

- 1. Considered MAY 1 1981
- 2. Name of Applicant JAMES & ROBERT DONNELLY
- 3. Post Office Address RR 2 Box 42 ELK POINT 57025
- 4. Amount of Water Claimed 2.28
- 5. Source of Water Supply 109' WELL
- 6. Water to be used for IRR.
- 7. Acres to be Irrigated 160 maximum acre feet
- 8. Water to be diverted and used in CLAY County about 1 1/2 miles SOUTHWEST of BURBANK
- 9. PROOF OF PUBLICATION Received 4-27-81

Not Received _____

APPLICATION Approved _____

Subject to _____

Not Approved _____

Action deferred _____

Priority Date Received 3-31-81 Application Complete ☒ yes ☐ no FEE 250.00

Remarks _____

WATER QUALITY Date information and/or fee or corrected Application received _____

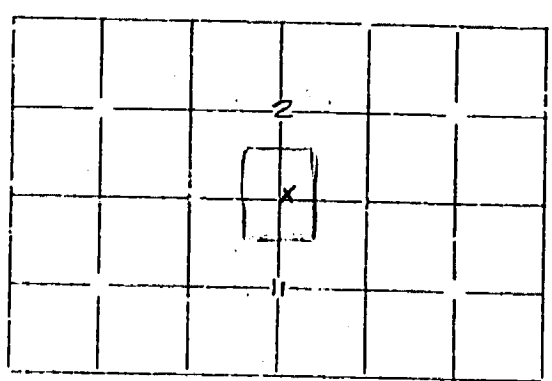
Period of Annual use APRIL thru OCTOBER

Received yes 4/10/81 no APPROVED/CONDITIONAL (Circle one)

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

Disapproved _____ Returned _____

Diversion Point SW 1/4 2-91-51



Lands to be irrigated W 1/2 E 1/2 & E 1/2 W 1/2 SEC 2-
W 1/2 E 1/2 & E 1/2 W 1/2 SEC 11
ALL IN T91N-R51W
E 1/2 SW- W 1/2 SE -2-91-51
E 1/2 NW W 1/2 NE 11-91-51

WELL LOG Remarks _____

Driller WETMORE DEL Licensed ☒ yes ☐ no

Depth 109' DEEP

MAP

Water Right No. _____

Map No. 3918-3 Map located in Water Right X Map file _____

Type of Map AERIAL Prepared by De Smet SCS

+++++

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 4-10-81

Betty M. Howard
(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. 4708-3
 Map No. 3918-3 Water Division No. 3 MISSOURI RIVER District
 Above for Office Use

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐Change in Diversion ☐ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☐1. Name of Applicant James & Robert Donnelly Phone No. (605) 356-2972Post Office Address RR 2 Box 42 Elk Point State South Dakota 57025
 (Street, RR, or Box) (Town) (Zip Code)

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 J and R Donnelly #84. Amount of water claimed (cubic feet per second) 2.28 C.F.S.5. Source of water supply Well6. Location of point of diversion SW 1/4 sec 2T 91N R51W70' N OF SEC LINECounty Clay7. 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
W 1/2 E 1/2 Sec 2-91-51	40		
E 1/2 W 1/2 Sec 2-91-51	40		
W 1/2 E 1/2 Sec 11-91-51	40		
E 1/2 W 1/2 Sec 11-91-51	40		

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 3 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water PLAIN TALK, VERMILION 50
~~Header-Courier~~

12. Principal Features of the Proposed Water Supply System.

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

pump

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

pipe

C. Works proposed to apply water to beneficial use.

sprinklers

Estimated 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 Clay) ss.I, Robert Donnelly James Donnelly 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 James DonnellySubscribed and sworn to before me this 30 day of March, 1981

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4708-3

JAMES & ROBERT DONNELLY RT # 2, Box 42, Elk Point
(Applicant) (Post Office Address)
SOUTH DAKOTA 57025 With the following qualifications
(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 March 31, 1981
 Date of return to applicant for correction, amendments or changes required April 1, 1981
 Date of receipt of corrected application April 10, 1981
 Approved May 1, 1981, Recorded in Book 22 Page 143

