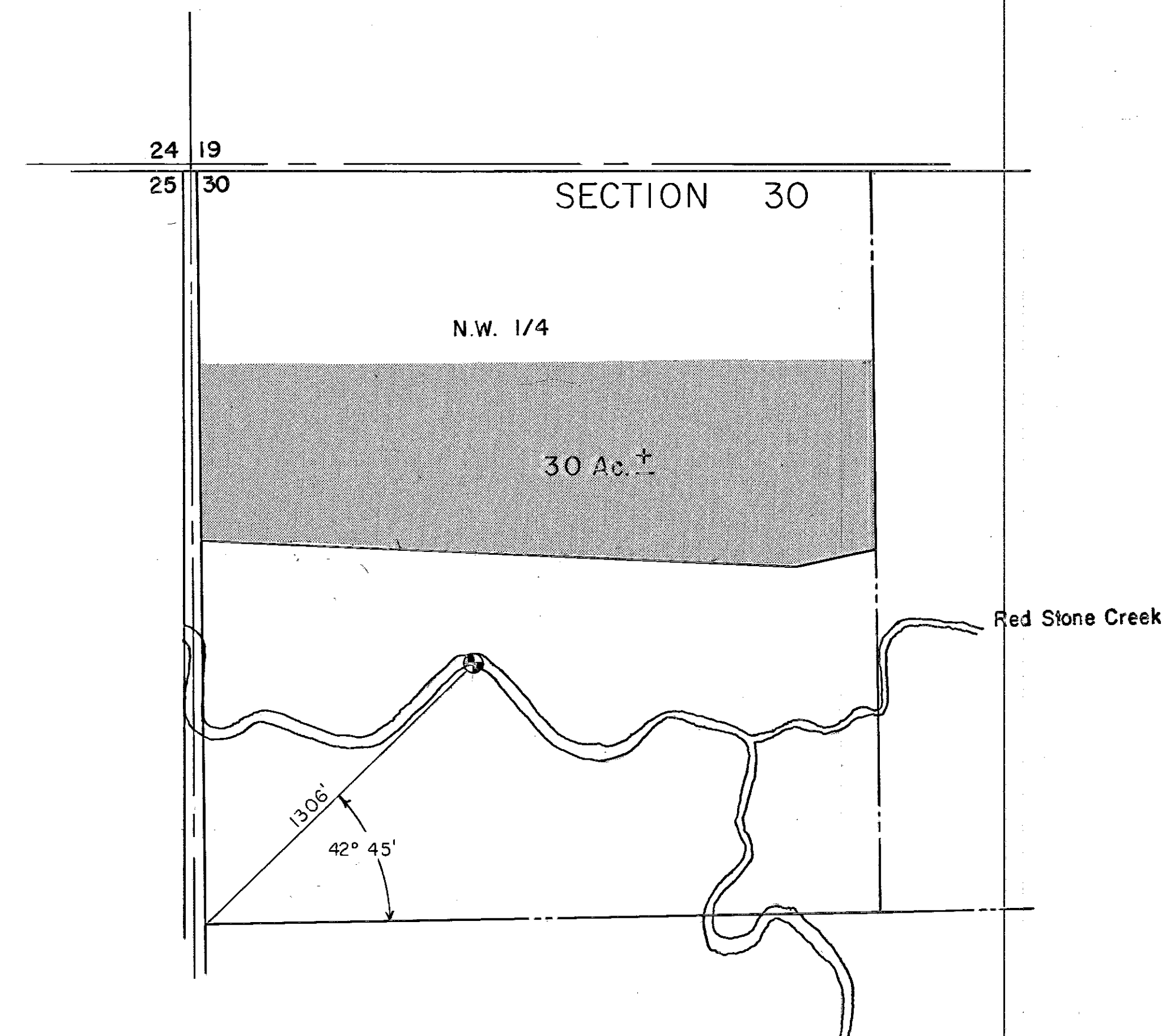
ORIE KNEEN
ARTESIAN, S. DAK.

SCHMUCKER, PAUL, NOHR & ASSOC.
CONSULTING ENGINEERS
MITCHELL, SOUTH DAKOTA

Drawn	L.C.	Date	9-9-71	Title No.	
Checked	E.A.N.	Date	9-9-71	2006	2
Approved	E.A.N.	Date	9-9-71	Rev. No.	0-2
Designed		Scale	1" = 400'		

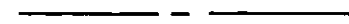
MAP # 1353-3 APPL # 1910-3 (SHT 2)

Appl # 1910-3
1353-3



IRRIGATED LANDS ARE LOCATED IN SECTION 30
IN T107 N, R59 W OF THE 5th P.M. AND LEASED
BY ORIE KNEEN.

LEGEND

-  Irrigated Areas
-  Diversion Point
-  Section Line
-  Quarter Line

SURVEYOR'S CERTIFICATE
I, Bernie E. Schmucker, a Registered Engineer and Land Surveyor of Mitchell, South Dakota, do hereby certify that at the request of Orié Kneen and under his direction for the purposes indicated therein, I did, on or prior to November 18, 1971, survey the diversion points shown on this plat.
I FURTHER CERTIFY that the within and foregoing plat is in all respects true and correct.
Dated this 18th day of November, 1971.

STATE OF SOUTH DAKOTA)
COUNTY OF DAVISON) SS

On this, the 18th day of November, 1971, before me, the undersigned a Notary Public in and for said County and State, personally appeared Bernie E. Schmucker, well known to me to be the person who is described in and who executed the foregoing and with-in instrument, and duly acknowledged to me that he executed the same in his official capacity as a Registered Engineer and Land Surveyor, and for the uses and purposes therein set forth.

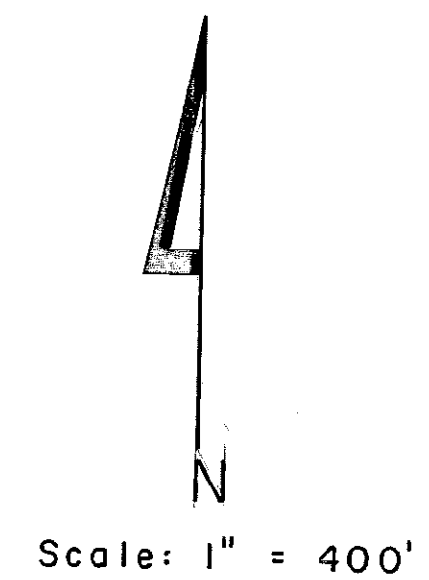
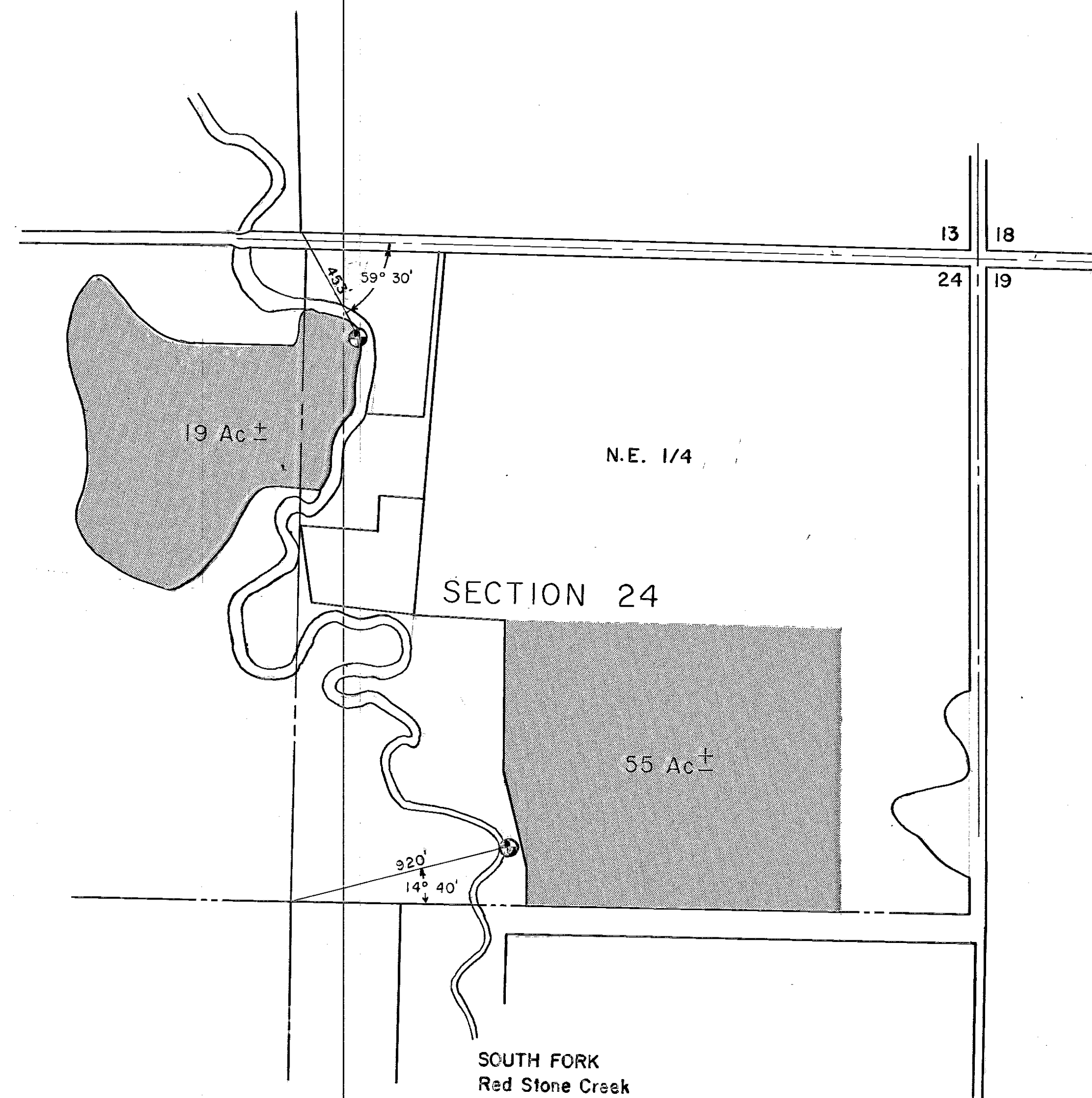
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public, South Dakota
My commission expires: August 1, 1970

IRRIGATION WATER RIGHTS MAP

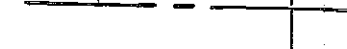
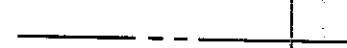
ORIE KNEEN ARTESIAN, S. DAK.			
SCHMUCKER, PAUL, NOHR & ASSOC. CONSULTING ENGINEERS MITCHELL, SOUTH DAKOTA			
Drawn L.C.	Date 9-9-71	File No.	Sht. No.
Checked E.A.N.	Date 9-9-71	2006	2
Approved E.A.N.	Date 9-9-71	Rev. No.	Of 2
Designer	Scale: 1" = 400'		

MAP N21353-3 (APC N21910-3 (SHT 2))



IRRIGATED LANDS ARE LOCATED IN SECTION 24
IN T107N, R60W OF THE 5th P.M. AND OWNED
BY ORIE KNEEN.

