

Considered: _____

WATER PERMIT NO. 4515A-3

Phone: _____

Name of Applicant: Bill & Marilyn Baillie

Post Office Address: Box 26, Olivia MN

Amount of Water Claimed: no add'l (2.1) Total Acres: no add'l (156)

Source of Water Supply: groundwater

Water to be used for: irrigation County: BK

About 1 south, 1 miles east of Brookings

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 10-25-90 Fee: \$50 Remarks change the

diversion point on 4515-3

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

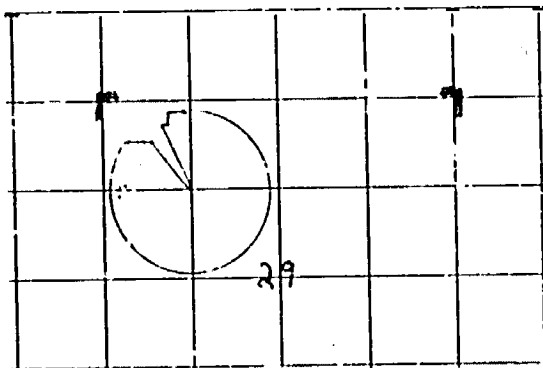
WATER QUALITY APPROVAL RECEIVED 5/1/79 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: W 1/2 quarter line of NW 1/4

29-110-48

Land to be Irrigated: NW 1/4 29-110-48



Well Log: Driller: Grimshaw Drilling License: YES x NO _____

Depth of Well: 60' REMARKS well depth is an estimate since actual log could not be located, well is over 650' from where previously advertised

Type of Map: aerial PREPARED BY: Mark Rath Reviewed and the Number

Assigned on 10-31-90 By Faren Schlaak

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-8202

No. 4515A-3 Hydrologic Unit 10170100
Basin Big Sugar River
Newspaper Free Press Daily Register

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

Type of Application: ☐ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☒ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

Applicant BILL AND MARILYN BAILLIE Phone No. _____
Address Box 26 OLIVIA State IN 56277
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) NO ADD'L Total acres irrigated SEE PERMIT 16 4515-2

3. Source of Water supply GROUND WATER

4. Location of point of diversion FROM THE NW CORNER OF SECTION 29-T10N-R48W
1320' SOUTH AND 350' EAST

County BROOKINGS

5. Counties where water will be used BROOKINGS

6. Annual period during which water is to be used APRIL 1 - 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.
NW 1/4 NW 1/4	29-110-48	25
NE 1/4 NW 1/4	" "	34
SE 1/4 NW 1/4	" "	34
SW 1/4 NW 1/4	" "	34

Land Description	No. Acres Int.

Although there is much more to be learned

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

9. Crops to be Irrigated: CORN, SOYBEANS, EDIBLE BEANS, ALFALFA, SMALL GRAINS.

10. Give a description of proposed project. (Attach sheet if more space is needed) CHANGE POINT of DIVERSION FOR IRRIGATION COVERED UNDER WP 4515-3

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 Beau Riv.) ss

County of San Diego
 Less L. CARLSON, Natl. Central Ag. Service, Inc.

1, for William P. Mays, Jr., 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 Jason H. Carlson Sec
John Phillip and Maury Baillie
this 20th day of October 1970
John H. Johnson
Notary Public

LEORA K. JOHNSON
NOTARY PUBLIC-MINNESOTA
DENVER COUNTY Sub
R/ Comm. Expires Nov. 12, 1991

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- Drill Hole Diameter 18 inches Depth 63 feet
- Casing Type Plastic Diameter 16 inches Thickness _____
- Screen Type Stainless Steel Diameter 16 inches Thickness _____
- Gravel Pack Thickness 12 inches Length of Gravel Pack _____
- Depth to Top of Water Bearing Material 25 feet
- Depth to Water (ground surface to water level) 30 feet
- Distance to nearest existing domestic well:
On applicants property NONE On property owned by others Approx 1400 feet

2. Dugout Information Estimates

- Surface Dimensions _____ Depth _____
- 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.