WATER RIGHT PERMIT NO. 4708-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4708-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is March 31, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 1, 1983
3. The whole of said work is to be completed on or before May 1, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is May 1, 1989
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 irrigation purposes said appropriation must be limited to not more than 2 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 May 1, 1989; said water to be used during the following described annual period: April thru October

Witness my hand this 19th day of May, 1981

THE WATER MANAGEMENT BOARD

By John Hatch
Chief Engineer Water Rights JOHN HATCH

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

WETMORE DRILLING

Name Barbara Ann D...
Address 211 West 5th St

South 100th Date 2-10-81 1981

[illegible]

D. Well Information

- (1) Drill Hole, Diameter 24", Depth 111
- (2) Casing, Type transite Diameter 16" Thickness 1/2"
(wood, concrete, steel, etc.)
- (3) Screen, Type sawed slotted Diameter 16" Length 40'
- (4) Gravel Pack, Thickness 8" Length of gravel pack 50'

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 22'

Depth to bottom of water bearing material 109'

Depth to water (ground surface to water level) 22

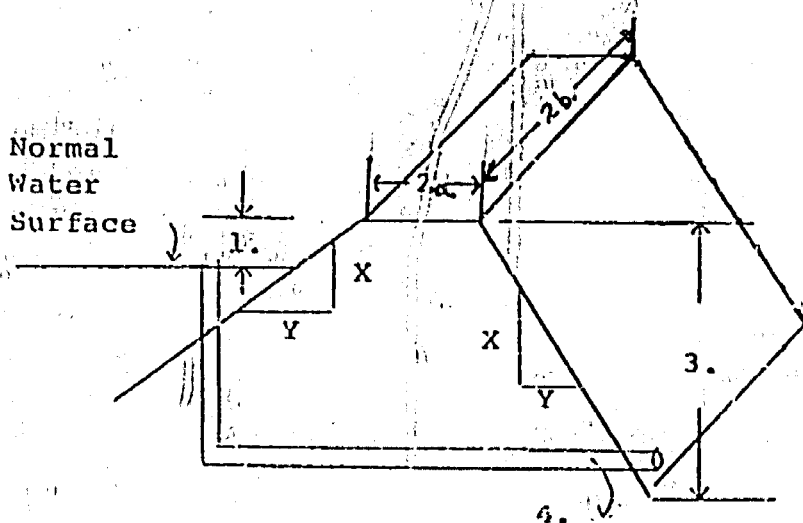
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
 - Pipe diameter _____
 - Spillway width _____
- X & Y slope:
 - Upstream _____
 - Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

James Donnelly
Signature of Applicant

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

OWNERS NAME: James and Robert Donnell OWNERS ADDRESS: RR 2 Box 12
Elk Point SD
COUNTY LAND LOCATED IN: Clay PHONE: 756-2427
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

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: W 1/2 E 3 S 29 1/2 51
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>W 1/2 E 3 S 29 1/2 51</u>	<u>10</u>		
<u>E 1/2 W 1/2 S 29 1/2 51</u>	<u>75</u>		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify) _____
5. CROPS TO BE IRRIGATED: Corn Beans Fls
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: 81-028
8. SALINITY ($EC \times 10^5$): 1017
9. SODIUM (SAR): 1.25
10. ADJUSTED (SAR): 3.35 (2.35)

RECEIVED

JAN 22 1981

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 11:11 a.m./p.m., on 1-12, 1981, at the following location: _____ by _____ (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

12 DAY OF January, 1981.

Thomas F. Bickel
(NOTARY PUBLIC)

APPLICANT'S SIGNATURE
James Donnell

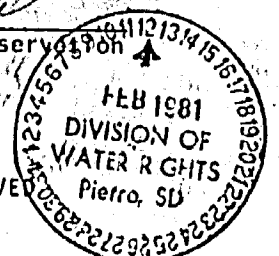
Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

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.



Conditional
pertaining to section 2

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT James & Robert Donnelly

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

RECOMMENDED MANAGEMENT:

If ponding occurs on the Onawa soils they should be drained.

2689.C1

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

OWNERS NAME: _____

OWNERS ADDRESS: RR 2 Box 42
Elk Point So Dak

COUNTY LAND LOCATED IN: Clay

PHONE: 356-2927

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

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: W 1/2 E 1/2 Section 2, T91N, R51W
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>W 1/2 E 1/2 Section 2: 91-51</u>	<u>60</u>		
<u>E 1/2 W 1/2 Section 2: 91-51</u>	<u>75</u>		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify) _____
5. CROPS TO BE IRRIGATED: Corn Beans 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: _____
8. SALINITY (EC X 10⁶): _____
9. SODIUM (SAR): _____
10. ADJUSTED (SAR): _____

RECEIVED

JAN 22 1981

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 10 a.m. on Jan 12, 1981, at the following location: _____

by _____ (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

____ DAY OF _____, 19____.

(NOTARY PUBLIC)

/s/ Robert Donnelly
/s/ James Donnelly
APPLICANT'S SIGNATURE

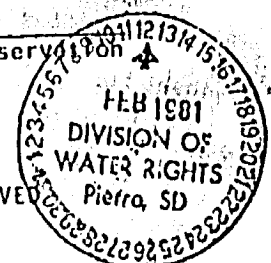
/s/ Jack M. Field
Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

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.



SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF CONSERVATION

NAME OF APPLICANT

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

RECOMMENDED MANAGEMENT:

If porosity occurs on the bottom with the 100% porosity

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

4708-2

OWNERS NAME: Robert and James P. Donnelly OWNERS ADDRESS: Rt 2 Box 42
Flk Point S.Dak
57025
COUNTY LAND LOCATED IN: Clay PHONE: 356-2927
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

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: _____
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>W 1/2 NE 1/4 Sec 11 91-51</u>	<u>80</u>		
<u>E 1/2 NW 1/4 Sec 11 91-51</u>	<u>80</u>		

RECEIVED

APR 08 1981

South Dakota
Division of Conservation

OTHER: _____

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ (Specify) _____
5. CROPS TO BE IRRIGATED: corn beans alfalfa 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: 81-028
8. SALINITY (EC X 10⁶): 1017
9. SODIUM (SAR): 1.25
10. ADJUSTED (SAR): 3.35

81-028
Additional acres
added to well

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 _____ a.m./p.m., on _____, 19____, at the following location: _____ by _____ (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

1st DAY OF April, 1981.

James P. Donnelly
(NOTARY PUBLIC) 6-14-86

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.

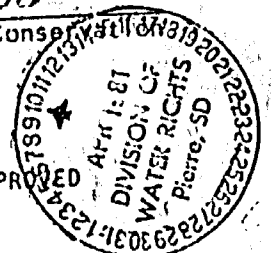
Robert P. Donnelly
APPLICANT'S SIGNATURE

Jack M. Field
Director, Division of Conservation

☒ APPROVED

☐ DISAPPROVED

☐ CONDITIONALLY APPROVED



4708-3

No. _____

Publish first publication, on or before April 16, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 10, 1981

Notice is hereby given that James & Robert Connelly 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, 46-6-10, 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 groundwater

(one well) through the J & R Connelly #8, the point(s) of diversion of which is(are) to be located in the SW 1/4

of Section 2, Twp: 9N, Range 5W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

E 1/2 SW 1/4; W 1/2 SE 1/4, Section 2 and E 1/2 NW 1/4; W 1/2 NE 1/4, Section 11, T9N, R51W

This Application No. 4708-3 will be considered by the Water Management Board at Civil Defense Room, State Capitol Bldg., Pierre SD upon the 16th day of May, 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, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: James & Robert Connelly
Et #2, Box 42
Elk Point SD 57025

PETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

No. 4708-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clay) ss.

I, Harlene Lottorfson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Plain Talk

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

April 16, 1981

April 23, 1981

Harlene Lottorfson
(Signature)

Secretary
(Title)

April 23, 1981
(Date Signed)

Cost of Printing: \$20.86

WNR-808-7/79
Proof of Publication

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Notice is hereby given that James and Robert Donnelly 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, 46-6-7, 46-6-8, 46-6-10, 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 groundwater (one well) through the J & R Donnelly No. 8, the point of diversion of which is to be located in the SW 1/4 SE 1/4 of Section 2, Twp. 91N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land: E 1/4 SW 1/4 W 1/4 SE 1/4, Section 2 and E 1/4 NW 1/4 W 1/4, NE 1/4, Section 11, T92N, R51W.

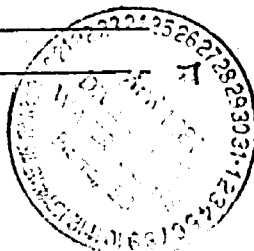
This Application No. 4708-3 will be considered by the Water Management Board at Civil Defense Room, State Capitol Bldg., Pierre, SD, upon the 1st day of May, 1981 at 10 a.m. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. 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, DWR, 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: April 16, 23, 1981



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8107

PIERRE, March 31 81

RECEIVED OF James Donnelly, PR #2, Box 42, 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. 4708-3 (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

ey

Permit No. 4708-3Water Division 3 MISSOURI 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 JAMES & ROBERT DONNELLY of ELK POINT holder of Permit No. 4708-3, bearing date of priority of MARCH 31, 1981 authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in CLAY 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:

111' DEEP WELL WITH 16" PLASTIC CASING - 40' SLOTTED SCREEN
WESTERN LAND ROLLER 8" PUMP - 4-12CH
POWERED BY 60HP GE ELECTRIC MOTOR @ 1765 RPM

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

20' OF 8" STEEL PIPE TO CENTER OF PLOT

C. Works used to apply water to beneficial use.

1 TOWER VALLEY ELECTRIC DRIVE CENTER PLOT WITH
NELSON #200 END GUN

The system is in the following condition. NEW

The point of diversion is located 20' W OF THE N¹/₄ CORNER, SECTION 11,
T9N, R51W

The 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 IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

FOR IRRIGATING A 132 ACRE CIRCLE IN THE
SE¹/₄SW¹/₄, SW¹/₄SE¹/₄ SECTION 2 AND NE¹/₄NW¹/₄ AND NW¹/₄NE¹/₄,
SECTION 11, ALL IN T9N, R51W

comprising a total of 132 acres of land.Date NOVEMBER 3, 1981

Donnelly
(Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8591

December 16, 1931

RECEIVED OF Robert Donnelly, Box 838, 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. _____ (examination, processing, recording and filing) _____		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 4708-3		
Fee for Inspecting Beneficial Use, and Issuing Water License No. 4708-3	50	00
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 / (St)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4708-3

(1) WHEREAS, On the 31st day of March A. D. 19 81
James and Robert Donnelly

made Water Right Application No. 4708-3 for a permit to use 2.28 cubic feet per second of the water of groundwater (one well)

County of Clay State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 1st day of May A. D. 19 81
 Permit No. 4708-3, with a date of priority of March 31, 1981

was issued to said applicant 6 for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 1st day of May A. D. 19 86 and for application to beneficial use of said water on or before the 1st day of May A. D. 19 89

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 SE $\frac{1}{4}$ SW $\frac{1}{4}$ (CD), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (DC), Section 2
and NE $\frac{1}{4}$ NW $\frac{1}{4}$ (DA) and NW $\frac{1}{4}$ NE $\frac{1}{4}$ (AB), Section 11, All in T9N, R51W

(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 James and Robert Donnelly
_____ of Elk Point
_____ the holder s and owner s of said permit No. 4708-3 a water right, dating from March 31, 1921
_____ to use of 1.88 cubic feet per second of the waters
of groundwater (one well)
in the County of Clay and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 20' W of the NE Corner, Section 11, T91N, R51W

and conducted to and upon a 1/2 acre circle in the SE1/4SW1/4, SW1/4SE1/4, Section 2, and
NE1/4NW1/4 and NW1/4NE1/4, Section 11, All in T91N, R51W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 4708-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 17th day of May A. D.
Nineteen Hundred and Eighty-Two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 4708-3

