

Received
5-11-78

(1)

8-9-78

OPERATED BY TAY WILSON

25773

110' deep 16' diameter casing 7000 PSI
Superbowl 8" Steel Line Pump + 212 GPH
3 stage 12 HP pump

128 HP electric motor

17' 1/2" dia. to

Exhaustive Stone at

1761.3 110' deep well 16" steel

Western Lane Roller 8" Pump

Primed by 30 HP US Elec Motor

Boards of 8" Rated pipe 117 30" gate.

Water Right Number 3677-3

1. Considered 3-23-77
2. Name of Applicant CONNELLY FARMS
3. Name of Water Right JEFFERSON
4. Amount of water claimed 1.71
5. Number of water right 106'
6. Purpose for use of IRRIGATION
7. Name of the irrigator 120
8. Name of the irrigator and location UNION (County)
9. Date 22.2.77 Time ELK POINT
10. Name of the irrigator 3-21-77
11. Name of the irrigator
12. Name of the irrigator
13. Name of the irrigator
14. Name of the irrigator
15. Name of the irrigator

Map No. 2951-3 Water Division No. 2 Pig-SIOUX 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 Connelly Farms c/o Bill Curren Rt #1 Box 88
 Postoffice address Jefferson Elk Point State SD 57038 57025
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
 3. Name of diversion work Connelly #2
 4. Amount of water claimed (cubic feet per second) 1.71 CFS
 5. Source of water supply Well
 6. Location of point of diversion NW 1/4 NE 1/4 Sec 33 91-49
 _____ County Union
 7. Annual period or periods during which water is to be used April thru October
 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 120

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>NW 1/4 NE 1/4 Sec 33 91-49</u>	<u>80</u>		
<u>NE 1/4 NW 1/4 Sec 33 91-49</u>	<u>40</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 Elk Point Leader Courier
 12. Principal Features of the Proposed Water Supply System.

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

Well

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

PIPE

C. Works proposed to apply water to beneficial use.

SprinklersEstimated Total Cost \$ 25000.00

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, Connelly Farms c/o Bill Curren, 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 Bill CurrenSubscribed and sworn to before me this 25 day of February, 19 71

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3677-3
CONNELLY FAIRIS 910 William J. Curran, Jefferson
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57038 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 adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application FEBRUARY 28 19 77
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved MARCH 23 19 77, Recorded in Book 18 Page 45

WATER RIGHT PERMIT NO. 3677-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3677-3 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 FEBRUARY 28 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 23 19 79
3. The whole of said work is to be completed on or before MARCH 23 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23 19 82
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 6.71 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 MARCH 23 19 82; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 20TH day of APRIL 19 77

WATER RIGHTS COMMISSION

By:

John A. Gail
 Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 14 19 79

Water License Issued SEPTEMBER 14 19 79

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 30, Depth 106
(2) Casing, Type transite, Diameter 16, Thickness 14 "
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type sawed slotted, Diameter 16, Length 39
(4) Gravel Pack, Thickness 14, Length of gravel pack 50

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 sands

Depth to top of water bearing material 50

Depth to bottom of water bearing material 106

Thickness of water bearing material 56

Depth to water (ground surface to water level) 21

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

On same owner's property 60 rds. On property owned by others 80 rds.

G. Water Storage Dams.

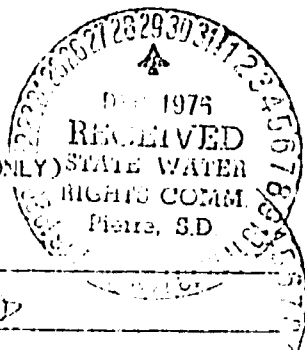
If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

M. J. Curran
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 GROUND WATER IRRIGATION ONLY)

NAME Cornelly Farms
William J. Curran
ADDRESS Jefferson, So. Dak 57032
COUNTY _____



LEGAL DESCRIPTION

1. WELL LOCATION NW 1/4 33-91-49
2. LOCATION OF AREA TO BE IRRIGATED NW 1/4 33-91-49

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn soybeans alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-2005
6. SALINITY (EC X 10⁶) 946 (mod hi)
7. SODIUM (SAR) 1.25 (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 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.

William J. Curran
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
30 DAY OF November 19 76.

Anna P. Stewart-Melary
(TITLE OR SEAL)

Alfred J. [Signature]
APPROVED/DISTRICT OFFICER

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

Submitted by: Corrigan Farms Date Rec'd: December 30, 1976
Address: Bill M. J. Corrigan Sample No.: 76-2005
Jefferson, SD 57038 Identification: 111
Dec. 33, 5 911, R 496

WATER ANALYSIS

Calcium (Ca)	98	ppm*	4.90	me/l**
Magnesium (Mg)	46	ppm	3.77	me/l
Sodium (Na)	60	ppm	2.61	me/l
Potassium (K)	7	ppm	0.13	me/l
Sulfate (SO ₄)	220	ppm	4.13	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	7	ppm	0.20	me/l
Bicarbonate (HCO ₃)	390	ppm	6.40	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)	320	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	946	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.25			
Sodium	22.77	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.84			
Others:				

*ppm=parts per million
**me/l=millequivalents per liter
***g.p.g.=grains per gallon

COMMENTS: Total cations 11.46 me/l
Total anions 11.13 me/l

By: Shirley Kitten

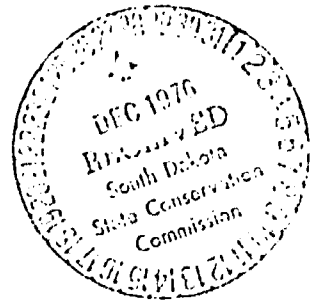
Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-2005 Amount Enc. 15

Signed _____



December 22, 1976

Connolly Farms
William J. Curran
Jefferson, SD 57038

Dear Mr. Curran:

Your water sample (Lab. No. 76-2005) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

The WI-1, soils information, and a copy of the water analysis are being forwarded to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3677-3

(1) WHEREAS, On the 28th day of February A. D. 19 77
Connelly Farms, & William J. Curran

made Water Right Application No. 3677-3 for a permit to use 1.71 cubic feet per second of the waters of groundwater (one well)

County of Union, State of South Dakota, for Irrigation

purposes; and
(2) WHEREAS, On the 23rd day of March A. D. 19 77
Permit No. 3677-3, with a date of priority of February 28, 1977

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 23rd day of March A. D. 19 82 and for the application to beneficial use of said water on or before the 23rd day of March A. D. 19 82

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 1.47 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,

to irrigate the following lands all in Section 33, T91N, R49W

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 36 acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 18 acres

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 9 acres

TOTAL 103 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 Connelly Farms & William J. Curran

_____ of Jefferson, SD

the holder _____ and owner _____ of said permit No. 3677-3 a water right, dating from February 28, 1977

_____ to use of 1.47 cubic feet per second of the waters of ground water (one well)

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 1100'S and 400'E of the NE corner, Section 33, T91N, R49W

and conduct to and upon portions of land in Section 33, T91N, R49W more fully described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3677-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 14th day of September A. D.
Nineteen Hundred and Seventy-nine

Board of Water Management

By:

John Hatch
Chief Engineer JOHN HATCH

Permit No. 3677-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify That Connelly Farms

_____ the holder _____ of
Permit No. 3677-3, issued upon Application No. 3677-3, bearing date of priority of _____
February 28, 1977 authorizing the diversion of 1.71 cu. ft. per second of the waters of _____
groundwater (one well) County of Union, State of South Dakota at _____
a point 1100 feet S and 400' East of the N $\frac{1}{4}$ corner,
Section 33, T91N, 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 1.77 cu. ft. per second of water

Date September 14, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WMD

No. 3677-3

Publish first publication, on or before March 10, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

March 3, 1977

Notice is hereby given that Connally Farms

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

1.71 cubic feet of water per second of time from the ground water through the Connally # 2, the point of diversion of which is to be located in the

NE 1/4 NE 1/4
of Section 33, Twp. 91N, Range 49W. Said water to be used for the purpose of providing irrigation on the following described land:

E 1/2 NE 1/4, NE 1/4 NW 1/4, Section 33-T91N-R49W

This application No. 3677-3 will be considered by the Water Rights Commission at their office at Pierre upon the 23 day of March, 1977 at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

HURTORDE, JONES, JIM WINTERSTON
Water Rights Specialist

BFJ/bw

cc: Connally Farms, % William J. Curran, Jefferson, South Dakota 57038

No. 3677-3

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:

March 10, 1977

March 17, 1977

Lester E. Emerson
(Signature)

Publisher
(Title)

March 17, 1977
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER 3-17
Pierre, South Dakota 57501
March 3, 1977

Notice is hereby given that
Connelly Farms whose post off-
ice 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 1.71 cubic feet of
water per second from ground
water through the Connelly #2,
the point of diversion of which
is to be located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 33, Twp. 91N. Range
49W. Said water to be used for
the purpose of providing irriga-
tion on portions of the following
described land: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$
NW $\frac{1}{4}$, Section 33-T91N-R49W.

This application No. 3677-3
will be considered by the Water
Rights Commission at their off-
ice at Pierre upon the 23, day of
March, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION
By Jim Winterton
Water Rights Specialist
Pub. March 10, 17.



Permit No. 3677.3Water 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 CONNELLY FARMS of 1/6 WILLIAM J. CURRAN, JEFFERSON holder of Permit No. 3677.3, bearing date of priority of FEBRUARY 28, 1977 authorizing the diversion of 1.71 cu. ft. per second of the waters of GROUND WATER 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:

110' DEEP WELL WITH 16" TRANSITE CASING
LAYNE BOWLER WELLINE PUMP 8" #21364K - 3STAGE - 12KH BOWLS
POWERED BY 75HP, GE ELECTRIC MOTOR

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

12' OF 8" LINE TO CENTER PLOT

C. Works used to apply water to beneficial use.

ZIMMATIC B TOWER PLOT SYSTEM - 95 ACRES
5-16 ACRES IS IRRIGATED WITH GATED PIPE WHICH IS
ALSO USED ON PERMIT NO 1761

The system is in the following condition: GOOD

The point of diversion is located 1100' S AND 400' E OF THE N 1/4 CORNER,
SECTION 33, T91N, R49W

The works are capable of diverting and conveying to the place of use 1.71cu. 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 33, T91N, R49W

<u>NW¹ NE⁴</u>	<u>36</u>
<u>SW⁴ NE⁴</u>	<u>40</u>
<u>NE⁴ NW⁴</u>	<u>18</u>
<u>SE⁴ NW⁴</u>	<u>9</u>

comprising a total of 103 acres of land. = 1.47 cfs

Date AUGUST 9, 1979
[Signature]
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7026

RECEIVED OF Connolly Farms, & Frank Fitch 1717 Pierre Street, Sioux City, IA 51105
the following amount in fees for services rendered as provided for by law:

PIERRE, September 4, 1978

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. <u>3677-3</u>		
Fee for inspecting Beneficial Use, and issuing Water License No. <u>3677-3</u>		
Fee for issuing Location Certificate-Dry Draw, No. _____		50 00
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL		50 00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH 97 0

Water Rights Division - DWR

File No. 3677-3

Conversation or File Documentation

NAME OF PERSON OR FILE: Pennell, GeorgeADDRESS: Elk PointCOUNTY DADATE: 5/22/89

TELEPHONE _____

RE: IO

COMMENTS:

The W called the other party and he said that
 the Connolly who is the WP showed up to contact
 him regarding the ownership of the land.

10-28-85 - called Louis Desmet, Union Co Extension
 Agent for ownership of land (W $\frac{1}{2}$ NE $\frac{1}{4}$ & E $\frac{1}{2}$ NW $\frac{1}{4}$
 Sec 33 - T91-R19) he indicated Pat Walsh
 of Elk Point farms the land. Land is
 probably still listed under Estate -
 he will check with Mr. Walsh and call me
 back.

3/3/86 Did not hear back from Mr. Desmet - called Co.
 (successor) - W $\frac{1}{2}$ NE $\frac{1}{4}$ 33-91-49 owned by Frank Fitch
 1717 Pierce St
 Box 2061
 Sioux City IA 51104
 815-2793

-- E $\frac{1}{2}$ NW $\frac{1}{4}$ 33-91-49 " " Eugene Mahan

1212 13th 59

Akron IA 51001

Called Mr. Fitch - secretary (Mary Ann) indicates they manage land,
 but do not own

File in Permit or other file as necessary. Use to document conversations and
 what the other party was told; why action or decision was made.

NAME: George Pennell

SOUTH DAKOTA Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

March 3, 1986

3677-3



Frank Fitch
PO Box 2066
Sioux City IA 51101

Dear Mr. Fitch:

Enclosed is the 1985 Irrigation Questionnaire pertaining to land owned by Connolly Farms. As manager of the property, please complete the questionnaire and return it to this office.

Water Right No. 3677-3 authorizes irrigation of 103 acres in the $W\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 33, T91N, R49W. The Union County Assessor's office has indicated to me that you own the $W\frac{1}{2}$ NE $\frac{1}{4}$ and Eugene Mahan, RR 2, Akron IA owned the E $\frac{1}{2}$ NW $\frac{1}{4}$. After a March 3, 1986 telephone conversation with your office, this information appears to be incorrect. Since you manage the property in the $W\frac{1}{2}$ NE $\frac{1}{4}$ Section 33 for Connolly Farms, would you have any information as to who would own and/or manage the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 33? Any information you could provide our office concerning this matter would be most helpful.

A postage paid envelope is enclosed for your convenience in returning the questionnaire. If you have any questions, please contact our office.

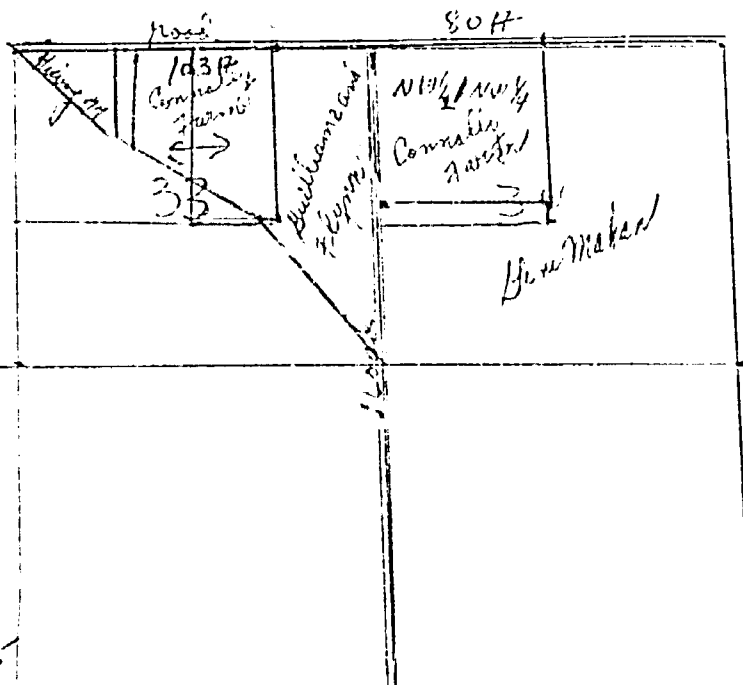
Sincerely,

Genny McMath

GENNY MCMATH
Natural Resources Analyst

GML:ks

enclosures



*Connolly owns the
west 1/2 of NW 1/4 section 34*

*Pat Walsh has assumed the
questionnaire of water and
electricity - on this land
which she owns*

*Pat Walsh 7th Prec.
S.D. 57505*

**Department of
Water & Natural Resources**

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

February 17, 1989

Patrick Walsh
RR 1, Box 88
Elk Point, SD 57025

Dear Mr. Walsh:

On October 5, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

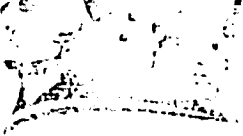
The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

John Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

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

3677-3

PATRICK WALSH, OPERATOR
RR 1, BOX 88
ELK POINT, SD 57025

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). 3677-3

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 3677-3. The request for the chemigation report(s) was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

The hearing(s) will be held at 9:15 am, on February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing(s) will be conducted pursuant to SDCL 34A-2A through 34A-2A-5, 46-1-12, 46-1-14, 46-2-11, 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. Suspend Permit No(s). 3677-3 until either the 1990 chemigation report(s) is submitted or for a period of up to one 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.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

NOTE: If the chemigation report(s) is received in this office before the February 27th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

cc: Connelly Farms, William Curran, RR 1 Box 88, Elk Point, SD 57025



GREAT FACES. GREAT PLACES.

February 1, 1991

PATRICK V WALSH-OPERATOR
RR #1 BOX 88
ELK POINT SD 57025

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

3677-3

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 1761-3, 3677-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire 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 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre 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(s), the Water Management Board can:

1. Amend Permit No(s) 1761-3, 3677-3 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.

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

cc: William Curran, Rt 1, Box 88, Jefferson SD 57038

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge)	2. ☐ Restricted Delivery (Extra charge)
3. Article Addressed to: Patrick Walsh RR#1 Box 88 Elk Point SD 57025	4. Article Number P 694 057 534
5. Signature - Addressee X <i>Patrick Walsh</i>	Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
6. Signature - Agent X	Always obtain signature of addressee or agent and DATE DELIVERED.
7. Date of Delivery 2-27-91 CT	8. Addressee's Address (ONLY if requested and fee paid)



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

3677-3

February 12, 1991

1761-3
3677-3
5283-3

Patrick V Walsh
RR #1 Box 88
Elk Point, SD 57025

Dear Mr. Walsh:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and/or chemical use data for Water Permit Nos. 1761-3, 3677-3 and 5283-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

cc: William Curran, RR #1 Box 88, Jefferson, SD 57038



3677-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: PATRICK WALSH, 47844 COUNTY RD 1B, ELK POINT, SD 57025
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 5283-3, 1761-3, 3677-3 & 5814-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1761-3, 3677-3 & 5814-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5283-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5283-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1761-3, 3677-3 & 5814-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2003

1761-3
3677-3
5283-3
5814-3

Patrick Walsh
47844 County Rd 1B
Elk Point SD 57025

Dear Mr. Walsh:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 1761-3, 3677-3, 5283-3 and 5814-3.

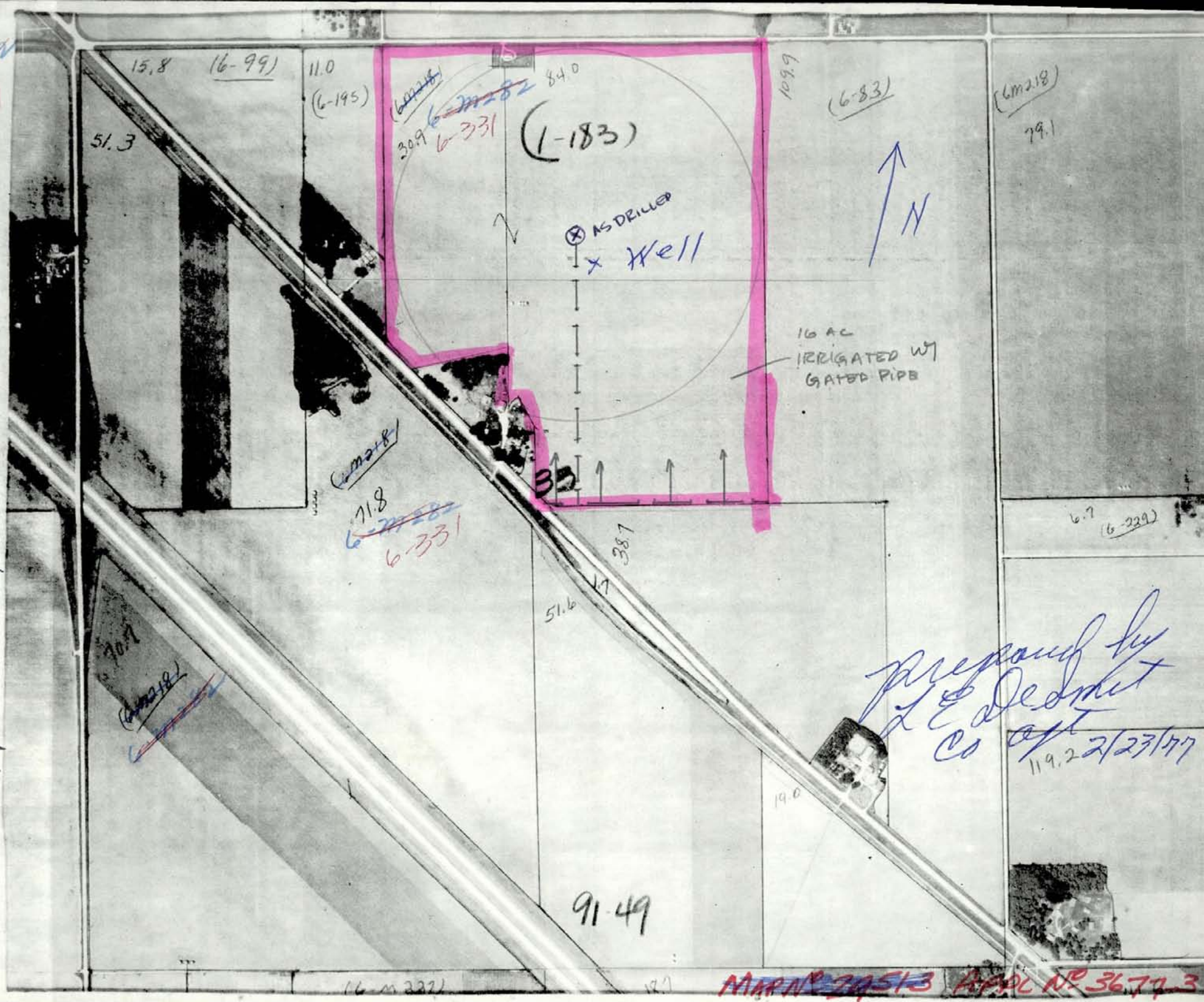
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

NOT TO SCALE



KRIENER FARM MANAGEMENT, INC.

September 1, 2020

Genny McMath
DENR – Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED

SEP 03 2020

WATER RIGHTS
PROGRAM

RE: Mary Eby Trust

Dear Genny:

I have enclosed the 3 Notice of Transfer of Ownership forms and 2 checks totaling \$150 for the Mary Eby Trust.

Thank you for all your help on the transfer.

If you have any questions please contact me a (712) 239-0311 or e-mail at dankriener@aol.com

Sincerely,



Dan Kriener, AFM
President

Dan C. Kriener, AFM
President



4110 Floyd Blvd.
Sioux City, IA 51108

Email: dankriener@aol.com

Office: 712-239-0311
Fax: 712-239-0312
Mobile: 712-253-2546
Home: 712-568-3573

NOTICE OF TRANSFER OF OWNERSHIP

PAID
SEP - 3 2020
Ck# 1288

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

RECEIVED
SEP 03 2020
WATER RIGHTS
PROGRAM

No. 3677-3
Date: 9-1-2020

I/We request that Water Right No.

~~1261-3~~ 3677-3

formerly owned by: Connelly Farms

be transferred to: (name & address) Mary Eby Trust, Kriener Farm Management, Inc.
4110 Floyd Blvd., Sioux City, IA 51108

Telephone No. 712-239-0311

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

103 acres - W 1/2 NE 1/4 and E 1/2 NW 1/4 Section 33, T91N, R49W

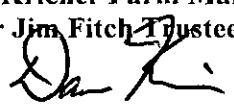
I/We understand that the validity of Water Right No. 3677-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 Mary Eby Trust, the new owner, certify that the above information is true and correct.

Mary Eby Trust
By Kriener Farm Management, Inc. Agent
For Jim Fitch Trustee


Dan Kriener, President

(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 3, 2020

RECEIVED OF Mary Eby Trust, (Walsh) 4110 Floyd Blvd. Sioux City IA 51108

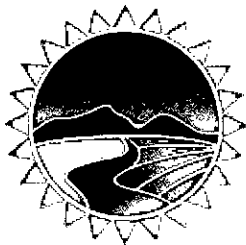
The following amount in fees for services rendered as provided for by law:

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>3677-3</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 Eric Gronlund
Chief Engineer

EM

3677-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 3, 2020

1761-3
3677-3
4701-3

Dan Kriener, President
Kriener Farm Management Inc
4110 Floyd Blvd
Sioux City IA 51108

RE: Mary Eby Trust

Dear Mr. Kriener:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for transferring Water Right Nos. 1761-3, 3677-3 and 4701-3.

The ownership changes have been completed. The above listed water rights formerly held by Connelly Farms or Michael Connelly Trust are now listed under the Mary Eby Trust.

Receipts for the filing fees are enclosed. Thank you for following up on the ownership changes. If you have any questions about the water rights, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
605-773-3352
Genny.mcmath@state.sd.us

enclosures

RECEIVED

JAN 27 2025

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

OFFICE OF
WATER

Water Right/Permit No. 3677-3

Date: 1-26-2025

I/We request that Water Right/Permit No. 3677-3 formerly owned by:
Mary Eby Trust be transferred to:

New Owner Name: Robert Peter Walsh

Address: 47844 County Rd 1B mobile: 1-605-670-0486

City, State, Zip Elk Point, SD 57025 email: rpwalsh@vyn.midco.net

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

The West Half of the Northeast Quarter and the East Half of the Northwest Quarter of Section 33, lying North of County Road 1B (Old Highway #77), except the Westerly 27 and 1/2 rods thereof; and less Lot A, all in Township 91 North, Range 49 West of the 5th P.M., Union County, South Dakota Containing 115.98 acres more or less.

☒ I understand that the validity of Water Right/Permit No. 3677-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Robert Peter Walsh, the new owner, certify that the above information is true and correct.

Robert Peter Walsh
Robert Peter Walsh (Jan 26, 2025 13:45 CST)
(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

Date January 27th 2025

RECEIVED OF Robert P Walsh 47544 County Rd 1B 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	\$ _____
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 #3677-3 & #1761-3	\$100.00
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
	\$100.00

By Eric Groslund
Chief Engineer

GR



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 29, 2025

1761-3
3677-3

Robert Peter Walsh
47844 County Rd 1B
Elk Point SD 57025

Dear Walsh:

I have received the "Notice of Transfer of Ownership" forms, and the required fees submitted for Water Right Nos. 1761-3 & 3677-1. Enclosed is a copy of each original license and receipt of payment for your records.

Water Right Nos. 1761-3 & 3677-3, previously held by the Mary Eby Trust, is now listed under yourself. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the water rights, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the water rights will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTE: The validity of Water Right Nos. 1761-3 & 3677-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures