

Considered: \_\_\_\_\_

WATER PERMIT NO. 5259-3 31

HAP No. same 238-523

Name of Applicant Gary R. Knock

Post Office Address RR1 Box 83 Davis, SD

Amount of Water Claimed 2.23 cfs Total Acres 160

Source of Water Supply groundwater - 1 well

Water to be used for irrigation County Turner

About 1 miles west of Davis

PROOF OF PUBLICATION: Received \_\_\_\_\_ Not Received \_\_\_\_\_

APPLICATION: Approved 3/1/89 Subject to \_\_\_\_\_

F.F. & C.L. Adopted \_\_\_\_\_ Not Approved \_\_\_\_\_ Deferred \_\_\_\_\_

PRIORITY \_\_\_\_\_ Date Received Dec. 16, 1988 Fee 250<sup>00</sup> Remarks \_\_\_\_\_

Dec 16, 1988

Corrected Application Received 1 Period of Annual Use April - Sept 30

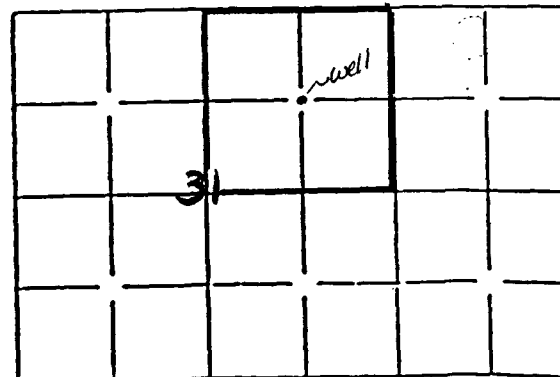
WATER QUALITY APPROVAL RECEIVED 1/18/89 APPROVED (CONDITIONAL) (Circle one)

WI-1 Description same as Application YES ☒ NO \_\_\_\_\_ REMARKS \_\_\_\_\_

Diversion Point center of the NE 1/4 Section 31,

T98N, R52W

Land to be Irrigated NE 1/4 Sect 31, T98N, R52W



Well Log: Driller Wetmore Licensed YES ☒ NO \_\_\_\_\_

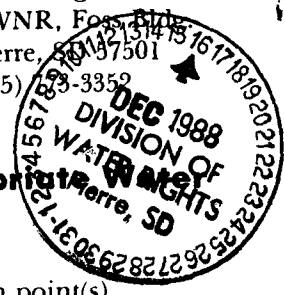
Depth of Well 102' REMARKS Test hole log

Type of Map Aerial photo PREPARED BY Marlene Mandler Reviewed and the Number

assigned on January 11, 1989 By Susan A. Bowser

(See instructions)

No. 5259-3 Hydrologic Unit 10170202  
Basin Vermillion R  
Newspaper Viborg Enterprise Box 398 57070  
(used)



# Application For Soil/Water Compatibility Permit and Permit To Appropriately

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 \_\_\_\_\_

1. Name of Applicant GARY R. KNOCK Phone No. 2385623  
Post Office Address RR 1 Box 83 DAVIS State SD Zip Code 57021  
(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s.) 2.23 Total acres irrigated 160

3. Source of Water supply 1 Well

4. Location of point of diversion Center of the farm - which is the center  
of the North East Quarter (NE 1/4) of Section 31, Township 98 North, Range 52  
West of the 5th P.M. Turner County South Dakota. County Turner

5. Counties where water will be used Turner

6. Annual period during which water is to be used April & September 30

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 Irr. |
|-------------------------------|----------------|
| NE 1/4 of the NE 1/4 31-98-52 | 40             |
| NW 1/4 of the NE 1/4 31-98-52 | 40             |
| SW 1/4 of the NE 1/4 31-98-52 | 40             |
| SE 1/4 of the NE 1/4 31-98-52 | 40             |

| Land Description | No. Acres Irr. |
|------------------|----------------|
|                  |                |
|                  |                |
|                  |                |
|                  |                |

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: \_\_\_\_\_ Towline: \_\_\_\_\_ Center Pivot: ☒ Gun: \_\_\_\_\_ Other: \_\_\_\_\_ (Specify) \_\_\_\_\_

9. Crops to be Irrigated: ALFALFA - SOY BEANS - CORN

10. Give a description of proposed project. (Attach sheet if more space is needed)  
Diesel powered deep well turbine pump to supply water to a  
new center pivot irrigation system. This will be a new irrigation  
project on a farm that has never been irrigated - but should have been  
25 years ago. I just purchased the farm in January of this year.  
this soil is very light. the Center Pivot will be set up for low pressure -  
putting out approx. 1000 gpm at 29 psi.

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 Turner)<sup>ss</sup>

I, GARY KNOCK, 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 Gary Knock

Subscribed and sworn to before me this 10 day of Dec 1988

[Signature]  
Notary Public

**SOUTH DAKOTA**  
**WATER PERMIT No. 5259-3 FOR IRRIGATION**

Date of first receipt of application December 16, 1988.

Date Soil/Water Compatibility Permit received January 18, 1989.

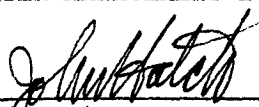
The Water Management Board approved Water Permit Application No. 5259-3 on March 1, 1989 for Gary R. Knock, RR #1 Box 83, Davis, SD 57201 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5259-3 appropriates 2.23 cfs from one well, approximately 180 feet deep to irrigate 160 acres. The well is to be located in the center of the NE1/4 and the acreage to be irrigated is in the NE1/4; all in Section 31, T98N-R52W.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year 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 - September 30.
3. The date from which applicant may claim right is December 16, 1988.
4. One-fifth of the construction is to be completed on or before September 1, 1991.
5. All construction is to be completed on or before March 1, 1994.
6. Water is to be put to beneficial use on or before March 1, 1998.
7. 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 authorized by Permit No. 5259-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:29.
2. 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.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

**WATER MANAGEMENT BOARD**

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

APR 6 1990  
(date)

# Supplemental Information

(type or print in ink)

## 1. Well Information - Proposed construction

- a) Drill Hole Diameter 22" Depth 90'
- b) Casing Type PVC Diameter 16" Thickness 1/2"
- c) Screen Type 100 PVC slotted Diameter 16" Thickness 1/2"
- d) Gravel Pack Thickness 3" Length of Gravel Pack 40'
- e) Depth to Top of Water Bearing Material 2'
- f) Depth to Water (ground surface to water level) 10'
- g) Distance to nearest existing domestic well:
- On applicants property 1360 ft On property owned by others approx. 1750 ft.

## 2. Dugout Information Estimates

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

## 3. Water Storage Dams

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

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

\_\_\_\_\_  
\_\_\_\_\_

b) Freeboard \_\_\_\_\_

c) Crest Width \_\_\_\_\_

Crest Length \_\_\_\_\_

d) Height \_\_\_\_\_

e) Primary Outlet Capacity \_\_\_\_\_  
If Pipe, diameter \_\_\_\_\_

f) Secondary Spillway Capacity \_\_\_\_\_  
Spillway width \_\_\_\_\_

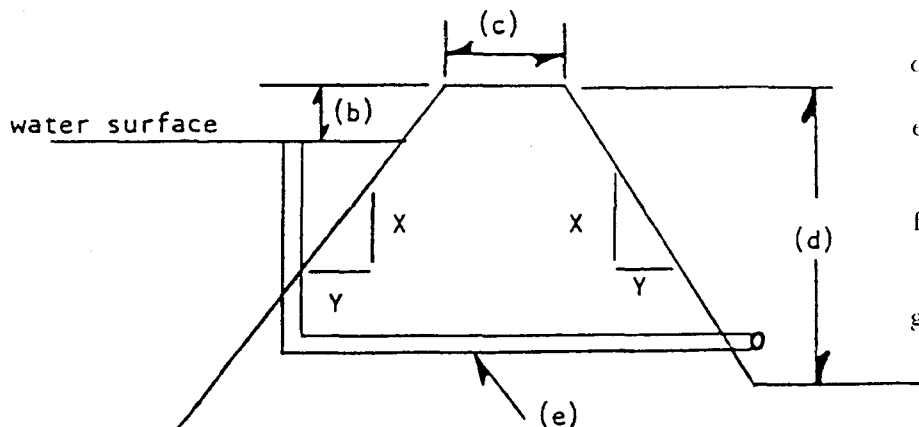
g) X & Y Slope  
Upstream \_\_\_\_\_

Downstream \_\_\_\_\_

Surface Area of Impoundment \_\_\_\_\_

Storage \_\_\_\_\_ acre feet

Drainage area above dam \_\_\_\_\_



Gary Knack  
Signature of Applicant

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411545

Pierre, December 16, 1988

RECEIVED OF Gary Knock, Box 83, Davis SD 57021

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

|                                                                                                                                    |       |        |
|------------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>5259-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____ | 250   | 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 | 250 00 |

