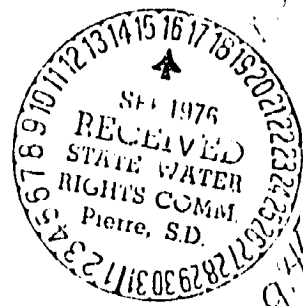


Water Right Number 3011-3

1. Considered 10-21-81
2. Name of Applicant Harold Dalling
3. Post Office Address Elk Point
4. Amount of water claimed 3.30
5. Source of water supply 115' deep well
6. Water to be used for irrigation
Acres to be irrigated ~~236~~ 233
7. Water to be diverted and used in Union County
about 600 Miles 10 of Jefferson
8. Proof of Publication Received 10-19-76
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

Map No. 7338-3 Water Division No. 3 BIG SIOUX RIVER District 1
 (Blanks to be filled by the Engineer for the Water Division)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Harold Ballinger Phone; 356-2880
 Postoffice address RR-1, Elk Point, State South Dakota 57025
 If a corporation show date and place of incorporation None
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
 3. Name of diversion work Harold Ballinger Irrigation Works
 4. Amount of water claimed (cubic feet per second) 3.3-3.4 CFS MAXIMUM ALLOWABLE
 5. Source of water supply Well
 6. Location of point of diversion 2600 Ft. @ 45 degrees 28 " of GN from the SW corner of
Section 18, T90N, R49W
Union
 County Union
 7. Annual period or periods during which water is to be used Spring - Summer - Fall
 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, 233

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.
Lots 1&2 of NW4 and			
Lots 1&2 of SW4 Section			
18-T90N-R49W	233 A.		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 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.
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source WellB. Works proposed to transport water to place of use. PipeC. Works proposed to apply water to beneficial use. Center Pivot Sprinkler SystemEstimated Total Cost \$ 50,000.00

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

STATE OF SOUTH DAKOTA

County of Union

I, Harold Ballinger, 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 Harold BallingerSubscribed and sworn to before me this 15 day of September 1976

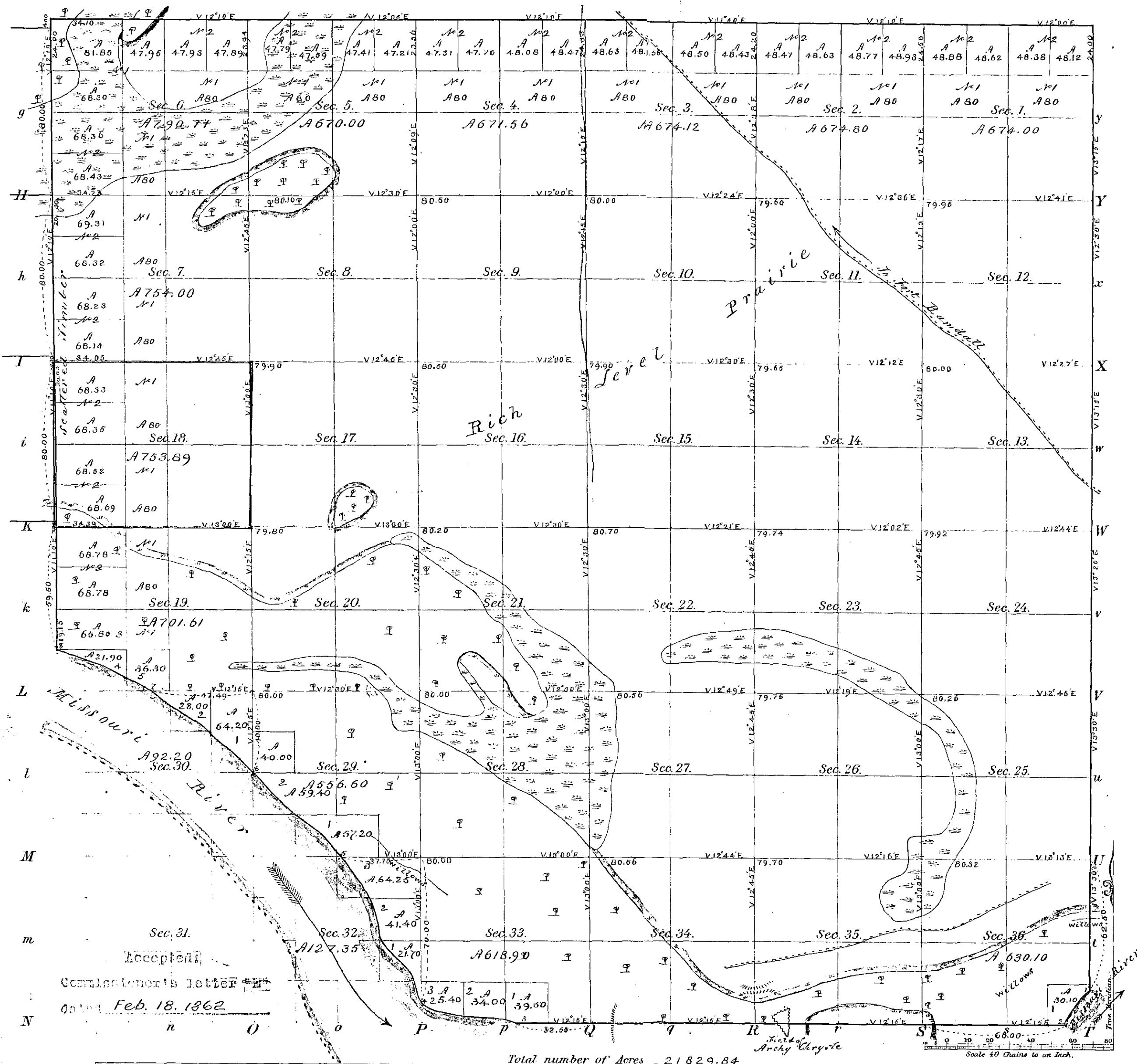
Notary Public (or other qualified officer)