LEGEND

-  Irrigated Areas
-  Diversion Point
-  Section Line
-  Quarter Line

SURVEYOR'S CERTIFICATE
I, Bernie E. Schmucker, a Registered Engineer and Land Surveyor of Mitchell, South Dakota, do hereby certify that at the request of Orle Kneen and under his direction for the purposes indicated therein, I did, on or prior to November 18, 1971, survey the diversion points shown on this plot.
I FURTHER CERTIFY that the within and foregoing plot is in all respects true and correct.
Dated this 10th day of November, 1971.

Bernie E. Schmucker
Registered Engineer and Land Surveyor

STATE OF SOUTH DAKOTA)
COUNTY OF DAVISON)

On this, the 10th day of November, 1971, before me, the undersigned a Notary Public in and for said County and State, personally appeared Bernie E. Schmucker, well known to me to be the person who is described in and who executed the foregoing and with-in instrument, and duly acknowledged to me that he executed the same in his official capacity as a Registered Engineer and Land Surveyor, and for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

David J. Smith
Notary Public, South Dakota
My commission expires: August 1, 1979

IRRIGATION WATER RIGHTS MAP

ORIE KNEEN
ARTESIAN, S. DAK.

SCHMUCKER, PAUL, NOHR & ASSOC.
CONSULTING ENGINEERS
MITCHELL, SOUTH DAKOTA

Drawn	L.C.	Date	9-9-71	File No.	Sht. No.
Checked	E.A.N.	Date	9-9-71	2006	1
Approved	E.A.N.	Date	9-9-71	Rev. No.	Of
Designer		Scale:	1" = 400'		2

MAP NO 1353-3 (APP 1910-3 (SHT 1))

Remarks by State Water Resources Commission:

THIS PERMIT DOES NOT AUTHORIZE CONSTRUCTION OF A DAM
OR OTHER IMPEDIMENT ON REDSTONE CREEK,
LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE,
INCLUDING LIVESTOCK WATERING, MUST BE BY-PASSED

STATE OF SOUTH DAKOTA

County of HUGHES } ss.

Pierre, South Dakota, JANUARY 30, 1972

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 DECEMBER, 1971.

State Water Resources Commission

By:

Burton J. Jones
for Chief Engineer, Executive Officer

Number of permit 1910-3

Date of first receipt of application DECEMBER 9, 1971

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 DECEMBER 9, 1971

Approved JANUARY 19, 1972, Recorded in Book 12 Page 57

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 _____

JULY 19, 1972

2nd. The whole of said work is to be completed on or before JANUARY 19, 1973

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

JANUARY 19, 1975

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 1.48 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 JANUARY 19, 1975; said water to be used during the following described annual period:

APRIL 1 TO JULY 30

Witness my hand this 20TH day of JANUARY, 1972.

State Water Resources Commission

By:

Robert J. Jones
Chief Engineer, Executive Officer

Certificate of Construction issued

APRIL 24, 1974

Water License issued

APRIL 24, 1974

WATER LICENSE NO. 1910-3

(1) WHEREAS, On the 9th day of December A.D. 1971
Orle Kneen
made Water Right Application No. 1910-3 for a permit to use 1.48 cubic feet per second of the waters of Redstone Creek
County of Sanborn State of South Dakota, for irrigation
purpose; and
(2) WHEREAS, On the 20th day of January A.D. 1972
Permit No. 1910-3, with a date of priority of December 9, 1971
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 19th day of January A.D. 1973 and for the application to beneficial use of said water on or before the 19th day of January A.D. 1975

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 1.11 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 following described land:

Section 24, T107N, R60W	S½ NE¼	55 acres
S	NE¼ NW¼	19 acres
Section 30, T107N, R59W	N½ NW¼	30 acres
Total		104 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 Orle Kneen

_____ of Artesian, S.D.

the holder _____ and owner _____ of said permit No. 1910-3 a water right, dating from December 9, 1971

_____ to use of 1.11 cubic feet per second of the waters of Redstone Creek

in the County of Sunburn and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Points South 59° 30' West, 453 feet from the NE

Corner and North 75° 20' East, 920 feet from the Center of Section 24, T107N, R60W;

from a point North 47° 15' East, 1306 feet from the W¹ Corner, Section 30, T107N, R59W.

and conduct to and upon portions of Section 24, T107N, R60W and Section 30, T107N, R59W, more
fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1910-3 and subject to the laws of the State of South Dakota.

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

this 24th day of April A. D.

Nineteen Hundred and Seventy-four

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer **DONALD DRISCOLL**

Permit No. 1910-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Orie Kroen

Permit No. 1910-3, issued upon Application No. 1910-3, bearing date of priority of December 9, 1971, the holder of , authorizing the diversion of 1.48 cu. ft. per second of the waters of Redstone Creek County of Sanborn, State of South Dakota at Pointe South 59° 30' West, 453 feet from the NE Corner and North 75° 20' East, 920 feet from the center of Sec. 24, T107N, R60W; from a point North 47° 15' East, 1306 feet from the W $\frac{1}{2}$ Corner, Section 30, T107N, R59W for irrigation

purposes, has 8 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 1.11 cu. ft. per second of water.

Date April 24, 1974

~~Signature of Chief Engineer~~
WATER RIGHTS COMMISSION

DONALD DRIECOLL, Chief Engineer

No. 1910-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Sanborn) ss.

I, Herald W. Jones hereby

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

Water was taken from the Woonsocket News

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 Woonsocket

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

December 16, 1971

December 23, 1971

December 30, 1971

January 6, 1972

Herald W. Jones
(Signature)

Editor and Publisher
(Title)

January 6, 1972
(Date Signed)

NOTICE INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
December 9, 1971

Notice is hereby given that
Orle Kneen whose post office
address is Artesian, South Da-
kota, has made an application
in accordance with the provi-
sions of the water laws of South
Dakota for a permit to appro-
priate for beneficial use 1.48
cubic feet of water per second
of time from Redstone Creek
through the Kneen Pumping Pro-
ject, the points of diversion of
which are to be located in the
NW¼ NE¼ and SW¼ NE¼,
Section 24, T107N, R50W and in
the SW¼ NW¼ of Section 30,
Twp. 107N, Range 59W. Said
water to be used for the pur-
pose of providing irrigation on
portions of the following de-
scribed land: NE¼ and NE¼,
NW¼, Section 24, T107N, R60W,
and N¼ NW¼, Section 30, T107N,
R59W.

This application No. 1910-3 will
be considered by the Water Re-
sources Commission at their of-
fice at Pierre upon the 19th
day of January, 1972, at 2:00
P. M. All interested persons may
appear and be heard.

WATER RESOURCES
COMMISSION
By: BURTON F. JONES
Water Rights Specialist
WD-41

Form 6 - Notice of Intent to Appropriate Water

1910-3

Publish first publication, on or before December 23, 19 71

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 9, 19 71

Notice is hereby given that Orle Kneen

whose post office address is Artesian, 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

1.48 cubic feet of water per second of time from the Redstone Creek through the

Kneen Pumping Project, the point^s of diversion of which ^{are} to be located in the

NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, T107N, R60W and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 30, Twp. 107N, Range 59W. Said water to be used for the purpose of providing irrigation ^{portions of} the following described land:

NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, T107N, R60W, and N $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, T107N, R59W

This application No. 1910-3 will be considered by the Water Resources Commission at their office at Pierre upon the 19th day of January, 19 72, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

cc: Orle Kneen, Artesian, S.D. 57314

Artesian, South Dakota
January 6, 1971

Water Resources Commission
% Burton F. Jones
Water Rights Specialist
Pierre, SD

RECEIVED
JAN 14 1971

Dear Mr. Jones:

We read in a current issue of our local paper (Woonsocket News) that Mr. Orie Kneen of Artesian, SD has applied under application # 1910-3 to irrigate from the Red Stone Creek.

Our land joins that of Mr. Kneen and the Red Stone Creek runs through our land. We are located down-stream from Mr. Kneen's land and we are wondering how this will effect us if this application is approved. If this application is approved how long a time does the applicant have to get this project in operation? We would appreciate hearing from you as soon as possible.

Thank you.

Yours very truly,

Mr. and Mrs. Charles Weinberger

Mr. and Mrs. Charles Weinberger
Artesian, SD 57314

January 14, 1972

Mr. Charles Weinberger
Artesian, S. Dak. 57314

Dear Mr. Weinberger:

Reference is made to your letter regarding the proposed irrigation of Mr. Oris Kneen from Redstone Creek.

If the application is approved, it will carry the statement that low flows of the creek as needed for downstream domestic use, including livestock watering must be by-passed.

This application does not prohibit you from making application for irrigation, however, Mr. Kneen would have an earlier priority.

A permit holder has five years to develop the irrigation system after the permit is approved.

Should you have further questions, feel free to contact this office.

Sincerely,

Burtob F. Jones
Water Right Specialist.

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

Post Office Pittsford
Date October 1972TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1910-3

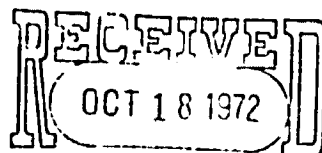
Water Right Permit No. _____ states that the diversion system is to be constructed by _____, 19____ and that the water is to be put to beneficial use by _____, 19____.

The diversion system was completed on _____, 19____. Applying the water to beneficial use was completed on July, 19 1972

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Bought pump in June.

One Hansen
(Signature)

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 1910-3Water Division 3 James River Water District

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

TO: Water ~~Division~~ 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 Orie Kneen
 of Artesian, South Dakota holder
 of Permit No. 1910-3, bearing date of priority of December 9, 19 71
 authorizing the diversion of 1.48 cu. ft. per second of the waters of Redstone Creek
 for irrigation purposes, in Sanborn 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:

Berkeley 4" centrifugal pump Mod. B3JRBM
 International tractor No. 560, diesel - 65 H.p.

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

1380 feet of 6 inch diameter aluminum mainline
 660 feet of 6 inch high pressure hose hooked to big gun sprinkler.

C. Works used to apply water to beneficial use.

Nelson "Big Gun" cable pulled traveling sprinkler

The system is in the following condition: Very good

The point of diversion is located At points S59°30'W 453 feet from the NE corner and
N75°20'E 920 feet from the center of Section 24, T107N, R60W From a
point N47°15'E, 1306 feet from the W $\frac{1}{4}$ corner of Sec. 30, T107N, R59W.
 The works are capable of diverting and conveying to the place of use 1.11

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: As shown on Water right map
1353-3, sheets 1 and 2

55 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 24, T107N, R60W19 acres in and near the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, T107N, R60W30 acres approximately being the S30 acres of the N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 30, T107N, R59Wcomprising a total of 104 acres of land.

The same irrigation equipment is used for both water rights 1910-3
 and 1976-3

Date April 2, 1974

Donald Priscoll
 (Signature)

Donald Priscoll, Chief Engineer

1910-3



January 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: ORIE KEEN, HC 74 BOX 56, ARTESIAN, SD 57314 9753

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 1910-3 & 1976-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1910-3 & 1976-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (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.

1910-3

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

ORIE KEEN
HC 74 BOX 56
ARTESIAN SD 57314 9753

4a. Article Number

2 179 157 240

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

1-10-95

5. Received By: (Print Name)

ORIE KEEN

6. Signature: (Addressee or Agent)

X Orie Keen

8. Addressee's Address (Only if requested and fee is paid)

41032 230TH ST
ARTESIAN SD 57314-6316

Thank you for using Return Receipt Service.



1910-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 1998

1910-3
1976-3

Arthur Kneen
41028 230th St
Artesian, SD 57314

Dear Mr. Kneen:

I am writing to acknowledge receipt of the 1997 irrigation questionnaires for water rights listed in the name of Orie Kneen. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 1910-3 and 1976-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Enclosed are partially completed "Notice of Transfer of Ownership" forms. Please review the forms and complete the portion titled "*to be transferred to: (name and address)...*". Upon completion, please sign the forms in the presence of a notary and then return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

If you have any questions concerning the water rights or completion of the transfer forms, please contact me

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1910-3



Date: Feb 2 98

I/We request that Water Right No. 1910-3

formerly owned by: Orie Kneen

be transferred to: (name & address) ~~41028~~ ~~230 Street~~ ~~Artisan~~ ~~SDak~~ ~~Telephone No~~ ~~605-495-4321~~
41028 230 Street Artisan SDak Telephone No 605-495-4321

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

104 acres - S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, T107N, R60W; N $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, T107N, R59W

I/We understand that the validity of Water Right No. 1910-3 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 Sanborn)

I/We Arthur Kneen 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.

Arthur Kneen
(Signed)

Subscribed and sworn to before me this 2 day of Feb, 19 98.

Elizabeth J. Hoffman
(Notary Public)
Comm expires 10-24-2001

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

Water Rights Program

South Dakota Department of Environment and Natural Resources

40 415634

Pierre, February 5, 1998

RECEIVED OF Arthur Kneen, 41028 23 Street, Artesian, SD 57314
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 Water Right No. 1910-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By _____
Chief Engineer

John Hatch



1910-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 1998

Nos. 1910-3
1976-3

Arthur Kneen
41028 230 Street
Artesian, SD 57314

Dear Mr. Kneen

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 1910-3 and 1976-3

Our records now show you as the owner of Water Right Nos. 1910-3 and 1976-3.

Sincerely,

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

enclosure



1910-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 22, 1999

NOTICE

TO: ARTHUR KNEEN, 41028 230TH ST, ARTESIAN, SD 57314

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 1910-3 & 1976-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1910-3 & 1976-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (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.

1910-3

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

ARTHUR KNEEN
41028 230TH ST
ARTESIAN SD 57314

4a. Article Number

2119 141 686

4b. Service Type

☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

1-23-99

5. Received By: (Print Name)

DAVID KNEEN

6. Signature: (Addressee or Agent)

DAVID KNEEN

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-97-B-0179 Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.



1910-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 27, 1999

1910-3
1976-3

Arthur Kneen
41028 230th St
Artesian, SD 57314

Dear Mr. Kneen:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right Nos. 1910-3 and 1976-3.

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

2006 Water Management Board Irrigation Questionnaire

Please fill out and return before **December 1, 2006**

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352 or send your form(s) electronically over the internet at <https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

Permit No. 1910-3

ARTHUR KNEEN
41028 230TH ST
ARTESIAN SD 57314

Any address/ownership corrections?

