

Mo. R

Water Right No. 4598-3

10170101

1. Considered 1-28 19 81
2. Name of Applicant WM. CONNOLLY SR.
3. Post Office Address RRI, Box 10, Elk Point, S.D. 57025
4. Amount of Water Claimed 2.28 4598-3
5. Source of Water Supply 100' WELL
6. Water to be used for IRR Curry Seed Co., Tenant
Box 517
Elk Point, SD 57025
7. Acres to be irrigated 160 ma
acr.
8. Water to be diverted and used in UNION
about 1 miles W of Jefferson
9. PROOF OF PUBLICATION Received (10X) 2-3-81

Not Received _____

APPLICATION

Approved 1/28/81

Subject to WI - I Q

Not Approved _____

Action deferred _____

Priority

Date

Received 10-28-80 Application Complete yes _____ no _____ FEE 250⁰⁰

Remarks NEED FEE (250) & LOG

Date information and/or

fee or corrected Application received 12-8-80

Period of Annual use April thru October

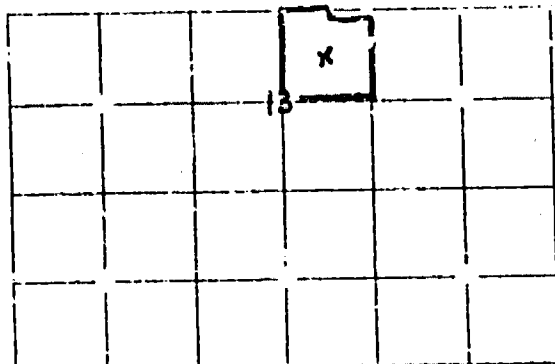
WATER
QUALITY

Received yes 11/24/80 no _____ APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application yes no _____ Remarks _____

Disapproved _____

Returned _____



Diversion Point IN THE

APPROX. CENTER OF

NE⁴ SEC. 13-T90N-

R50W

Lands to be irrigated

NE⁴ SEC. 13-T90N-

R50W.

WELL
LOG

Remarks _____

Driller Wetmore Drilling Licensed yes X no _____

Depth 100'

MAP Map No. 3816-3 Map located in Water Right X Map file _____
Type of Map AERIAL Prepared by Co. AGENT, Louis DeSmet

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 1-28-81.

Betty Westlund
(Signed)

+++++

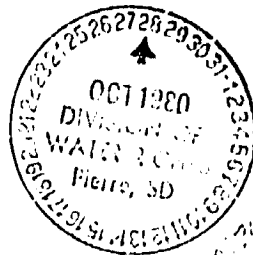
PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS was adopted _____
ETC. Remarks _____



No. 4596-3Map No. 3816-3 Water Division No. 3 MISSOURI RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)10170101

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Wm. Connolly Sr.
 Postoffice address RR 1 Box 10, Elk Point, State South Dakota 57025

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) contract3. Name of diversion work Connolly #14. Amount of water claimed (cubic feet per second) 2.285. Source of water supply well6. Location of point of diversion Center of NE 1/4 Sec 13 T90N R50WCounty Union7. Annual period or periods during which water is to be used April through October8. Use to be made of water. (Irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use. Total number of acres to be irrigated 160

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>NE 1/4 Sec 13 T90N R50W</u>	<u>160</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.

11. Choice of newspaper for Notice of Intent to Appropriately Water publication Elk Point, Leader Courier

12. Principal Features of the Proposed Water Supply System.

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

well

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

pipe

C. Work proposed to apply water to beneficial use.

sprinklersEstimated Total Cost \$ 50,000.00

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

STATE OF SOUTH DAKOTA

County of Union

I, _____, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction

Signed Wm. Connolly Sr.Subscribed and sworn to before me this 1st day of October, 1980

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4598-3
WM CONNOLLY SR RR # 1, Box 10, ELK POINT,
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57025 With the following modifications:
 (State)

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

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application OCTOBER 28, 19 80
 Date of return to applicant for correction, amendments or changes required NOVEMBER 25, 19 80
 Date of receipt of corrected application DECEMBER 8, 19 80
 Approved JANUARY 28, 19 81, Recorded in Book 22 Page 14

WATER RIGHT PERMIT NO. 4598-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4598-3 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 OCTOBER 28, 19 80
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 28, 19 83
3. The whole of said work is to be completed on or before JANUARY 28, 19 86
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 28, 19 88
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 2.28 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 JANUARY 28, 19 88; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 27th day of FEBRUARY, 19 81

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

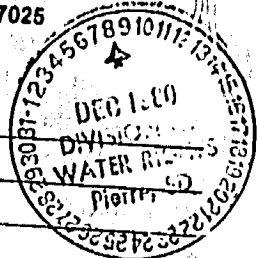
Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

INVOICE

WETMORE DRILLING

P.O. Box 577
Elk Point, South Dakota 57025
Phone (605) 358-3272



Name Ed Curry
Address Elk Point SD

No.	Description	Amount
	Log in the well 200	
0-15	Top soil	
15-16	clay	
16-172	finest sand	
172-101	coarse sand	
101-106	shale	
James H. Wetmore		
Received By		
Sub Total		
TOTAL		

Please Pay By Invoice
No Statement Will Be Sent

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 30", Depth 100'
 (2) Casing, Type transite Diameter 16" Thickness 1/2"
 (wood, concrete, steel, etc.)
 (3) Perforated Screen.
 Type transite, Diameter 16", Length 24'
 (4) Gravel Pack, Thickness 7", 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 see attached well log

Depth to top of water bearing material 20'

Depth to bottom of water bearing material 100'

Thickness of water bearing material 80'

Depth to water (ground surface to water level) 20'

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

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

T. W. Connolly, Jr.
 Signature of Applicant
T. W. Connolly P.O.A.

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Wm. Connolly OWNERS ADDRESS: 1111 1st St.

COUNTY LAND LOCATED IN: DeWitt PHONE: 562-460

TENANT'S NAME AND ADDRESS: (If Other Than Owner) 2617. UN

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: NE 1/4 Sec 13 T90N R50W
2. SURFACE WATER SOURCE: _____
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet.)

Legal Description	Acres	Legal Description	Acres
<u>NE 1/4 Sec 13 T90N R50W</u>	<u>160</u>		



4. TYPE OF IRRIGATION: GRAVITY; _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ (Specify)
5. CROPS TO BE IRRIGATED: Corn beans Small grain ETC.
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LEGAL DESCRIPTION: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 80-934
8. SALINITY (EC X 10⁶): 1078
9. SODIUM (SAR): 1.05
10. ADJUSTED (SAR): 2.85

RECEIVED

NOV 10 1980

South Dakota
Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 4 a.m. p.m., on OCT 14, 1980, at the following location: NE 1/4 Sec 13 T90N R50W by Wetmore Drilling (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

15th DAY OF October, 1980.

Wm. H. Smith
(NOTARY PUBLIC), DeWitt.

Wm. Connolly, Sr.
APPLICANT'S SIGNATURE
T. H. Connolly P.O.D.
Keith J. Harner
Director, Division of Conservation

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57007

Submitted by: W. J. Connelly, Jr.
 Address: Box 10
Elk Point, SD 57025

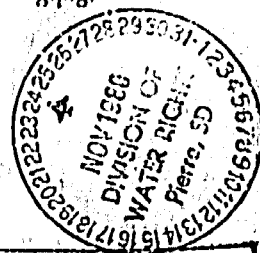
Date Rec'd: October 20, 1980
 Sample No.: 80-934
 Identification: 011-
Box 13, Elk Point, SD

WATER ANALYSIS

Calcium (Ca)	124	ppm*	6.63	me/l**
Magnesium (Mg)	30	ppm	1.48	me/l
Sodium (Na)	53	ppm	2.30	me/l
Potassium (K)	5	ppm	0.13	me/l
Sulfate (SO ₄)	112	ppm	1.32	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	537	ppm	6.80	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	440	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1078	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.05	Adjusted SAR	2.85	
Sodium	19.85	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.90			

*ppm=parts per million
 **me/l=millequivalents per liter

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



COMMENTS: Total cations 11.59 me/l
 Total anions 11.21 me/l

RECEIVED

NOV 17 1980

South Dakota
 Division of Conservation

By: Harley L. Llan

Service Performed

Amount Due

Irrigation analysis

15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 80-934

Amount Enclosed \$

Signed

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION



NAME OF APPLICANT William Connolly, Sr.

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED with a center pivot, unless
management is employed to assure rafficability.

Contact your local SCS for assistance.

Ob - Silty clay loam - poor permeability under shallow surface soil.

RECOMMENDED MANAGEMENT:

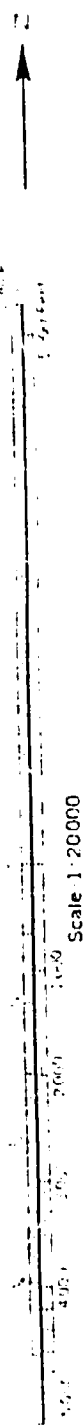
Surface drainage suggested if feasible.

Deep tillage may prove to be beneficial on limited basis or on certain soil areas.
The stratified lenses of sandy material in the 36 to 42 inch depth either
bring water in or serve as drainage out depending upon the season's water table
level. In seasons of above average precipitation, water tables may hinder spring
tillage, especially on the Ogawa soil that lies in the middle portion of the
quarter.

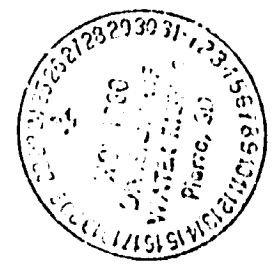
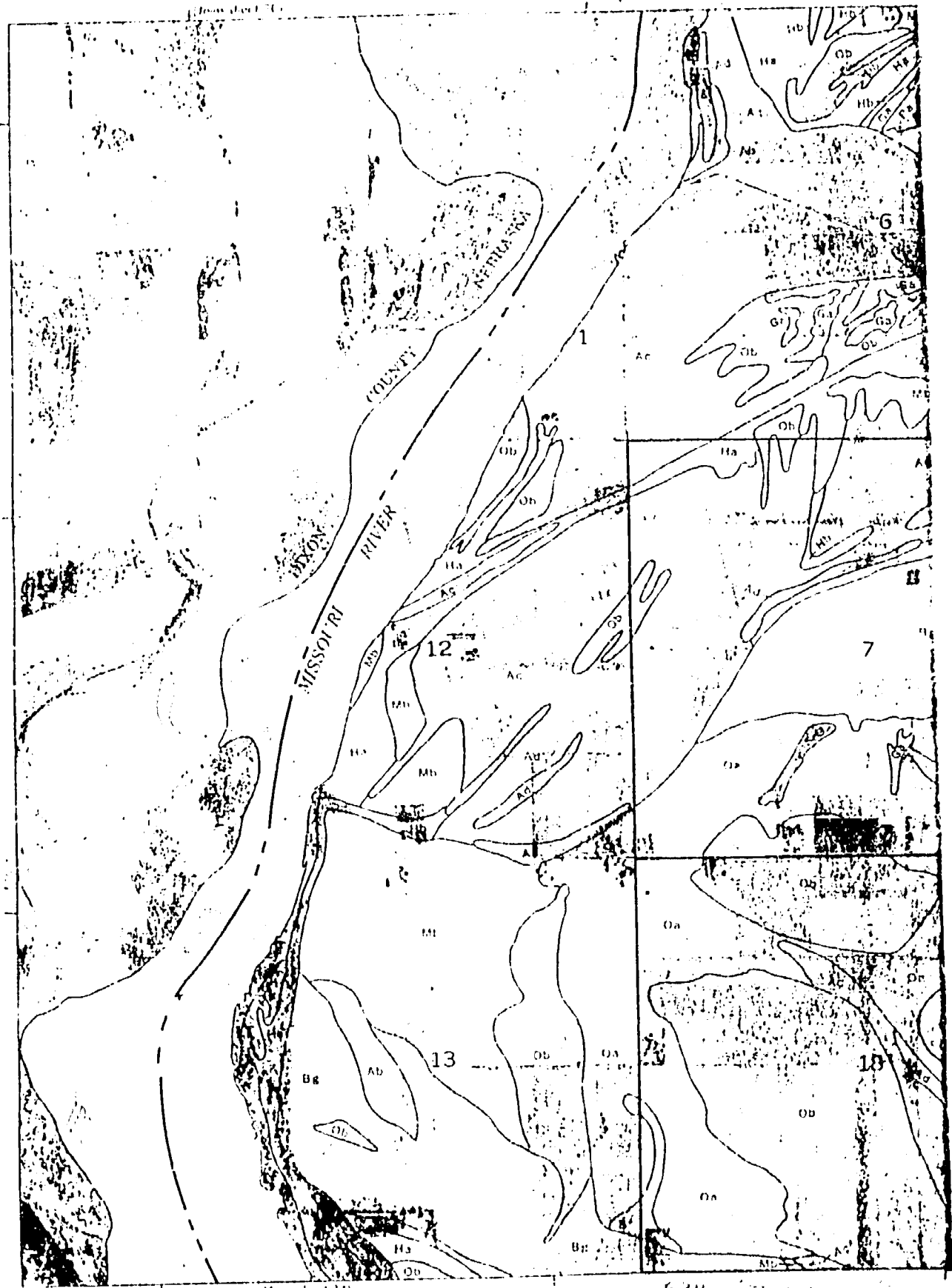
Opport. study day
Dance 2000

UNION COUNTY, SOUTH

1940



Scale 1:20000





No. 4598-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E. Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the The Leader Courier

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

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

Thursday, January 15
Thursday, January 22

Lester E. Emerson
(Signature)

Editor/Publisher
(Title)

January 23, 1981
(Date Signed)

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
January 8, 1981

Notice is hereby given that William Connolly, Sr. whose post office address is Elk Point, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 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, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from ground water (one well) through the Connolly #1, the point of diversion of which is to be located in the approximate center of NE 1/4 of Section 18, Twp. 90N, Range 50W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE 1/4, Section 13, T90N, R50W.

This Application No. 4598-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Building, Church & Illinois, Pierre, S. D. upon the 28th day of January, 1981 at 10 A.M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

Water Management Board
Betty Westlund
Water Rights Specialist
Pub. Jan. 15, 22.

No. 4598-3

Publish first publication, on or before January 15, 1981

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(one well) through the Connolly #1, the point ~~xxx~~ of diversion of which is ~~(xxx)~~ to be located in the approximate center of NE 1/4

of Section 13, Twp. 90N, Range 50W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 13, T90N, R50W

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Church & Illinois, Pierre, SD

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WATER MANAGEMENT BOARD

BETTY WESTLUND

Water Rights Specialist

cc: William Connolly, Sr
Rt #1, Box 10, Elk Point, SD 57029

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Elk Point, S.D.
Date 10 July 81TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No.

4598.3

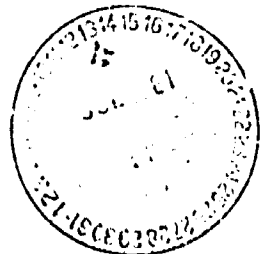
Water Right Permit No 4598.3 states that the diversion system is to be constructed by Curry Seed Co., and that the water is put to beneficial use by Curry Seed Co.

The diversion system was completed on 1 June 81. Applying the water to beneficial use was completed on 9 July 81.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

T.W. Connolly Sr.
(Signature)
T.W. Connolly P.O.A.

40 Curry Seed Co., Tennet
Box 517
Elk Point, S.D.
57025



Permit No. 4598-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by WILLIAM
CONNOLLY, SR. of ELK POINT holder
 of Permit No. 4598-3, bearing date of priority of OCTOBER 28, 1980
 authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in UNION County.

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

The Water Use System consists of,

- A. Works used to divert the water:
120' DEEP WELL WITH 16" PLASTIC CASING - 20' SLOTTED SCREEN
WESTERN LAND ROVER 8" PUMP - 5 12 CHC
POWERED BY MODEL 320B CATERPILLAR DIESEL ENGINE
120 HP
- B. Works used to transport water to place of use,
15' OF 8" ALUMINUM LINE TO CENTER OF PIVOT
- C. Works used to apply water to beneficial use.
VALLEY 7 TOWER ELECTRIC DRIVE CENTER PIVOT
WITH NELSON #100 END GUN

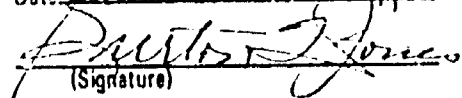
The system is in the following condition. NEWThe point of diversion is located 15' N OF THE CENTER OF THE NE⁴
SECTION 13, T90N, R50WThe works are capable of diverting and conveying to the place of use 1.88 (850 GPM)
 cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows:
FOR IRRIGATING A 132 ACRE CIRCLE IN THE NE⁴
SECTION 13, T90N, R50Wcomprising a total of 132 acres of land.

SEND BILL TO

CURET & SONS CO.

Box 517

ELK POINT, SD 57025

Date SEPTEMBER 29, 1981

 (Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8748

PIERRE, March 4, 1902

Curry Seed Company, Box 517, Elk Point, SD 57025

RECEIVED OF

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 4598-3	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 4598-3		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH/ms

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7808

PIERRE, December 2, 1900

RECEIVED OF Curry Seed Co., Wm. CONNOLLY, RR 1, Box 10, Elk Point, SD 57025

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

Fee for Application for Permit to Appropriate Water No. 4598-3 (examination, processing, recording and filing)	250	00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	250	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / C.E.

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 (605) 773-3352

May 7, 1962

Curry Seed Company
Box 517
Elk Point, South Dakota 57025

Gentlemen:

Enclosed herewith are, Water License No. 4598-3 and Certificate of Construction.

Water License No. 4598-3 is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosures

WNR-817-7/79
Transmittal of Water License

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4598-3

(1) WHEREAS, On the 28th day of October A. D. 19 80

William Connolly, Sr.

made Water Right Application No. 4598-3 for a permit to use 2.28 cubic feet per second of the waters of groundwater (one well)

County of Union, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 28th day of January A. D. 19 81

Permit No. 4598-3 with a date of priority of October 23, 1980

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 28th day of January A. D. 19 86 and for the application to beneficial use of said water on or before the 28th day of January A. D. 19 88

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.88 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

for irrigating a 132 acre circle in the NE 1/4, Section 13, T90N, R50W

(5) NOW, THEREFORE By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to William Connolly, Sr.

_____ of Elk Point, South Dakota

the holder _____ and owner _____ of said permit No. 4598-3 a water right, dating from October 29, 1980

_____ to use of 1.88 cubic feet per second of the waters of groundwater (one well)

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted a point 15'0" of the center of the NE 1/4 of Section 13, T90N, R50W

and conducted to and upon a 132 acre circle in the NE 1/4, Section 13, T90N, R50W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 4598-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 7th day of May A. D.
Nineteen Hundred and Eighty-Two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 4598-3

Water Diversion No. 3 Missouri River Water District

10170101

CERTIFICATE OF CONSTRUCTION

This is to Certify, That William Connally, Sr.

_____ the holder _____ of
Permit No. 4598-3, issued upon Application No. 4598-3, bearing date of priority of _____
October 26, 1980 authorizing the diversion of 2.20 cu. ft. per second of the waters of _____
groundwater (one well) County of Union, State of South Dakota at _____
a point 15' N of the Center of the NE $\frac{1}{4}$, Section 13, T90N, R50W
_____, for Irrigation

_____, has 5 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.88 cu. ft. per second of water.

Date May 7, 1982

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

March 22, 1983

4582-3, 4598-3
Curry Seed Co.
Box 517
Elk Point SD 57025

Dear Sir:

4582-3

Water Permit No. 4578-3 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosure

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 1, 1991

CURRY SEED CO, OPERATOR
PO BOX 517
ELK POINT SD 570250517

NOTICE

RE: Violation of Water Permit No(s) 4598-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 4598-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 4598-3 qualification:

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

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

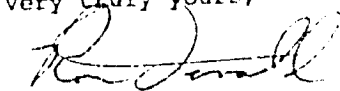
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s) 4598-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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

cc: William Connelly Sr., Rt 1, Box 10, Elk Point SD 57025



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

GREAT FACES. GREAT PLACES.

February 11, 1991

Curry Seed Company
Box 517
Elk Point, SD 57025

RE: Irrigation Questionnaires and/or Chemical Application Use
Data for Water Permit Nos. 237-3, 306-3, 324-3, 501-3, 1086-3,
1133-3, 1136-3, 1297-3, 1530-3, 2141-3, 2189-3, 2370-3, 2371-3,
2450-3, 2940-3, 3910-3, 4438-3, 4582-3, 4598-3, 5030-3, 5201-3,
and 5254-3

Dear Sir:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and/or chemical application use data for the above listed Water Permits. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

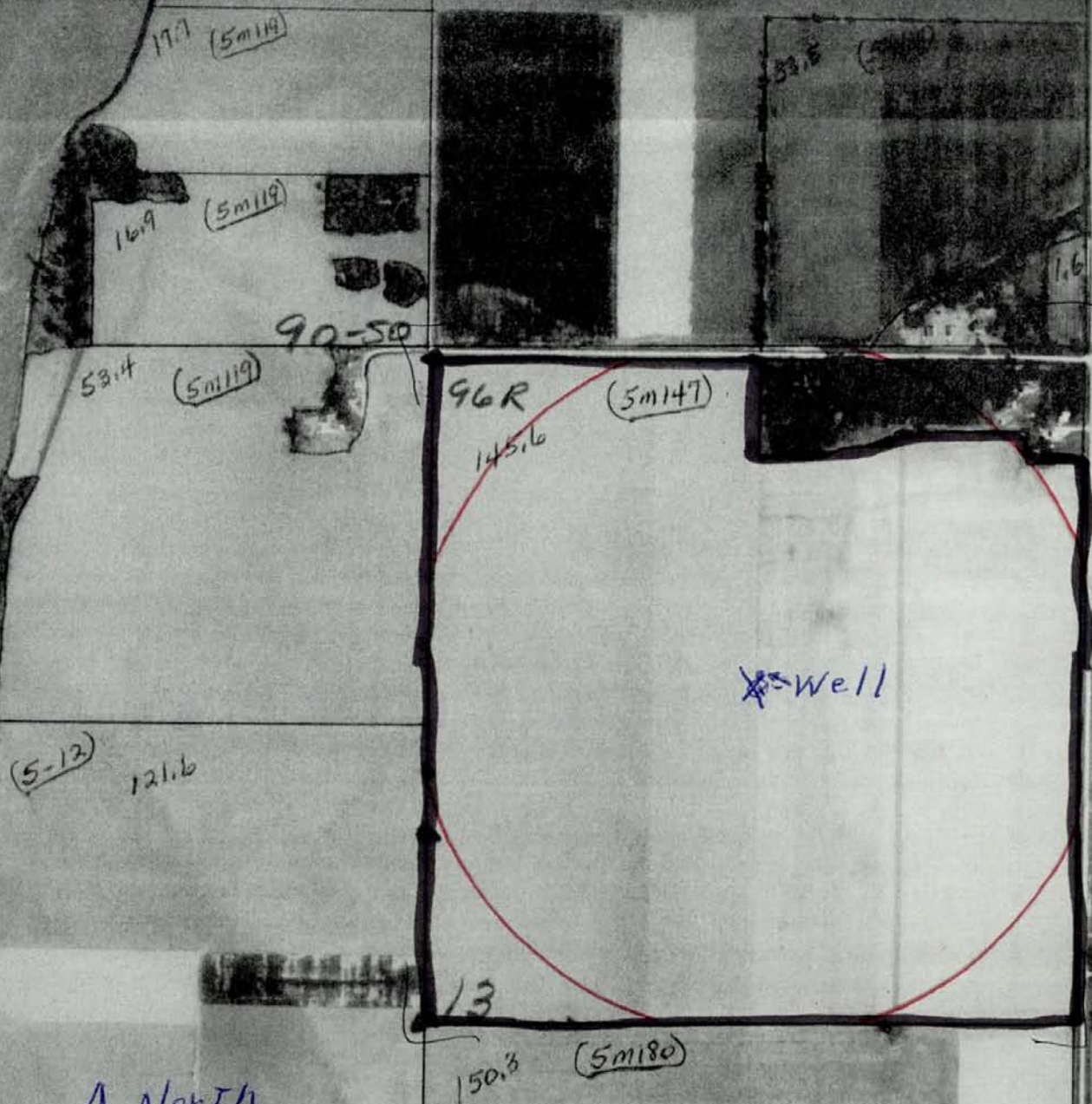
If you have any questions, please contact Genly McMath, at (605) 773-3352.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ron Duvall".

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

NOT TO SCALE



↑ North
prepared by
L. E. De Smet
Union CO EXT Agent
OCT 15 80
L E De Smet

~~Map # 3816~~
90-50 appl. 4598-3