201-3

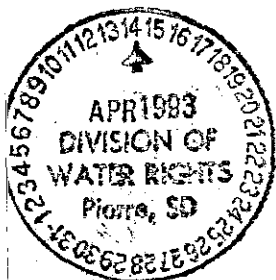
301-3

TOWNSHIP N^o 90 North RANGE N^o 49 West of the 5th Principal MERIDIAN

G I F e d D c C b B a A



Meanders of Missouri River, Left Bank.									
Posts	Courses	Ch ^o Lk ^o	Posts	Courses	Ch ^o Lk ^o	Posts	Courses	Ch ^o Lk ^o	Posts
1	S. 34° 45' W.	21.10	To 2						
3	N. 79° N.	22.00							
	N. 25° W.	22.20							
	N. 25° W.	6.00							
4	N. 25° W.	24.00							
	N. 30° W.	55.30							
5	N. 46° 30' W.	58.10							
6	N. 50° W.	26.00							
	N. 43° 15' W.	16.20							
	N. 50° W.	20.00							
7	N. 63° W.	30.00							
	N. 72° 30' W.	117.20	To Post 8						



Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed
Township lines	John Ball	Aug 1 st 1860	M. Ch ^o Lk ^o	Nov 1860
Subdivisions	Corte Stephens	July 24 th 1861	61-23-45	Oct 1861

Total number of Acres 21829.84

The above Map of Township N. 90 North of Range N. 49 West of the 5th Principal Meridian Dakota Territory is strictly conformable to the field notes of the survey thereof on file in this Office, which have been examined and approved.

Surveyor General's Office
Pierre, D. T. Dec 27 1861

Chas. D. Hill
Sur. Gen.



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3011-3

HAROLD BALLINGER
(Applicant)

R.R. #1, ELE. POINT
(Post Office Address)

SOUTH DAKOTA 57025 With the following modifications:
(State)

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 16, 1976

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

Date of receipt of corrected application _____, 19____

Approved OCTOBER 21, 1976, Recorded in Book 16 Page 121

WATER RIGHT PERMIT NO. 3011-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3011-3 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 16, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before OCTOBER 21, 1977
3. The whole of said work is to be completed on or before OCTOBER 21, 1978
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is OCTOBER 21, 1981
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 3.30 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 OCTOBER 21, 1981; said water to be used during the following described annual period: SPRING - SUMMER - FALL

Witness my hand this 1ST day of DECEMBER, 1976

WATER RIGHTS COMMISSION

By:

John H. Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 6, 1978

Water License Issued FEBRUARY 6, 1978

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30', Depth 115'
- (2) Casing, Type Plastic Diameter 16" Thickness 1/2"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Plastic, Diameter 16", Length 40'
- (4) Gravel Pack Thickness 7", Length of gravel pack 70'

E. Dugout Information or Estimates

- (1) Surface dimensions N/A, 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 see well log
35 Ft. of Gravel

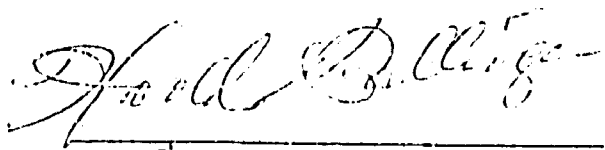
Depth to top of water bearing material 80
Depth to bottom of water bearing material 115
Thickness of water bearing material 35'
Depth to water (ground surface to water level) 22'

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

On same owner's property 170 rds. On property owned by others 120 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.


Signature of Applicant

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 45-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME _____
ADDRESS _____
COUNTY _____

LEGAL DESCRIPTION

1. WELL LOCATION _____
2. LOCATION OF AREA TO BE IRRIGATED _____

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN _____
4. CROPS TO BE IRRIGATED _____

WATER QUALITY

5. SAMPLE NUMBER 76-894
6. SALINITY (EC X 10⁶) 13.76 (high)
7. SODIUM (SAR) 1.64 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and; the soils information has been acquired from S C S Conservation District, County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true and correct.

Donald R. Blinger

APPLICANT'S SIGNATURE

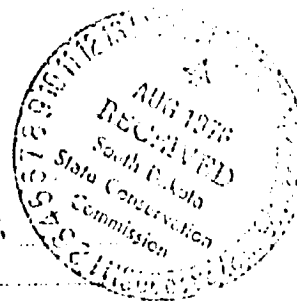
SUBSCRIBED AND SWORN BEFORE ME THIS
26 DAY OF JULY 19 76

Donald R. Blinger
(TITLE OR SEAL)

James S. Smith
APPROVED/NOT APPROVED

(SOILS INFORMATION ON REVERSE SIDE)

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



Submitted by: Harold L. Miller
 Address: 1111 1st St., Brookings, SD 57006

Date Rec'd: July 29, 1976
 Sample No.: 76-134
 Identification: 111
1111 1st St., Brookings, SD 57006

WATER ANALYSIS

Calcium (Ca)	211	ppm*	10.55	me/l**
Magnesium (Mg)	51	ppm	4.16	me/l
Sodium (Na)	101	ppm	4.24	me/l
Potassium (K)	13	ppm	0.37	me/l
Sulfate (SO ₄)	345	ppm	6.75	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	11	ppm	0.32	me/l
Bicarbonate (HCO ₃)	590	ppm	9.15	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)	484	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1346	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.64			
Sodium	22.75	% of cations		
Residual sodium carbonate	0.60	me/l		
pH	7.53			
Others:				

*ppm = parts per million

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

**me/l = milliequivalents per liter

COMMENTS: Total cations 19.91 me/l
 Total anions 19.70 me/l

By: Shirley Kuttan

Service Performed	Amount Due
Irrigation analysis	28.00

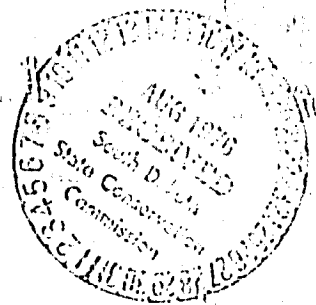
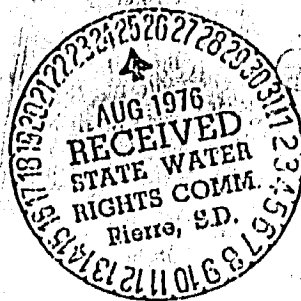
Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-134

Amount Enclosed \$

Signed



August 12, 1976

Harold Hallinger
HAR. Point, SD 57023

Dear Mr. Hallinger:

Enclosed please find the original copy of the report of analysis of your water well (7-2-76) near your home. I am also enclosing a copy of the irrigation plan. In the chart of the water table cover I have plotted the approximate utility of your water for irrigation by means of a red cross. As you see, it is in the high salinity, low sodium category.

Accordingly, this water is fairly well suited for irrigation but it has a considerable salt load. It carries about 1.2 tons of salt for each acre foot of water you pump.

The lower silty clay loam, which constitutes the bulk of the quarter is a slowly oxidizing soil and could give you problems with water table rise and salinity, or both. Also the silty clay in the north-west corner is very slow water. If you should be very careful not to raise the water table in this area you would use the water as infrequently as possible, but irrigate with substantial amounts so as to completely wet the entire soil every time you irrigate. Some amount of this type will minimize the salt buildup and perhaps prevent you from ever having a salinity problem in the soil.

A copy of this letter is accompanying the report and a copy of the water analysis to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

cc: State Conservation Commission
Renee L. Hest, County Extension Agent
Pierre, SD

LOF:jms
Enclosures

Permit No. 11
3033-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Harold Baillinger

the holder _____ of
Permit No. 3011-3, issued upon Application No. 3011-3, bearing date of priority of September 16,
1976 authorizing the diversion of 3.30 cu. ft. per second of the waters of _____
groundwater County of Union, State of South Dakota at _____
a point 2600', 45° N from the SW corner, Section 18, T90N, R43W
_____, 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 3.01 cu. ft. per second of water.

Date February 6, 1978

By

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

WATER LICENSE NO. 3011-3

(1) WHEREAS, On the 16th day of September A. D. 1976
Harold Ballinger
made Water Right Application No. 3011-3 for a permit to use 3011-3 cubic feet per second of the waters
of groundwater
County of Union, State of South Dakota, for Irrigation
purposes; and
(2) WHEREAS, On the 1st day of December A. D. 1976
Permit No. 3011-3, with a date of priority of September 16, 1976
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 21st day of October A. D. 1978 and for the
application to beneficial use of said water on or before the 21st day of October A. D. 1981

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 3.91 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 land in Section 16, T90N, R49W		
SW ¹ / ₄ , NW ¹ / ₄	12 acres	
SE ¹ / ₄ , NW ¹ / ₄	26 acres	
SW ¹ / ₄ , NE ¹ / ₄	7 acres	
NW ¹ / ₄ , SW ¹ / ₄	38 acres	
NE ¹ / ₄ , SW ¹ / ₄	40 acres	
NW ¹ / ₄ , SE ¹ / ₄	29 acres	
SW ¹ / ₄ , SE ¹ / ₄	26 acres	
SE ¹ / ₄ , SW ¹ / ₄	39 acres	
SE ¹ / ₄ , SE ¹ / ₄	16 acres	
Total	233 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 Harold Baillinger

_____ of Ell: Point
3011-3 September 16, 1976
the holder _____ and owner _____ of said permit No. _____ a water right, dating from _____
_____ to use of 3.01 cubic feet per second of the waters
of groundwater
Union
in the County of _____ and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at a point 2600', 45th from the SW corner, Section 18,
T90N, R49W