Telephone No. 605-495-4321

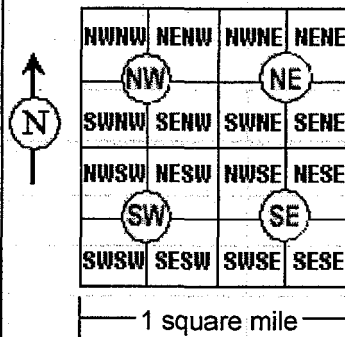
1. Did you irrigate in 2006? *yes ☐ **no ☒
*If yes, _____ acres were irrigated out of
the 104.00 acres covered by Permit No. 1910-3

**If no, check reason(s) for not irrigating:
sufficient moisture ☐ no water available ☐
system not constructed ☐ use abandoned ☒
enrolled in CRP ☐, through what year? _____
other ☒, please explain in the comment box:

Comment Box

Need Motor

2. If your answer to question No. 1 is "no," you are done!
If you answered "yes," please complete Nos. 3, 4 & 5.
3. Did you apply chemicals or fertilizer through the
system in 2006? yes ☐ no ☐
4. If more than one water source is listed below, circle
each source used. A. REDSTONE CREEK
5. Provide your water use on the back of this form.



Office use only

RECEIVED

OCT 31 2006

WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 1910-3 (see above section map for help reading legal descriptions)

sec 24-T107N-R60W, S1/2NE1/4 - 55.00 acres
sec 24-T107N-R60W, NE1/4NW1/4 - 19.00 acres
sec 30-T107N-R59W, N1/2NW1/4 - 30.00 acres

Please provide your 2006 water use to irrigate the above acreage on the REVERSE side of this form.

Reported Water Use

11/28/2006

Permit No	Year	Name	Not Irrig	Not Constr
1910-3	1983	ORIEKEEN		
1910-3	1984	ORIEKEEN	X	
1910-3	1985	ORIEKEEN	X	
1910-3	1986	ORIEKEEN	X	
1910-3	1987	ORIEKEEN		
1910-3	1988	ORIEKEEN		
1910-3	1989	ORIEKEEN		
1910-3	1990	ORIEKEEN		
1910-3	1991	ORIEKEEN		
1910-3	1992	ORIEKEEN	X	
1910-3	1993	ORIEKEEN	X	
1910-3	1994	ORIEKEEN	X	
1910-3	1995	ORIEKEEN	X	
1910-3	1996	ORIEKEEN	X	
1910-3	1997	ARTHURKNEEN	X	
1910-3	1998	ARTHURKNEEN	X	
1910-3	1999	ARTHURKNEEN	X	
1910-3	2000	ARTHURKNEEN	X	
1910-3	2001	ARTHURKNEEN	X	
1910-3	2002	ARTHURKNEEN	X	
1910-3	2003	ARTHURKNEEN	X	
1910-3	2004	ARTHURKNEEN	X	
1910-3	2005	ARTHURKNEEN	X	



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 29, 2006

1910-3
1976-3

Arthur Kneen
41028 230th St
Artesian SD 57314

Dear Mr. Kneen:

I am writing in regard to your Water Right Nos. 1910-3 and 1976-3 which authorizes irrigation from the Redstone Creek. On your 2006 irrigation questionnaires you indicated the use has been abandoned and you "need motor". I am writing to ensure that you are aware of water use requirements.

Water rights must be used in order to maintain them. Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated, at least once every three years, unless legal excuse exists for not irrigating. Enclosed are excerpts of our water laws and Water Management Board Rules dealing with these issues.

If you have decided to discontinue irrigation as authorized by Water Right Nos. 1910-3 and 1976-3, we can go ahead and schedule the water rights for cancellation consideration.

Please respond by January 1, 2007 and let us know whether or not you agree with proceeding to schedule Water Right Nos. 1910-3 and 1976-3 for cancellation consideration. You may call our program at (605) 773-3352 or if you prefer to write, I am enclosing a postage paid envelope for your convenience.

Thank you in advance for your assistance.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosures

File No. 1910-3
1976-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Arthur Kneen, 41028 230th St, Artesian SD 57314

DATE: November 30, 2006

TELEPHONE: 605 495-4321 or 999-3573

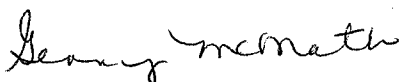
RE: water use as authorized by Nos. 1910-3 and 1976-3

COMMENTS:

In follow-up to Mr. Kneen's 2006 irrigation questionnaires on which he reported the use had been abandoned, Karen wrote him a letter asking if he had discontinued irrigation or not. Excerpts of Water Laws dealing with abandonment and/or forfeiture were sent to him along with Board Rules on legal excuse for not irrigating.

Mr. Kneen called and said the reason the land has not been irrigated is because Redstone Creek never has enough water in it. He said that typically, the creek has a few pot holes of water but is not a flowing stream.

I asked him if he would irrigate if water was available and he replied that he would. He wants to change the system over to a flood type system so that he can use what water is there in the spring. I told him that the type of system didn't matter with regard to his water rights but he had to stay within the perimeters of the rights such as irrigating the same land. He understood and said he would keep us posted on the yearly irrigation questionnaire as to how he is progressing with the system and what he is irrigating.



Genny McMath
Environmental Scientist



1910-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 18, 2008

NOTICE

TO: ARTHUR KNEEN, 41028 230TH ST, ARTESIAN, SD 57314

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 1910-3 & 1976-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2008**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1910-3 & 1976-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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.

1910-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 4162
Status: **Delivered**

Your item was delivered at 10:48 AM on January 19, 2008 in ARTESIAN, SD 57314. The item was signed for by A KNEEN.

[Additional Details >](#)[Return to USPS.com Home >](#)

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

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No FEAR Act EEO Data

FOIA



USPS Internet Web Site



Internet Web Site

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 4162

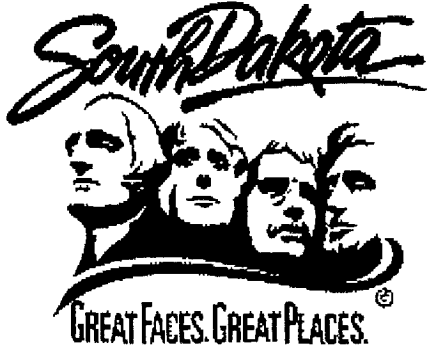
ARTHUR KNEEN
41028 230TH ST
ARTESIAN SD 57314

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 29, 2008

1910-3
1976-3

Arthur Kneen
41028 230th St
Artesian SD 57314

Dear Mr. Kneen:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 1910-3 and 1976-3.

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

File No. 1976-3

1910-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Arthur Kneen, 41028 230th St, Artesian SD 57314

DATE: November 6, 2012

TELEPHONE: 605 495-4321

RE: irrigation questionnaire comments

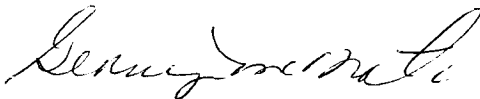
COMMENTS:

Mr. Kneen reported on his 2012 irrigation questionnaires that he has abandoned the use. I gave him a call to see if his intent was to discontinue irrigation or if he checked the wrong box.

Mr. Kneen indicated he has not irrigated for a few years but Redstone Creek never has any water in it. He said it has actually been almost dry the last 4 years and no water could be pumped. I explained the use it or lose it criteria for maintaining a water right indicating he would not lose his water rights if the reasons he did not irrigate were due to too much or not enough water.

He said if conditions warrant, and water was available, he may irrigate. He said he still had the lines in place and equipment to use, he just never has any water.

I told him we would hold up on doing anything with the water rights for a while and he could keep us posted through the annual questionnaire on whether or not he was actually abandoning irrigation.



Genny McMath
Water Rights Program

2013 Water Management Board Irrigation Questionnaire

Please fill out and return before **December 2, 2013**

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501 3181 ph. (605) 773 3352 or send your form(s) electronically over the internet at <http://denr.sd.gov/iq.aspx>

Permit No. 1910-3

ARTHUR KNEEN
41028 230TH ST
ARTESIAN SD 57314

1. Did you irrigate in 2013? *yes ☐ **no ☒

*If yes, number of acres irrigated? _____

**If no, check reason(s) for not irrigating acres covered by Permit No. 1910-3

sufficient moisture ☐ no water available ☐

system not constructed ☐ use abandoned ☐

enrolled in CRP ☐, through what year? _____

other ☐, please explain in the Comment Box:

Comment Box

*checking into under ground
irrigation. Looking more
information on it.
Do you have any.*

Any address/ownership corrections?

Email _____

Phone _____

2. If your answer to question No. 1 is "no," you are done!
If you answered "yes," please complete Nos. 3, 4 & 5.

3. Did you apply chemicals or fertilizer through the system in 2013? yes ☐ no ☐

4. If more than one water source is listed below, circle each source used. **A. REDSTONE CREEK**

5. Provide your water use on the back of this form.

Office use only

RECEIVED

NOV 12 2013

**WATER RIGHTS
PROGRAM**



NWNW	NENW	NWNE	NENE
NW		NE	
SWNW	SENW	SWNE	SENE
NWSW	NESW	NWSE	NESE
SW		SE	
SWSW	SESW	SWSE	SESE

1 square mile

Acreage permitted for irrigation under No. 1910-3

(see above section map for help reading legal descriptions)

sec 24-T107N-R60W, S1/2NE1/4 - 55.00 acres
sec 24-T107N-R60W, NE1/4NW1/4 - 19.00 acres
sec 30-T107N-R59W, N1/2NW1/4 - 30.00 acres



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

November 18, 2013

1910-3

Arthur Kneen
41028 230th St
Artesian SD 57314

Dear Mr. Kneen:

Thank you for the prompt return of your 2013 irrigation questionnaire.

On the questionnaire, you indicated you are checking into the possibility of irrigating from ground water. In answer to your question, I asked one of our ground water staff to put together some information on the aquifers present within the legal descriptions authorized for irrigation under your current water right. Attached is a description of the aquifers, their depths and suitability for irrigation.

In the event you wish to apply for a permit to appropriate ground water for irrigation, I am enclosing application forms and an instruction sheet. If you have any questions concerning the information Joe Stonesifer put together on the hydrogeology of the area, you may give him a call at 605 773-3352.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

11/13/2013

Hydrogeology of land located at Sections 23 and 24, T107N-R60W, and Section 30, T107N-R59W, Arthur Kneen.

From 0-100 feet below ground surface, the till could contain the aquifer materials of the Floyd: East James aquifer. However, these deposits are random and patchy, and so, adequate amounts water for irrigation use cannot be guaranteed. The nearest irrigation use water right/permit completed into this aquifer is located approximately 10 miles north of the irrigated land. All irrigation use water rights/permits within 10 miles have been cancelled or withdrawn. There are a few domestic wells on file with the DENR completed into these aquifer material deposits in the area.

The top of the Niobrara aquifer occurs at approximately 110-140 feet below ground surface. There are several domestic wells completed into this aquifer in the area. This aquifer generally has poor water quality not suitable for irrigation.

The top of the Codell aquifer occurs at approximately 200-250 feet below ground surface. There are several domestic wells completed into this aquifer in the area, also. This aquifer also has generally poor water quality not suitable for irrigation.

The top of the Greenhorn aquifer occurs at approximately 450 feet below ground surface. This aquifer has very poor water quality not suitable for many uses.

The top of the Dakota aquifer occurs at approximately 700 feet below ground surface. The artesian pressure still in this aquifer allows many wells to flow out of the ground without a pump. Likely due to this reason, there are many domestic wells completed into this aquifer in this area. This aquifer could also have poor water quality not suitable for irrigation.

There currently are a few water rights/permits for municipal, commercial, institutional use for the Niobrara, Codell, or Dakota aquifers. The nearest water right is located approximately 5 miles from the irrigated land.

Joe Stonesifer
Engineer I
Water Rights Program

1910-3



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and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

March 4, 2014

1910-3
1976-3

Arthur Kneen
41028 230th St
Artesian SD 57314

Dear Mr. Kneen:

I am writing in follow-up to your conversation with Eric Gronlund in our program.

Enclosed are summaries showing the history of water use as reported on your annual irrigation questionnaires for both Water Right No. 1910-3 and 1976-3. Each summary starts with the 1991 season because that was the last year irrigation was reported.

Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

As staff we cannot tell you whether or not your water rights have legal standing. The Water Management Board is the entity who determines if a water right is valid or not. We would caution you against starting irrigation again without a ruling by the Board on whether or not your water rights have been forfeited due to nonuse.

If you have any questions, please give us a call.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

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**Summary of irrigation questionnaires for
Water Right No. 1910-3
Arthur Kneen**

Year	Irrigated (yes/no)	Comments made
1991*	yes	
1992	No	<i>No comments</i>
1993	No	Wet year
1994	No	<i>No comments</i>
1995	No	Wet year
1996	No	Too wet
1997	No	<i>No comments</i>
1998	No	We have some work to do on the motor and frame; Didn't have time to get it running.
1999	No	Didn't have time to get the irrigation motor running.
2000	No	Work needs to be done on motor to get it ready for next year.
2001	No	Motor needs work.
2002	No	<i>No comments</i>
2003	No	Motor went bad
2004	No	Did not need to
2005	No	<i>No comments</i>
2006	No	Need motor
2007	No	<i>No comments; checked the box "sufficient moisture"</i>
2008	No	<i>No comments; checked the boxes "no water available" and "system not constructed"</i>
2009	No	<i>No comments; checked the box "sufficient moisture"</i>
2010	No	<i>No comments; checked the box "sufficient moisture"</i>
2011	No	Looking to update the old system
2012	No	<i>No comments; checked the box "use abandoned"</i>
2013	No	Checking into underground irrigation. Looking for more information on it – Do you have any?

*1991 was the last year irrigation took place

Water Right No. 1910-3:

104 acres – diversion from Redstone Creek

S ½ NE ¼, NE ¼ NW ¼ Section 24, T107N, R60W

N ½ NW ¼ Section 30, T107N, R59W



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January 23, 2020

1910-3
1910B-3

Lowell Wormstadt
41370 Hwy 34
Artesian SD 57314

Dear Mr. Wormstadt:

I am contacting you regarding ownership of land described in Water Right No. 1910-3, currently held by Arthur Kneen. Recently we became aware that you purchased the land in Section 30, T107N, R59W described in the water right. The remaining land located in Section 24 T107N, R60W is owned by Jerry Kneen.

In order to update the water right, it will need to be divided and reissued to reflect separate ownership. Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right with notations made on how the water right will be divided. If you have any questions concerning the water right or completion of the transfer form, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

1910-3



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January 23, 2020

1910-3
1910A-3

Jerry Kneen
10003 Hwy 70A
Kingston OK 73439

Dear Mr. Kneen:

I am contacting you regarding ownership of land described in Water Right No. 1910-3, currently held by Arthur Kneen. Recently we became aware that you now own the land in Section 24, T107N, R60W described in the water right. The remaining land located in Section 30, T107N, R59W was sold to Lowell Wormstadt.

In order to update the water right, it will need to be divided and reissued to reflect separate ownership. Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right with notations made on how the water right will be divided. If you have any questions concerning the water right or completion of the transfer form, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

FILE DOCUMENTATION FOR WATER RIGHT 1910-3

On February 4, 2020, Jerry Kneen filed an ownership change for a portion of the land described in the water right. Based on the ownership change, Water Right No. 1910-3 was divided and reissued to reflect separate ownership as follows:

- **No. 1910A-3, Jerry Kneen, 10003 Hwy 70A, Kingston OK 73439** authorizing diversion of 0.79 cfs from Redstone Creek located in the NE ¼ Section 24, T107N, R60W to irrigate 74 acres located in portions of the N ½ Section 24, T107N, R60W;
- **No. 1910B-3, Lowell Wormstadt, 41370 Hwy 34, Artesian SD 57314** describing diversion of 0.32 cfs from Redstone Creek located in the NW ¼ Section 30, T107N, R59W for irrigation of 30 acres located in the N ½ NW ¼ Section 30, T107N, R59W. *(no ownership change filed; the land owner does not wish to maintain the water right and requested his portion of the water right be cancelled).*