By John Hatten  
Chief Engineer

Department of Agriculture  
WI#1  
5/87

SOIL/WATER COMPATIBILITY PERMIT  
Division of Conservation

Office Use Only

4314

WR#

OWNERS NAME: Gary R. Knock

OWNERS ADDRESS: RR 1, Box 83  
Davis, SD 57021

COUNTY LAND LOCATED IN: Turner

PHONE: 238-5623

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION: NE 1/4 Sec. 31-98-52

Depth: \_\_\_\_\_

| Legal Description               | Acres | Legal Description | Acres |
|---------------------------------|-------|-------------------|-------|
| NE 1/4 NE 1/4 Sec. 31-T98N-R52W | 40    |                   |       |
| NW 1/4 NE 1/4 " "               | 40    |                   |       |
| SW 1/4 NE 1/4 " "               | 40    |                   |       |
| SE 1/4 NE 1/4 " "               | 40    |                   |       |
|                                 |       | TOTAL ACRES =     | 160   |

2. TYPE OF IRRIGATION: GRAVITY: \_\_\_\_\_ TOWLINE: \_\_\_\_\_ CENTER PIVOT: ☒ GUN: \_\_\_\_\_ OTHER: (Specify) \_\_\_\_\_

3. CROPS TO BE IRRIGATED: alfalfa, soybeans, corn

WATER QUALITY:

4. WATER SAMPLE NUMBER: 88-0553

7. ADJUSTED (SAR): 0.49

5. SALINITY (EC X 10<sup>6</sup>): 1200

8. PERCENT SODIUM: 3.30

6. SODIUM (SAR): 0.18

Requirements: The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 in. of the soil profile) at the beginning of the growing season, apply. They become applicable upon the issuing of a soil-water compatibility permit by the division or the commission.



☒ APPROVED

☐ DISAPPROVED

☐ WAIVER

☒ REQUIREMENTS

[Signature]  
Director, Division of Conservation

11/12/87  
Date

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

↑  
North

quarter  
corner ↓

23/R

138

1336 Ft

1280 Ft

proposed  
well  
is  
red  
circle

mid  
quarter  
point

South  
↓

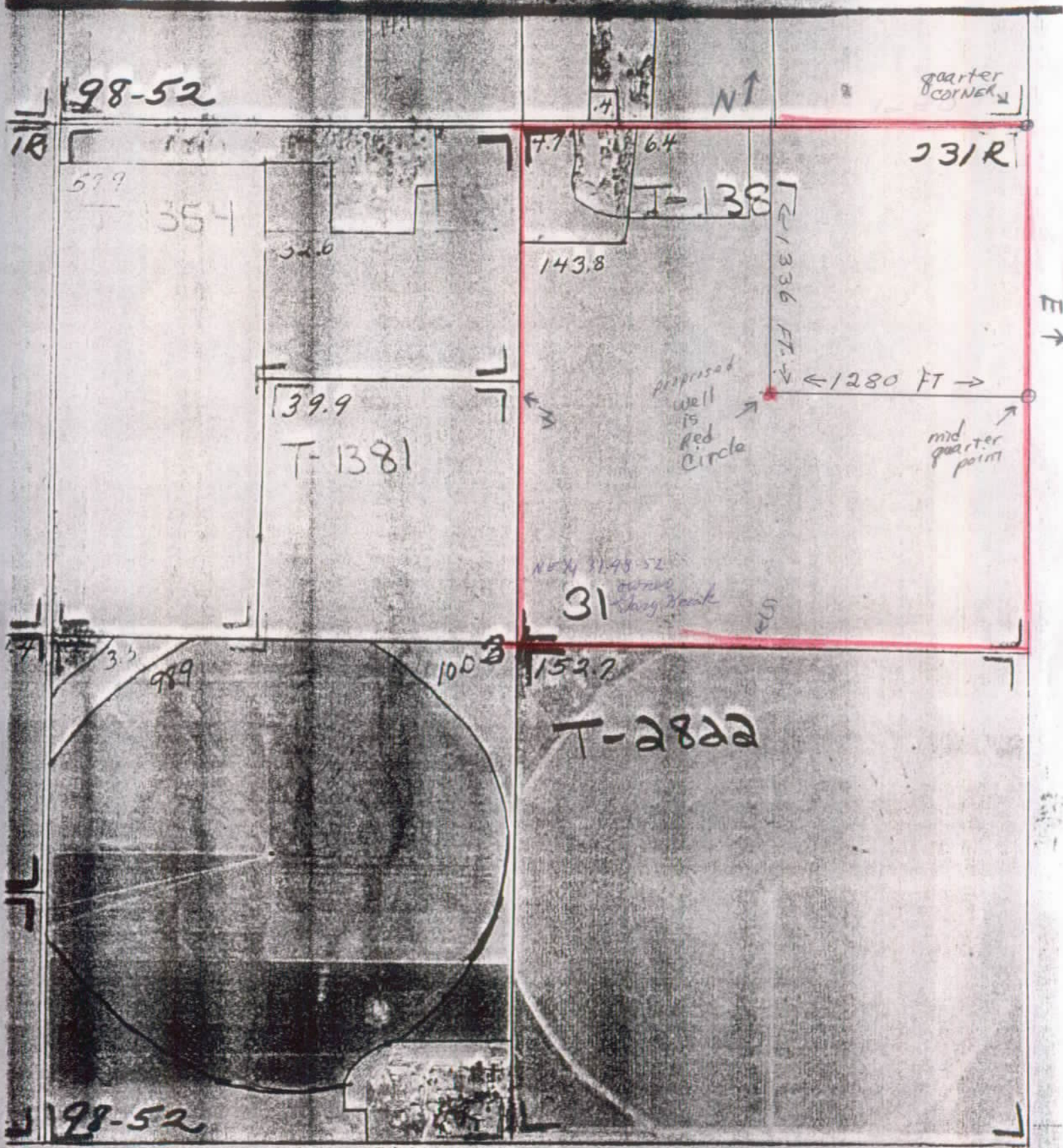
inside the red  
border is the  
NE 1/4 31-98-52  
owner - Gary Knack

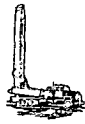
Appl. No.  
5259-3

ASCS Employee  
Shirley Chandler

ASCS Employee -  
Thurman Thacker

NOT TO SCALE





# WETMORE DRILLING

P.O. BOX 577 - ELK POINT, SOUTH DAKOTA 57025 - (605) 356-3272

December 10, 1988

Gary Knock  
Box 83  
Davis, SD

## TEST HOLE LOG

Center of NE  $\frac{1}{4}$  31-98-52 Middleton Twn. Turner Co.

|           |         |
|-----------|---------|
| 0 - 2'    | Topsoil |
| 2 - 29'   | gravel  |
| 29 - 58'  | clay    |
| 58 - 89'  | gravel  |
| 89 - 102' | clay    |

*James Wetmore*  
James Wetmore

Wetmore Drilling  
PO Box 577  
Elk Point, SD 57025

## Conversation or File Documentation

NAME OF PERSON OR FILE: Gary KnockADDRESS: RR 1, Box 83, Davis SD COUNTY TurnerDATE: Mar 23, 1990 TELEPHONE \_\_\_\_\_RE: depth of well.

## COMMENTS:

Gary Knock called to determine if a well log had  
been received from Wetmore Drilling. I informed  
Mr Knock that the log had been received on  
March 7, 1990 and The formation was the  
same as specified on the application. Mr.  
Knock was also informed that Permit No. 5259-3  
would now be issued.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Don Durrell



Report on Application 5259-3  
Gary R. Knock  
January 20, 1989

Water Permit Application No. 5259-3 was submitted for Gary R. Knock of Davis, South Dakota to appropriate 2.23 cubic feet of water per second (cfs) from one well, approximately 90 feet deep, to be located in the center of the NE1/4 of Section 31, T98N, R52W. The well will be used to irrigate 160 acres also in the NE1/4 of Section 31, T98N, R52W.

Aquifer Characteristics

The well is to be drilled in an area which is underlain by a surficial aquifer called the Parker-Centerville Aquifer and a basal aquifer named the Upper Vermillion-Missouri Aquifer (Hedges, 1982). Evidence from area well logs indicates there is an intermediate aquifer also. Based on the extensive thickness and continuous nature of the sands and gravels in some locales, it appears the aquifers may be hydrologically connected (WRD Observation Well and Permit Files, 1989).

According to the permit test hole data, the applicant's well will be located in the intermediate aquifer. Water Right Observation Well TU-77H, located in the same aquifer about 2000 feet from the proposed well site, is considered to be in the Upper Vermillion-Missouri Aquifer. It is a confined aquifer found under artesian conditions (Hedges, 1982).

Water Availability

It is estimated that in Turner County over 1,000,000 acre-feet of recoverable water are found in the Upper Vermillion-Missouri (UVM) Aquifer, which underlies 106,400 acres in the county (Hedges, 1982).

The primary use of this aquifer in Turner County is for irrigation. The 1987 Irrigation Questionnaire indicated approximately 23,000 acre-feet were appropriated for irrigation in 1987 and 3500 acre-feet utilized (WRD 1987 Irrigation Questionnaire, 1988).

Water Rights Division Observation Well TU-77H, located in the aquifer, is less than 1/2 mile from the proposed well site. The water level fluctuates 5 to 10 feet during the irrigation period due to pumping with recovery occurring in the other seasons. Water level changes caused by yearly variations in precipitation were evident, but no long term trends due to pumping were recognized (WRD Observation Well Files, 1989).

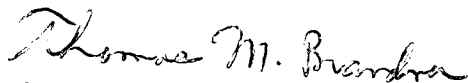
Water is available for Permit Application No. 5259-3 based on the large aquifer capacity, moderate amount of permitted withdrawals and no discernible water level trends.

#### Existing Water Permits

There are a number of permits in the vicinity of the applicant's well. Many of these are drilled into the Parker-Centerville Aquifer, which is a water-table aquifer found above the Upper Vermillion-Missouri Aquifer. Permit Nos. 2051-3, 3156-3, and 3943-3 are in the Upper Vermillion-Missouri Aquifer and located 1/2 to 1 mile from the applicant's well. No interference is expected (WRD Permit Files, 1989).

#### Conclusions

1. Unappropriated water is available from the Upper Vermillion - Missouri Aquifer for Permit Application No. 5259-3.
2. Observation well hydrographs in the area do not reveal any long term trends in water levels due to aquifer withdrawals.
3. Because of the large aquifer capacity and adequate well spacing, the Water Rights Division does not expect the application to adversely affect other existing water permit holders.
4. This permit can be approved with the well interference qualification.

  
Thomas M. Brandner  
Natural Resources Engineer

### References

- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Prepared for U.S. Army Corps of Engineers Planning Division by DWNR Geological Survey, Vermillion, SD.
- Water Rights Division, 1988, 1987 Irrigation Questionnaire, DWNR, Joe Foss Bldg., Pierre, SD.
- Water Rights Division, 1989, Observation Well Files, DWNR, Joe Foss Bldg., Pierre, SD.
- Water Rights Division, 1989, Permit Files, DWNR, Joe Foss Bldg., Pierre, SD.

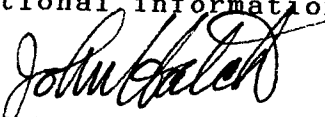
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 5259-3, Gary R. Knock

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. 5259-3, Gary R. Knock, RR 1, Box 83, Davis SD 57021.

The Chief Engineer is recommending APPROVAL of Application No. 5259-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well authorized by Permit No. 5259-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:29.
2. 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.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.

  
JOHN HATCH, Chief Engineer  
January 25, 1989



# Department of Water & Natural Resources

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

January 26, 1989

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

Gary R Knock  
RR 1, Box 83  
Davis SD 57021

Dear Mr. Knock:

Your Application No. 5259-3 for a permit to appropriate water for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the Viborg Enterprise printed at Viborg 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 Intent to Appropriate Water 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. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall  
Natural Resources Engineer  
605 773-3352

enclosures





# Department of Water & Natural Resources

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

January 26, 1989

Viborg Enterprise  
Box 398  
Viborg SD 57070

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5259-3 to be published twice. Please publish the first notice on or before February 1, 1989 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 Gary R. Knock, RR 1, Box 83, Davis SD 57021.

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. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall  
Natural Resources Engineer  
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: 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 or before February 1, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

---

NOTICE OF HEARING on Application No. 5259-3 to Appropriate Water

Notice is given that Gary R Knock, RR 1, Box 83, Davis SD 57021 has filed an application for a water permit to appropriate 2.23 cubic feet of water per second from one well (Upper Vermillion-Missouri Aquifer) approximately 90 feet deep to irrigate 160 acres. The well is to be located in the center of the NE 1/4 and acreage to be irrigated is the NE 1/4; all in Section 31, T98N, R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5259-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD on March 1, 1989 at 10:00 am. 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 interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 17, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. 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. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by February 17, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.



No. 5259-3

STATE OF SOUTH DAKOTA )  
County Turner ) ss.

I, James E. Wipf hereby  
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Viborg Enterprise

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 Viborg

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

February 2, 1989

February 9, 1989

James E. Wipf  
(Signature)  
Publisher, Editor, Owner  
(Title)

2/9/89  
(Date Signed)

Cost of Printing: \$42.24

Subscribed & sworn to  
me 2-9-89  
James E. Wipf  
Proof of Publication - Notary Public

My Commission Expires 2-4-93

\*\*\*\*\*  
**NOTICE OF HEARING**  
**On Application**  
**No. 5259-3**

**To Appropriate Water**

Notice is given that Gary R. Knock, RR 1, Box 83, Davis, South Dakota 57021 has filed an application for a water permit to appropriate 2.23 cubic feet of water per second from one well (Upper Vermillion-Missouri Aquifer) approximately 90 feet deep to irrigate 160 acres. The well is to be located in the center of the NE 1/4 and acreage to be irrigated is the NE 1/4; all in Section 31, T98N, R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5259-3 because (1) unappropriated water is available, (2) existing rights will not be unlawfully impaired, (3) it is a beneficial use of water and (4) it is in the public interest. This application will be considered by the Water Management Board at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City, South Dakota on March 1, 1989 at 10:00 a.m. 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 interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 17, 1989. The Chief Engineer's address is "Water Rights

Division, Foss Building, 523  
E. Capitol, Pierre, South  
Dakota 57501 (605/773-3352)".  
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 legal counsel. If  
legal counsel is obtained. The  
applicant need not file a  
petition. Contact the Water  
Rights Division to request  
information on this  
application or to assure access  
to the hearing by the  
handicapped.

This hearing is an  
adversary proceeding. Any  
person filing a petition and  
the applicant have the right  
to be represented by a lawyer.  
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. The time of the hearing  
will also be automatically  
delayed for at least twenty  
days upon written request of  
the Chief Engineer from the  
applicant as a petitioner. The  
request for a delay must be  
received by February 17, 1989.

This application is made  
pursuant to SDCL 46-1-1 thru  
46-1-9, 46-1-12 thru 46-1-15; 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; and Board Rules  
ARSD 74:02:01:01 thru  
74:02:01:15.

Publish: In The Viborg  
Enterprise, Feb. 2, & 9, 1989  
\*\*\*\*\*



# Department of Water & Natural Resources

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

APR 6 1990

Gary R Knock  
RR 1, Box 83  
Davis SD 57021

Dear Mr. Knock:

Enclosed is Water Permit No. 5259-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

**PLEASE NOTE:** Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.





NOTICE OF COMPLETION OF WORKS AND  
APPLICATION OF WATER TO BENEFICIAL USE

Date April 11, 1990

TO: Water Rights Division, DWNR  
Joe Foss Building  
Pierre SD 57501-3181

FROM: GARY KNOCK Box 83 DAVIS  
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5259-3

Water Permit No. 5259-3 states that the diversion system is to be constructed by GARY KNOCK, and that the water it put to beneficial use by GARY KNOCK.

The diversion system was completed on 5-12-89.  
Applying the water to beneficial use was completed on 5-30-89

You may schedule an inspection so that the Water License may be issued.

Gary Knock  
signature



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

June 14, 1993

5259-3

Gary R. Knock  
RR 1, Box 83  
Davis, SD 57021

Dear Mr. Knock:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 5259-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

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

NOTE: On check or money order, please specify your permit number.  
This will insure proper handling of the fee.

# RECEIPT

413810

## Division of Water Rights

### South Dakota Department of Environment and Natural Resources

Pierre, \_\_\_\_\_ June 21, 19<sup>93</sup>

RECEIVED OF Gary Knock, Box 83, Davis, SD 57021

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. <u>5259-3</u>          | 50           | 00    |
| Fee for Filing Transfer Form _____                                                                                   |              |       |
| Fee for Filing Extension Request _____                                                                               |              |       |
| Fee for _____                                                                                                        |              |       |
| _____                                                                                                                |              |       |
| _____                                                                                                                |              |       |
| (Any Other Work Provided by Law)                                                                                     | <b>Total</b> | 50 00 |

By John Hatch   
Chief Engineer

Permit No. 5259-3

Vermillion River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Gary Knock of RR 1, Box 83, Davis, SD 57201 holder of Permit No. 5259-3, bearing the priority of December 16, 1988 authorizing the diversion of 2.23 cu. ft. per second of the waters of Upper Vermillion-Missouri Aquifer for irrigation purposes, in Turner County.

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

A. Works used to divert the water:

One well - 180' deep, with 60' of 16" PVC casing and 120' of 16" 100 slot PVC screen, Fairbanks-Morse pump, Model H 16 FL7 100B, 16", 3 stages, 1000 GPM @ 40 PSI, Ford Motor, Model unknown, 100 HP

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

7' of 10" aluminum pipe

C. Works used to apply water to beneficial use:

Valley 6000 center pivot system, 7 towers, 1280' long with end gun, low pressure, 950 GPM

The system is in the following condition excellent. The point of diversion is located 1336'S and 1280'W of the NE corner of Section 31-T98N-R52W. The works are capable of diverting and conveying to the place of use 2.11 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in Section 31-T98N-R52W:

NW1/4 NE1/4 = 30 acres

SW1/4 NE1/4 = 34 acres

NE1/4 NE1/4 = 34 acres

SE1/4 NE1/4 = 34 acres

comprising a total of 132 acres of land and the license should be issued for 1.88 cfs.

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: None Date 5/5/93



Gregory C. Johnston  
Natural Resources Engineer II  
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NUMBER 5259-3

DATE 5/5/93

Other permit(s) associated with the project None

DIVERSION POINT LEGAL LOCATION: 1336'S and 1280'W of the NE corner of Section 31-T98N-R52W

WELL INFORMATION: Well Drilling Firm Wetmore

No. of Wells 1 Depth(s) 180

a) Casing: 1) diameter 16 inches

2) length 60 feet

3) type PVC

d) Static Water Level 22 feet

e) Motor:

1) make Ford Power unit

2) model No. unknown

3) horsepower rating 70 hp

b) Screen: 1) type 100 slot PVC

2) length 120 feet

1) make Fairbanks-Morse

2) model H 16 FL7 100B

3) size 16 inches

4) capacity 1000 GPM

5) turbine pump - No. of stages 3

6) operating pressure 40 PSI

DISTRIBUTION LINES OR CANALS:

a) type Aluminum

b) size 10 inches

c) length 7 feet

System Type:

a) Center pivot:

1) make Valley 6000

2) overall length 1280 feet

3) number of towers 7

4) distance between towers 180 feet

5) end gun Y (Y/N)

6) high or low pressure Low

7) capacity 950 GPM

CHEMIGATION EQUIPMENT:

a) does chemigate N (Y/N)

PERMIT QUALIFICATIONS AND REGULATIONS:

a) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y (Y/N)

b) Special qualifications to permit being abided by Y (Y/N)

c) All structures, wells and lands on map Y (Y/N)

d) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y (Y/N)

NOT TO SCALE

98-52

NO. 5259-3

GARY KNOCK

N  
1"=660'

MT-3640  
Drawn by: Gregory C. Johnston  
Gregory C. Johnston  
Natural Resources

Engineer II  
Water Rights Division, DENR

6/9/93

T-3324

MT-3640

out

NE $\frac{1}{4}$  NE $\frac{1}{4}$  =  
34 acres

NW $\frac{1}{4}$  NE $\frac{1}{4}$  =  
30 acres

SW $\frac{1}{4}$  NE $\frac{1}{4}$  =  
34 acres

Center Pivot  
\* Well

SE $\frac{1}{4}$  NE $\frac{1}{4}$  =  
34 acres

All in Section 31-T98N-R52W:

NW $\frac{1}{4}$  NE $\frac{1}{4}$  = 30 acres

SW $\frac{1}{4}$  NE $\frac{1}{4}$  = 34 acres

NE $\frac{1}{4}$  NE $\frac{1}{4}$  = 34 acres

SE $\frac{1}{4}$  NE $\frac{1}{4}$  = 34 acres

Total = 132 acres

98-52

No. 5259-3

**STATE OF SOUTH DAKOTA**  
**WATER LICENSE NO. 5259-3**

(1) Gary Knock, of RR #1 Box 83, Davis, SD 57021 made Application No. 5259-3, December 16, 1988 for a water permit to appropriate 2.23 cubic feet of water per second from groundwater (one well), Turner County, South Dakota for irrigation purposes. Permit No. 5259-3, with a priority date of December 16, 1988 was approved March 1, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 1, 1994 and for the application to beneficial use of said water on or before March 1, 1998. The permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use on April 13, 1990. The "Notice" stated the diversion system was completed on May 12, 1989 and the water applied to beneficial use on May 30, 1989.

(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 1.88 cubic feet of water per second for beneficial use. The location of the diversion point is 1336'S and 1280'W of the NE corner of Section 31, T98N, R52W (approximate center of the NE1/4).

(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:

|            |            |               |           |
|------------|------------|---------------|-----------|
| T98N, R52W | Section 31 | NW 1/4 NE 1/4 | 30 acres  |
|            |            | SW 1/4 NE 1/4 | 34 acres  |
|            |            | NE 1/4 NE 1/4 | 34 acres  |
|            |            | SE 1/4 NE 1/4 | 34 acres  |
|            |            | Total         | 132 acres |

(4) Pursuant to South Dakota Water Law 46-5-30.1 Gary Knock of RR #1 Box 83, Davis, SD 57021 the holder and/or owner of Water Permit No. 5259-3 is issued a license to appropriate water, the right to use 1.88 cubic feet of water per second from groundwater (one well) with a priority date of December 16, 1988 from the location specified in (2) of this license. The water 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 Water Permit No. 5259-3 and subject to South Dakota State Law.

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

SEP 20 1993



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

SEP 20 1993

5259-3

Gary Knock  
RR 1, Box 83  
Davis, SD 57021

Dear Mr. Knock:

Enclosed is Water License No. 5250-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413810 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. 5259-3, 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

gm  
enclosures



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

May 2, 2024

5259-3

Gary Knock  
46020 283<sup>rd</sup> St  
Davis SD 57021

Dear Mr. Knock:

I am writing in regard to Water Right No. 5259-3. The water right authorizes diversion 1.88 cfs (approx. 845 gpm) of water from groundwater, one well, completed into the Upper Vermillion Missouri Aquifer, for the irrigation of 132 acres in the NE ¼ Section 31, T98N, R52W, Turner County.

In reviewing your 2023 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Right No. 5259-3 allows you to use up to 2 acre-feet (ac-ft) (24 inches) of water, per acre, per year. On the questionnaire you reported substantially more water use. The following information is what was reported and what is authorized:

- 132 acres irrigated
- Reported water use – 303.3 ac-ft of water (approximately 28 inches)
- Authorized water use – 264 acre-feet (132 acres x 2 ac-ft per year)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 24 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water right and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

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

**NOTE:** Water Right No. 5259-3 authorizes a diversion rate of 1.88 cubic feet of water per second (approx. 845 gallons per minute). The 2023 irrigation questionnaire you submitted lists a pump rate of 1000 gpm. A new permit would be required to increase the rate of diversion from 1.88 cfs to 2.22 cfs.

enclosure