_____ and conduct to and upon portions of Section 18, T90N, R49W, described on the face of this
License

_____ for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3011-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of February A. D.
seventy-eight
Nineteen Hundred and _____

WATER RIGHTS COMMISSION

By:

John R. [Signature]
Chief Engineer, Executive Officer

No. 3011-3Publish first publication, on or before October 7, 1976NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 1, 1976

Notice is hereby given that Harold Ballinger
whose post office address is Elk Point, 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
3.3 cubic feet of water per second of time from the ground water through the
Harold Ballinger #1, the point of diversion of which is to be located in the _____

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

of Section 18, Twp. 90N, Range 49W. Said water to be used for the purpose
of providing irrigation on portions of
the following described land:

Lots 1 and 2 of NW $\frac{1}{4}$, Lots 1 and 2 of the SW $\frac{1}{4}$, Section 18, T90N, R49W

This application No. 3011-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 21st day of October, 1976, at 1:00 P. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc:

XXXX Harold Ballinger, R.R. #1, Elk Point, S.D. 57025

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 7, 1976

October 14, 1976

Lester E. Emerson
(Signature)

Publisher
(Title)

October 14, 1976
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
October 1, 1976

Notice is hereby given that
Harold Ballinger whose post off-
ice address is Elk Point, 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 3.3 cubic feet of
water per second of time from
ground water through the Harold
Ballinger #1, the point of diver-
sion of which is to be located in
the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Twp.
90N, Range 49W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:

Lots 1 and 2 of NW $\frac{1}{4}$, Lots 1
and 2 of the SW $\frac{1}{4}$, Section 18,
T90N, R49W.

This application No. 3011-3 will
be considered by the Water Rights
Commission at their office at
Pierre upon the 21st day of Oct-
ober, 1976, at 1:00 P.M. All in-
terested persons may appear and
be heard.

WATER RIGHTS COMMISSION
By Burton F. Jones
Water Rights Specialist
Publish: October 7, 76



Form 10.

No. _____

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

Post Office

Pierre, S.D.

Date

Jan 5, 1977

TO: Water Rights Commission
Joe Foss Building
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. 3011-3.

Water Right Permit No. 3011-3 states that the diversion system is to be constructed by Oct 21, 1978 and that the water is to be put to beneficial use by Oct 21, 1981.

The diversion system was completed on August 1, 1976.
Applying the water to beneficial use was completed on August 1, 1976.

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.

David Ballinger
(Signature)



Permit No. 3011-3Water 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 Harold Ballinger of RR #1, Elk Point, S. Dak. 57025 holder of Permit No. 3011-3, bearing date of priority of September 16, 1976 authorizing the diversion of 3.3 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:

Engine - Caterpillar Diesel 3208, V8, 175 HP @ 2500 RPM.
Pump - Wel Line # 81270 K, 4 stage, KEH Bowl.
pumping 1300 gpm

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

Aluminum Pipe

C. Works used to apply water to beneficial use.

Electroquter Center Pivot, Model 2-GE-5, Ser. # 776C3471

The system is in the following condition: Excellent

The point of diversion is located 2600 ft @ 45 degrees 28' of GN from the SW corner of Section 18, T80N R49W

The works are capable of diverting and conveying to the place of use 3.01 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: All in Section 18, T80N, R49W

SW 1/4 NW 1/4 - 12.0 Ac, SE 1/4 NW 1/4 - 20.0 Ac, SW 1/4 NE 1/4 - 7.0 Ac, NW 1/4 SW 1/4 - 38.0 Ac,
NE 1/4 SW 1/4 - 40.0 Ac, NW 1/4 SE 1/4 - 29.0 Ac, SW 1/4 SW 1/4 - 26.0 Ac,
SE 1/4 SW 1/4 - 39.0 Ac, SE 1/4 SE 1/4 - 16.0 Ac.

comprising a total of 233 acres of land.

Well data:

Depth 115 ft.Capacity 1800 gpmPumping 1350 gpm

Date June 2, 1977
LeRoy C McNamee
(Signature)



Department of Water & Natural Resources

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

February 8, 1989

REYNOLD BALLINGER-OPERATCP
RT #1 BOX 29
ELK POINT, SD 57025

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 3011-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

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

1. Amend Permit No(s). 3011-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
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 is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

cc: Harold Ballinger
RR 1, Box 32
Elk Point SD 57025



**South Dakota Department of
Water & Natural Resources**

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

February 23, 1989

503-3
3011-3

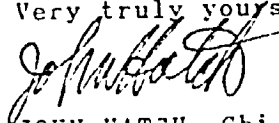
Reynold Ballinger
RR #1 Box 29
Elk Point, SD 57025

Dear Mr. Ballinger:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 503-3 and 3011-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaires your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chi Engineer
Water Rights Division

cc: Harold Ballinger, RR #1 Box 32, Elk Point, SD 57025



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 6, 1998

3011-3

Reynold Ballinger
RR 1 Box 29
Elk Point, SD 57025-9714

Dear Mr. Ballinger:

Thank you for the prompt return of your 1998 irrigation questionnaires. You indicated on the questionnaire for Water Right No. 3011-3 that you were the owner and operator.

The water right is currently listed in the name of Harold Ballinger. Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

Thank you for notifying us of the ownership change. If I can answer any questions for you concerning the water right or with filing the ownership change, please let me know.

Sincerely,

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

encl



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 6, 1999

3011-3

Reynold Ballinger
RR 1 Box 29
Elk Point, SD 57025-9714

Dear Mr. Ballinger:

I am contacting you in regard to Water Right No. 3011-3. The water right is currently listed in the name of Harold Ballinger. In November 1998, based on a notation you made on your irrigation questionnaire, I forwarded a "Notice of Transfer of Ownership" form to you for filing the ownership change.

To date, we have not heard from you concerning this matter. I am enclosing another partially completed "Notice of Transfer of Ownership" form in the event you no longer have the original form. Please review the form for accuracy and make any necessary additions or corrections. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50.

If you do not wish to have the water right transferred and wish to leave it under Harold's name, please let me know. If you have any questions concerning the water right or completion of the transfer form, please get in touch with me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3011-3



Date: May 12, 1999

I/We request that Water Right No. 3011-3

formerly owned by: Harold Ballinger

be transferred to: (name & address) Reynold Ballinger, 47534 330th Street, Elk Point, SD 57025

Telephone No. (605) 356-2891

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

253 acres - SW $\frac{1}{4}$ and the S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 13, T90N, R49W

I/We understand that the validity of Water Right No. 3011-3 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.

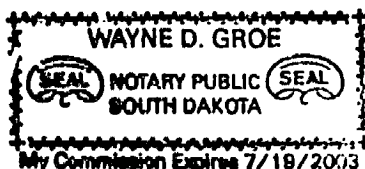
STATE OF SOUTH DAKOTA)

County of Union)

I/We Reynold Ballinger 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.

Reynold Ballinger
(Signed)

Subscribed and sworn to before me this 12th day of May 1999.



[Signature]
(Notary Public)

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

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

Water Rights Program

№ 416121

Pierre, _____ May 14, 19 99 _____

RECEIVED OF Reynold Ballinger, RR534 330th Street, Elk Point, SD 57025
the following amount in fees for services rendered as provided for by law:

By

Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 5 1999

3011-3

Reynold Ballinger
47534 330th St
Elk Point, SD 57025

Dear Mr. Ballinger:

Thank you for sending in the ownership change for Water Right No. 3011-3. The transfer has been completed and the water right is now listed in your name. Enclosed is your receipt for the filing fee you paid.

Also enclosed is Reissued Water License No. 3011-3. A review of the water right found the original water license did not accurately reflect the legal description of the acreage irrigated. The water license has been reissued to correct the description.

As long as you beneficially use the water for the purpose it was appropriated, South Dakota Water Laws provide that you have a continuing right to the use of the water.

If you have any questions concerning the transfer or the reissued license, please contact Genny McMath with our program at (605) 773-3352.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program

enclosures

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 3011-3

(1) Harold Ballinger, Elk Point, SD 57025 was issued Water License No. 3011-3, February 6, 1972 for a water right to divert 3.01 cubic feet of water per second from ground water (one well), Union County, South Dakota for irrigation purposes. Water License No. 3011-3, with a priority date of September 16, 1976 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

On May 14, 1999, Water Right No. 3011-3 was transferred to Reynold Ballinger.

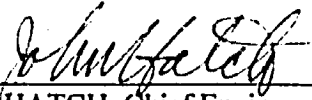
A review of Water Right No. 3011-3 found the original water license did not accurately reflect the legal description of the acreage irrigated. The examination of works and the map prepared following the investigation of the water use system did not take into account that Section 18 is an oversized section. The water license is being reissued to correct the description of the acres. Reissuance of the license does not authorize additional or new acres and does not alter the remaining portions of the license.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.01 cubic feet of water per second for beneficial use. The location of the diversion point is a point 2600' 45°N from the SW corner of Section 18, T90N, R49W (NW ¼ SW ¼).

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

Section 18, T90N, R49W (oversized section)			
SW ¼ NW ¼ (Lot 2)	31 acres	NW ¼ SW ¼ (Lot 2)	68 acres
SE ¼ NW ¼ (Lot 1)	13 acres	SW ¼ SW ¼ (Lot 2)	56 acres
		NE ¼ SW ¼ (Lot 1)	40 acres
		SE ¼ SW ¼ (Lot 1)	25 acres
Total 233 acres			