Water Diversion No. 3 Missouri River Water District
10170101

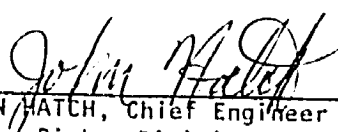
CERTIFICATE OF CONSTRUCTION

This is to Certify, That James & Robert Donnelly

_____ the holder S of
Permit No. 4708-3, issued upon Application No. 4708-3, bearing date of priority of March 31, 1981
authorizing the diversion of 2.28 cu. ft. per second of the waters of groundwater (one well)
County of Clay, State of South Dakota at a point 20'W of the NE Corner, Section 11, T91N, R51W
for Irrigation

_____ purposes, has yes 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 17, 1982


JOHN HATCH, Chief Engineer
Water Rights Division



4708-3
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 26, 2005

Gary & Dawn Glover
32118 470th Ave
Burbank SD 57010

Dear Mr. & Mrs. Glover:

I am writing in follow-up to our phone conversation of January 26th. Enclosed are copies of the water rights we discussed.

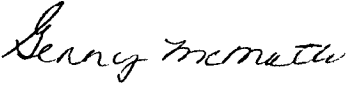
Water Right Nos. 313-3A and 3857-3 need to be transferred to Dawn's name. Enclosed are partially completed Notice of Transfer of Ownership forms for filing ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

Water Right Nos. 4676-3 and 4708-3 are currently listed in the name of James and Robert Donnelly. I will list you as manager for these to enable the annual irrigation questionnaire to be directed to your attention.

In regard to Water Right No. 1103-3 which authorizes irrigation from Burbank Lake, this water right will be scheduled for cancellation consideration since it is no longer being used. We will contact you with the time, date and place of the hearing once it is scheduled.

If I can answer any questions for you, please contact me.

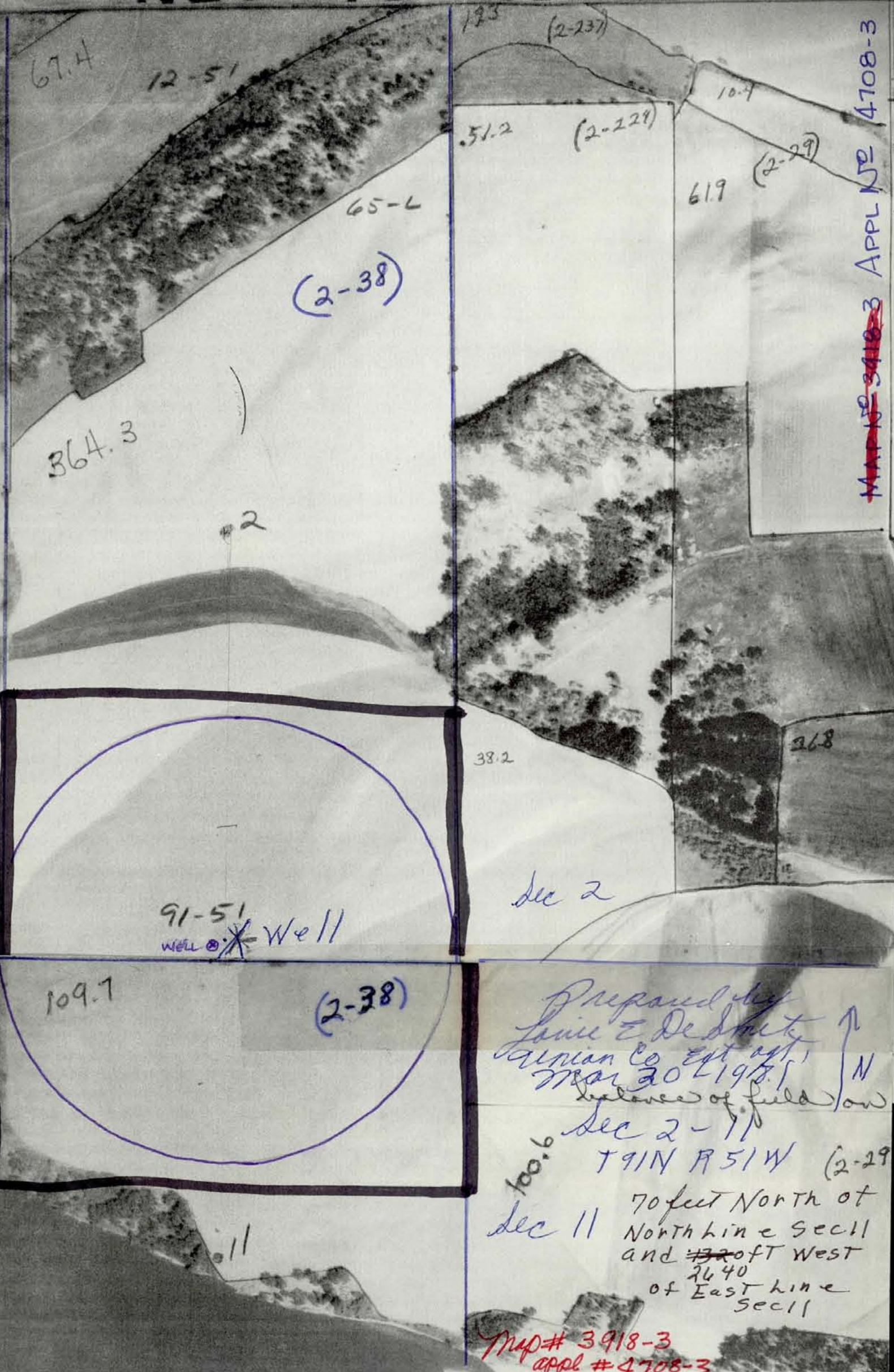
Sincerely,


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

enclosures

NOT TO SCALE

Map # ~~3918-3~~ 4708-3 Appl # 4708-3



NOTICE OF TRANSFER OF OWNERSHIP

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

PAID
NOV 7 2022
Ck# 1246
Rec't#

No. 4708-3

Date: 11/3/2022

I/We request that Water Right No. 4708-3

formerly owned by: James & Robert Donnelly

be transferred to: (name & address) Mary D. Christensen, Irrevocable Trust.
748 E Greenbrier Pl, Sioux Falls, SD 57108
Telephone No. 513-509-6867

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

132 acres – SE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 2 and NE 1/4 NW 1/4, NW 1/4 NE 1/4 Section
11: all in T91N-R52W

I/We understand that the validity of Water Right No. 4708-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Mary D. Christensen, the new owner, certify that the above information is true and correct.

Mary D. Christensen
(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.

4708-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date November 7, 2022RECEIVED OF Mary D. Christensen Irrevocable Trust 748 E Greenbrier Pl., Sioux Falls SD 57108

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form 4708-3	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$ <u>50.00</u>

By Eric Gronlund
Chief Engineer
vm



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 8, 2022

4708-3

Mary D Christensen
748 E Greenbrier Pl
Sioux Falls SD 57108

Dear Ms. Christensen:

Thank you for sending in the transfer form and filing fee for changing ownership on Water Right No. 4708-3.

The ownership change has been completed. Water Right No. 4708-3 formerly held by James & Robert Donnelly is now listed under "Mary D Christensen Irrevocable Trust".

Enclosed for your records is a receipt for the filing fee you paid. If you have any questions, please give us a call.

Sincerely,

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

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 4, 2024

313-3A, 3857-3
8673-3, 4708-3, 4032-3

Gary Glover
1305 Jack Nicholas Dr
Elk Point SD 57025

Dear Mr. Reitz:

Enclosed is a "Notice" dated October 23, 2024, concerning the 2024 Irrigation Questionnaires.

The notice was originally mailed to 32118 470th Ave, Burbank SD 57010. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaires or submit your reports online at <https://danr.sd.gov/iq/> using this password *VWXVXG*.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

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

enclosures

533 N7E 1 424C2210/31/
RETURN TO SENDER
GLOVER
1305 JACK NICKLAUS DR
ELK POINT SD 57025-2402
RETURN TO SENDER