- 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 _____

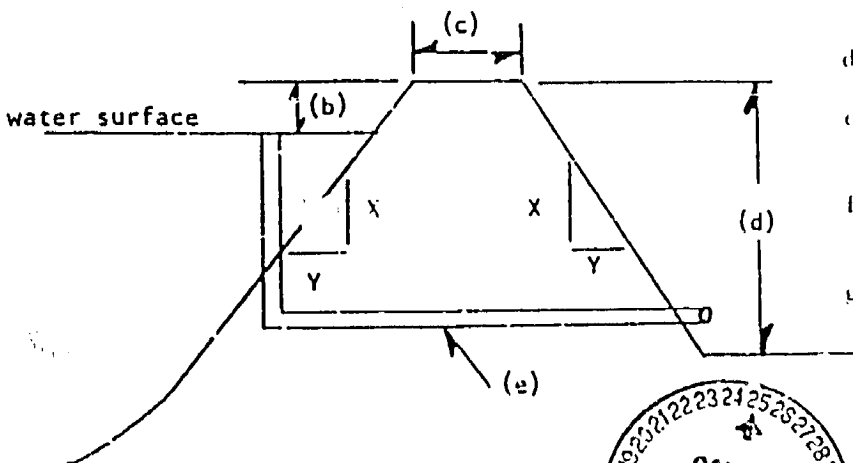
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

SOUTH DAKOTA
WATER PERMIT No. 4515A-3 FOR IRRIGATION

Date of first receipt of application October 25, 1990.
Date Soil/Water Compatibility Permit received May 4, 1979.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 4515A-3 to Bill and Marilyn Baillie, Box 26, Olivia, MN 56277 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. 4515A-3 specifies the correct location of an existing irrigation well. Water Permit No. 4515-3 appropriates 2.1 cubic feet of water per second for irrigation of 156 acres in the NW1/4 Section 29, T110N, R48W from one well 63 feet deep in the approximate center of the NW1/4 Section 29, T110N, R48W. The correct location of the existing well is along the quarter line of the W1/2 NW1/4 Section 29, T110N, R48W. No increase in diversion rate or acres irrigated are authorized by this Permit.
2. The amount of the appropriation may not exceed 3 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 of approval of Permit No. 4515A-3 is February 1, 1991.
4. The date from which applicant may claim right is April 28, 1980. (established by Water Permit No. 4515-3)
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 well 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: _____

John Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

MAR 27 1991

(date)

REPORT ON WATER PERMIT APPLICATION NO. 4515A-3
BILL AND MARILYNN BAILLIE
NOVEMBER 7, 1990

Application No. 4515A-3, Bill and Marilyn Baillie, proposes to correct the location of the diversion point covered under Water Permit No. 4515-3. An inspection of Water Permit No. 4515-3 on August 17, 1990 found the diversion point to be in a different location than what was authorized. Water Permit No. 4515-3 listed a single diversion point which was to be located near the center of the NW1/4 of Section 29-T110N-R48W. The actual location is 350 feet east and 1320 feet south from the NW corner of Section 29. This diversion point is at a distance greater than 660 feet from the original point of diversion. There is to be additional diversion beyond the 2.1 cubic feet of water per second (cfs) already appropriated under Water Permit No. 4515-3. The inspection found that allowable diversion rate for the acres irrigated is 1.81 cfs, the irrigation system capacity is 1.83 cfs. The water permit will be licensed for a diversion rate of 1.81 cfs and the irrigation system capacity will be required to be reduced to that rate. The original priority date of April 28, 1980 should be retained.

Water Source - Big Sioux - Aurora (BS-A)

The proposed diversion point would be from one completed well which has been drilled to a depth of approximately 60 feet into the Big Sioux-Aurora Aquifer. The well is located within 1400 feet of Observation Well BG-77H. Water level records for the observation well reflect fairly constant readings with some yearly fluctuations.

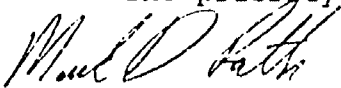
Review of Existing Water Rights

There are nine existing water rights for irrigation located within one and half miles of the proposed application. This irrigation system has been operated for several years with no reported controversy. There would be no adverse interference expected from this proposed diversion.

Conclusions

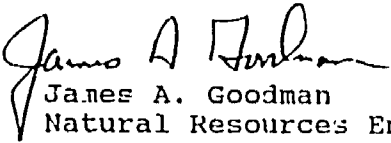
1. Water is available for the proposed diversion from the Big Sioux-Aurora Aquifer.
2. There is to be no additional diversion of water. If approved the water permit will be licensed at a diversion rate of 1.81 cfs based on acreage irrigated and the irrigation system capacity will have to be reduced to that rate.

3. There would be no adverse interference with existing water rights expected.
4. Observation well records reflect fairly constant readings with some yearly fluctuations.
5. The priority date of April 28, 1980 should be retained.



Mark D. Rath
Natural Resources Engineer II

Approved by:



James A. Goodman
Natural Resources Engineer IV

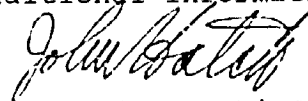
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4515A-3, Bill and Marilyn Baillie

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4515A-3, Bill and Marilyn Baillie, Box 26, Olivia, MN.

The Chief Engineer is recommending APPROVAL of Application No. 4515A-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 well 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
December 14, 1990



DEPARTMENT OF WATER & 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.

December 27, 1991

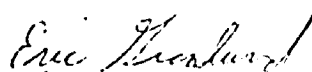
Bill & Marilyn Baillie
Box 26
Olivia, MN 56277

Dear Mr. & Mrs. Baillie:

Water Permit Application No. 4515A-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 Brookings Daily Register printed at Brookings, 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
605 773-3352

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.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 27, 1990

Brookings Daily Register
Box 177
Brookings, SD 57006

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 4515A-3 to be published twice. Please publish the first notice on January 3, 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 Bill and Marilyn Baillie, Box 26, Olivia, MN 56277.

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
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 January 3, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4515A-3 to Amend
Water Permit No. 4515-3

Notice is given that Bill and Marilyn Baillie, Box 26, Olivia MN 56277 have filed an application for a water permit to specify the correct location of an existing irrigation well. Water Permit No. 4515-3 appropriates 2.1 cubic feet of water per second for irrigation of 156 acres in the NW 1/4 Section 29-T110N-R48W from one well 63 feet deep in the approximate center of the NW 1/4 Section 29-T110N-R48W. The correct location of the existing well is along the quarter line of the W 1/2 of the NW 1/4 Section 29-T110N-R48W. This application does not authorize any increase in the developed irrigated acreage or any increase in the water appropriation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 4515A-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 January 21, 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. 4515A-3 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for February 1, 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 February 1, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place 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 February 1, 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 January 21, 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 Brookings) ss.

I, Rob James

certify that the attached printed Notice was taken
from the Brookings Register

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

_____ of _____

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

January 3, 1991

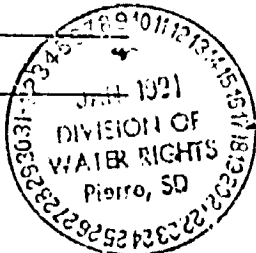
January 10, 1991

[Signature]
(Signature)
Resident
(Title)
1/3/91
(Date Signed)

Cost of Printing: _____

18 1/2 inches @ 1.70

Thirty-one dollars and three cents



Legal S-1, 2x, Jan. 3, 10

NOTICE OF HEARING on

Application No. 4515A-3 to Amend
Water Permit No. 4515-3

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acres in the NW 1/4 Section 29-T10N-R48W from one well 63 feet deep in the approximate center of the NW 1/4 Section 29-T10N-R48W. The correct location of the existing well is along the quarter line of the W 1/2 of the NW 1/4 Section 29-T10N-R48W. This application does not authorize any increase in the developed irrigated acreage or any increase in the water appropriation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 4515A-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 January 21, 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. 4515A-3 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for February 1, 1991, at 9:00 am in Room 113, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the February 1, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place 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 February 1, 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 January 21, 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 persons 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 1-25. 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.

 **Department of
Water & Natural Resources**

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

September 10, 1990

attn: Leon
Bill and Marilyn Baillie
c/o North Central Ag
Box 26
Olivia, MN 56277

Dear Mr. and Mrs Baillie:

On August 17, 1990 I made an inspection of your irrigation system located in Section 29-T110N-R48W of Brookings County, South Dakota and covered under Water Permit 4515-3. At that time I found that your irrigation project had not been developed as stated in the permit. The permit lists the location of the well as being near the center of the NW1/4, the actual location of the well is 970 feet west of that point, which is greater than the 660 feet allowed by law. Because of this, a new permit changing the point of diversion must be applied for.

Enclosed is a set of partially completed applications and an instruction sheet. Look these over carefully to make sure that the information listed is correct. I looked through our files and was not able to find an as-built well log. Please check your files to see if you have a copy of this well log and enclose it with the application. I do not believe that you will need to have the soil and water compatibility tests run again.

You will need to return the signed forms along with a \$50.00 fee to this office. If there are any questions feel free to contact me.

Sincerely,



Mark D. Rath
Natural Resources Engineer II
Water Rights Division
(605, 773-3352)

enclosure

File No.

Water Rights Division -DWNR
Conversation or File Documentation

NAME OF PERSON OR FILE: William and Mariland Baillie (Leon
Carlson)

ADDRESS: Olivia MN COUNTY: Brookings

DATE: 10/18/90 TELEPHONE:

RE: New application for water permit

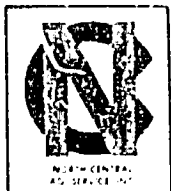
COMMENTS:

Mr. Carlson called he wanted to know how he was to fill out form 2A, since the driller was out of business, could he do it. I told him that he could fill it out. I also told him to sign form 2 and have it notarized. Also he would need to send the fee in with the application. I said that I thought the application if sent in now could be considered at the February 1991 Water Managment Board meeting.

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.



Mark D. Rath
Natural Resources Engineer II
DWNR, Water Rights Division



REALTORS'

NORTH CENTRAL®

AGRICULTURAL SERVICE, INC.

P.O. Box 26 • 815 E. Olive • Olivia, Minnesota 56277-0026 • (612) 523-1951



October 22, 1990

Mr. Mark D. Rath
Natural Resources Engineer II
Water Rights Division
South Dakota Dept. of Water &
Natural Resources
Joe Foss Building
523 East Capital
Pierre, SD 57501-3181

Re: Application to Appropriate Water
William & Marilyn Baillie Farm
Brookings County, South Dakota

Dear Mr. Rath:

Enclosed please find information requested regarding the above-referenced farm. As I indicated via telephone, information regarding the irrigation well has been difficult to locate due to the well driller (Grimshaw Well Drilling) is no longer in business. I have filled out the forms to the best of my knowledge and endorsed a \$50.00 check as requested.

Sincerely yours,

Leon Carlson
Farm Manager

LC/lkj

Enclosure



SALES • EXCHANGES • MANAGEMENT

Members of the Realtors Land Institute of National Association of Realtors, and
The American Society of Farm Managers and Rural Appraisers



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierrre, _____ October 27, 1980

RECEIVED OF _____ North Central Ag Service Box 26, Ollivla NE 56277-0026

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

Fee for Application for Permit No. <u>4515-3</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

GHIMSHAW DRILLING CO.

DRILLING LOG

924 South Melrose
Sioux Falls, S.D. 57106
Phone 605-332-6974

Name Dianne Thompson Date 4-24-79

Address 41 FARMER'S Trg.

County BRICK Sec. 29 Twp 110 Range 48
N1/4 Altav MARTIN PETERSON

NO. FT	DIA.	RATE	CASING	TOTAL
<u>125'</u>	<u>4 3/4"</u>	<u>22.50</u>		<u>2812.50</u>

BALANCE DUE:

#1 Middle of Quaternary #2 60' 1st well from dble
0' to 2' Topsoil 0' to 2' Topsoil
2' to 28' Brown clay 0' to 2' Topsoil
28' to 34' Red sand 2' to 17' Brown clay
34' to 37' Brown clay 17' to 27' Clay + sand
37' to 56' Orange sand 27' to 50' Orange sand
56' to 90' Grey clay 50' to 83' good grey sand
90' to 100' Blue clay 83' to 85' Blue clay

ft to ft ft to ft
ft to ft ft to ft
ft to ft ft to ft
ft to ft ft to ft

STATIC WATER LEVEL

Gary M. Wells

REMARKS: #2 hole - lower sand so very good quality suggest 15' of red slit



IRRIGATION INFORMATION

Unit No. 8

Federson Farm

1. Location - approximately 1150' west of pivot point
2. Land Description - Northwest Quarter of Section 29,
Township 110, Range 48
3. Depth - 50 - 60'
4. Depth of water bearing formation - 60'
5. Quality of water - State granted permit
6. Gallons per minute - 750
7. Static water level change - unknown
8. Well only serves one pivot
9. Age of well - 1979

Pumps

1. High pressure
2. Johnson screen
3. Make of pump - Western land roller drive

Power

1. U. S. Electric - 50 hp - 1979

Pivot

1. Approximately 1150' from well to pivot
2. Reinke Center Pivot
3. Electric Drive Pivot
4. Straight
5. 128 irrigated acres (ASCS)
6. Installed in 1979.

** This information is from sources deemed reliable, but is not guaranteed by agent. Package is subject to prior sale, price change, correction or withdrawal.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

MAR 27 1991

Bill and Marilyn Baillie
Box 26
Olivia, MN 56277

Dear Mr. & Mrs. Baillie:

Enclosed is Water Permit No. 4515A-3 For Irrigation authorizing your water diversion system and the application of water beneficial use, 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,

A handwritten signature in cursive script, appearing to read "John Hatch".

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

enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

612008

Pierre, _____ April 4, 19 01

RECEIVED OF North Central Agricultural Service, Inc.

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>4515A-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 John H. Hark
Civil Engineer

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

I have this day made a thorough examination of the water use system constructed by BILL E MARICKMAN
BAILLIE of Box 26, OLIVIA, MN holder of

Permit No. 4515-3 ; 4515H-3, bearing the priority of APRIL 28 1980 authorizing

the diversion of 2.1 cu. ft. per second of the waters of GROUND WATER

for IRRIGATION purposes, in BROOKINGS County.

A. Works used to divert the water: *A WESTERN LAND ROLLER PUMP WITH A 850 g.p.m. CAPACITY*

B. Works used to transport water to place of use: 970 Feet of 6" PVC PIPE

C. Works used to apply water to beneficial use: *A 1292' 8 TOWER REINICE CENTER PILOT*

The system is in the following condition Good

The point of diversion is located FROM THE NW CORNER OF SECTION 29-T10N-R4E
1320' SOUTH, 350' EAST

The works are capable of diverting and conveying to the place of use 1.89

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 LANDS LOCATED IN

SECTION 29-T110N-R48W, NW¹/₄ NW¹/₄ - 25ac

NE 1/4 NW 1/4 - 34 ac

SE 1/4 NW 1/4 - 34 ac

SW 1/4 NW 1/4 - 34 ac

comprising a total of 127 acres of land and the license should be issued for 1.81 cts

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____ Date 8/17/90

(signature)

LICENSE FOR PERMIT NUMBER 4515-3 & 4515A-3

1. Legal location of wells: FROM THE NW CORNER OF SECTION 29-T110N-R48W
1320' SOUTH, 350' EAST

dams & structures: _____

2. Well Information: Well Drilling Firm GRIMSHAW

TEST HOLE LOG DRILLER AS LONGER IN BUSINESS

Completion Report Yes No 1 No. of Wells 1 Depth 63'

Casing a) diameter 16" Screen a) type JOHNSON STAINLESS STEEL
b) length - b) length -

c) type PLASTIC Static Water Level 15'

Pump a) make WESTERN LAND ROLLER Motor a) make U.S. ELECTRICAL

b) model 79218 b) model No. 364TP

c) size 8" c) horsepower rating 60

d) capacity 850 gpm

e) turbine pump - no. of stages 5

f) operating PSI 50

3. Distribution lines or canals

a) size 6"

b) type PVC

c) length 970'

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

- 1) make REINKE
- 2) number of towers 3
- 3) distance between towers _____
- 4) overall length 1292
- 5) end gun (Y/N) Y
- 6) high or low pressure LO
- 7) make & size of nozzles
RAINBIRD
- 8) capacity (GPM) 850

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

REMARKS:

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4515A-3

(1) Bill and Marilyn Baillie of Box 26, Olivia, MN 56277 made Application No. 4515A-3, October 25, 1990 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one existing well), Brookings County, South Dakota for irrigation purposes. Permit No. 4515A-3 with a priority date of April 28, 1980 was approved February 1, 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. 4515A-3 specifies the correct location of an existing irrigation well (the well was originally authorized by Permit No. 4515-3). No increase in diversion rate or acres irrigated were authorized by No. 4515A-3.

The applicable portions of Water Permit No. 4515-3 are incorporated into this Water License No. 4515A-3. An April 28, 1980 priority date is retained.

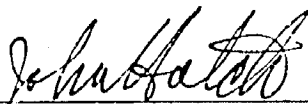
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.81 cubic feet of water per second for beneficial use. The location of the diversion point is: 1320'S and 350'E of the NW corner of Section 29, T110N, R48W.

(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:

T110N, R48W Section 29
NW1/4 NW1/4 25 Acres
NE1/4 NW1/4 34 Acres
SE1/4 NW1/4 34 Acres
SW1/4 NW1/4 34 Acres
Total 127 Acres

(4) Pursuant to Section 46-5-30.1 Bill and Marilyn Baillie of Box 26, Olivia, MN 56277 the holder(s) and/or owner(s) of Incorporated No. 4515A-3 is issued a license to appropriate water, the right to use 1.81 cubic feet of water per second from groundwater (one well) with a priority date of April 28, 1980

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 No. 4515A-3 and subject to South Dakota State Law.



MAY 10 1991

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



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

MAY 10 1991

4515A-3

Bill and Marilyn Baillie
Box 26
Olivia, MN 56277

Dear Mr. and Ms. Baillie:

Enclosed is Water License No. 4515A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412626 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. 4515A-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.

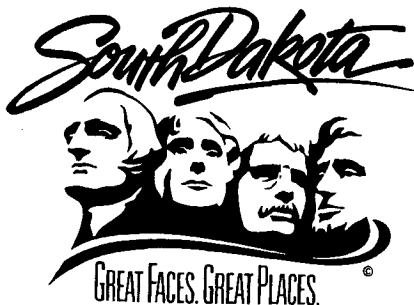
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Permit No. 4515-3 are incorporated into this Water License No. 4515A-3.



4515A-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: BILL & MARILYNN BAILLIE, NORTH CENTRAL AGRICULTURAL SERVICES, PO BOX
26, OLIVIA, MN 56277 0026

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4515A-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 4515A-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) 4515A-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 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 at (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.



4515A-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 0148

Your item was delivered at 3:55 pm on January 25, 2005 in OLIVIA, MN 56277. The item was signed for by L RUSTAD.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

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Track & Confirm

Enter label number:

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 0148

BILL & MARILYNN BAILLIE
NORTH CENTRAL AGRICULTURAL SERVICE
PO BOX 26
OLIVIA MN 56277 0026

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

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PS Form 153, July 2001



**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 21, 2005

4515A-3

Bill & Marilyn Bailie
North Central Ag Services
PO Box 26
Olivia MN 56277-0026

Dear Mr. & Mrs. Bailie:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 4515A-3.

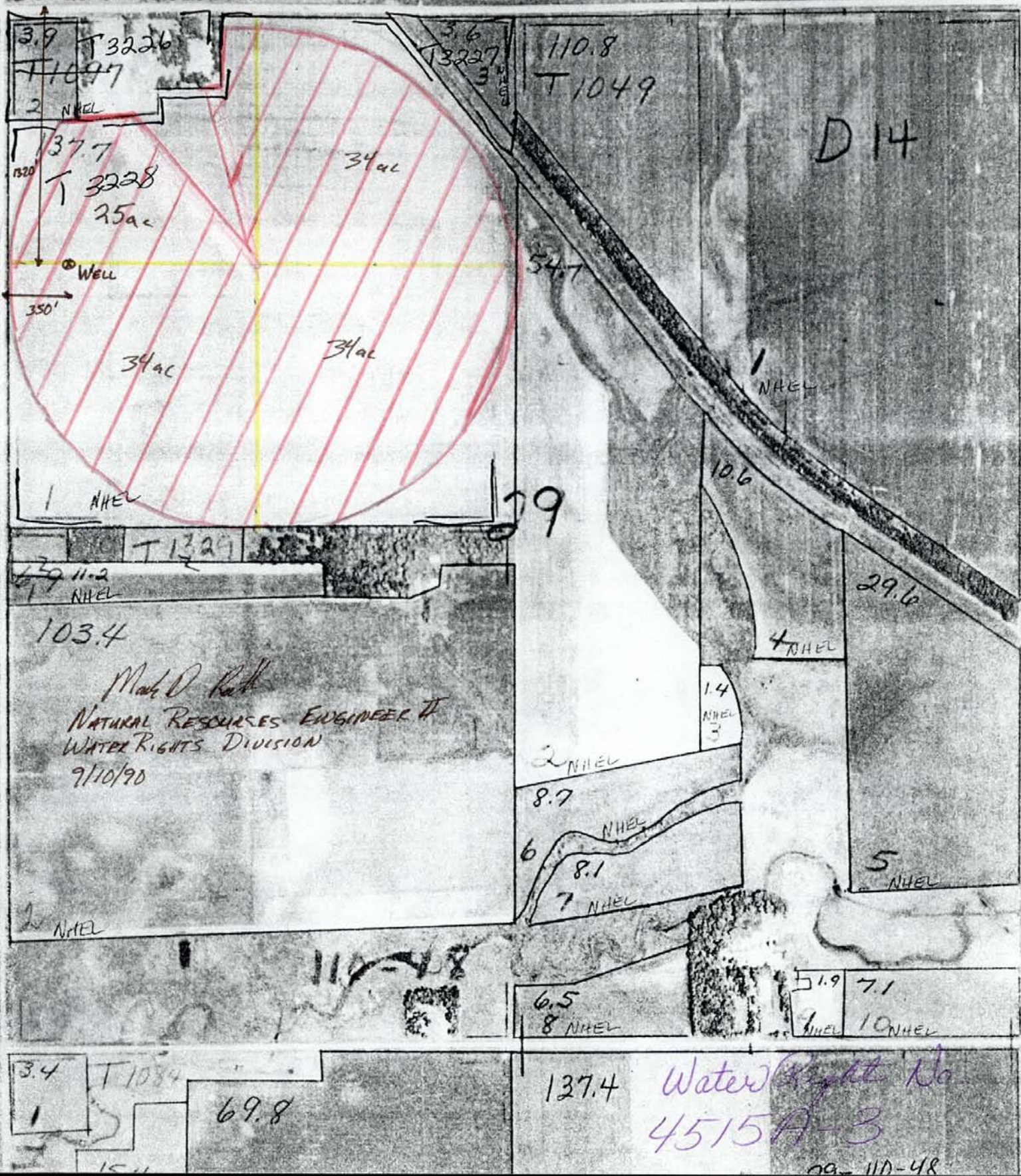
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

NOT TO SCALE





4515A-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, 2020

NOTICE

TO: BILL & MARILYNN BAILLIE, ROGER HELLER, PO BOX 26, OLIVIA, MN 56277 0026
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4515A-3. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 4515A-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** 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) 4515A-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 before the **February 26, 2020** hearing 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: <https://denr.sd.gov/iq> using this password: QCMTJR**

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.denr.sd.gov

January 31, 2020

4515A-3

Bill & Marilyn Baillie
PO Box 26
Olivia MN 56277 0026

Dear Mr. & Mrs. Baillie:

I am writing to acknowledge receipt of the information for your 2019 irrigation questionnaire. Linda Friedrich called and indicated they farm the land for you and no irrigation was done in 2019 due to the extreme wet conditions.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 4515A-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

In order to have the annual form sent to them in the future, I can list them as renters. This does not change ownership on the water right, it merely allows us to send it directly to the renter which expedites mailings. If, in the future, you want this changed, please contact me.

Sincerely,

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

c: Chuck & Linda Friedrich, 47807 US Hwy14, Aurora SD 57002