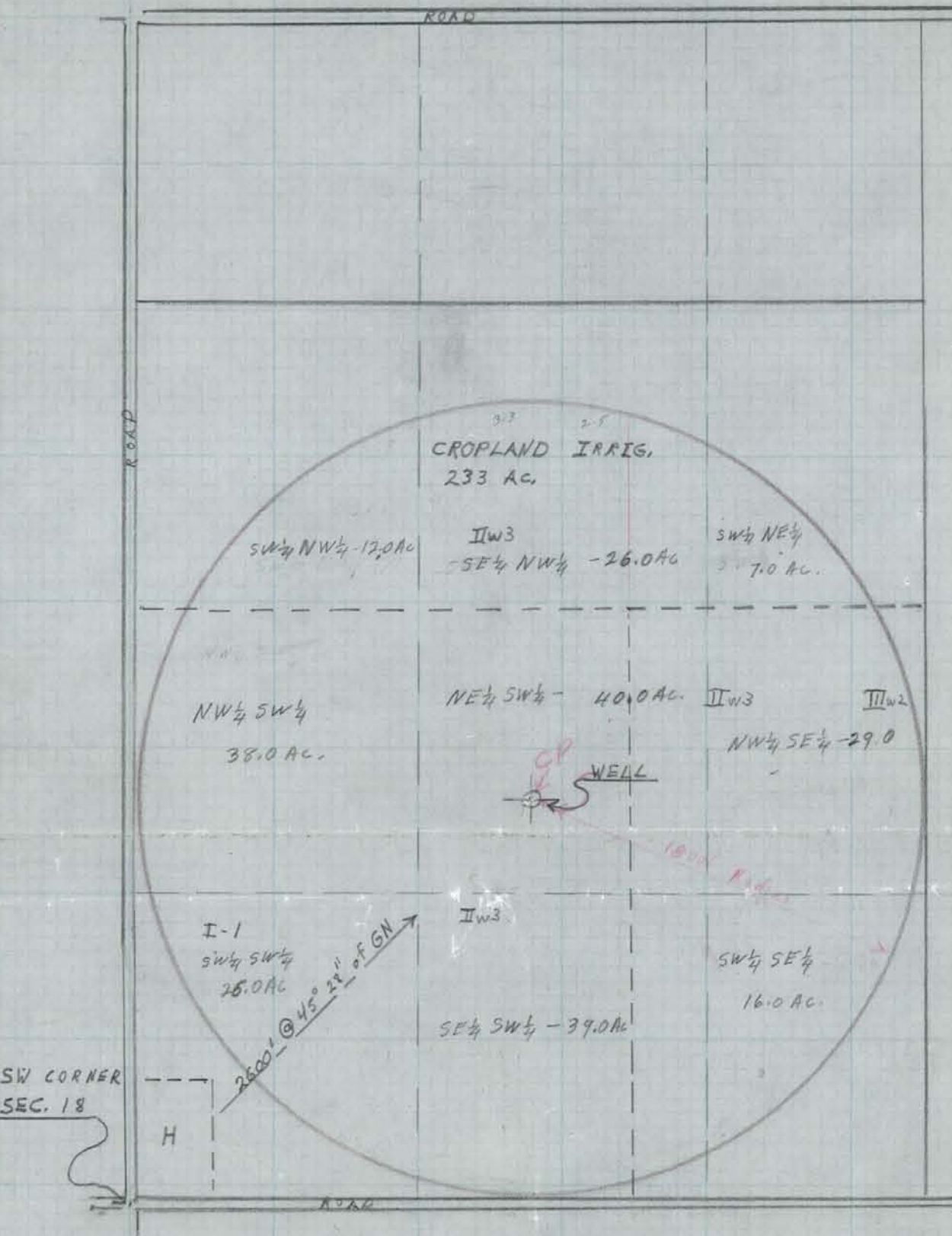
(4) Pursuant to South Dakota Water Law 46-5-30.1 Reynold Ballinger, 47534 330th St, Elk Point, SD 57025 the holder and/or owner of Water Right No. 3011-3 is issued a license to appropriate water, the right to use 3.01 cubic feet of water per second from ground water (one well) with a priority date of September 16, 1976 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Right No. 3011-3 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 5 1999
date



W² SEC. 18 - 90 - 49



GN

ONAWA SILTY CLAY IIW-3 - 0.1 INTAKE FAMILY

SCALE 8" = 1 MILE

Irrigation Plan Map
Harold Ballinger
RR 1, Elk Point S.D. 57025

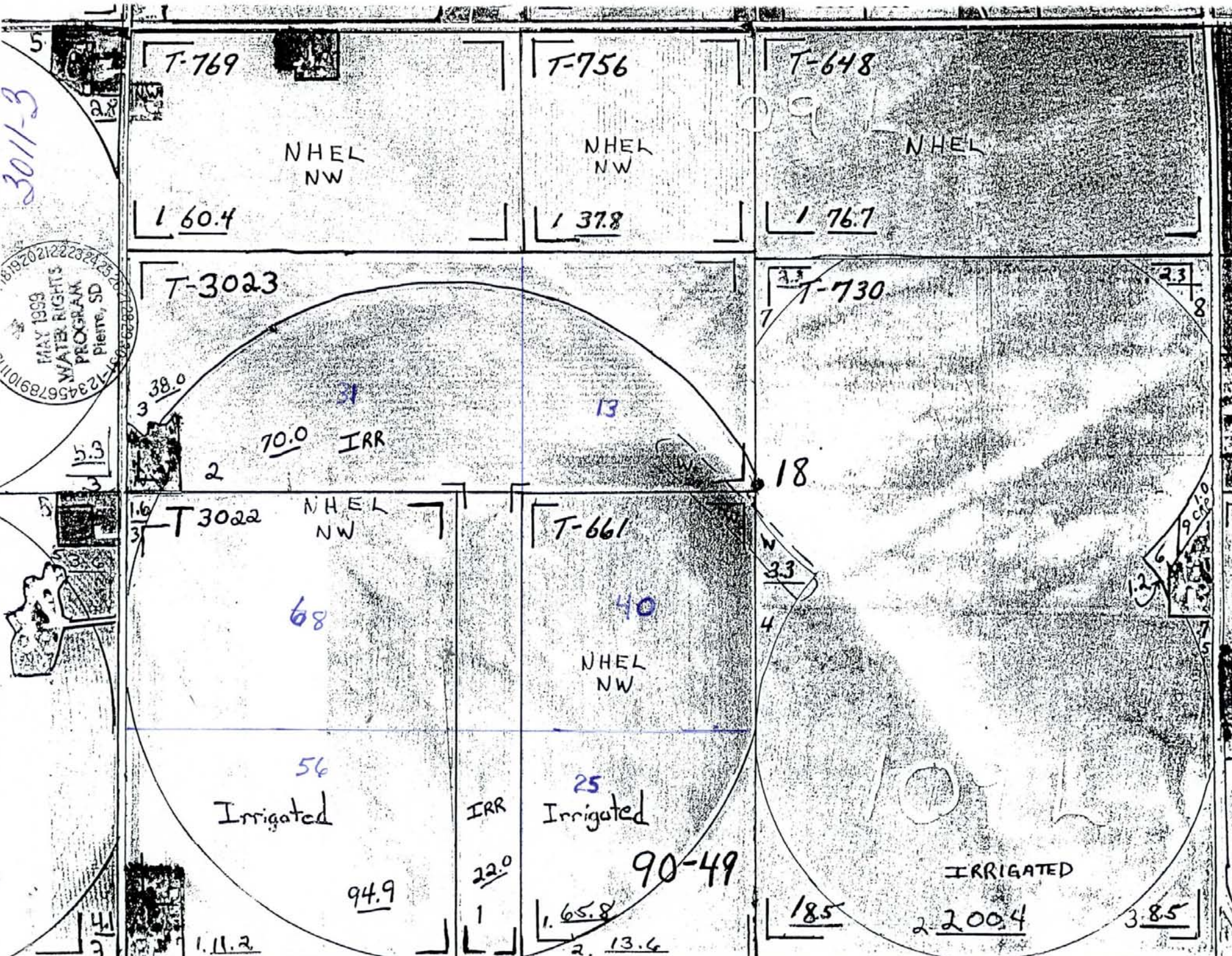
233 AC. To be Irrigated

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Harold Ballinger 7-13-76		
Drawn	Title	
Harold Ballinger 7-13-76		
Traced	Sheet	Drawing No.
	No.	
Checked	of	

3011-3

MAY 1999
WATER RIGHTS
PROGRAM
Pierre, SD



T-769

T-756

T-648

NHEL
NW

NHEL
NW

NHEL

1 60.4

1 37.8

1 76.7

T-3023

T-730

3 38.0

2 70.0 IRR

13

18

T-3022

NHEL
NW

T-661

68

40

NHEL
NW

56

Irrigated

IRR

25
Irrigated

90-49

IRRIGATED

94.9

22.0

1 65.8

2 13.4

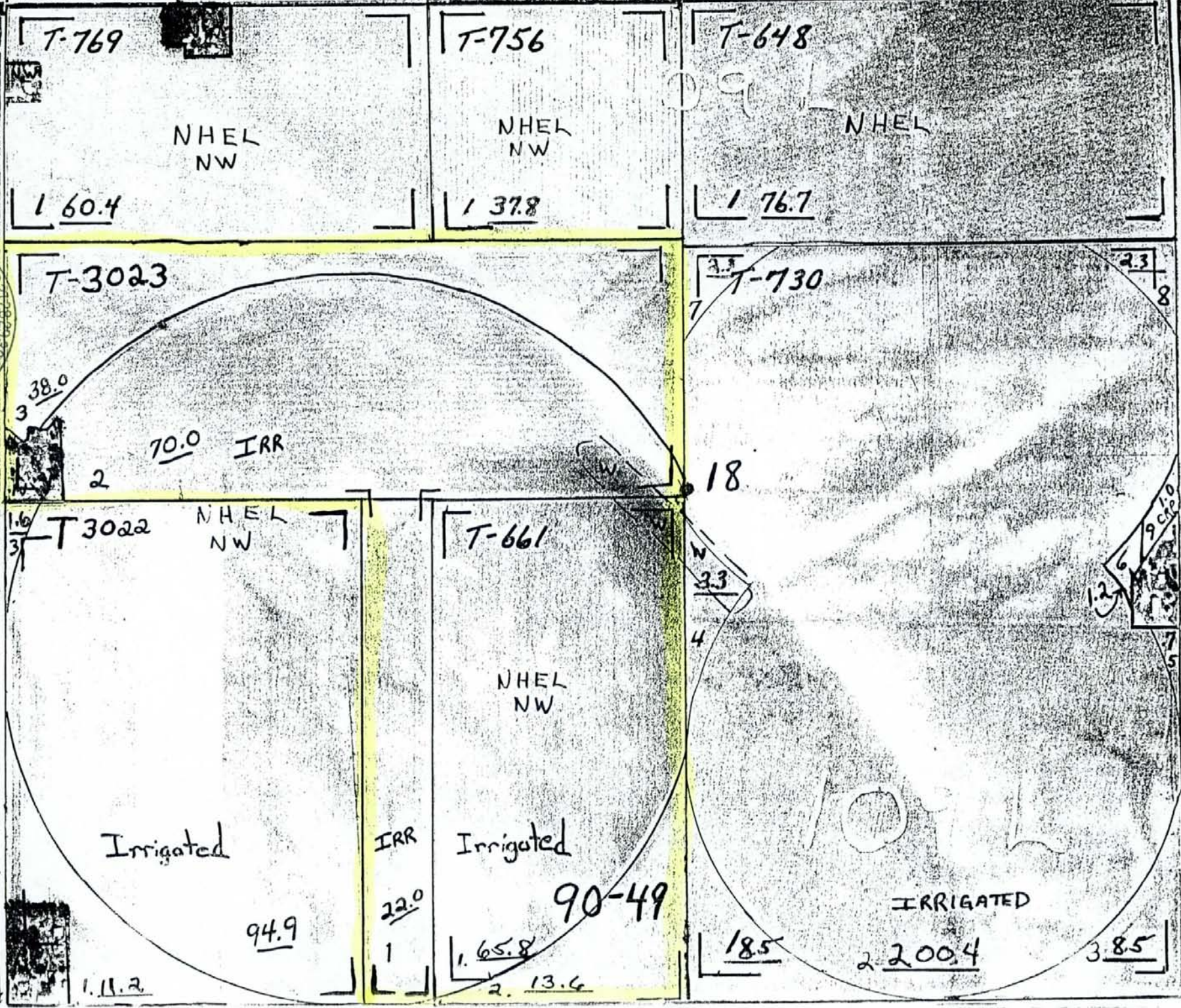
185

2 200.4

3 3.85

1 11.2

MAY 1999
WATER RIGHTS
PROGRAM
Pierre, SD



McMath, Genny

From: steven r ballinger <balls102@att.net>
Sent: Sunday, December 29, 2013 9:32 PM
To: McMath, Genny
Subject: transfer of well permit

Dear Genny McMath

My Dad Reynold Ballinger of Elk Point SD 47534 330th passed away last December
and I inherited the farm at said property at above address the well was used all during 2013
but I do not know what his permit number is. Could you be kind enough to advise me
as Mother recvd a letter from Jeanne Goodman but it did not have a permit number.

And the forms I need to transfer ownership of well permit

thank you,

Steven R Ballinger
7365 Naples Drive
Hazelwood Mo
63042



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 30, 2013

503-3
3011-3

Steven R Ballinger
7365 Naples Dr
Hazelwood MO 63042

Dear Mr. Ballinger:

Thank you for contacting us in regard to the need for ownership changes on water rights listed in the name of Reynold Ballinger. Enclosed are copies of both water rights. You may keep these for your records.

Also enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change on each water right. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please give me 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

enclosures

January 12, 2014

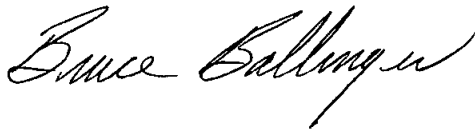
Genny McMath
Water Rights Program
Pierre, South Dakota 57501-3182

Dear Genny,

Please find enclosed the filled out and signed form for ownership change along with the \$50.00 filing fee.

Please contact me with any questions.

Thanks

A handwritten signature in cursive script that reads "Bruce Ballinger". The signature is written in dark ink and is positioned above the printed name and address.

Bruce Ballinger
1145 South 49th Street
West Des Moines, Iowa 50265

RECEIVED

JAN 21 2014

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3011-3

Date: 1-10-2014

I/We request that Water Right No. 3011-3

formerly owned by: Reynold Ballinger

be transferred to: (name & address) Bruce Ballinger

1145 South 49th St

WEST DES MOINES IA Telephone No. 515 224-6162
50265

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

233 acres - S 1/2 NW 1/4 and SW 1/4 Section 18, T90N, R49W

I/We understand that the validity of Water Right No. 3011-3 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 Bruce Ballinger, the new owner, certify that the above information is true and correct.

Bruce Ballinger
(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.

B

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/21, 20 14

RECEIVED OF Ballinger Farm 1145 S 49th St West Des Moines IA 50265

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	50	00
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>3011-3</u>		
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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **06647**

By *James L. Goodman*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 21, 2014

3011-3

Bruce Ballinger
1145 S 49th St
West Des Moines IA 50265

Dear Mr. Ballinger:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 3011-3.

The ownership change has been completed. Water Right No. 3011-3, formerly held by Reynold Ballinger is now listed in your name.

Enclosed for your records is Receipt No. 06647 in the amount of \$50. Also enclosed is the copy of the water right and map. You may keep them for your files as well.

If you have any questions, please contact me.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 27, 2016

3011-3

Bruce Ballinger
1812 Bristol St
Norwalk IA 50211 2601

Dear Sir:

Enclosed is a "Notice" dated October 21, 2016 concerning the 2016 irrigation questionnaire.

The notice was originally mailed to 1145 S 49th St, West De Moines IA. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures