

Water Right Number 2359-3

1. Considered NOV. 12, 1975
2. Name of Applicant GENE KARPEN
3. Post Office Address JEFFERSON, S.D.
4. Amount of water claimed 2.28
5. Source of water supply GROUND WATER (105' DEEP WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in UNION County
about 3 1/2 S, 2 W Miles of JEFFERSON
8. Proof of Publication
Received 10-27-75
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 2359-3Map No. 1738-3 Water Division No. 3 BIG SIOUX RIVER District 1
(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 Gene Karpén
Postoffice address Jefferson, State South Dakota 57038
If a corporation show date and place of incorporation None
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Karpen Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.7 C.F.S.
5. Source of water supply Well
6. Location of point of diversion 2640 feet south and 1320 feet east of the north-west corner of section 2 T89N R49W
- County Union
7. Annual period or periods during which water is to be used June through September
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 160

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>S 1/4 NW 1/4 Section 2</u>			
<u>N 1/4 SW 1/4 Section 2</u>			
<u>T89 R49</u>	<u>160</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Leader Courier, Elk Point, S.D. 57025
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.

Center Pivot

Estimated Total Cost \$ 10,000.00Attachments: 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)
County of Union) ss.I, GENE KARPEN 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 Gene KarpénSubscribed and sworn to before me this 23 day of SEPTEMBER, 1975William L. Byers
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2359-3

GENE KARPEN

(Applicant)

JEFFERSON

(Post Office Address)

SOUTH DAKOTA 57038

(State)

With the following modifications:

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

Date of first receipt of application SEPTEMBER 29, 1975

Date of return to applicant for correction, amendments or changes required —, 19 —

Date of receipt of corrected application —, 19 —

Approved NOVEMBER 13, 1975, Recorded in Book 14 Page 96

WATER RIGHT PERMIT NO. 2359-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2359-3 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 SEPTEMBER 29, 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13, 1978
3. The whole of said work is to be completed on or before NOVEMBER 13, 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13, 1980
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 2.28 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 is actually and beneficially applied for irrigation on or before NOVEMBER 13, 1980; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 17TH day of NOVEMBER, 1975

WATER RIGHTS COMMISSION

By:

John H. H. H.
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 3, 1978

Water License Issued FEBRUARY 3, 1978

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30 inches, Depth 105 feet
- (2) Casing, Type Transite Diameter 16 inch I.D. Thickness 3/4 inches
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type 1/8 inch slotted, Diameter 16 inch I.D., Length 20 feet
- (4) Gravel Pack, Thickness 6-9 inches, Length of gravel pack 20 feet

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 Water bearing gravel and rock

Depth to top of water bearing material 30 feet

Depth to bottom of water bearing material 105 feet

Thickness of water bearing material 75 feet

Depth to water (ground surface to water level) 14 feet Drawdown _____

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

On same owner's property 85 rds. On property owned by others 160 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.

Gene Karpman
Signature of Applicant

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE
Irrigation System: _____
Water Quality: _____
Soils Capability: _____
Approved: [Signature]
Disapproved: _____

NAME: Gene Karpen

ADDRESS: Jefferson, South Dakota 57038

COUNTY: Union

LEGAL DESCRIPTION

1. WELL LOCATION: 2640' S. & 1320' E. of the N.W. Corner of Sec. 2 T 89N R49W
2. AREA TO BE IRRIGATED: 160 Acres

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center Pivot
4. CROPS TO BE IRRIGATED: Corn and Beans

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0 - 2%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: 2M4XEL - Deep, medium textured, permeable soils on nearly level bottom lands.

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-779
8. SALINITY: EC = 1136 μ hos (moderately high)
9. SODIUM: SAR = 1.82
RSC = 0.35 me/l (not a serious hazard)

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:
the land capability for irrigation information has been acquired from
S.C.S. Office Elk Point, South Dakota 57025

and:

that the legal description for the location of the well and land to be
irrigated is true and correct.

Gene Kerpner

Subscribed and sworn before me this

21st day of August 19 75.

J. C. Olson

Notary Public

(Title)



REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submitted by: Gene Marpen
 Address: Jefferson, SD 57038

Date Rec'd August 26, 1975
 Sample No. 75-779
 Identification #1 Well -
152, Sec. 2, T. 89N, R. 49W

WATER ANALYSIS

Calcium (Ca)	100	ppm*	5.00	me/l**
Magnesium (Mg)	44	ppm	3.61	me/l
Sodium (Na)	87	ppm	3.78	me/l
Potassium (K)	9	ppm	0.23	me/l
Sulfate (SO ₄)	190	ppm	3.95	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	9	ppm	0.25	me/l
Bicarbonate (HCO ₃)	547	ppm	8.96	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	448	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1136	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.82			
Sodium	29.95	% of cations		
Residual sodium carbonate	0.35	me/l		
pH	7.19			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 12.62 me/l
 Total anions 13.16 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-779

Amount Enclosed \$

Signed

September 8, 1975

Mr. Gene Karpen
Jefferson, SD 57038

Dear Mr. Karpen:

Enclosed you will find 3 reports of analysis of water samples submitted here within the last 10 days. They are designated as #1 well, #2 well and #3 well, according to your own numbering. These 3 water samples are classified approximately as to quality for irrigation uses and their classification designated by red crosses inscribed on the chart on the outside back cover of extension circular 654. It would be wise for you to keep this circular and the original copy of the water reports for future reference.

These 3 waters are very similar in nature and numbers 1 and 3 are practically identical. Number 2, however, is a little lower in total salinity and in its sodium content. All three, however, should be satisfactory for irrigation use over a long period of time on your soils provided you observe certain principles of management. One of these principles is that you should use rather large quantities of water and as infrequently as possible. That is so because the salinity of these water is relatively high, not out of reason, but high enough so that you should be concerned about it. If you irrigate in large amounts and infrequently, and if you occasionally water heavily in the fall immediately before freeze-up or in the early spring before our May and June precipitation peaks, you will get some better distribution of salt deeper in the soil profile, and you occasionally will have conditions right for effective leaching by natural precipitation. This leaching will, of course, move the salt on down and out of the root zone to a certain extent. It never will be 100% but you can do a pretty good job of managing salt by these procedures. For the first 5 or 10 years of your irrigation, you may not see any harmful effects of salinity, but if you continue to irrigate in small quantities and frequently, you will soon build up a salt content in the surface 2 or 3 feet which will be detrimental to some crops. The soils which you have according to the designation on your WI-1 form are fairly permeable and should allow leaching under proper management.

Mr. Karpen
September 8, 1975
Page 2

The soils of these 3 quarters are quite different, especially the NW 1/4 as compared to the E 1/2. I think you would profit greatly by doing some careful planning for more intensive use of the NW 1/4. The soils there (Blyberg, Haynie, Modale) are quite a bit better than on the E 1/2 of the section, and will take water a lot better.

A copy of this letter and of each of the water analysis reports, and the WI-1 forms are being forwarded to the State Conservation Commission.

Sincerely,

L. O. Fine

L. O. Fine
Water Quality Lab

LOP:ckb

Enclosures:

cc: State Conservation Commission

D. Pahl

Louie DeSmet, County Extension Agent



Form 15.

Permit No. 2359-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Gene Karper

_____ the holder _____ of
Permit No. 2359-3, issued upon Application No. 2359-3, bearing date of priority of September 29,
1975

_____ authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
ground water County of Union, State of South Dakota at _____
a point 2640'S and 1320'E of the NW corner, Section 8, T89N, R49W

_____, 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 1.9 cu. ft. per second of water.

Date February 3, 1978

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2359-3

(1) WHEREAS, On the 29th day of September A. D. 19 75
Gene Earpen

made Water Right Application No. 2359-3 for a permit to use 2.28 cubic feet per second of the waters
of groundwater
County of Union, State of South Dakota, for irrigation
purposes; and

(2) WHEREAS, On the 17th day of November A. D. 19 75
Permit No. 2359-3, with a date of priority of September 29, 1975

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 13th day of November A. D. 19 80 and for the
application to beneficial use of said water on or before the 13th day of November A. D. 19 80

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 1.9 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 a 132 acre circle in the N $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 2,

T89N, R49W

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Gene Karpen

of Jefferson
the holder _____ and owner _____ of said permit No. 2359-3 water right, dating from September 29, 1975
to use of 1.9 cubic feet per second of the waters

of groundwater
in the County of Union and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 2640'S and 1920'E of the NW corner,
Section 2, T89N, R49W

and conduct to and upon a 332 acre circle in the S1/4 and N1/4, Section 2,
T89N, R49W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2359-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of FEBRUARY A. D.
Nineteen Hundred and Seventy-eight

WATER RIGHTS COMMISSION

By:

