

4182-3

1. Considered 1-25 19 78
2. Name of Applicant RE, INA & SCOTT KAHNKE
3. Post Office Address WATERTOWN
4. Amount of Water claimed NO ADDITIONAL
5. Source of Water supply 84' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 198
7. Water to be diverted and used in CODINGTON County
about 3N, 6W miles of WATERTOWN
8. Proof of Publication Received 12-29-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4182-3
R.E., INA & ROSE LAHNKE 405 5TH AVE NW. WATERTOWN
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57201 With the following modifications:
 (State)

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

This Permit is for a change of Diversion from a slough to a well, for Permit No. 2363-3. This would change Permit No. 2363-3 to two wells.

Date of first receipt of application OCTOBER 27, 19 77
 Date of return to applicant for correction, amendments or changes required _____, 19 _____
 Date of receipt of corrected application _____, 19 _____
 Approved MARCH 28, 19 78, Recorded in Book 19 Page 305

WATER RIGHT PERMIT NO. 4182-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4182-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is SEPTEMBER 29, 1975
~~OCTOBER 27, 1977~~
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPT. 28, 19 80
3. The whole of said work is to be completed on or before MARCH 28, 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 28, 19 86
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed NO ADD'L cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 28, 19 86; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 1st day of APRIL, 19 78

WATER RIGHTS COMMISSION

By:

John H. Hatcher
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

2363-3

4182-3



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

June 21, 1979

R.E. Kahnke
405 5th Avenue NW
Watertown, SD 57201

Dear Mr. Kahnke:

SDCL 46-1-14 authorizes the Water Rights Commission to issue amended permits recognizing the date of priority of the original application if certain conditions are met.

At the May 24, 1979 Commission Meeting, the Commission reviewed the amended permits that had been issued with the later priority, and granted the earlier priority date to such amended permits.

By this action, the priority date for your Permit No. 4182-3 was established as September 29, 1975 instead of October 27, 1977 as now shows on your copy of the Permit.

If you have questions regarding this action, feel free to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/gy

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 3 1/2", Depth 84'
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 1 1/2" Thickness 3/16"
- (3) Perforated Screen.
Type Continuous slot, Diameter 1 1/2", Length 20'
- (4) Gravel Pack. Thickness 5", Length of gravel pack 30'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 0' to 6' clay sand; 6' to 17' non
water bearing sand; 17 to 40' mixed gravel and sand;
40' to 55' sand; 55' to 67' clay; 67 to 84' has a layer of
coarse sand then fine sand then coarse sand; 84' + clay

Depth to top of water bearing material 17'

Depth to bottom of water bearing material 84'

Thickness of water bearing material 55'

Depth to water (ground surface to water level) 18'

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

On same owner's property 160 rds. On property owned by others 180 rds.

G. Water Storage Dams.

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

RE K. K. K.
Signature of Applicant

SEE PERMIT NO 2363-3
FOR WATER QUALITY DATA

Publish first publication, on or before January 5, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 15, 1977

Notice is hereby given that R. E., Ina and ^{SCOTT} ROSS Kahnke whose post office

address is Watertown, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit for an additional point of diversion to appropriate for beneficial use no additional water per second of time from ground water

through the Keith Kruthoff Irr. Proj. the point of diversion of which is to be located

in the SW 1/4 NE 1/4

#1

of Section 12, Twp. 117N Range 54W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4, SW 1/4 NE 1/4 Section 12 T117N, R54W.

This Application No. 4182-3 will be considered by the Water Rights Commission at

Pierre, South Dakota upon the 25 day of January, 1978 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

NOTE: Final Proof of Publication must be received by the hearing date for the Commission to take action.

WATER RIGHTS COMMISSION

BETTY WESTLUND
Water Rights Specialist

cc: R. E., Ina and ^{SCOTT} ROSS Kahnke, 405 5th Ave NW, Watertown, SD 57201

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Codington) ss.

I, John R. Lowrie hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water 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:

December 20th, 1977

December 27th, 1977

[Signature]
(Signature)

General Manager
(Title)

December 27th, 1977
(Date Signed)

PUBLIC NOTICE
NO. 4182-3
NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57201
December 15, 1977
Notice is hereby given that R.E.
Ina and Scott Kohnke, whose post
office address is Watertown, South
Dakota, has made an application in
accordance with the provisions of
SDCL 46-1-1 thru 46-1-8; 46-2-9 thru
46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-
5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-
5, 46-6-6.1, 46-6-10, 46-6-14 and
Commission Rules ARSD
51:01:01:01 thru 51:01:01:13, for a
permit for an additional point of
diversion to appropriate for
beneficial use no additional water
per second of time from ground
water through the Keith Kruthoff
Irr. Proj., No. 1, the point of
diversion of which is to be located in
the SW1/4NE1/4 of Section 12, Twp.
117N, Range 54W. Said water to be
used for the purpose of providing
irrigation on portions of the
following described land: SE1/4,
SW1/4NE1/4 Section 12, T117N, R54W.
This Application No. 4182-3 will be
considered by the Water Rights
Commission at Pierre, South
Dakota, upon the 29th day of
January, 1978 at 10 A.M. The
Commission is authorized to make a
determination on this application at
the hearing. All interested persons
may appear and be heard. Any
person who may be affected by a
Commission decision who desires to
present evidence or cross-examine
witnesses according to SDCL 1-26
may notify the Commission in
writing prior to the hearing or orally
at the hearing.
WATER RIGHTS
COMMISSION
BETTY WESTLUND
Water Rights Specialist
(December 20, 27, 1977)



405-5th Ave. N. 205
Watertown, S. Dak.
Dec. 17, 1977

Attention: Betty Hedlund,
Water Rights Commission
Joe Foss Building
Pierre, South Dakota - 57501



Dear Miss Hedlund:

We are in receipt of carbon copy of Form letter
7- Letter to Publisher - Notice of Intent to appropriate
Water - (Dec 15, 1977 to Kenneth B. May,
Public Opinion - Watertown, S. Dak.) No. 4182-3.

This has: "R.E., Ina + Ross Kahake." The "Ross"
is an error. It should be "Scott." (There is
no Ross Kahake.) I have called the Public
Opinion. They are correcting the error, and
have asked me to write you. Will you
kindly have this error corrected?

Thank you,
Ina Kahake

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

December 23, 1977

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

Dear Mrs. Kahnke:

This is to inform you that your Water Right Application #418J-3 has been corrected to read R.E., Ina & Scott Kahnke.

Sincerely,

Betty Westlund
Water Specialist

BW:plh

~~CONFIDENTIAL~~

4180-3, 4181-3, 4182-3,
4183-3 & 4184-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

January 30, 1978

R. E. Kahnke
405 5th Ave NW
Aberdeen SD 57401

Dear Mr. Kahnke:

The Water Rights Commission deferred action on your Application
4180-3, 4181-3, 4182-3,
No. 4183-3 & 4184-3 at the January 25-26, 1978

Commission meeting, pending investigation by the Commission Staff.

If you have any questions, feel free to contact this Office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw

REPORT ON
AREA OF CONTROVERSY IN CODINGTON AND GRANT COUNTIES
March 20, 1978

Controversy developed in northern Codington and southern Grant counties during the spring and summer of 1976. This was the beginning of the first full year of irrigation in the area and coincidentally was one of the driest years on record. There are two distinct hydrologic conditions associated with the controversy which are not related. Concern has been expressed regarding the shallow water table glacial outwash sand and gravel deposit under water table conditions associated with the Big Sioux River and its tributaries, and the other problem is associated with a deeper glacial outwash sand and gravel deposit under artesian conditions (see figures A, B, & C).

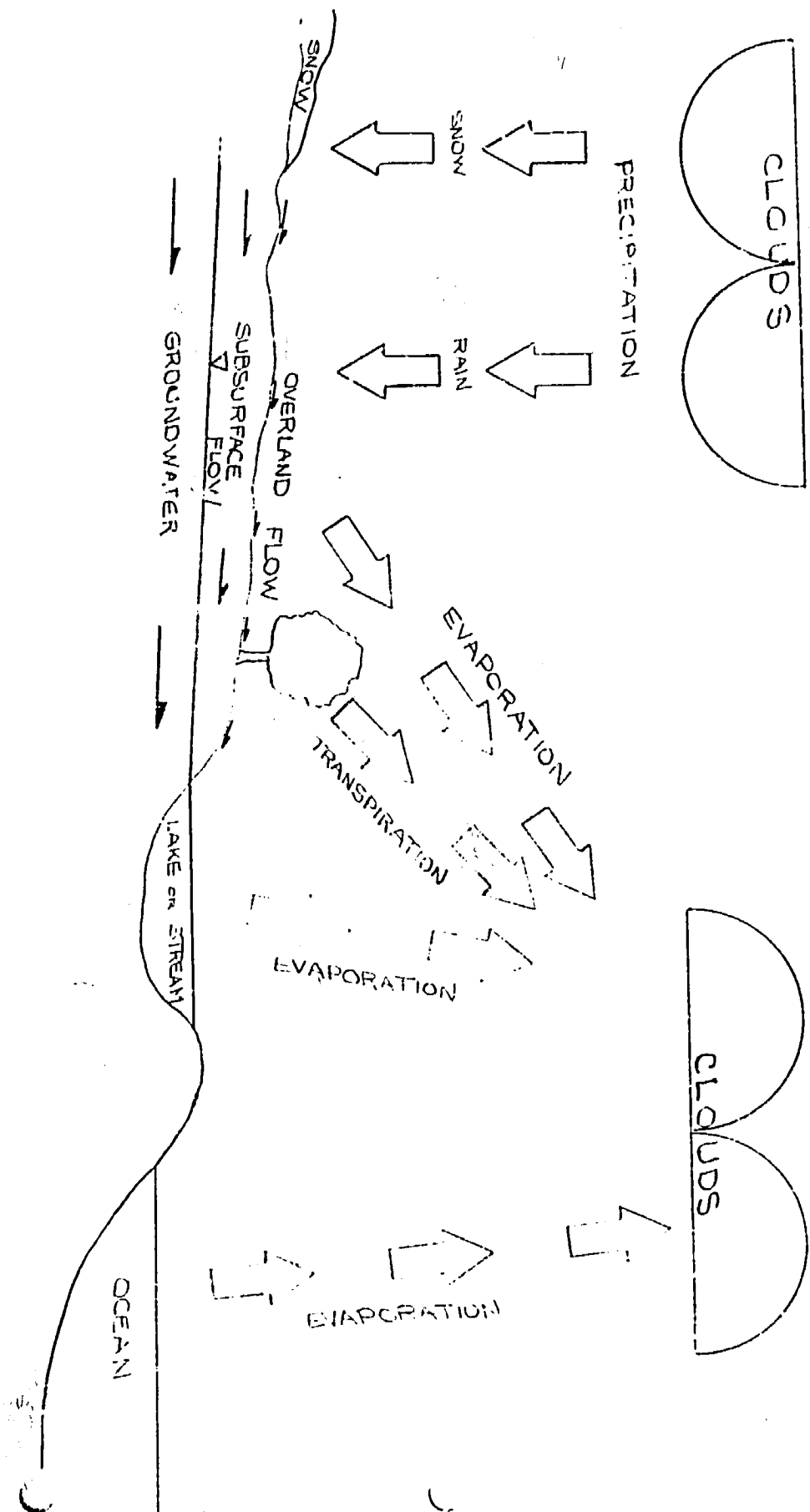
Codington and Grant Counties Water Use
(Sioux River Basin)

	1977 Reported Acreage	1977 LFS Reported	1977 Permits & Acreage	1977 Permit CFS
Irrigation Surface water	135	2.01	4 586.0	5.78
Irrigation Ground water	2926.0	32.42	47 10633.7	114.12
Watertown Municipal				18.12 with 12.85 F/U
Other Municipal Industrial and Commercial uses River Water				9.752 With 8.0 F/U

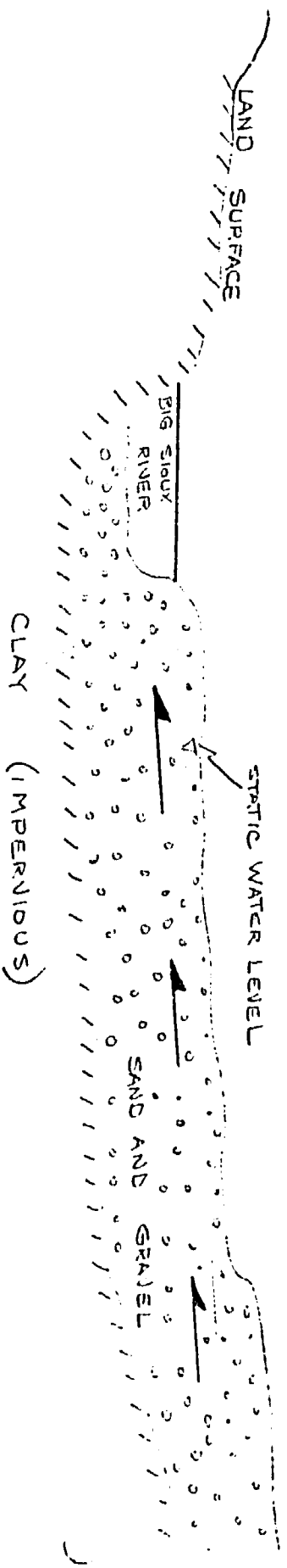
F/U - Future Use

There have been many questions and complaints concerning the Big Sioux River. The Water Rights Commission has adopted a river and well spacing policy which requires that future high capacity wells into a water table aquifer be located at least 660 feet from a river. This policy was adopted all along the Big Sioux River. This helps to diminish the effect of high capacity well pumping

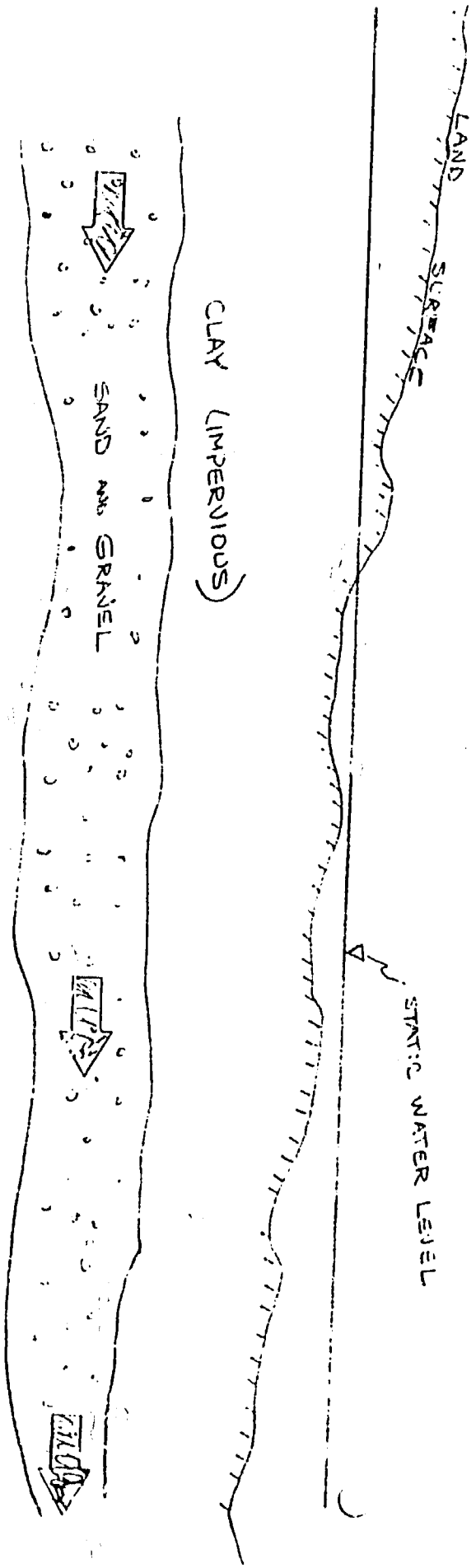
HYDROLOGIC CYCLE

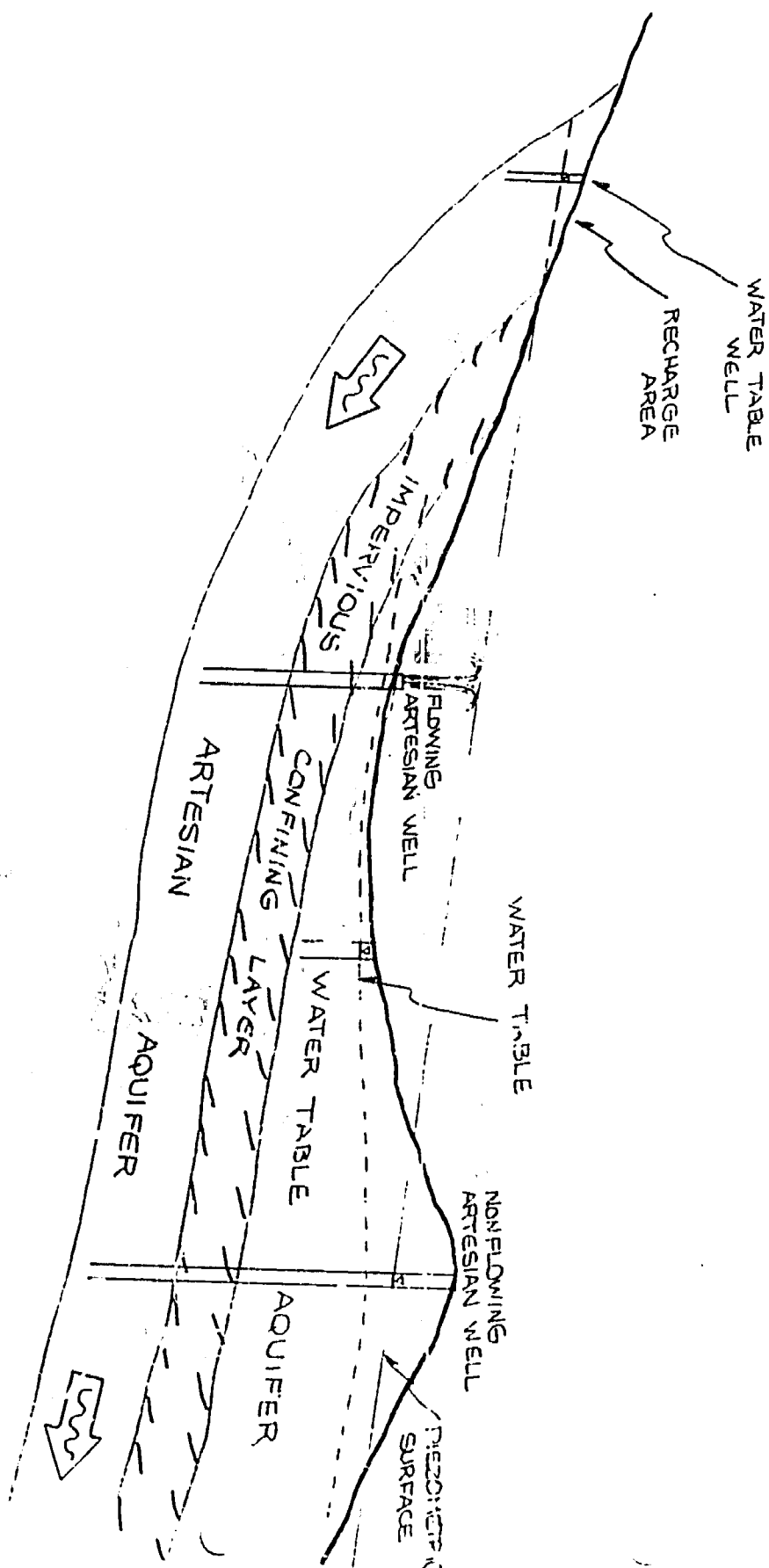


A
WATER TABLE CONDITIONS



3
ARTESIAN CONDITIONS





upon the river. There is no doubt that irrigation pumping may affect streamflow; however, the question becomes how much can be attributed to drought and how much to pumping? Under normal conditions, during dry weather, the aquifer discharges water into streams. This action continues whether high capacity pumping is going on or not. The preponderance of information collected, indicates the aquifer levels are being maintained.

WATER LEVEL INFORMATION

During 1976, the Water Rights Commission Staff measured a combination of 18 observation wells and domestic wells. Seven of the wells were in the artesian aquifer and 11 were in the water table aquifer. After reviewing this information, the Commission Staff discontinued the measuring of some of the domestic wells. In addition, the Commission Staff drilled 14 observation wells in 1977 (see figure 1). The new observation wells allow the aquifer water levels to be monitored.

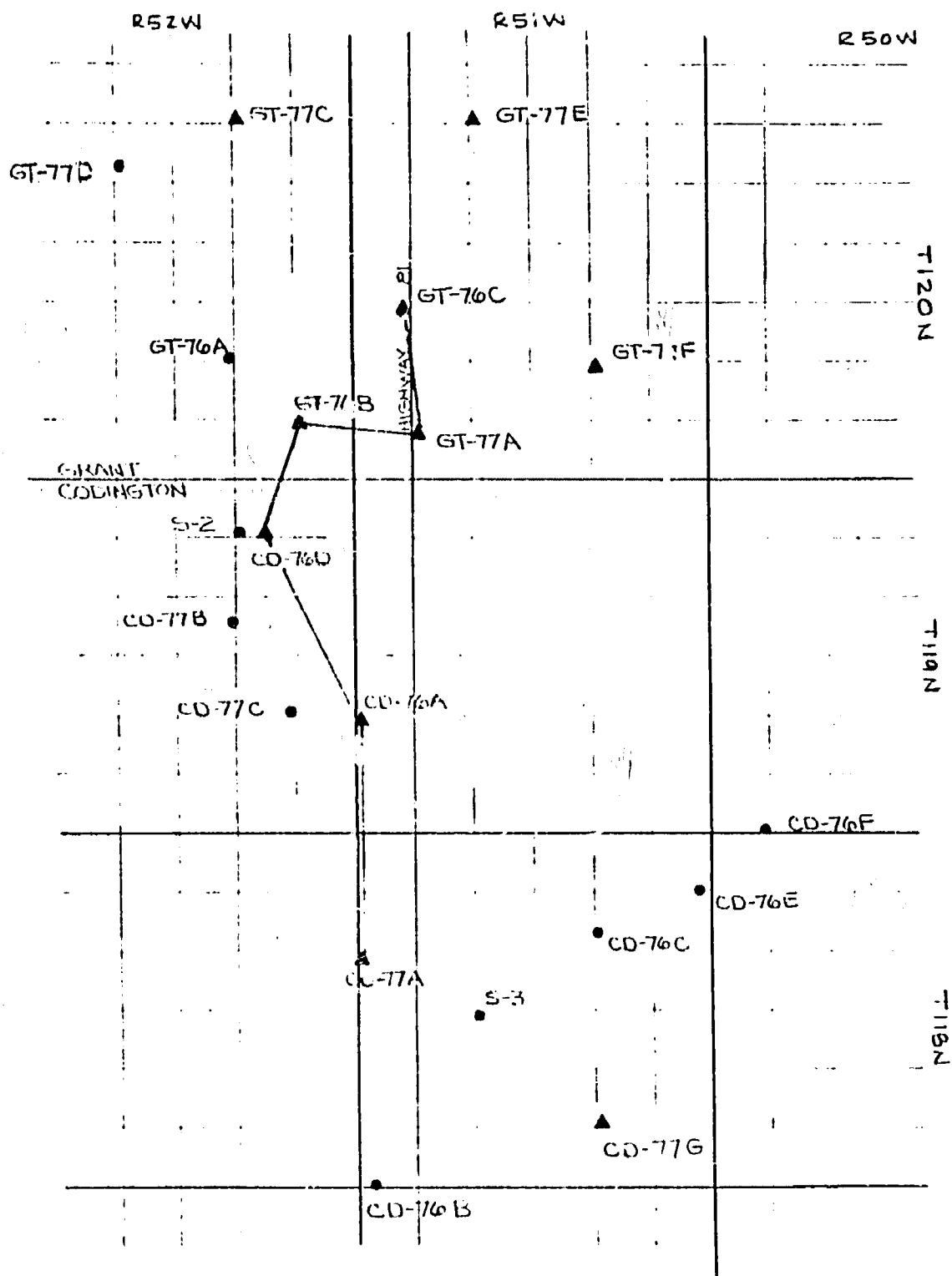
WATER TABLE AQUIFERS

There is historical information available concerning the shallow aquifers. The following chart is a summary of the readings from the shallow aquifer observation wells.

Well	Seasonal Fluctuation	High Reading	Low Reading	Present Reading
S-1(1957)	1 - 2'	7.1 7- 9-62	14.6 2- 8-77	11.5 12- 1-77
S-2(1957)	1 - 2'	6.6 7- 9-62	13.1 12- 7-66	13.9 10-18-77
S-3(1957)	1 - 2'	10.9 5- 2-73	18.6 10-29-60	14.8 12- 1-77
S-4(1957)	1 - 2'	2.4 4-22-69	16.9 9- 8-77	16.2 12- 2-77
** S-5(1957)	1 - 2'	15.15 8-29-57	23.8 8-17-77	21.7 12- 2-77
WA-1(1960)	1 - 2'	7.2 7- 9-62	12.2 2- 8-77	10.5 12- 1-77
WA-2(1960)	2 - 3'	2.7 7- 9-62	11.00 7-13-67	5.3 12- 1-77
WA-3(1960)	1 - 2'	3.5 7-18-72	15.8 10-26-60	8.2 12- 2-77
WA-4(1960)	2 - 3'	3.5 7-18-72	10.4 8- 3-76	5.5 12- 2-77

** Well is within 200 feet of rural water system well

Typically water table wells fluctuate only a few feet during a year, declining steadily during summer months; recharge usually occurs during spring snowmelt. Also, drought periods cause a gradual decline and during extended drought periods the decline is compounded by lack of large scale runoff conditions. Any period of heavy runoff recharges water table aquifers.



SCALE 1" = 2 MILE

- WATER TABLE OBSERVATION WELL
- ▲ ARTESIAN OBSERVATION WELL

ARTESIAN AQUIFER

There are two years of water level information available from the artesian aquifer. The storage, thickness and extent of the aquifer are unknown, but the addition of 10 observation wells into this aquifer indicates excellent irrigation potential. Thus far, the aquifer has been traced for a distance of 18 - 20 miles, with a width of a few miles and the thickness of the gravel is variable from a few feet up to 60 feet. The following is a summary of the water level data collected thusfar:

OBSERVATION WELL RECORDS (ARTESIAN AQUIFER)

DATE	CD-76D	CD-76A	GT-76B	GT-76C	GT-77A
6-16-76	5.8				
6-24-76	14.9				
7-2-76	16.5				
7-8-76	18.2				
7-14-76	18.8				
7-22-76	18.7				
7-28-76	20.6				
8-3-76	20.6				
8-11-76	24.8				
8-17-76	26.4				
8-26-76	26.6				
9-8-76	27.8				
9-22-76	21.5				
10-21-76	16.0				
11-1-76	12.9				
12-1-76	9.1				
2-8-77	(frozen)				
4-7-77	5.6				
6-16-77	17.0	14.2	29.0	68.7	
6-21-77	12.0	14.4	22.7	66.2	
6-29-77	10.0	13.9	21.7	64.6	
7-6-77	15.9	14.3	35.5	68.5	
7-21-77	20.1	15.5	40.7	72.0	93.4
8-3-77	24.3	17.1	42.8	73.6	96.9
8-17-77	20.3	18.6	34.6	76.0	
9-8-77	12.9	16.4	23.1	67.0	90.7
9-20-77	10.2	15.2	20.2	64.5	88.1
10-18-77	8.5	13.0	18.5	61.8	85.0
12-1-77	5.6	11.5	15.6	60.0	83.0
1-17-78	(frozen)	10.8	14.9	59.1	82.2

Note that all water levels have returned to the previous spring levels. Figure 2 and Figure 3 are plots of these same 5 observation wells. Figure 2 is a water level elevation plot showing the fluctuation due to irrigation withdrawals and Figure 3 is a diagrammatic cross-section showing the formation and water level (see figure 1). The slope of the water is generally to the south (this is called the hydraulic gradient) which indicates that the water movement is in that direction. The actual land surface has no influence upon the water levels under artesian conditions as is common under water table conditions.

PUMPING DATA FROM THE ARTESIAN AQUIFER:

The following discussion relates to what happens in and around the irrigation wells during pumping. The data from the area is incomplete and therefore suspect. A comparison between the drawdowns recorded in the observation wells and the computed or anticipated drawdowns do compare favorably with one another. A complete aquifer test would provide better information concerning aquifer characteristics.

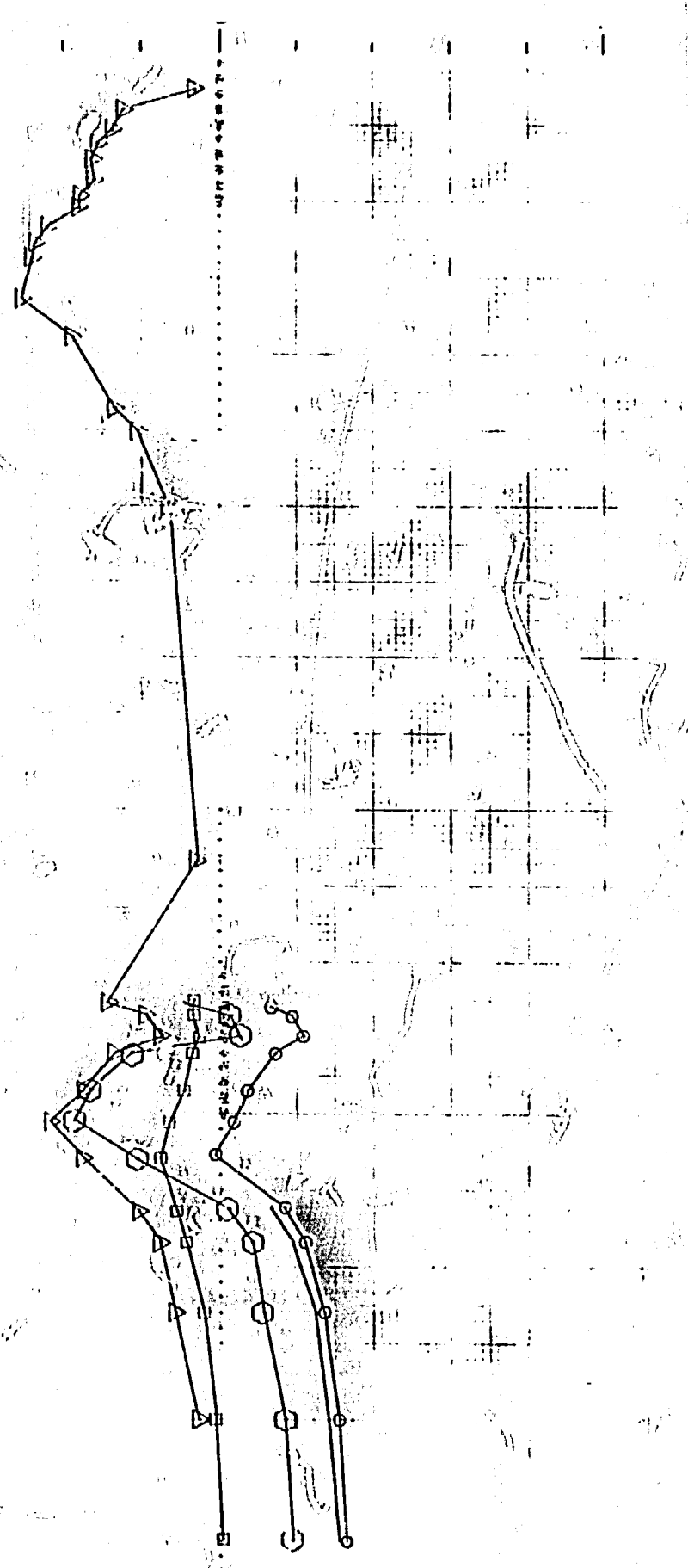
Initially in 1976, there was only one irrigation well pumping and the Commission only had one observation well located approximately 1½ mile to the south of the irrigation well. By plotting the drawdowns which occurred in the observation well (CD-76D) versus the duration of time (figure 4) some of the basic characteristics of the aquifer may be determined. Using the information obtained from the drawdown-time plot, the distance-drawdown curve (figure 5) can be constructed. This step shows how much drawdown can be expected after x number of days pumping at x gallons per minute and how far from the pumping well the drawdown extends. Figure 6, figure 7 and figure 8 are plots showing the effect of the irrigation pumping upon the aquifer with the present number of wells. These plots are simply variations of the same data. Notice that expected drawdowns anywhere around the well field can be predicted.

The plotted data assumes a constant rate of pumping and for a continuous time interval. Under actual field conditions, this never occurs. One system may be off a few days for some reason or another. Therefore, the plots should represent a conservative outlook. Under the present well field configuration pumping of existing irrigation wells continuously for 30 days would produce a drawdown of 30 - 35 feet in observation well CD-76D. This may necessitate the lowering of pumps in domestic wells within this area. A continuation of pumping could begin to affect the output of the irrigation wells themselves. For this reason it is important that standard spacing of high capacity wells be maintained.

SUMMARY OF DOMESTIC WELL QUESTIONNAIRES

Total sent	629	
Total response	232	
Well Types	Bored	216
	Drilled	74
Wells into Artesian Formation	36	

FIG. 2
 ARTESIAN JOSEPH V. ELLS WATER - ELEVATION

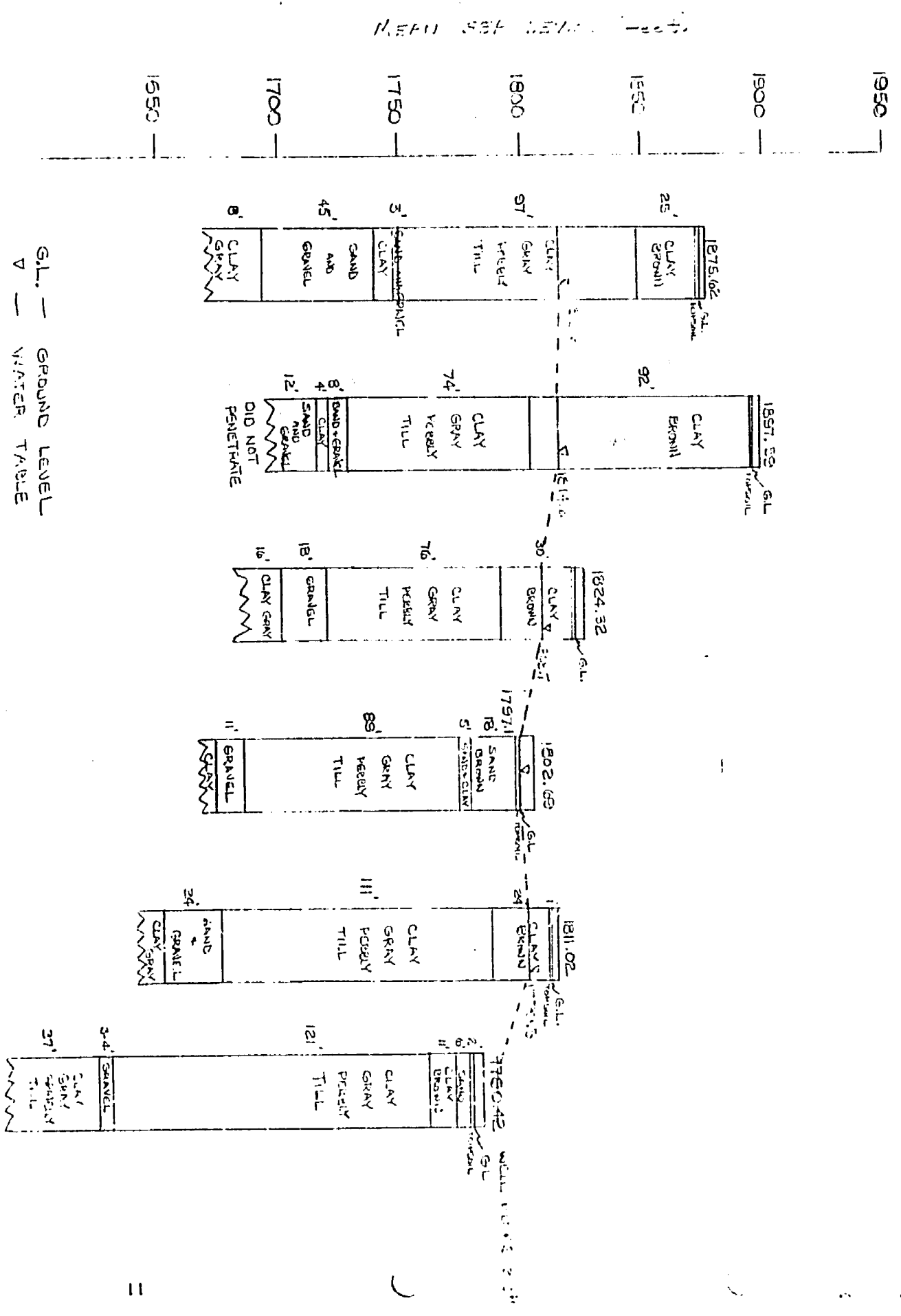


Δ CD-76D
 □ CD-76A
 ○ GT-76B
 ○ GT-76C
 / GT-77A

JULY 1976
 AUG. 1976
 SEPT. 1976
 OCT. 1976
 NOV. 1976
 DEC. 1976
 JAN. 1977
 FEB. 1977
 MAR. 1977
 APRIL 1977
 MAY 1977
 JUNE 1977
 JULY 1977
 AUG. 1977
 SEP. 1977
 OCT. 1977
 NOV. 1977
 DEC. 1977
 JAN. 1978

ST-100C ST-7A CD-7GL CD-50H CD-77E

216.3



G.L. - GROUND LEVEL
V - WATER TABLE

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, June 17, 1921

RECEIVED OF Ina C. Kahnke, 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. _____

Fee for Filing Transfer Form 4181-3 _____

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

2 50

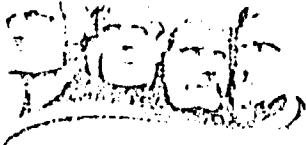
2 50

By

John H. Hotal

Chief Engineer

South Dakota



GREAT FACES. GREAT PLACES.

June 26, 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

No. 2477-3
2827-3
4180-3
(4181-3)
4183-3

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

Dear Ms. Kahnke:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Permit Nos. 2477-3, 2827-3, 4180-3, 4181-3, and 4183-3.

Our records now show you as the owner of Water Permit Nos. 2477-3, 2827-3, 4180-3, 4181-3, and 4183-3.

Sincerely,

Cheryl F. Frost

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure

Form 12

Permit No. 2130-3 & 4181-3

Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

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

I have this day made a thorough examination of the water use system constructed by R. E. Kahinke

405 - 5th Ave. N.W. of Watertown, SD 57201 holder of

Permit No. 2130-3 & 4181-3, bearing the priority of October 16 1974 authorizing

the diversion of 1.14 cu. ft. per second of the waters of Ground water

for irrigation purposes, in Codrington County.

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

A. Works used to divert the water: 2 wells
Well # 2 1- 30HP Peerless Pump Model # 262278 + SN - G104804 capable of 350gpm
driving a Fairbanks Morse motor Model # F445957 6.500gpm

Well #1 1- 4" submersible pump Grundfos pump # Model # SP4 capable of 150 gpm

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

well #2 6" steel + PVC pipe to center pivot

well #1 4" steel pipe in pivot

C. Works used to apply water to beneficial use;

4" steel pipe - pivot
used to apply water to beneficial use
last pivot - Gifford Hill 6 tower with end gun capable of 200gpm
capable of 500gpm

west pivot - Valley tower with endgun capable of 500gpm

The system is in the following condition good

The point of diversion is located well #1 - 2079' west 33' North of SE 1/4 corner

Well #2 - 1452' west 85.8' North of SE 1/4 corner Section 3-T116N-R53W

The works are capable of diverting and conveying to the place of use 111

cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: All in Sec 3-T116N-R53W

NW¹/₄ NW¹/₄ - 3 acres NW¹/₄ NE¹/₄ - 7 acres

SW¹/₄ NW¹/₄ - 21 acres SW¹/₄ NE¹/₄ - 37 acres

NE 1/4 NW 1/4 - 6 acres NE 1/4 NE 1/4 - 9 acres

SE 1/4 NW 1/4 - 37 acres SE 1/4 NE 1/4 - 36 acres

comprising a total of 1560 acres of land and the license should be issued for 111 yrs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____ Date 4/17/14

Norma C. Tob
(MIL. 411)

(sign. 410)

LICENSE FOR PERMIT NUMBER 2130-3 + 4181-3

1. Legal location of wells: SW 1/4 NE 1/4 Section 3-T116N-R53W

dams & structures: _____

2. Well Information: Well Drilling Firm Empire Irrigation Drilling Co.
well logs not available

Completion Report	Yes	No ☒	No. of Wells	<u>2</u>	Depth	_____
Casing	a) diameter	<u>Well #1 8"</u>	<u>Well #2 16"</u>	Screen	a) type	_____
	b) length	_____	_____		b) length	_____
	c) type	<u>PVC</u>	<u>Steel</u>	Static Water Level		_____
Pump	a) make	<u>Grundfos Submersible</u>	<u>Peerless</u>	Motor	a) make	<u>Fairbanks Morse</u>
	b) model	<u>SP4</u>	<u>262278</u>		b) model No.	<u>E445957</u>
	c) size	<u>4"</u>	<u>12"</u>		c) horsepower rating	<u>30</u>
	d) capacity	<u>150</u>	<u>350</u> gpm			
	e) turbine pump - no. of stages	_____				
	f) operating PSI	<u>1</u>	<u>55</u>			

3. Distribution lines or canals

a) size	<u>4"</u>	<u>6"</u>
b) type	<u>steel</u>	<u>steel-pvc</u>
c) length	_____	_____

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 _____

c) 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 _____

d) center pivot East Pivot

- 1) make Gifford Hill
- 2) number of towers 6
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) Y
- 6) high or low pressure _____
- 7) make & size of nozzles
rainbird
- 8) capacity (GPM) 500+

West Pivot

Valley

6

6

Y

Y

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?
<u>X</u>	___	6. If yes, does equipment comply with chemigation rules?

REMARKS:

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4181-3

(1) R. E. Kahnke of 405 5th Ave. NW, Watertown, SD 57201 made Application No. 4181-3, October 27, 1977 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one additional well), Codington County, South Dakota for irrigation purposes. Permit No. 4181-3 with a priority date of October 16, 1974 was approved March 28, 1978 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before March 28, 1983 and for the application to beneficial use of said water on or before March 28, 1987.

Water Permit No. 4181-3 authorized an additional point of diversion for Water Permit No. 2130-3. No. 4181-3 did not authorize additional acreage or diversion rate.

On June 30, 1991, Water Permit Nos. 2130-3 and 4181-3 were transferred to Ina C. Kahnke.

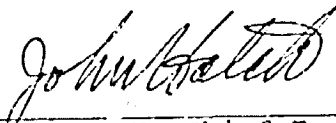
The applicable portions of Water Permit No. 2130-3 are incorporated into this Water License No. 4181-3. A priority date of October 16, 1974 is retained.

(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 1.11 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 2079'W and 33'N of the SE 1/4 corner; Well #2 - 1452'W and 86'N of the SE 1/4 corner, both in Section 3, T116N, R53W.

(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:

T116N, R53W Section 3	NW 1/4 NW 1/4	3 Acres
	SW 1/4 NW 1/4	21 Acres
	NE 1/4 NW 1/4	6 Acres
	SE 1/4 NW 1/4	37 Acres
	NW 1/4 NE 1/4	7 Acres
	SW 1/4 NE 1/4	37 Acres
	NE 1/4 NE 1/4	9 Acres
	SE 1/4 NE 1/4	36 Acres
	Total-----	156 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. 4181-3 is issued a license to appropriate water, the right to use 1.11 cubic feet of water per second from groundwater (two wells) with a priority date of October 16, 1974 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. 4181-3 and subject to South Dakota State Law.



AUG 5 1992

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, June 17, 1931

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. _____ 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>2130-3</u> (License issued under 4181-3)	50	00
Fee for Filing Transfer Form <u>2130-3</u>	2	50
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	52 50

By [Signature]
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 5 1992

4181-3

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

Dear Ms. Kahnke:

Enclosed is Water License No. 4181-3. This is the final water right document completing your process of obtaining a Water Right.

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. 4181-3, 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 No. 2130-3 are incorporated into this Water License No. 4181-3.

NOTICE OF WELL CONSTRUCTION

4181-3

(1) WELL CONSTRUCTION

Location of well: 1/4 1/4 S.E. Section 3 Township 11N Range 5.3
 Well owner R.E. Kohnke Water town, S.D. 57201
 Date well drilling completed 3-11-75 Purpose of well Irrigation
(Name) (Address) (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	
0-3	Top Soil	Depth to static water level	8 ft.
2-4	clay	Name of producing aquifer (if known)	gravel
4-3.3	sand & gravel	Total depth of drill hole	3.5 ft.
3.3-3.5	clay	Depth to bottom of casing	3.3 ft.
		Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.	
		0-23 7" O.D. Steel	
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.	
		23-33 6" Johnson galv.	
		If a flowing well, flow of completed well <u>100</u> G.P.M.	

Attach sheet if more space is needed

Empire Irrigation Drilling Co., Inc.
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump Not by Empire HP
 Type of pump Capacity of installed pump G.P.M.
 Depth of pump placement ft., Date of pump installation

(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, MINIMUM WELL CONSTRUCTION STANDARDS.

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

Name of Pump Installation Contractor



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 1b.
- 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 fee.

3. Article Addressed to:

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

4181-3

4a. Article Number

P 378 081 301

4b. Service Type

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

7. Date of Delivery

2-6-97

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X Kim Braker

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



4181-3

February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: CSS FARM3, 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

4181-3

**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.



4/181-3

**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



4181-3
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:

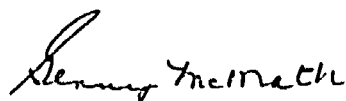
2827-3	James Wohlleber, 1305 N Broadway, Watertown, SD 57201 (605) 881-3795 - cell; (605) 886-4773 - phone
4180A-3	"
4184-3	"

4181-3	Virgil Borns, 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

4181-3



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,

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

enclosures



4181-3
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: VIRGIL BORNES, OPERATOR, 1218 34TH ST SW, 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. 4182-3 and 4181-3. 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. 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. 4182-3 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 No. 4182-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No. 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 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 9, 2001

NOTICE

TO: Virgil Borns, 1218 34th St SW, Watertown, SD 57201
Jabe Kahnke, 4003 Palos Verdes Dr S, Rancho Palos Verdes, CA 90275

FROM: Garland Erbele Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: Amendment of Water Right No. 4181-3 & One Year Suspension of Water Right No. 4182-3

Pursuant to the provisions of the notice dated January 19, 2001, and following the hearing March 7, 2001, the Water Management Board took the following actions:

- 1) Water Right No. 4181-3, authorizing irrigation of land in the N ½ Section 3, T116N, R53W, was **AMENDED** to add the following qualification:

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

The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

- 2) Water Right No. 4182-3, authorizing irrigation of land in the E ½ Section 12, T117N, R54W was **SUSPENDED**:

The Water Management Board has ordered:

That Water Right No. 4182-3 be suspended until December 31, 2001, for failure to submit the 2000 Irrigation questionnaire.

Suspension of a water right means water may not be pumped during the 2001 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension, you will need to submit the 2000 irrigation questionnaires and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 2, 2001 in Pierre, SD. The letter should include your reasons for not completing the 2000 irrigation questionnaires.

Please contact Genny McMath (605) 773-3352, if you have any questions.



4181-3
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



4181-3
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.



4181-3

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.

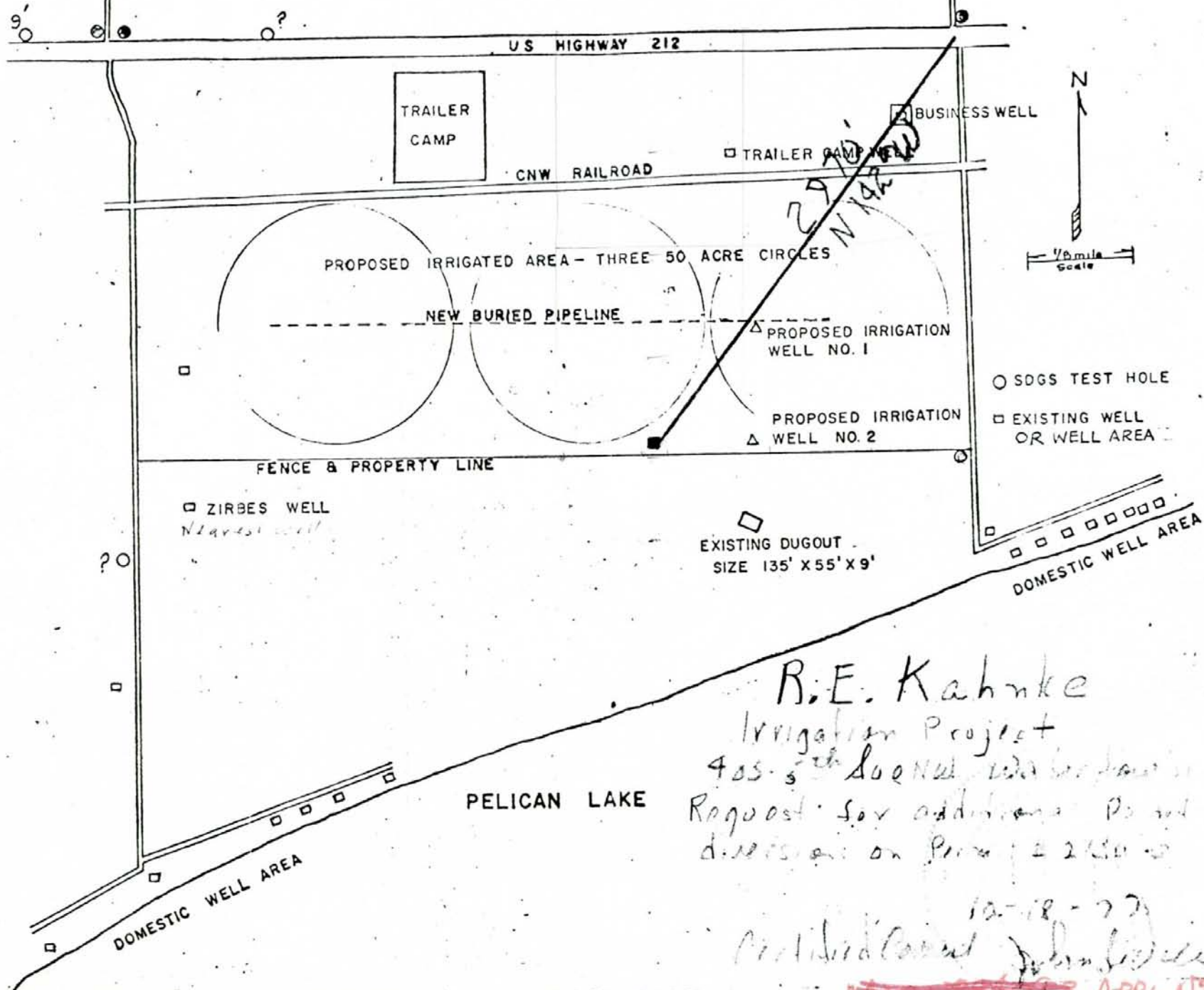
Sincerely,

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

c: Jabe Kahnke

SKETCH MAP

WATER RIGHT APPLICATION NO. R.E. KAHNKE
2130-3



R.E. Kahnke
Irrigation Project
405.5th Avenue Water Right
Request for additional Point of
diversion on Permit 2130-3

12-18-77

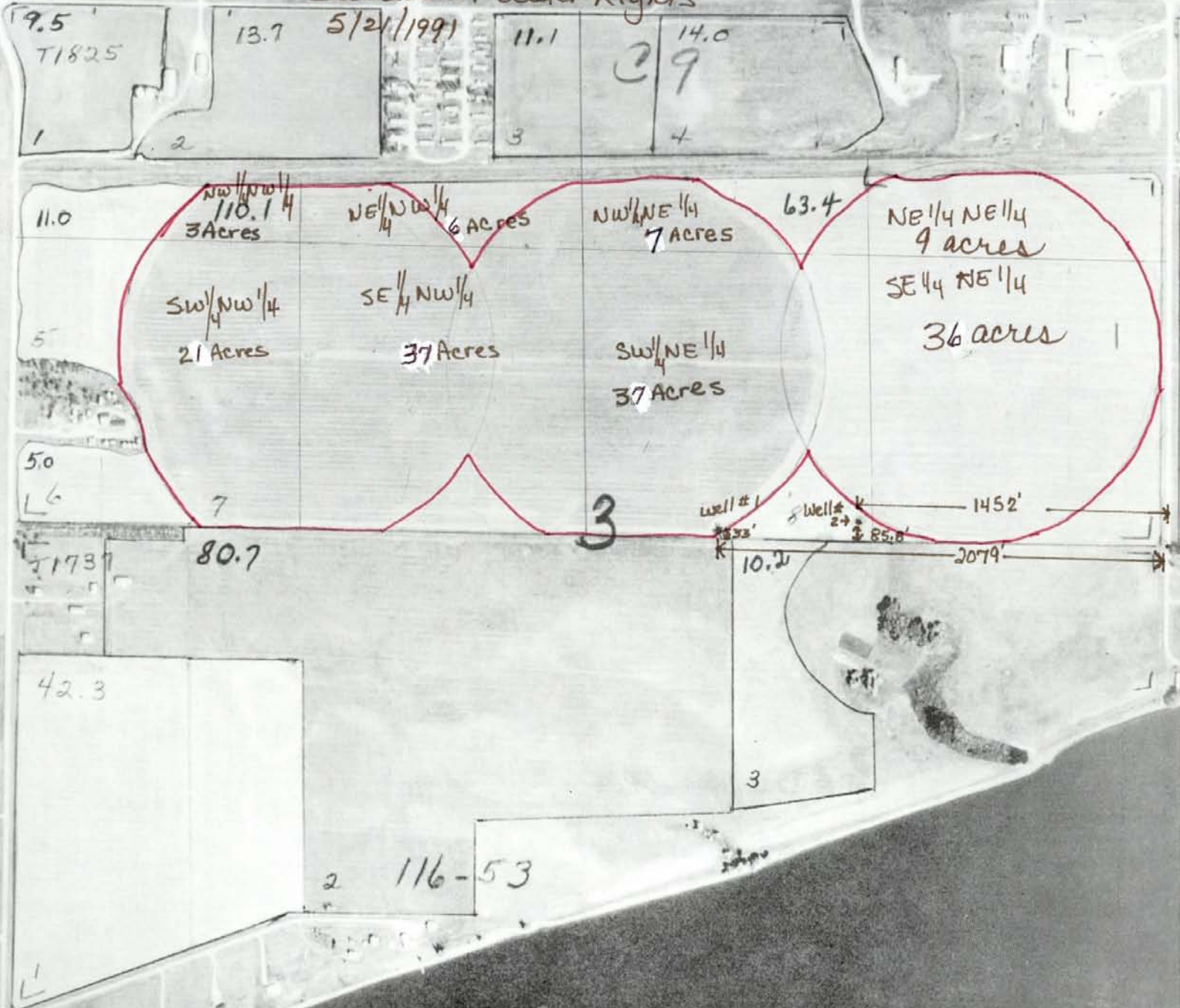
Notified Board John L. Williams

~~WATER RIGHT 2130-3~~ APPLICATION 2131-3

permit # 2130-3 + (4181-3)

NOT TO SCALE

Prepared by Norma C. Tob
Natural Resource Engineer I
Division of Water Rights



No. 4181-3

Lake Pe



**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,

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

enclosures



4181-3
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.

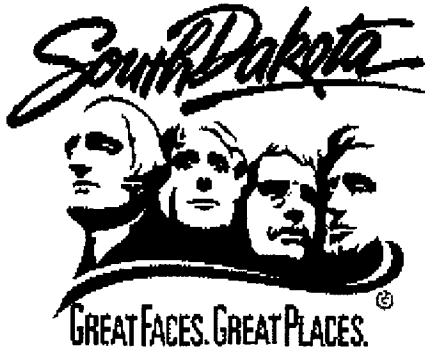
The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by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



4181-3
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.



**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

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. 4181-3

Date: 1-5-14

I/We request that Water Right No. 4181-3

formerly owned by: Ina C Kahnke

be transferred to: (name & address) Pelican Plaza P.O. Box 694
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:

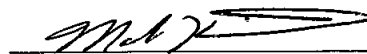
156 acres - N ½ Section 3, T116N, R53W

I/We understand that the validity of Water Right No. 4181-3 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 Pelican Plaza, the new owner, certify that the above information is true and correct.



(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/7, 20 14

RECEIVED OF Pelican Plaza LLC 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 _____ 4181-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	50	00

No. **06602**

By *Jeanne Goodman*
Chief Engineer

4181-3



**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,

A handwritten signature in black ink that reads 'Genny McMath'.

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

enclosures