

1910A-3

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Environment and Natural Resources

Date February 4, 2020

RECEIVED OF Jerry Kneen 204 W Havens Ave #158 Mitchell SD 57301

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>1910-3</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 Jeanne Goodman
Chief Engineer jm

NOTICE OF TRANSFER OF OWNERSHIP

PAID
FEB - 4 2020
Ck# 4541

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

RECEIVED

FEB 04 2020

WATER RIGHTS
PROGRAM

No. 1910A-3

Date: 1-21-2020

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

formerly owned by: Arthur Kneen

be transferred to: (name & address) Jerry Kneen. 204 W Havens #158
Mitchell. S.D. 57301

mailing address. 10003 Hwy 20A Kingston. Telephone No. 605-999-0250
OK. 73439

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

74 acres in the S 1/2 NE 1/4 and NE 1/4 NW 1/4 Section 24, T107N, R60W

I/We understand that the validity of Water Right No. 1910A-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.

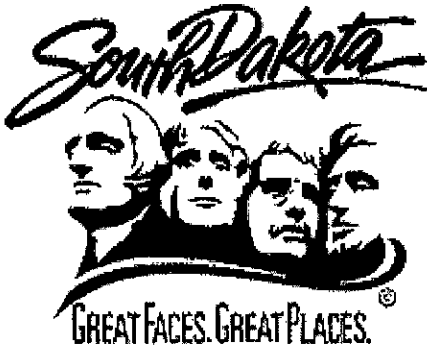
I/We Jerry Kneen, the new owner, certify that the above information is true and correct.

Jerry Kneen
(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.

1910A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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.

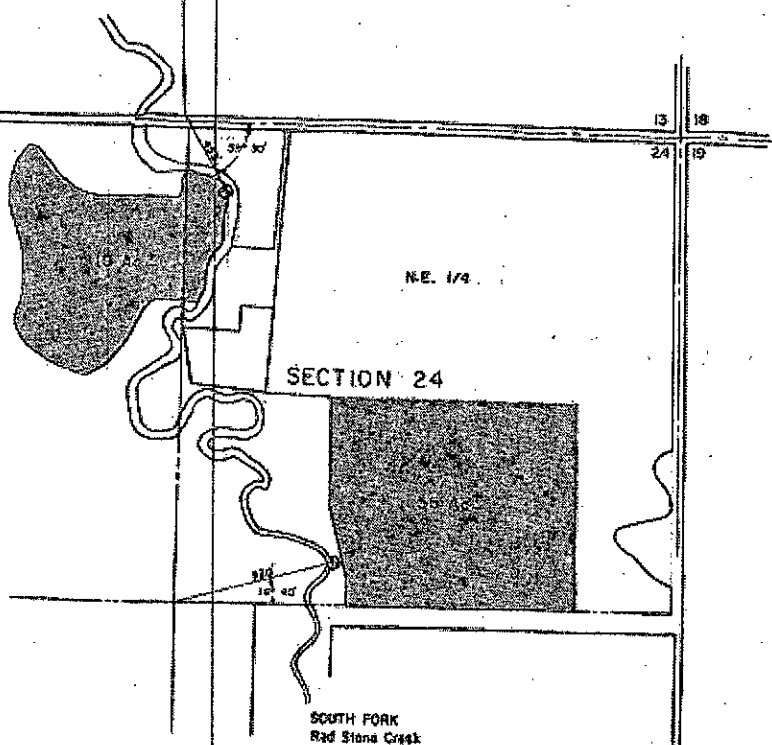
In order to update the water right, it will need to be divided and reissued to reflect separate ownership. Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the 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,

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

enclosures



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

LEGEND

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

SURVEYOR'S CERTIFICATE
I, Dennis E. Schrock, 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 18, 1971, survey the division points shown on this plat.
I FURTHER CERTIFY that the within and foregoing plat is in all respects true and correct.
Dated this 10th day of November, 1971.

[Signature]
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 Dennis E. Schrock, well known to me to be the person who is described in and who executed the foregoing and with full powers and duly authorized 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.

[Signature]
Notary Public, South Dakota
My commission expires August 1, 1979

IRRIGATION WATER RIGHTS MAP			
ORIE KNEEN ARTESIAN, S. DAK.			
SCHMUCKER, PAUL, MOHR & ASSOC. CONSULTING ENGINEERS MITCHELL, SOUTH DAKOTA			
Drawn L.C.	Date 9-9-71	File No.	544.54
Checked E.A.N.	Date 9-9-71	2006	1
Approved E.A.N.	Date 9-9-71	Rev. No.	01
Engineer	Scale 1" = 400'		2

MAP NO 1353-3 (APR 1981) (JW1)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

FEB 28 2020

1910A-3

Jerry Kneen
10003 Hwy 70A
Kingston OK 73439

Dear Mr. Kneen:

Enclosed is Water License No. 1910A-3.

Based on the ownership change you filed, 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
- No. 1910B-3, Lowell Wormstadt, 41370 Hwy 34, Artesian SD 57314

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water. Please be aware that 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 right. This three-year period may be waived if legal excuse exists for the years of nonuse. Enclosed for your review are excerpts of water laws and Water Management Board rules dealing with these issues.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 1910A-3
(DIVISION OF 1910-3 INTO NOS. 1910A-3 AND 1910B-3)

(1) Water Right No. 1910-3, with a priority date of December 9, 1971, is held by Arthur Kneen, Artesian, SD and authorizes diversion of 1.11 cubic feet of water per second (cfs) from Redstone Creek, Sanborn County, South Dakota to irrigate 104 acres located in portions of Section 24, T107N, R60W and Section 30, T107N, R59W.

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 has been 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 $\frac{1}{4}$ Section 24, T107N, R60W to irrigate 74 acres located in portions of the N $\frac{1}{2}$ 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 $\frac{1}{4}$ Section 30, T107N, R59W for irrigation of 30 acres located in the N $\frac{1}{2}$ NW $\frac{1}{2}$ 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).*

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating and is entitled to divert 0.79 cubic feet of water per second for beneficial use. The location of the diversion points are:

- South 59°30'W, 453 feet from the NE corner Section 24, T107N, R60W (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
Latitude 44.067314; Longitude -97.980378
- North 75°20'E, 920 feet from the center of Section 24, T107N, R60W (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
Latitude 44.061536, Longitude -97.977914

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

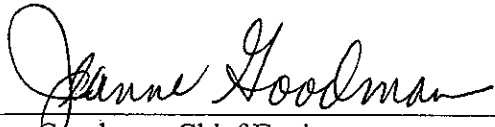
T107N, R60W Section 24	S $\frac{1}{2}$ NE $\frac{1}{4}$	55 acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	19 acres
	Total	74 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Jerry Kneen, 10003 Hwy 70A, Kingston OK 73439 the holder and/or owner of Water Right No. 1910A-3 is issued a license to appropriate water, the right to use 0.79 cubic feet of water per second from Redstone Creek with a priority date of December 9, 1971 from the locations specified in (2) of this license for irrigation purposes.

continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in the originating Water Right No. 1910-3 and subject to the following qualifications:

- Water Right does not authorize construction of a dam or other impediment on Redstone Creek.
- Low flows as needed for downstream domestic use including livestock water must be bypassed.



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

FEB 28 2020

date