John Holch
Chief Engineer, Executive Officer

Form 6 - Notice of Intent to Appropriate Water

J. 2359-3

Publish first publication, on or before October 30, 19 75

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 1, 19 75

Notice is hereby given that Gene Karpen

whose post office address is Jefferson, 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

2.20 cubic feet of water per second of time from the ground water through the Karpen Irrigation Project #1, the point of diversion of which is to be located in the

NW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 2, Twp. 89N, Range 49W. Said water to be used for the purpose

of providing irrigation on the following described land:

N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 2, T89N, R49W

This application No. 2359-3 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of November, 19 75, at 2:30 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Gene Karpen, Jefferson, S.D. 57038

No. 2359-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader Courier

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

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

October 16, 1975
October 23, 1975

Lester Emerson
(Signature)

Publisher
(Title)

October 23, 1975
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
October 1, 1975

Notice is hereby given that
Gene Karpen, whose post office
address is Jefferson, South
Dakota, has made an application
in accordance with the provis-
ions of the water laws of South
Dakota for a permit to appropri-
ate for beneficial use 2.28
cubic feet of water per second
of time from ground water
through the Karpen Irrigation
Project #1, the point of diver-
sion of which is to be located in
the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Twp.
89N, Range 49W. Said water
to be used for the purpose of
providing irrigation on the fol-
lowing described land: N $\frac{1}{2}$ SW $\frac{1}{4}$,
S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 2, T89N, R
49W.

This application No. 2359-3
will be considered by the Water
Resources Commission at their
office at Pierre upon the 12th
day of November, 1975, at 2:30
p.m. All interested persons
may appear and be heard.
WATER RESOURCES
COMMISSION
By Burton F. Jones
Water Rights Specialist
Publish: October 16, 23

Permit No. 2354-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Gene Karpen of Jefferson, South Dakota 57035 holder of Permit No. 2354-3, bearing date of priority of September 24, 1957 authorizing the diversion of 2.23 cu. ft. per second of the waters of Ground for Irrigation purposes, in Union County.

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

The Water Use System consists of,

A. Works used to divert the water:

Motor - 21.5 Electrical, I.D.# R-2847-04-H-490 R 2081896
60 HP

Pump Well Line, Pump #79481K, 3 stage, 12KM Bow
Pumping 850 gpm

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

Aluminum Pipe

C. Works used to apply water to beneficial use.

Olson Center Pivot

The system is in the following condition: Excellent.

The point of diversion is located 2640 ft. South and 1320 ft. East of the NW Corner of Section 2, T89N R49W

The works are capable of diverting and conveying to the place of use 1.4cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in section 2, T89N R49W

SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 33.0 Ac, SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 33.0 Ac, NW $\frac{1}{2}$ SW $\frac{1}{2}$ - 33.0 Ac,
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 33.0 Ac.

comprising a total of 132 acres of land.

Well data:

Depth 117 ftPumping 850 gpmDate June 17, 1977

Leroy J. Mernagh
(Signature)



Department of Water & Natural Resources

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

April 12, 1985

Gene Karpen
Jefferson SD 57038

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 2359-3, 2360-3 & 2361-3. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

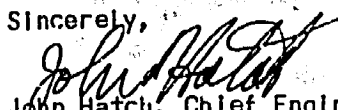
The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 2359-3, 2360-3 & 2361-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

Sincerely,


John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

South Dakota
Department of
Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Gene Karpen
Jefferson, SD 57038

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352 *John Hatch*

SUBJECT: Amendment to Water Permit No(s). 2361-3, 2360-3 & 2359-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2361-3, 2360-3 & 2359-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.



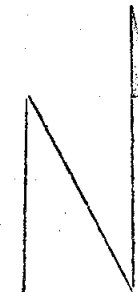
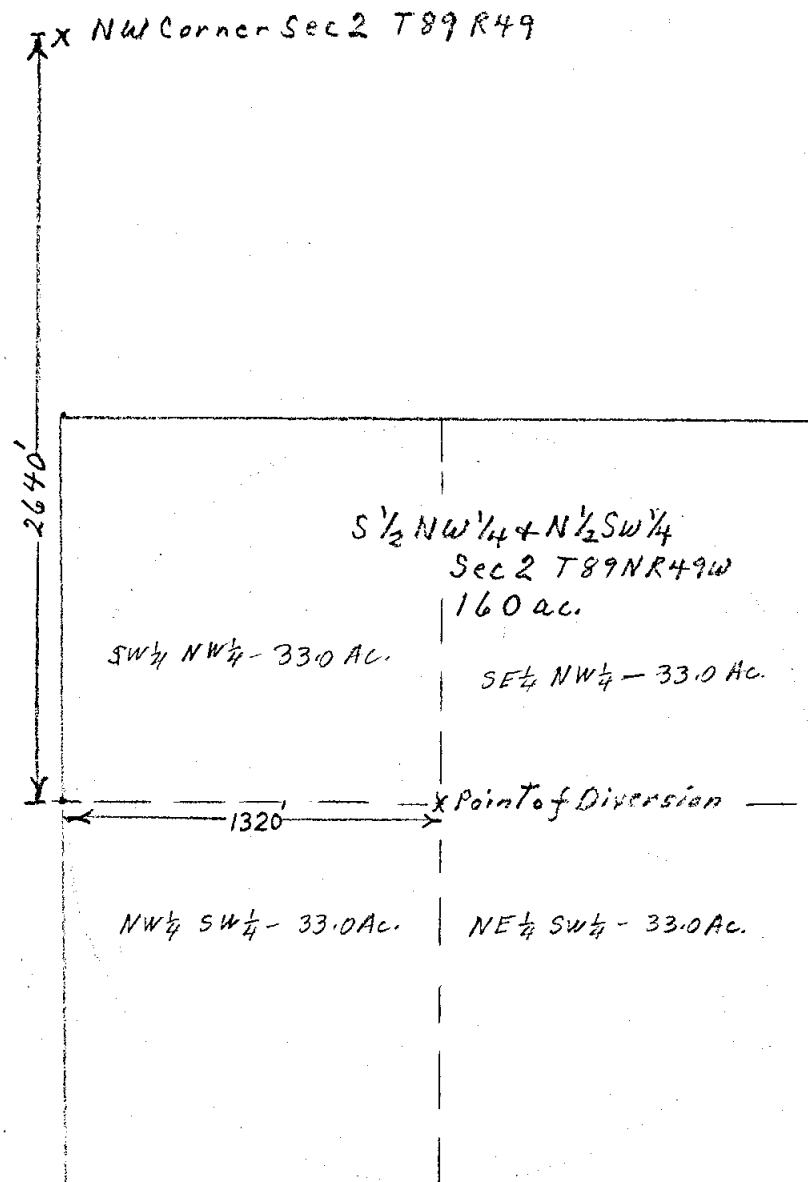
Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 2361-3, 2360-3 & 2359-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2361-3, 2360-3 & 2359-3 to add the following qualification:

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



Scale 8" = 1 mile

Gene Karpen
Jefferson, So. Dak 57038
Karpen Irrigation Project

160 ac. to be irrigated

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed <i>C. K. Dahlgren</i>	Date <i>9-9-75</i>	Approved by <i>C. K. Dahlgren</i>
Drawn <i>C. K. Dahlgren</i>	Date <i>9-9-75</i>	Title <i>East Creek</i>
Traced	Sheet No. <i>1</i>	Drawing No.
Checked	of <i>3</i>	



**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 12, 2009

2359-3
2360-3
2361-3

Larry Donnelly
47423 324th St
Elk Point SD 57025-6710

Dear Mr. Donnelly:

I am writing in regard to Water Right Nos. 2359-3, 2360-3 and 2361-3 listed in the name of Gene Karpen. On the 2008 irrigation questionnaire for Water Right No. 2360-3, we were told by the former renter of the land that we should be in contact with you regarding ownership of the land. I have enclosed copies of the water rights to give you an idea of what each water right authorizes.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please complete and return the forms to our office with a required filing fee of \$2.50 each (total of \$7.50). The check or money order for the fee can be made payable to the Water Rights Program.

I have also included a blank irrigation questionnaire for 2008. Mr. Hanson has indicated he did not farm the land in 2008 and that you would have the necessary information.

To recap, we will need the transfer forms, filing fees and the irrigation questionnaire for 2360-3 to be completed and returned to us. You may keep the copies of the water rights. If you are not the owner of the land described in the water rights, please give me a call.

Sincerely,

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

enclosures

2359-3

Dear Benny McMath

I think the only water permit that pretains to me is 2359-3. My wife inherited this portion of the farm from her father. The other farms are owned by Marilyn Harpo (my wife's uncle) and Janice Golden (my wife's sister). Marilyn has always been a part owner of these farms. I enclosed some tax ~~information~~ information from the county. If you have any questions please call me 605-356-2149

Thanks

Larry Dandy

P.S. Mike Hanson does still farm the other 2 Irrigated pieces

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2359-3

Date: RECEIVED

MAR 13 2009

**WATER RIGHTS
PROGRAM**

I/We request that Water Right No. 2359-3

formerly owned by: Gene Karpen

be transferred to: (name & address)

Larry & Diane Dannelly
47423 324th St. Elk Point S.D.

Telephone No. 605-356-2149

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

132 acres - N 1/2 SW 1/4 and S 1/2 NW 1/4 Section 2, T89N, R49W

I/We understand that the validity of Water Right No. 2359-3 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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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


(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.

Include this STUB with April 2009 payment.
Delinquent after April 30th
Union County Treasurer
209 E Main, Ste 220
Elk Point, SD 57025

Tax Due: Full Year or by April 30, 2009
\$3,546.30 \$1,773.15



DONNELLY, DIANE L &
LAWRENCE S JT
47423 324 ST
ELK POINT SD 57025

Include this STUB with October 2009 payment.
Delinquent after Oct. 31st
Union County Treasurer
209 E Main, Ste 220
Elk Point, SD 57025

Tax Due: October 31st, 2009
\$1,773.15



DONNELLY, DIANE L &
LAWRENCE S JT
47423 324 ST
ELK POINT SD 57025

cut along dotted line

Receipt: 8012.0 Dist: 17618 Parcel: 17.00.82.1000
Year: 2008 RE

Receipt: 8012.0 Dist: 17618 Parcel: 17.00.82.1000
Year: 2008 RE

Union County TAX BILL for APRIL, 2009 and OCTOBER, 2009. *Keep in a safe place.* Send the correct stubs along with your check for payment. If your taxes are paid by your Bank in Escrow, this is for your information only. Based on November 1, 2007 valuations. Taxes for January 1, 2008 through December 31, 2008. Payable April 2009 and October 2009.

P Dist/Parcel 17618 17.00.82.1000

A Receipt# 8012.0 Type: 2008 RE

R

C

E Sec/Twp/Rng 2-89-49

L

Legal: TRACT 8 OF KARPEN'S ADD IN NE1/4

Deed: DONNELLY, DIANE L &

Net Acres 185.28

Mail: DONNELLY, DIANE L &

VALUATIONS AND TAXES:

2008 (This Year)

	Assessed	Equalized
L Ag	322,640	263,274
U Owner Occup.	0	0
A Other	0	0
T NAZ	0	0
I TOTAL VALUES:	322,640	263,274

O NET TAXABLE VALUE: 322,640 263,274

S EQUALS GROSS TAX OF: \$3,546.30

T A Specials Etc: \$0.00

S NET ANNUAL TAXES: \$3,546.30

INDEXING:

N
D
E
X
I
N
G

O DEED: DONNELLY, DIANE L &

W
N
E
R
S

Taxing Authority:

Jefferson Twp N
Dakota Valley 61-8 N
*Dakota Valley 61-8 N
Union County Rural N
Rural Fire Protect N

Distribution of YOUR taxes:

Category	Value	Levy	Tax	Specials
Ag	263,274	0.650	171.13	
Ag	263,274	8.820	2,322.08	
Ag	263,274	0.520	136.90	
Ag	263,274	3.330	876.70	
Ag	263,274	0.150	39.49	

Indicates a local decision to opt out of the tax limitation. If the local vote to increase taxes had not been passed, your taxes would not have included the items marked with

Your Tax Receipt Number is: 2008 8012.0

Union County Treasurer
209 E Main, Ste 220
Elk Point, SD 57025
605-356-2391

Due in April 2009

\$1,773.15

Due in October 2009

\$1,773.15

Date Paid: _____

Date Paid: _____

Check # _____

Check # _____

Retain this lower portion for your records. Enter the date paid and your check number for your information. Keep in a safe place.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/13, 20 09

RECEIVED OF Larry Donnelly 47423 324th St Elk Point SD 57025

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
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 2368-3 2359-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	2	50

No.

04007

By

Michael Erbe

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 16, 2009

2359-3

Larry & Diane Donnelly
47423 324th St
Elk Point SD 57025-6710

Dear Mr. & Mrs. Donnelly:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for transferring Water Right No. 2359-3. The ownership change has been completed. The water right formerly held by Gene Karpen is now listed in your names.

Enclosed is your Receipt No. 04067 in the amount of \$2.50 which you paid to cover the cost of the filing fee. You may keep this for your records.

Thank you for your note concerning ownership of the other two water rights listed in the name of Gene Karpen. I will contact Meryln Karpen and Janie Golden for appropriate ownership changes.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure