

Considered: _____

WATER PERMIT NO. 4180A-3

Phone: 605 886 3395

Name of Applicant: Ina G. Kahnke

Post Office Address: 405 5th Ave NW, Watertown SD 57201-2343

Amount of Water Claimed: no add'l (5.6) Total Acres: no add'l (392)

Source of Water Supply: groundwater (2 wells)

Water to be used for: irrigation County: Codington

About 8 miles North, 4 East of Watertown

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.E. & C/L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received: 6-13-91 Fee: \$50 Remarks See Permit

Nos. 2477-3 and 4180-3

Corrected Application Received _____ Period of Annual Use April 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED 6-25-91 APPROVED/CONDITIONAL (Circle one)

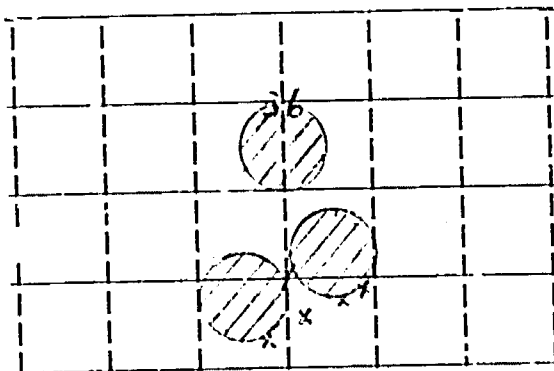
WI-1 Description same as Application YES X NO _____ REMARKS _____

Diversion Point: NE 1/4 SE 1/4 Sec 1-T118N-R52W

Land to be Irrigated: E 1/2 SW 1/4, W 1/2 SE 1/4,

Sec 36-T119N-R52W; NE 1/4, S 1/2 NW 1/4, SW 1/4,

N 1/2 SE 1/4 Sec 1-T118N-R52W



Well Log: Driller: Kahnke Licensed YES _____ NO _____

Depth of Well: 30 REMARKS depth of Well #2 and well logs are not available

Type of Map: aerial PREPARED BY: Norma Job Reviewed and the Number

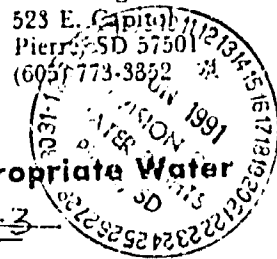
Assigned on 6-25-96 By Karen Schlaak

(See instructions)

Mail to: Water Rights Div.

528 E. Capitol
Pierre, SD 57501
(605) 773-3852

No. 4130A-3 Hydrologic Unit 10170202
Basin Big Sioux River
Newspaper Public Opinion, Po Box 16



Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☐ New ☐ Vested Right ☒ Amend Permit No. 2477-3

☐ Change Acreage ☒ Change diversion point(s) ☒ Add diversion point(s)

☐ Add Acreage ☐ Increase diversion rate ☒ Other See Permit # 2477-3

1. Name of Applicant INA C. KAHNKE Phone No. 405-886-3395

Post Office Address 405-5th Ave NW - Watertown State SD-57261-7343

(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) See no add'l Total acres irrigated See no add'l

3. Source of Water supply 2 ~~2~~ wells

4. Location of point of diversion Well #1 + Well #2 - NE 1/4 SE 1/4 Sec 1-118-52

Well #3 - NW 1/4 SE 1/4 Sec 1-118-52

Well #4 - SE 1/4 SW 1/4 Sec 1-118-52 County Codington

5. Counties where water will be used Codington

6. Annual period during which water is to be used April through October 31

7. 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 Int.
See Attachment	

Land Description	No. Acres Int.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____ (Specify) _____

9. Crops to be Irrigated: Corn & Beans

10. Give a description of proposed project. (Attach sheet if more space is needed)

71. 4455 The ~~four~~^{two} wells are in replacement of the 2 dugout wells permitted in Permit No. 2477-3

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Codington)^{ss}

I, Ina C. Kahnke, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Ana C. Kahrbe

Subscribed and sworn to before me this 7th day of May 1991

Rita B. Co.
Notary Public

Attachment

Section 36-119-52

NE 1/4 SW 1/4	33 Acres
SE 1/4 SW 1/4	33 Acres
SW 1/4 SE 1/4	35 Acres
NW 1/4 SE 1/4	33 Acres

Total 132 Acres

Section 1-118-52

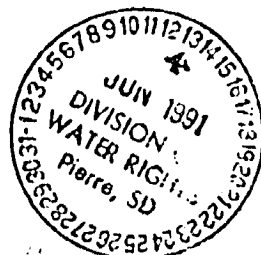
NW 1/4 NE 1/4	17 Acres
NE 1/4 NE 1/4	15 Acres
SW 1/4 NE 1/4	40 Acres
SE 1/4 NE 1/4	38 Acres
SE 1/4 NW 1/4	13 Acres
SW 1/4 NW 1/4	12 Acres
NE 1/4 SW 1/4	39 Acres
NW 1/4 SW 1/4	39 Acres
SE 1/4 SW 1/4	11 Acres
SW 1/4 SW 1/4	12 Acres
NW 1/4 SE 1/4	12 Acres
NE 1/4 SE 1/4	12 Acres

Total 260 Acres

392 Total Acres

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 10" Depth 30'
- b) Casing Type Steel Diameter 8" Thickness 1/2"
- c) Screen Type Slot Diameter 5" Thickness 1/2"
- d) Gravel Pack Thickness 2" Length of Gravel Pack 10'
- e) Depth to Top of Water Bearing Material 4'
- f) Depth to Water (ground surface to water level) 10'6"
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others 1980'

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If Pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway width _____

g) X & Y Slope

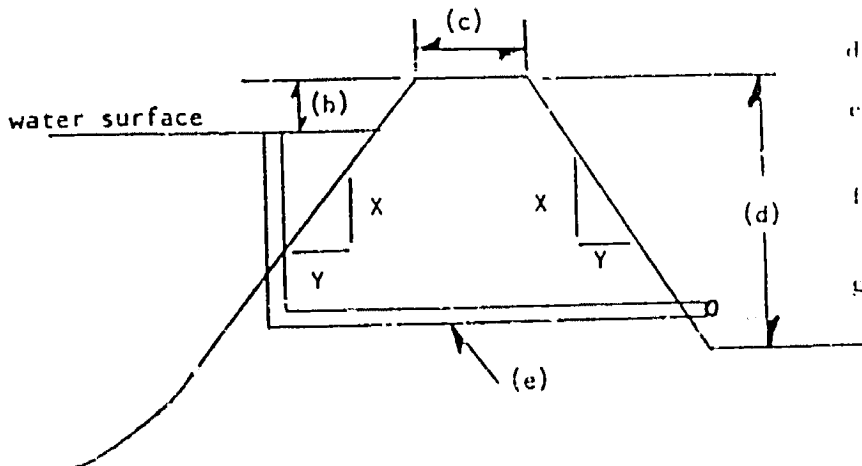
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Ina Kahrke
Signature of Applicant

SOUTH DAKOTA
WATER PERMIT No. 4180A-3 FOR IRRIGATION

Date of first receipt of application June 13, 1991.

Date Soil/Water Compatibility Permit received June 25, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 4180A-3 to Ina C. Kahnke, 405 5th Ave NW, Watertown SD 57201-2343 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 4180A-3 is for two additional wells, 30 feet deep (Big Sioux-North Aquifer) to irrigate acreage authorized by Water Permit Nos. 2477-3 and 4180-3. Water Permit Nos. 2477-3 and 4180-3 combined, appropriate 6.0 cubic feet of water per second (cfs) from 2 wells and 2 dugouts to irrigate 725 acres located in the E 1/2 SW 1/4, W 1/2 SE 1/4, Section 36-T119N-R52W and the NE 1/4, S 1/2 NW 1/4, SW 1/4, N 1/2 SE 1/4 Section 1-T118N-R52W. An inspection of Permit Nos. 2477-3 and 4180-3 found 4 wells constructed and supplying 5.6 cfs to irrigate 392 acres. The two existing wells are located in the NW 1/4 SE 1/4 and SE 1/4 SW 1/4 Section 1; and the two additional wells are located in the NE 1/4 SE 1/4 Section 1; all in T118N-R52W. This permit does not authorize additional acres or any increase in the developed diversion rate.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is December 15, 1975.
4. The date of approval of Permit No. 4180A-3 is September 9, 1991.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

FEB 26 1992

date

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4180A-3

(1) Ina C. Kahnke of 405 5th Ave. NW, Watertown, SD 57201-2343 made Application No. 4180A-3, June 13, 1991 for a water permit to appropriate no additional cubic feet of water per second from groundwater (two wells), Codington County, South Dakota for irrigation purposes. Permit No. 4180A-3 with a priority date of December 15, 1975 was approved September 9, 1991 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 4180A-3 authorized two additional wells to irrigate lands described under Water Permit Nos. 4180-3 and 2477-3. No. 4180A-3 did not authorize additional acreage or any increase in the developed diversion rate. A priority date of December 15, 1975, as established under Permit No. 2477-3, is retained.

The applicable portions of Water Permit Nos. 2477-3 and 4180-3 are incorporated into this Water License No. 4180A-3.

(2) It is certified that the applicant 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 2.88 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 660'W and 2310'N of the SE corner; Well #2 - 1320'W and 1980'N of the SE corner; Well #3 - 2210'W and 1550'N of the SE corner; Well #4 - 3170'W and 925'N of the SE corner all in Section 1, T118N, R52W.

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

Section 36-119-52
NE 1/4 SW 1/4 33 Acres
SE 1/4 SW 1/4 33 Acres
SW 1/4 SE 1/4 33 Acres
NW 1/4 SE 1/4 33 Acres

Section 1-118-52
NW 1/4 NE 1/4 17 Acres
NE 1/4 NE 1/4 15 Acres
SW 1/4 NE 1/4 40 Acres
SE 1/4 NE 1/4 38 Acres
SE 1/4 NW 1/4 13 Acres
SW 1/4 NW 1/4 12 Acres
NE 1/4 SW 1/4 39 Acres
NW 1/4 SW 1/4 39 Acres
SE 1/4 SW 1/4 11 Acres
SW 1/4 SW 1/4 12 Acres
NW 1/4 SE 1/4 12 Acres
NE 1/4 SE 1/4 12 Acres
Total-----392 Acres

(4) Pursuant to Section 46-5-30.1 Ina C. Kahnke of 405 5th Ave. NW, Watertown, SD 57201 the holder(s) and/or owner(s) of Incorporated Water Permit No. 4180A-3 is issued a license to appropriate water, the right to use 2.88 cubic feet of water per second from groundwater (4 wells) with a priority date of December 15, 1975 from the location specified in (2) of this license. The water is 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 Incorporated Water Permit No. 4180A-3 and subject to South Dakota State Law.



AUG 12 1992

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

REPORT ON WATER PERMIT APPLICATION NO. 4180A-3
INA C. KAHNKE
JULY 18, 1991

This water permit application replaces two dugouts permitted under Water Permit No. 2477-3 with two wells 30 feet deep. These wells are located in the NE 1/4 SE 1/4 Section 1-T118N-R52W. Two other wells are covered under Water Permit No. 4180-3 for the same lands. The lands covered by the additional wells are located in the E 1/2 SW 1/4, W 1/2 SE 1/4, Section 36-T119N-R52W and the NE 1/4, S 1/2 NW 1/4, SW 1/4, N 1/2 SE 1/4 Section 1-T118N-R52W. This water permit application does not request an increase in the developed diversion rate or lands.

Aquifer - Big Sioux - North (BS-N)

The Big Sioux aquifer consists of poorly to well-sorted surficial outwash that ranges from medium sand to medium gravel; it generally is less than 10 feet below land surface. The aquifer is limited to the flood plain of the Big Sioux River and its tributaries, and is underlain by till (Hansen, 1990). The Big Sioux aquifer is hydraulically connected to the Big Sioux River. If the river is low, the aquifer discharges to the river, and if the aquifer is lower than the river, the river discharges into the aquifer. The aquifer is also recharged by direct infiltration and subsequent percolation of rainfall and snowmelt.

Review of Existing Water Permits

There are two existing water permits within one and one half mile of this application. Permit No. 2827-3, Ina C. Kahnke, is one mile south for one well 29 feet deep. Permit No. 2927-3, Roland Pester, is one mile southwest for one well 40 feet deep. There are three observation wells located near this permit application. CD-76E is located on the south side of Section 1-T118N-R52W. The maximum water level fluctuation is 8.5 feet over a series of 3 years within a 15 year period of record. This fluctuation occurred during a dry series of years, and has recharged since. CD-76F is located on the SE corner of Section 31-T118N-R51W approximately 1.5 miles northeast of this permit application. From the observation well hydrograph, the water level appears to fluctuate 4 feet within a 15 year period of record. CD-76C is located on the west end of Section 11-T118N-R52W next to Roland Pester's land. From the observation well hydrograph, the water level appears to fluctuate 3 feet within a 15 year period of record. The observation well hydrographs are attached to this report.

Conclusions

1. Water is available from the Big Sioux-North aquifer.
2. The observation well readings show there are no adverse fluctuations in water levels and the aquifer recharges readily when water is available.
3. Well logs are not available to determine if the construction of the wells for this application meet well construction standards.
4. An inspection of the permits show that 2.88 cfs for irrigation of 392 acres was developed, and permits Nos. 2477-3, and 4180-3 can be incorporated into one water license.

Norma C. Job

NORMA C. JOB
Natural Resources Engineer I

Approved by

James A. Goodman

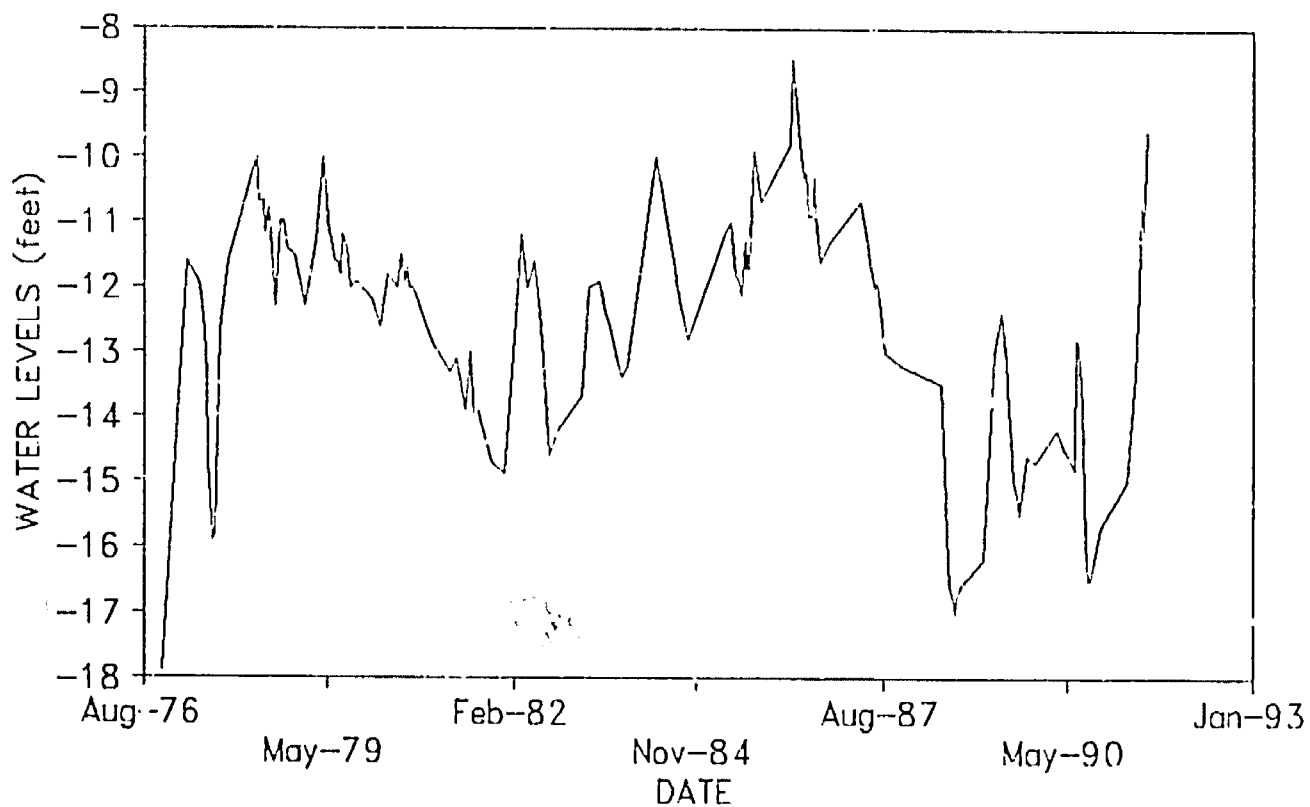
JAMES A GOODMAN, P.E.
Natural Resources Engineer IV

References

Hansen, Donald S., 1990, Water Resources of Codington and Grant Counties, South Dakota, Water-Resources Investigations Report 89-4147, Huron, South Dakota.

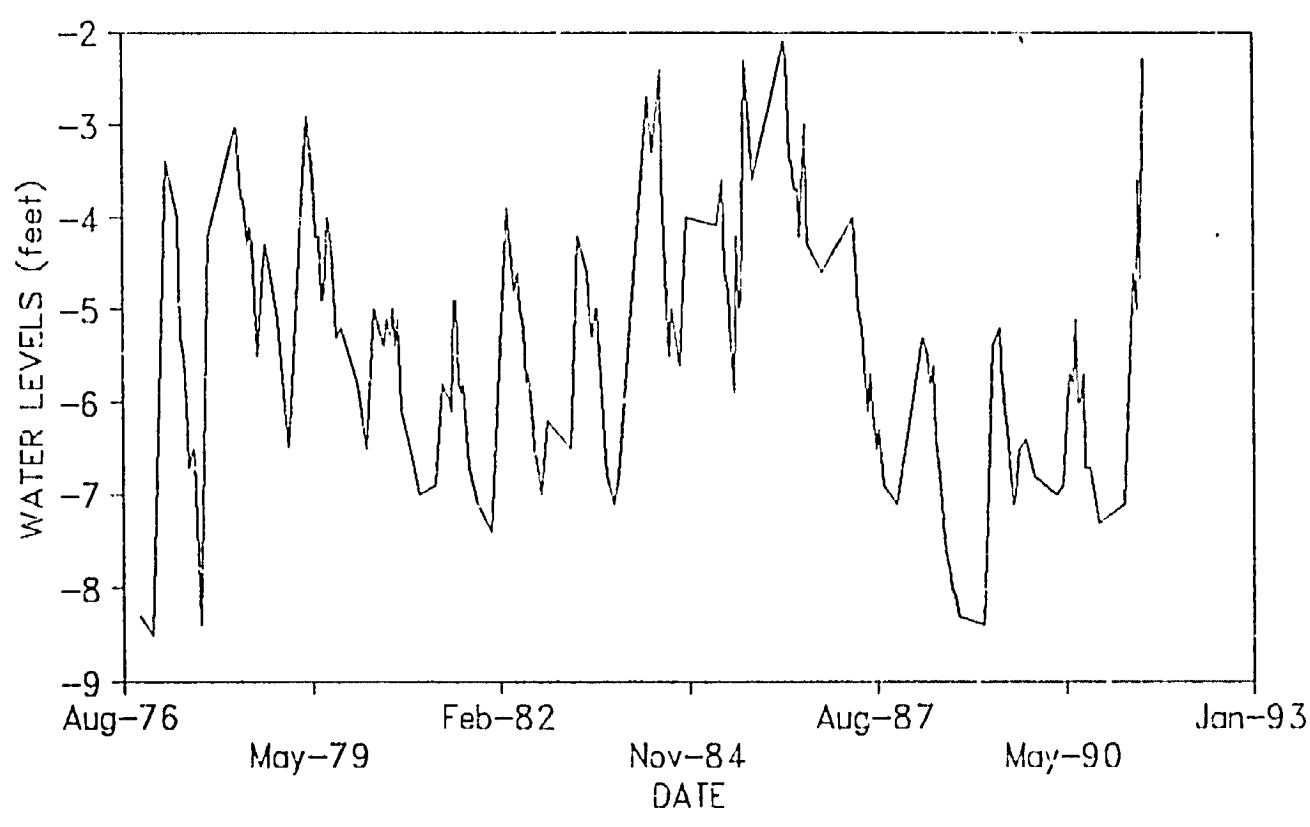
OBSERVATION WELL HYDROGRAPH

CD-76E



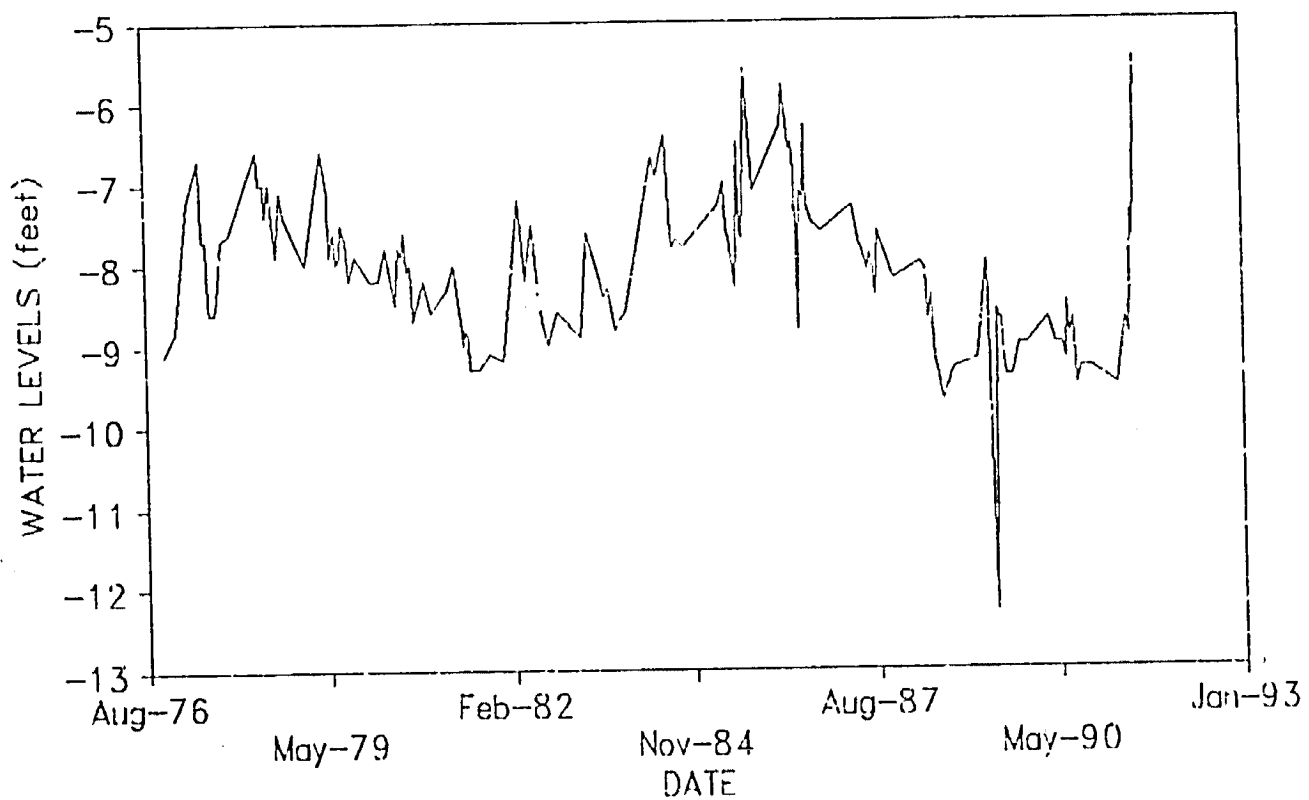
OBSERVATION WELL HYDROGRAPH

CD-76F



OBSERVATION WELL HYDROGRAPH

CD-76C



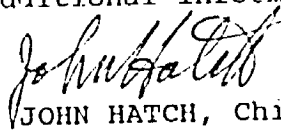
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4180A-3, Ina Kahnke

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 4180A-3, Ina Kahnke, 405 5th Ave. NW, Watertown, SD 57201-2343.

The Chief Engineer is recommending APPROVAL of Application No. 4180A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The wells approved under this permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
July 29, 1991



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

August 5, 1991

Ina C. Kahnke
405 5th Ave. NW
Watertown, SD 57201-2343

Dear Ms. Kahnke:

Water Permit Application No. 4180A-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Watertown Public Opinion printed at Watertown, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3252

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition, pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

August 5, 1991

Watertown Public Opinion
P.O. Box 10
Watertown, SD 57201-0010

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 4180A-3 to be published twice. Please publish the first notice on August 12, 1991 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Ina C. Kahuke, 405 5th Ave. NW, Watertown, SD 57201-2343.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on August 12, 1991 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4180A-3 to Appropriate Water
and/or to Amend Water Permit or Water Right Nos. 2477-3 and 4180-3

Notice is given that Ina C. Kahnke, 405 5th Ave. NW, Watertown, SD 57201-2343 has filed an application for a water permit for two additional wells (Big Sioux-North Aquifer) 30 feet deep to irrigate acreage authorized by Water Permit Nos. 2477-3 and 4180-3. Water Permit Nos. 2477-3 and 4180-3 combined, appropriate 6.0 cubic feet of water per second (cfs) from 2 wells and 2 dugouts to irrigate 725 acres, located in the E 1/2 SW 1/4, W 1/2 SE 1/4, Section 36-T119N-R52W and the NE 1/4, S 1/2 NW 1/4, SW 1/4, N 1/2 SE 1/4 Sec 1-T118N-R52W. An inspection of Permit Nos. 2477-3 and 4180-3 found 4 wells constructed and supplying 5.6 cfs to irrigate 392 acres. The two existing wells are located in the NW 1/4 SE 1/4 and SE 1/4 SW 1/4 Section 1; and the two additional wells are located in the NE 1/4 SE 1/4 Section 1; all in T118N-R52W. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 4180A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 29, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 4180A-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for September 9, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the September 9, 1991 hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The September 9, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 29, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Codington) ss.

I, Monica K. Saathoff
certify that the attached printed Notice was taken
from the Watertown Public Opinion

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 Watertown

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

August 12th, 1991
August 19th, 1991

(Signature)
Bookkeeper
(Title)
August 19th, 1991
(Date Signed)

Cost of Printing: 146.86

APPLICATION

NOTICE OF HEARING ON
APPLICATION NO. 4180A-3
TO APPROPRIATE WATER
AND/OR TO AMEND WATER
PERMIT OR WATER RIGHT
NOS. 2477-3 AND 4180-3

Notice is given that Ina C. Mahnke, 405 5th Ave. NW, Watertown, SD 57201-2343 has filed an application for a water permit for two additional wells (B/g Sioux North Aquifer) 30 feet deep to irrigate acreage authorized by Water Permit Nos. 2477-3 and 4180-3. Water Permit Nos. 2477-3 and 4180-3 combined, appropriate 6.0 cubic feet of water per second (cfs) from 2 wells and 2 dugouts to irrigate 725 acres, located in the NW 1/4 SW 1/4, W 1/2 SE 1/4, Section 36 T118N-R52W and the NE 1/4, S 1/2 NW 1/4, SW 1/4, & 1/2 SE 1/4 Sec. 1-T118N-R52W. An inspection of Permit Nos. 2477-3 and 4180-3 found 4 wells constructed and supplying 5.6 cfs to irrigate 392 acres. The two existing wells are located in the NW 1/4 SE 1/4 and SE 1/4 SW 1/4 Section 1; and the two additional wells are located in the NE 1/4 SE 1/4 Section 1; all in T118N-R52W. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 4180A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a

petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear this application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (505-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 29, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 4180A-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for September 9, 1991, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the September 9, 1991 hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The September 9, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 29, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-5-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

(August 12, 19, 1991)

Permit No. 2477-3 + 4180-3Big Sioux River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by R.E. Kahnke
405 - 5th Ave N.W. of Watertown SD 57201 holder of
 Permit No. 2477-3, bearing the priority of December 15 1975 authorizing
 the diversion of 6.0 cu. ft. per second of the waters of groundwater
 for irrigation purposes, in Codington Co County.

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

A. Works used to divert the water:

Wells # 1, 2, + 3 are 4" submersible pumps capable of 500gpm
 all together

Well # 4 : 50 HP - 12" Hydraulic Products Co. pump, Model # 12MME-4
 capable of 800gpm run by a U.S. Electric Motor Model # 326TP

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

6" steel & pvc piping approx. 4100' in length from Wells 1 thru 3
 8" steel & pvc piping 1320' in length from Well # 4

C. Works used to apply water to beneficial use:

2 Pivots in Section 1 - T11BN-R52W same - Gifford Hill - 10 towers with a
 length of 1280' and an end gun at low pressure North pivot
 capable of 500gpm and south pivot capable of 800gpm

1 Pivot in Sec 36 - T11GN-R52W Lockwood - 10 tower with an end gun with 1280' length
 The system is in the following condition good capable of 500gpm

The points of diversion ^{are} located Well # 1 660' West and 2310' North of the SE corner
Well # 2 1320' West and 1920' North of the SE corner Well # 3 2210' West and 1550' North
of the SE corner Well # 4 3170' West and 925' North of the SE corner
all in Section 1 - T11BN - R52W

The works are capable of diverting and conveying to the place of use 2.88

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:

See Attachment

comprising a total of 342 acres of land and the license should be issued for 2.88 cfs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: application to correct 2 wells Date 4/17/1991
must be submitted

Norma C. Job
 (signature)

Attachment

Section 36-119-52

NE 1/4	SW 1/4	33 Acres
SE 1/4	SW 1/4	33 Acres
SW 1/4	SE 1/4	33 Acres
NW 1/4	SE 1/4	33 Acres

Total	132 Acres
-------	-----------

Section 1-118-52

NW 1/4	NE 1/4	17 Acres
NE 1/4	NE 1/4	15 Acres
SW 1/4	NE 1/4	40 Acres
SE 1/4	NE 1/4	38 Acres
SE 1/4	NW 1/4	13 Acres
SW 1/4	NW 1/4	12 Acres
NE 1/4	SW 1/4	39 Acres
NW 1/4	SW 1/4	39 Acres
SE 1/4	SW 1/4	11 Acres
SW 1/4	SW 1/4	12 Acres
NW 1/4	SE 1/4	12 Acres
NE 1/4	SE 1/4	12 Acres

Total	260 Acres
-------	-----------

392 Total Acres

LICENSE FOR PERMIT NUMBER 2477-3-4180-34-17-91

1. Legal location of wells: Well # 1 & 2 in the NE 1/4 SE 1/4 well # 3
in the NW 1/4 SE 1/4 and well # 4 in the SE 1/4 SW 1/4 Section
7-118-53
dams & structures: _____

2. Well Information: Well Drilling Firm Bahrke = ? no logs available

Completion Report Yes No X No. of Wells 4 Depth ≈ 30-45'
Casing a) diameter 12" #1 NA 14" #3 18" #4 Screen a) type _____
b) length _____ b) length _____
c) type steel steel steel Static Water Level _____
Pump a) make Submers. Pump Sub. Hydraulic Motor a) make well # 79 U.S. Electric motor
b) model 12MM E-4 b) model No. 326 TP
c) size 4" 12" c) horsepower rating 50
d) capacity 500 for 1, 2 & 3 together 800 gpm
e) turbine pump - no. of stages _____
f) operating PSI _____

3. Distribution lines or canals

a) size 6" 8"
b) type steel - PVC steel - PVC
c) length 1320'

4. Dam Information:

a) height to crest _____ m) Outlet tubes:
b) height to primary spillway _____ 1) diameter _____
c) height to secondary spillway _____ 2) type _____
d) crest width _____ 3) valved (Y/N) _____
e) crest length _____ 4) valve type _____
f) spillway length _____ 5) location on structure _____
g) spillway width _____
h) approx. storage _____ n) Category of Dam _____
i) approx. storage to crest _____
j) date constructed _____
k) inspection sheet completed (Y/N) _____
l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

b) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

2 Pivotin		Pivot in
d) center pivot	Sec 1-118-52 same	Sec 36-119-52
1) make	Gifford Hill - Gifford	Luckwood
2) number of towers	10 10	10
3) distance between towers		
4) overall length	1280' 1280'	1280'
5) end gun (Y/N)	Y Y	Y
6) high or low pressure	low	
7) make & size of nozzles	rainbirds	
8) capacity (GPM)	800 500	500

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
<u>X</u>	___	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	___	2. Special qualifications to permit being abided by?
<u>X</u>	___	3. All structures, wells and lands on map?
<u>X</u>	___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
___	<u>X</u>	5. Is chemigation used?
___	___	6. If yes, does equipment comply with chemigation rules?

REMARKS:

Water Rights Division - DWR
Conversation or File Documentation

File No. 2477-3
4180-3
4180A-3

NAME OF PERSON OR FILE: R.E. KAHNKE

ADDRESS: _____ COUNTY Codington

DATE: 5/6/91 TELEPHONE _____

RE: 10 Water Samples

COMMENTS:
Spoke with Tim Shukel about the
of water samples needed for the new permit
to correct 2477-3. He said 2 samples.
One from the individual well and one
from the ~~that~~ 3 wells connected together.

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: Norma C. Toib

Turner Lab,

4180A-3

Will you please
make the necessary
corrections as I will be
covered by Permit 4180-3?

Maybe you would "write-out"
it.



AND 10-04-03 FOR MICROGRAPH REPRODUCTION
REDUCTION RATIO 1:1
ROLL NUMBER 10-15-92
DATE MICROFILMED 10-15-92
CAMERA OPERATOR SIGNATURE



FEB 26 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

Ina C Kahnke
405 5th Ave NW
Watertown, SD 57201-2343

Dear Ms. Kahnke:

Enclosed is Water Permit No. 4180A-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

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

enclosures

RECEIPT

Division of Water Rights

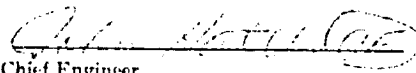
South Dakota Department of Water and Natural Resources

Pierre, _____ March 11, 1912

RECEIVED OF R. E. or Ina C. Kalnke, 405 5th Ave. NW, Watertown, SD 57201

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. <u>4150A-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By 
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 12 1992

4180A-3

Ina C. Kahnke
405 5th Ave. NW
Watertown, SD 57201-2343

Dear Ms. Kahnke:

Enclosed is Water License No. 4180A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413119 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4180A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Permit Nos. 2477-3 and 4180-3 are incorporated into this Water License No. 4180A-3.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ June 13, 1901

RECEIVED OF Ina C. Kahneke, 405-5th Ave. NW, Watertown, SD 57201

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

Fee for Application for Permit No. <u>44207-7</u> to Appropriate Water, to construct works 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 _____	
Fee for Filing Extension Request _____	
Fee for Certified Copy of _____	
Fee for Print Copy of Map _____	
Fee for Certifying _____	
Fee for _____	
(Any Other Work Provided by Law)	
Total	50.00

By [Signature]
Chief Engineer

SOIL/WATER COMPATIBILITY



COUNTY LAND LOCATED IN Colfax Co. PHONE 462-5315

2) ☐ Well

☐ Surface

Depth _____

LEGAL DESCRIPTION:											
NE1/4	SW1/4	36-T119N-R52W	=	33	Δ	SE1/4	SW1/4	36-T119N-R52W	=	33	Δ
SW1/4	SE1/4	36-T119N-R52W	=	33	Δ	NW1/4	SE1/4	36-T119N-R52W	=	33	Δ
NW1/4	NE1/4	1-T118N-R52W	=	17	Δ	NE1/4	NE1/4	1-T118N-R52W	=	15	Δ
SW1/4	NE1/4	1-T118N-R52W	=	40	Δ	SE1/4	NE1/4	1-T118N-R52W	=	38	Δ
SE1/4	NW1/4	1-T118N-R52W	=	13	Δ	SW1/4	NW1/4	1-5118N-R52W	=	12	Δ
NE1/4	SW1/4	1-T118N-R52W	=	39	Δ	NW1/4	SW1/4	1-T118N-R52W	=	39	Δ
SE1/4	SW1/4	1-T118N-R52W	=	11	Δ	SW1/4	SW1/4	1-T118N-R52W	=	12	Δ
NW1/4	SE1/4	1-T118N-R52W	=	12	Δ	NE1/4	SE1/4	1-T118N-R52W	=	12	Δ
TOTAL ACRES		392									

3. CROPS TO BE IRRIGATED: CORN, SUGAR BEETS

4. WATER SAMPLE NUMBER 1-218 7 ADJUSTED (SAR) 0.17
5. SALINITY (EC X 10⁶) 0.1 8. PERCENT SODIUM 0.1
6. SODIUM (SAR) 0.17

The drainage ways in the area remain in place to address potential erosion due to runoff.

☐ APPROVED ☐ REQUIREMENTS
☐ DISAPPROVED
☐ WAIVER

Date: _____

Soil water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

10/2/11 #4

4/80A-3

#1.5

AND A. MICHAELSON, JR. AND OTHERS, DEFENDANTS.
 RECEIVED 4/1/68
 DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

WELL 103

Layer, top to depth feet	Description of layer	Depth to top of water production equivalent	ft
0-2	top 5 ft	10' 6"	ft
2-4	clay	9 ft 0 in 4 in	ft
4-31	fine sand	31' 10"	ft
31-	clay	31	ft

Casing information in the space below show kind, size, w. . . lengths per

Coating information in the space below show kind, size, weight, angles per diameter, etc., for production coating and surface coating, if used.

Coat 2.1 16" ID. 700 grains

Screen information in the space below show length of screen below bottom of casing. Diameter and kind of screen or casing perforations.

21-31 H. ID. 7/10/94

2. If any of the above is completed, will _____ be _____ **UPR**

Attach sheet if more space is needed

John A. [Signature]
 Chief of Drilling Contractor

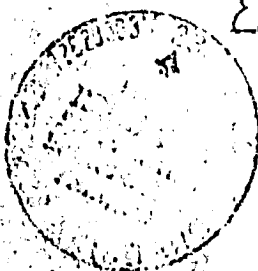
2) PUMP INSTALLATION
Company name and size of pump Fairbanks HP 50
Type of pump turbine Capacity of installed pump 500 GPM
Depth of pump placement 2.5 ft. Date of pump installation 4/1/25

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required. See Section 46.408 of Chapter 46.4, MINN. WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft, tube diameter _____ tube material _____.

Empire Construction Company, Inc.
Name of Installation Contractor





January 29, 1993

4180A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: INA C KAHNKE
405 5TH AVE NW
WATERTOWN SD 57201

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 4180A-3

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 4180A-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 4180A-3 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 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) 4180A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fees.

3. Article Addressed to:

41804-3

INA C KAHNKE
405 5TH AVE NW
WATERTOWN SD 57201

4a. Article Number

P 906 520 128

4b. Service Type

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

7. Date of Delivery

2-11-93

5. Signature (Addressee)

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

6. Signature (Agent)

PS Form 3811, December 1991 U.S.G.P.O.: 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



4180A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 1993

4180A-3

Ina C Kahnke
405 5th Ave NW
Watertown, SD 57201

Dear Ms. Kahnke:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire for Water Right No. 4180A-3. You may disregard the January 29, 1993, Notice of Violation of Water Permit No. 4180A-3.

The questionnaire 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
Natural Resources Analyst
Water Rights Division
(605) 773-3352



4180A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

December 2, 1993

Warren Falk
RR #1 Box 59
South Shore, SD 57263

Dear Mr. Falk:

Enclosed is a 1993 irrigation questionnaire for Water Right No. 4180A-3. The water right, listed in the name of Ina Kahnke, authorizes irrigation in the E $\frac{1}{2}$ SW $\frac{1}{4}$ and the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 36, T119N, R52W and portions of Section 1, T118N, R52W.

Randy Spevak contacted our office and indicated he had the questionnaire for this property and it should have been mailed to you. I apologize for the delay in sending the form to you.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

enclosure



February 4, 1997

NOTICE

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCESJOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

TO: CSS FARMS, MILT CARTER, 3334 9TH AVE SW, WATERTOWN, SD 57201

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

SUBJECT: Violation of Water Permit No(s) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3, 2120-3, 3672-3, 4041-3 & 4181-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3, 2120-3, 3672-3, 4041-3 & 4181-3. The request for the Questionnaires was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2120-3, 3672-3, 4041-3 & 4181-3 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) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2120-3, 3672-3, 4041-3 & 4181-3 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, 1997, 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.



February 4, 1997

4180A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: MILT CARTER
CSS FARMS
3334 9TH AVE SW
WATERTOWN SD 57201

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2120-3; 3229-3; 3672-3; 3782-3; 4041-3;
4181-3; 4182-3; 4588-3A; 4604-3; 5166-3; 5173-3; 5174-3; 5332-3; 5338A-3; 5376-3; 5377-3; 5378-
3; 5379-3; 5586-3; 5723-3 & 5724-3

The first notice to file chemigation report(s) for Permit No(s) 2120-3; 3229-3; 3672-3; 3782-3; 4041-3; 4181-3; 4182-3; 4588-3A; 4604-3; 5166-3; 5173-3; 5174-3; 5332-3; 5338A-3; 5376-3; 5377-3; 5378-3; 5379-3; 5586-3; 5723-3 & 5724-3 was dated 10/24/96. Our records indicate that we have not received the 1996 chemigation report for any of the above listed permits. The Water Management Board has directed that owners of water permits who have not submitted the 1996 chemigation report(s) be given notice of violation and hearing before the board. The hearing held by the board is to determine what action is to be taken concerning violation of Administrative Rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical applied.

The hearing will be held at 2:30 PM on March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and 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 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 or up to three years for the 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). 2120-3; 3229-3; 3672-3; 3782-3; 4041-3; 4181-3; 4182-3; 4588-3A; 4604-3; 5166-3; 5173-3; 5174-3; 5332-3; 5338A-3; 5376-3; 5377-3; 5378-3; 5379-3; 5586-3; 5723-3 & 5724-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the chemigation report(s) is(are) received by this office on/or before February 28, 1997 your name will be deleted from the board agenda.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 East 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.

4180A-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 1997

Milt Carter
CSS Farms
3334 9th Ave SW
Watertown, SD 57201

Dear Mr. Carter:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires and chemical reporting forms. You may disregard the February 4, 1997, Notices of Violation.

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

Thank you and if you have any questions, please contact me.

Sincerely,

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



4180A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 24, 1999

Jabe Kahnke
4003 Palos Verdes Dr S
Rancho Palos Verdes, CA 90275-6065

Dear Mr. Kahnke:

The purpose of my letter is to obtain information from you regarding your mother's water rights. We have six water rights listed in Ina's name. Below is a chart describing each water right.

No.	Priority date	Use	Legal Description
2827-3	June 22, 1976	irrigation	130 acres - SW 1/4 Section 12, T118N, R52W
4180A-3	Dec. 15, 1975	irrigation	392 acres - E 1/2 SW 1/4, W 1/2 SE 1/4 Section 36, T119N, R52W; NE 1/4, S 1/2 NW 1/4, SW 1/4, N 1/2 SE 1/4 Section 1, T118N, R52W
4181-3	Oct. 16, 1974	irrigation	156 acres - N 1/2 Section 3, T116N, R53W
4182-3	Sept. 29, 1975	irrigation	132 acres - S 1/2 NE 1/4, SE 1/4 Section 12, T117N, R54W
4183A-3	Oct. 27, 1977	commercial	4 wells - N 1/2 NE 1/4 Section 3, T116N, R53W (used for trailer court)
4184-3	Oct. 27, 1977	irrigation	243 acres - E 1/2 Section 11, T120N, R52W

I am in the process of trying to update the water rights as far as ownership and operator status is concerned. Do you wish to have the ownership of these water rights transferred to your name or into that of an estate? If the land has been sold, I can forward the appropriate transfer forms to the new owner(s).

With regard to operator status for each water right, I have CSS Farms, Watertown, SD operating all the land except the portion covered under Nos. 2827-3 and 4184-3. I have James Wohlleber, Watertown, SD listed as operating the land in Sections 11 & 12 (2827-3 & 4184-3). If this has changed, please let me know.

Please take a few minutes and review the chart above and then get in touch with me concerning ownership and/or operator status for the water rights. If you would, please respond by September 10th. You may call, write or email me with the information. My email address is: genny.mcmath@state.sd.us

Thank you in advance for your help.

Sincerely,

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

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION**NAME/:** Jabe Kahnke, 4003 Palos Verdes Dr S, Rancho Palos Verdes, CA 90275-6065**DATE:** October 8, 1999**TELEPHONE:** (310) 541-8113 (home)
(310) 534-6209 (work)
(310) 841-3098 (pager)**RE:** ownership and operator status for Water Permit & Right Nos. 2827-3, 4180A-3, 4181-3, 4182-3, 4183A-3 and 4184-3 (listed in the name of Ina Kahnke)**COMMENTS:**

Mr. Kahnke called in response to my letter of August 24th asking for information on the ownership and operator status of his mothers water permits and rights. He said that for the time being, they should all be placed in the "estate" name. Somewhere down the road, they would be transferred to a trust as soon as a trust is established and the estate settled.

The following are the operator changes for the water permits/rights:

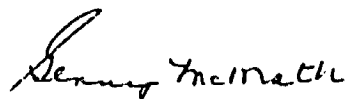
2827-3	James Wohlleber, 1305 N Broadway, Watertown, SD 57201 (605) 881-3795 -- cell; (605) 886-4773 - phone
4180A-3	"
4184-3	"

4181-3	Virgil Boms, 1218 34 th St SW, Watertown, SD 57201 (home) (605) 882-4931 13 2 nd St SE, Watertown, SD 57201 (office) (605) 882-3365
4182-3	"

4183A-3	Henry Niemann, PO Box 694, Watertown, SD 57201-0694 (operator for trailer park) (605) 886-6990
---------	---

RECOMMENDED ACTION:

Send transfer forms to Jabe for transferring water permits/rights to the estate name. Get in touch with the operators to straighten out the irrigation questionnaire mailing.



Genny McMath
Environmental Scientist

4180A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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



October 13, 1999

4180A-3

James Wohlleber
1305 N Broadway
Watertown, SD 57201

Dear Mr. Wohlleber:

Enclosed is the 1999 irrigation questionnaire for Water Right No. 4180A-3. Jabe Kahnke recently contacted me about his mother's water rights. He indicated that you farmed land under Water Right Nos. 2827-3, 4180A-3 and 4184-3.

Water Right No. 4180A-3 authorizes irrigation 392 acres in the E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 36, T119N, R52W, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 1, T118N, R52W. This one I had previously been sending to CSS Farms in Watertown.

Please complete and return the enclosed form to us by December 1, 1999. You should have already received the forms for Nos. 2827-3 and 4184-3.

Thank you in advance for you help. If you have any questions, please get in touch with me.

Sincerely,

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

enclosure



4180A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 13, 1999

Jabe Kahnke
4003 Palos Verdes Dr S
Rancho Palos Verdes, CA 90275-6065

Dear Mr. Kahnke:

Thank you for contacting me in regard to Water Rights listed in the name of Ina Kahnke. Enclosed, as we discussed are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change with the water rights.

It is my understanding that the water rights will be transferred to a "trust" for the time being. I left that part of the forms blank to allow you to fill in how you wish the water right(s) to read. Please review the forms and complete as needed. Upon completion, please sign the forms in the presence of a notary and return them to us with a required filing fee of \$2.50 each (total of \$15.00).

If you have any questions concerning completion of the forms or with the water rights in general, please contact me.

Sincerely,

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

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

enclosures



4180A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: JAMES WOHLLEBER, OPEPATOR, 1305 N BROADWAY, WATERTOWN, SD 57201
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 4180A-3 & 4184-3, 2827-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 2827-3 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) 4180A-3 & 4184-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 4180A-3 & 4184-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2827-3 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, 2000, 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.

c: JABE KAHNKE, 4003 PALOS VERDS DR S, RANCHO PALOS VERDES, CA 90275

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.

DATE 2-15-00

To - Ron Duvall
Subject - Water Reporting Requirements

In Sept. of 1999 I contacted your office by phone. I discussed our situation with a lady in your office. At that time I filled out the Questionnaires the best I could and returned them to your office. If you didn't receive them please Advise me what to do.



Glooming Valley Grain Farm
Gene Whitehouse Pres.
605-881-3795

4180A-3

File No. 2827-3

4180A-3

4184-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: James Wohlleber, Blooming Valley Grain Farms

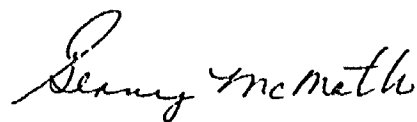
DATE: February 15, 2000

TELEPHONE: 605 881-3795

RE: 1999 irrigation questionnaires

COMMENTS:

In response to a letter received from Mr. Wohlleber concerning his irrigation questionnaires, I called him to obtain the information over the phone. He gave me the figures for Water Right Nos. 4180A-3 and 4184-3. The land described in No. 2827-3 was not irrigated in 1999. He said the system needed work before he could start using it again.



Genny McMath
Environmental Scientist



4180A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: JAMES WOHLLEBER, OPERATOR, 1305 N BROADWAY, WATERTOWN, SD 57201
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 4180A-3, 4184-3 & 2827-3. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 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. 2827-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit Nos. 4180A-3 & 4184-3 qualification:

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

The hearing will be held at 10:00 am, March 7, 2001 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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 Nos. 4180A-3 & 4184-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No. 2827-3 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/cr before March 2, 2001, 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.

c: JABE KAHNKE, 4003 PALOS VERDES DR S, RANCHO PALOS VERDES, CA 90275

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

March 8, 2001

2827-3
4180A-3
4184-3

James Wohlleber
1305 N Broadway
Watertown, SD 57201

Dear Mr. Wohlleber:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 2827-3, 4180A-3 and 4184-3.

I completed questionnaires for you based on our March 7th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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

c: Jabe Kahnke



January 16, 2002

NOTICE

4180A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

TO: JAMES WOHLLEBER, OPERATOR, 1305 N BROADWAY, WATERTOWN, SD 57201

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 4180A-3 & 4184-3, 2827-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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) 2827-3 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) 4180A-3 & 4184-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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) 4180A-3 & 4184-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2827-3 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 March 8, 2002, 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.

c: JABE KAHNKE, 4003 PALOS VERDES DR S, RANCHO PALOS VERDES, CA 90275

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.

4180A-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JAMES WOHLLEBER, OPERATOR
1305 N BROADWAY
WATERTOWN SD 57201

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☒ YesIf YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail☐ Registered☐ Insured Mail☐ Express Mail☐ Return Receipt for Merchandise☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7001 2510 0004 4797 5583

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789



4180A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 6, 2002

2827-3
4184-3
4180A-3

Jim Wohlleber
1305 N Broadway
Watertown, SD 57201

Dear Mr. Wohlleber:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 2827-3, 4180A-3 and 4184-3.

I completed questionnaires for you based on our telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you and if you have any questions, please contact me.

Sincerely,

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



4180A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 14, 2002

Mark Kienast, Farm Manager
1308 10th Ave SW
Watertown SD 57201

RE: Water Right Nos. 2827-3, 4180A-3, 4181-3, 4182-3 & 4184-3

Dear Mr. Kienast:

Thank you for calling to let us know that you are the new farm manager for the Kahnke property. Enclosed are copies of the water rights we have in Ina Kahnke's name.

I included some of the most recent correspondence. Most of the correspondence actually relates to more than one of the water rights.

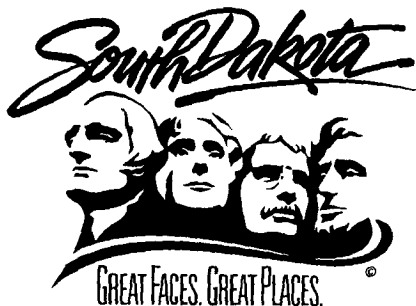
As you requested, I will list your name with the files as that of farm manager and send all further correspondence to you until notified otherwise. The only thing we are currently waiting on is the irrigation questionnaires for Water Right Nos. 2827-3, 4180A-3 and 4184-3.

If I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosures



4180A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 20, 2005

NOTICE

TO: MARK KIENAST, FARM MGR, 1308 10TH AVE SW, WATERTOWN, SD 57201

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 2827-3 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) 4180A-3, 4181-3, 4182-3 & 4184-3 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 2, 2005 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) 4180A-3, 4181-3, 4182-3 & 4184-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2827-3 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 25, 2005, 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.

c: JABE KAHNKE, 4003 PALOS VERDES DR S, RANCHO PALOS VERDES, CA 90275

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.



4180A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 2005

Mark Kienast, Farm Mgr
1308 10th Ave SW
Watertown SD 57201

RE: Water Right Nos. 2827-3, 4180A-3, 4181-3, 4182-3 and 4184-3

Dear Mr. Kienast:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 2827-3, 4180A-3, 4181-3, 4182-3 and 4184-3.

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

c: Jabe Kahnke

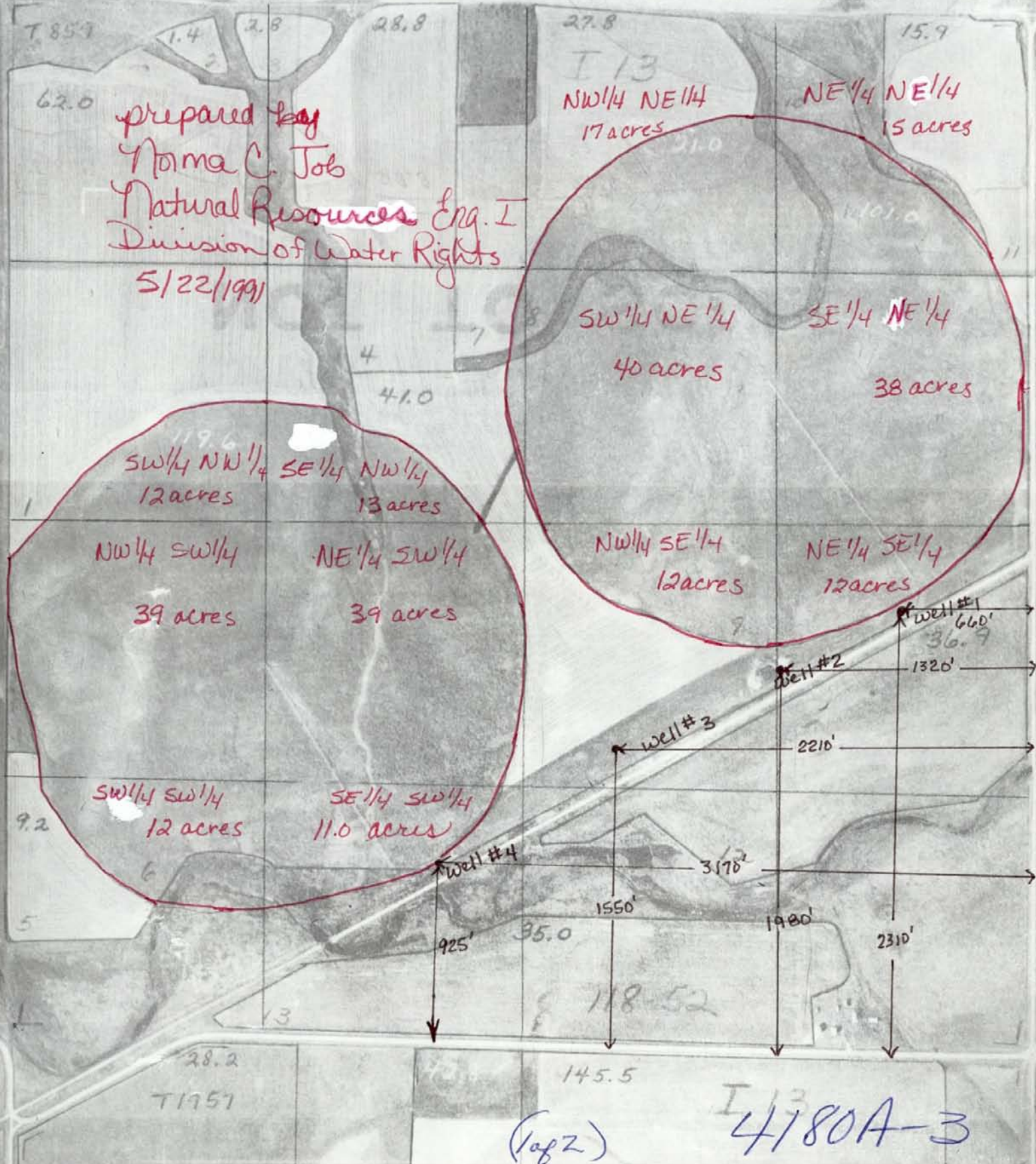
~~Министерство~~ Апп. № 4180-3

permit # 2477-3 +
4180-3

Appl. No. 4180A-3

NOT TO SCALE

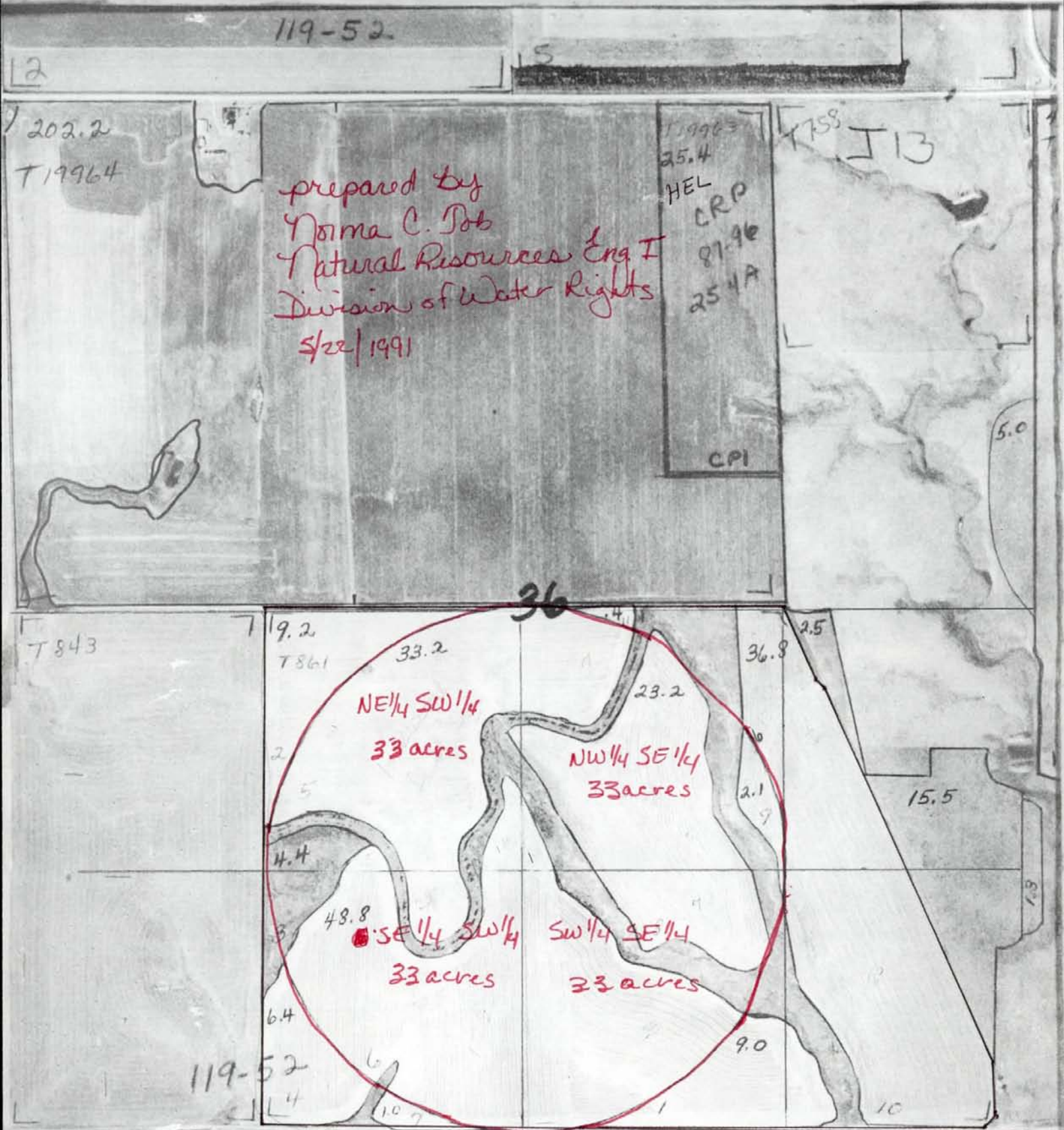
prepared by
Norma C. Job
Natural Resources Eng. I
Division of Water Rights
5/22/1991



permit # 2477-3 + 4180-3

Appl. No. 4180A-3

NOT TO SCALE



(282) 4180A-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 25, 2007

4180A-3
4181-3
4182-3
4184-3

Mark Kienast, Farm Mgr
1326 42nd ST SW
Watertown SD 57201

Dear Mr. Kienast:

Enclosed is a "Notice" dated October 19, 2007 concerning your 2007 irrigation questionnaires. The notice was originally mailed to 1308 10th Ave SW, Watertown SD. 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,

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

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

enclosures



4180A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: MARK KIENAST, FARM MGR, 1326 42nd ST SW, WATERTOWN, SD 57201 7036

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4180A-3, 4181-3, 4182-3 & 4184-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4180A-3, 4181-3, 4182-3 & 4184-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** 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) 4180A-3, 4181-3, 4182-3 & 4184-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

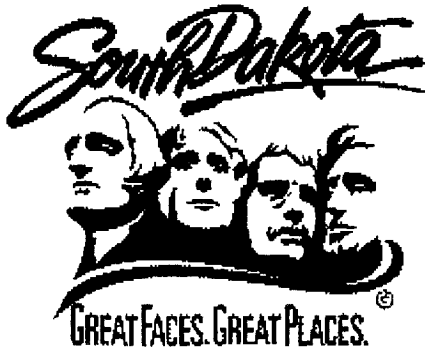
The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

c: JABE KAHNKE, 4003 PALOS VERDES DR S, RANCHO PALOS VERDES, CA 90275

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

February 19, 2009

4180A-3
4181-3
4182-3
4184-3

Mark Kienast, Farm Mgr
1326 42nd St SW
Watertown SD 57201-7036

Dear Mr. Kienast:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 4180A-3, 4181-3, 4182-3 and 4184-3.

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,

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

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



4180A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2011

NOTICE

TO: MARK KIENAST, FARM MGR, 1326 42nd ST SW, WATERTOWN, SD 57201 7036

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4180A-3, 4181-3, 4182-3 & 4184-3. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4180A-3, 4181-3, 4182-3 & 4184-3 qualification:

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

The hearing will be held at **10:00 am, March 9, 2011** 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) 4180A-3, 4181-3, 4182-3 & 4184-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

c: JABE KAHNKE, 4003 PALOS VERDES DR S, RANCHO PALOS VERDES, CA 90275

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.

4180A-3



**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 16, 2011

Mark Kienast
1326 42nd St SW
Watertown SD 57201 7036

RE: Water Right Nos. 4180A-3, 4181-3, 4182-3 & 4184-3

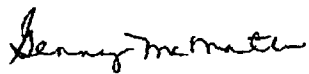
Dear Mr. Kienast:

I am writing to acknowledge receipt of the 2010 irrigation questionnaires for the Kahnke land.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right Nos. 4180A-3, 4181-3, 4182-3 and 4184-3. The information was received in our office prior to the Water Management Board meeting and the issue 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
email: genny.mcmath@state.sd.us



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

(via email)

February 17, 2011

Mark Kienast
1326 42nd St SW
Watertown SD 57201 7036

Dear Mr. Kienast:

I am forwarding you partially completed "Notice of Transfer of Ownership" forms for filing the ownership changes on Water Right Nos. 4180A-3, 4181-3, 4182-3, 4184-3 and 4183A-3. No. 4183A-3 is the water right for the trailer park.

Please complete the forms and return them to us with a required filing fee of \$50.00 each (\$250 total). The check or money order for the fee can be made payable to the Water Rights Program.

If you would like copies of the water rights, you can actually download them from our website at: <http://denr.sd.gov/des/wr/wr.aspx> Once you get to this link, go to the left side of the page and scroll down until you see "databases". The first database listed will be water rights. Follow that link and you can look up any of the water rights and print them off.

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

4180A-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 1 Twp 118 Rg 52

County

North

Codington

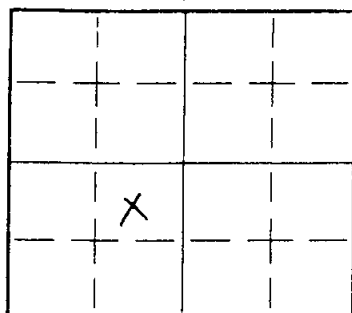
Please mark well location with an "X"

Ranville

W

E

Well Completion Date

7/2/13Well Owner: Jabe Kahnke/Ina Kahnke EstateBusiness Name: 40 Mark KienastAddress: 1326 42nd St SW
Watertown SD 57201

WELL LOG:

DEPTH

FORMATION

FROM

TO

topsoil02clay24Sand coarse430clay30

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1500 ft. from creek (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☒ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SDR-21 LB/FT</u>	<u>12 IN</u>	<u>0 FT</u>	<u>20 FT</u>	<u>18 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Neat Cement</u>	_____	<u>15 lb./gal</u>	<u>0 ft</u>	<u>16 ft</u>
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Pressure Grout w/ tremieSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12" P.S. IN Length 10 FEETMaterial Stainless Steel 1/2-slot JohnsonSlot Size 70 Set From 20 Feet to 30 FeetOther information plate bottomWAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

____ YES, How? _____

Irrigation☒ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

STATIC WATER LEVEL 4

RECEIVED

Fee

If flowing: closed in pressure _____

PS

GPM flow _____ through _____

JUL 24 2013

inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

WATER RIGHTS PROGRAM

Reduced Flowrate _____

GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ PumpedDescribe: Air Compression Blowing☐ Bailed600 GPM☐ Other

Pumping Level Below Land Surface

10 ft After 3 Hrs pumped 600 GPM

_____ ft After _____ Hrs pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS West Pivot - Helper well drilled 300ft approx. of existing Vertical Turbine well & Pump - To supplement West PivotThis well was drilled under license # 63

And this report is true and accurate

Drilling firm Lee Well Drilling Inc

Signature of License Representative

Signature of Well Owner or Equitable Property Holder

4180A-3

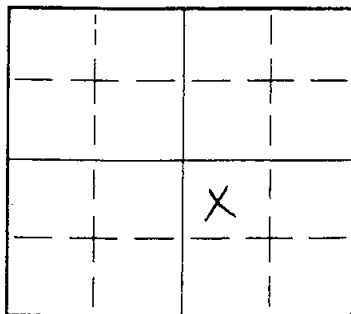
SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 SE 1/4 Sec 1 Twp 118 Rg S2
County Codington North

Please mark well location with an "X"

Rauville



Well Completion Date

7/3/13

Well Owner: Jabe Kahake/Ing Kahake EstateBusiness Name: 40 Mark KienastAddress: 1326 42nd St SWWatertown SD 57201

WELL LOG:

DEPTH

FORMATION	FROM	TO
top soil	0	2
clay	2	3
Sand & Gravel	3	28
clay	28	32

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1500 ft. from creek (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER

SDR-21 LB/FT 12 IN 0 FT 18 1/2 FT 18 IN

____ LB/FT ____ IN ____ FT ____ FT ____ IN

____ LB/FT ____ IN ____ FT ____ FT ____ IN

GROUTING DATA

Grout Type No. of Sacks Grout Weight From To

Neat Cement _____ 15 lb./gal 0 ft 15 ft

____ lb./gal ____ ft ____ ft

Describe grouting procedure Pressure Grout w/ tremieSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12" P.S. IN Length 13 FEETMaterial Stainless Steel V-slot JohnsonSlot Size 90 Set From 18 1/2 Feet to 31 1/2 FeetOther information Bottom 3 ft tile wind w/ stainless plate bottomWAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

YES, How: _____

NO, Why Not? Irrigation

Laboratory sent to for water quality analysis _____

STATIC WATER LEVEL 5 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe Air Compressor

☐ Bailed Flowing 500 GPM

☐ Other _____

Pumping Level Below Land Surface

11 1/2 ft. After 3 Hrs pumped 500 GPM

____ ft. After ____ Hrs pumped ____ GPM

If pump installed, pump rate 400 GPMREMARKS East Pivot - Replacement well for the west of 3 wellsThis well was drilled under license # 63

And this report is true and accurate

Drilling firm Lee Well Drilling Inc

Signature of License Representative

Signature of Well Owner or Equitable Property Holder

RECEIVED

JUL 24 2013

WATER RIGHTS PROGRAM

RECEIVED

JAN - 7 2014

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4180A-3

Date: 1-6-14

I/We request that Water Right No. 4180A-3

formerly owned by: Ina C Kahnke

be transferred to: (name & address) Jabe Kahnke

1326 42nd St S.W. Watertown S.D. 57201

Telephone No. 605 881-0927

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

392 acres - E 1/2 SW 1/4 & W 1/2 SE 1/4 Section 36, T119N, R52W;

NE 1/4, S 1/2 NW 1/4, SW 1/4 and N 1/2 SE 1/4 Section 1, T118N, R52W

I/We understand that the validity of Water Right No. 4180A-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 Jabe Kahnke, the new owner, certify that the above information is true and correct.

Jabe Kahnke by M.A. [Signature] P.O.A.
(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 1/7, 20 14

RECEIVED OF Kahnke Farms 1326 42nd St SW Watertown SD 57201

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>4180A-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. **06599**

By James Doolman Jr
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 15, 2014

Mark Kienast
1326 42nd St SW
Watertown SD 57201

RE: Water Right Nos. 4180A-3, 4181-3, 4182-3, 4183A-3 & 4184-3

Dear Mr. Kienast:

Thank you for following up on the ownership changes for the above listed water rights. The ownership changes have been completed.

The water rights formerly held by Ina C Kahnke are now listed as follows:

- No. 4181-3 & 4183A-3: Pelican Plaza, PO Box 694, Watertown SD 57201, and
- Nos. 4180A-3, 4182-3 and 4184-3: Jabe Kahnke, 1326 42nd St SW, Watertown SD 57201

As noted on the transfer forms, since you have power of attorney for Jabe Kahnke, I listed you as the contact person for all of the water rights.

Enclosed for your records are the receipts for the filing fees you paid. If you have any questions, please contact me.

Sincerely,

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

enclosures