

Considered: _____

WATER PERMIT NO. 5528-3

Phone: 712 568-2572

Name of Applicant: David Lilly

Post Office Address: Rt 1, Box 156, Westfield IA 51062

Amount of Water Claimed: 1.87 Total Acres: 140

Source of Water Supply: groundwater

Water to be used for: irrigation County: Union

About 5 miles N, 2E of Elk Point

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 2-28-91 Fee: \$250 Remarks _____

Corrected Application Received _____ Period of Annual Use May 1 - Oct 1

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

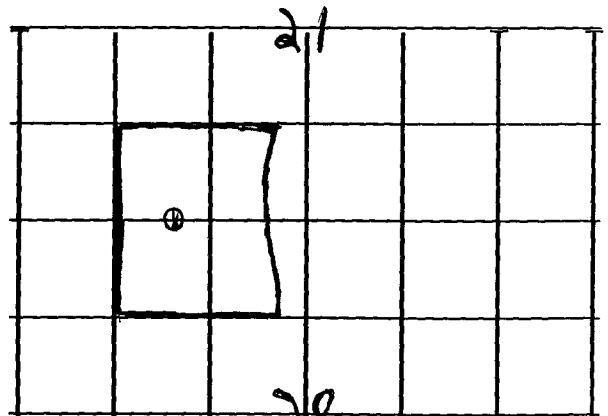
WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: along section line between the

NW 1/4 Sec 28 & SW 1/4 Sec 21; T92N-R49W

Land to be Irrigated: S 1/2 SW 1/4 Sec 21 & N 1/2

NW 1/4 Sec 28; T92N-R49W



Well Log: Driller: James Wetmore Licensed YES X NO _____

Depth of Well: 75' REMARKS _____

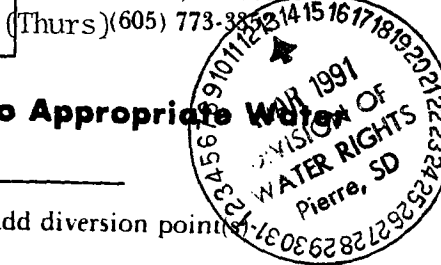
Type of Map: aerial PREPARED BY: John C McIntosh Reviewed and the Number

Assigned on 3-22-91 By Karen Schlaak

(See instructions)

No. 5528-3 Hydrologic Unit 10170203
Basin Big Sioux River
Newspaper Elk Point Leader-Courier, Box 310

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501



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

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
- ☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
- ☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
1. Name of Applicant David Lilly Phone No. 712-568-2572
- Post Office Address Rt 1 Box 156 Westfield State Iowa Zip Code 51062
(Street, RR or Box) (City)
2. Amount of water claimed (c.f.s.) 1.87 Total acres irrigated 130 140
3. Source of Water supply well
4. Location of point of diversion ON section line between N 1/2 NW 1/4 Sec 28 and S 1/2 SW 1/4 Sec 21
7 92 R49 - see aerial photo
along the section line between the NW 1/4 Sec 28 & SW 1/4 Sec 21-T92N-R49W County Union
5. Counties where water will be used Union
6. Annual period during which water is to be used May 1 - Oct 1
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.
<u>NW 1/4, NW 1/4 Sec 28</u>	<u>40</u>
<u>NE 1/4 NW 1/4 Sec 28 Part of</u>	<u>30</u>
<u>ASC Map shows</u>	<u>70.5</u>

Attach sheet if more space is needed

Land Description	No. Acres Irr.
<u>SW 1/4, SW 1/4 Sec 21</u>	<u>40</u>
<u>SE 1/4 SW 1/4 Sec 21 (Part of)</u>	<u>30</u>
<u>ASC Map shows</u>	<u>70.5</u>

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____
(Specify)
9. Crops to be Irrigated: corn - beans - alfalfa
10. Give a description of proposed project. (Attach sheet if more space is needed)

Note: Of the ~~141.7~~ 141.7 acres shown on item 7 and on the aerial photo I'm figuring the pivot would cover roughly 130 acres.



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 Union) ss

I, David Lilly, 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

David Lilly

Subscribed and sworn to before me this 26th day of February 19 91

X Joseph A. [Signature]

Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5528-3 FOR IRRIGATION

Date of first receipt of application February 28, 1991.

Date Soil/Water Compatibility Permit received April 22, 1991.

Date of return to applicant for corrections, amendments or changes March 5, 1991.

Date of receipt of corrected application March 13, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5528-3 to David Lilly, Rt 1, Box 156, Westfield IA 51062 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. 5528-3 appropriates 1.87 cubic feet of water per second from one well (Missouri/Elk Point Aquifer) 75 feet deep located along the section line between the NW 1/4 Section 28 and SW 1/4 Section 21 to irrigate 140 acres located in the S 1/2 SW 1/4 Section 21 and N 1/2 NW 1/4 Section 28; all in T92N-R49W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - October 1.
3. The date from which applicant may claim right is February 28, 1991.
4. The date of approval of Permit No. 5528-3 is July 10, 1991.
5. One-fifth of the construction is to be completed on or before January 10, 1994.
6. All construction is to be completed on or before July 10, 1996.
7. Water is to be put to beneficial use on or before July 10, 2000.
8. 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 pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.

(continued)

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 Environment and Natural Resources

AUG 28 1991

date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 24" Depth 75'
- b) Casing Type concrete Diameter 16" Thickness _____
- c) Screen Type sand slot Tensile Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) 12-15'
- g) Distance to nearest existing domestic well:
- On applicants property NONE On property owned by others 1750'

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 _____

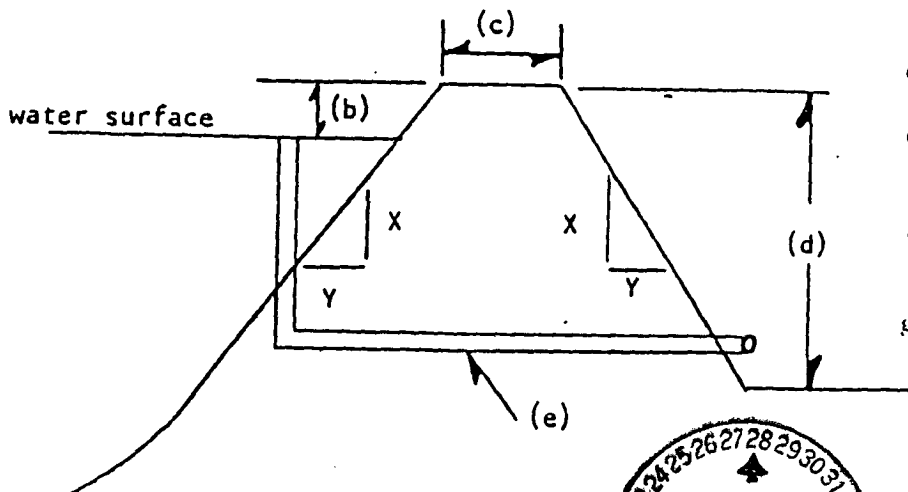
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 24, Depth 75
- (2) Casing, Type concrete Diameter 16" Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type sand slot - Transite, Diameter _____, Length _____
- (4) Gravel Pack. Thickness _____, Length of gravel pack _____

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 _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) 12-15'

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

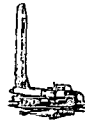
On same owner's property None rds. On property owned by others 1750' rds.

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.



Dan Tilly
Signature of Applicant



WETMORE DRILLING

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

December 17, 1990

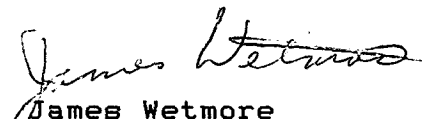
Dave Lilly
Westfield, Iowa

N1/2 - NW1/4 Sec 28 & S 1/2 - SW 1/4 Sec 21

T92 - R49

TEST HOLE:

0 - 6'	Topsoil
6 - 66'	sand & gravel
66 - 70'	clay


James Wetmore
PO Box 577
Elk Point, SD 57025



10-85

Date Jan 9, 1993

Appl. No. 5528-3

23.8

HEL

28R

70.4

T1657

433

21

76.9

T1642

71.2

T1684

23.9

92-49

well to be located

70.5

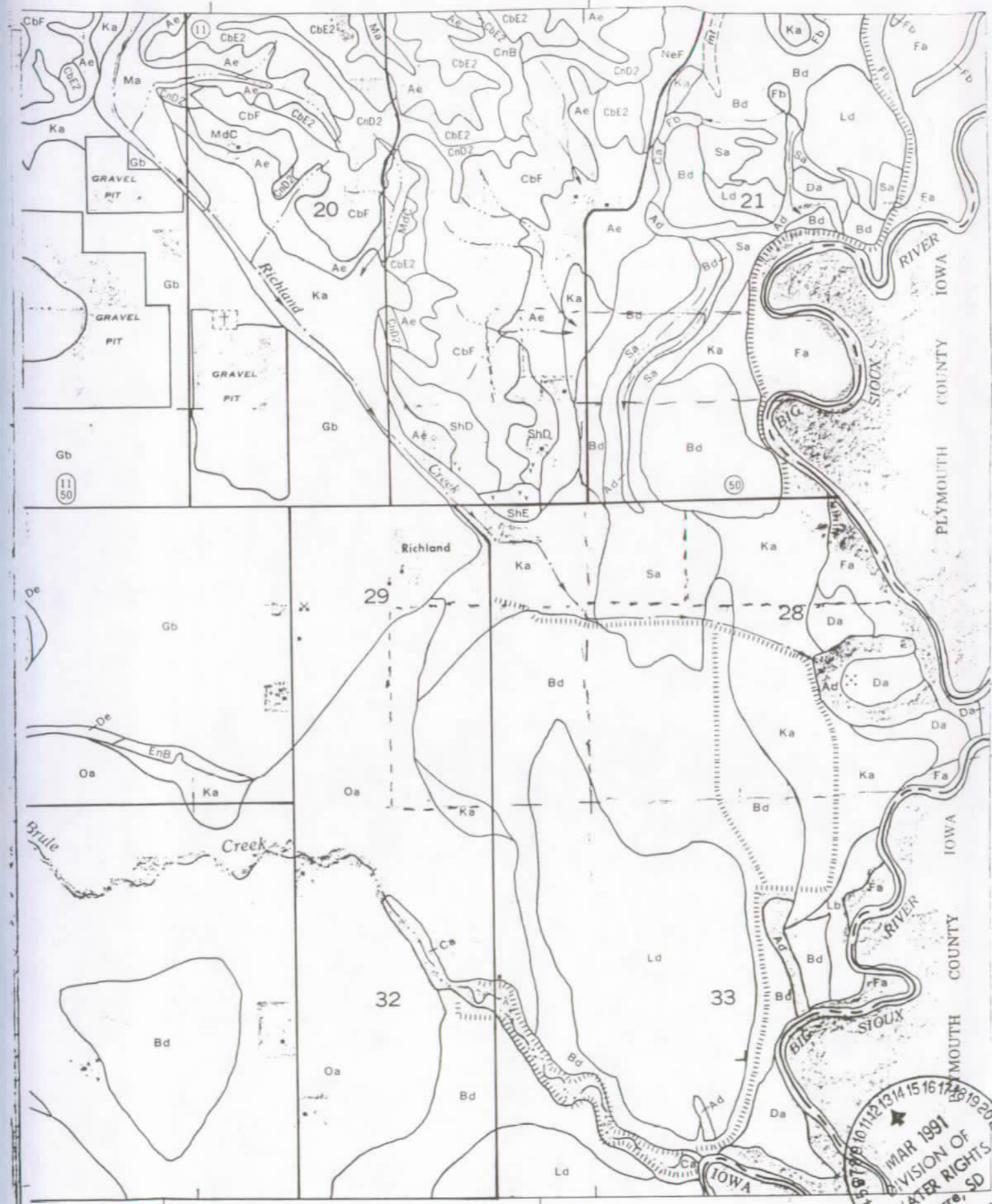
28R

T1699



John C. McIntosh 3-8-91

John C. McIntosh
Program Assistant
Union County ASCS



(Join inset, sheet 31)



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412581

Pierre, March 13, 1991

RECEIVED OF David Lilly, Rt 1 Box 156, Westfield, SA 51062

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

Fee for Application for Permit No. <u>5528-3</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 Hatch / [Signature]
Chief Engineer



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 5, 1991

David Lilly
Rt 1, Box 156
Westfield IA 51062

Dear Mr. Lilly:

In regard to your water permit application received on February 28, 1991, the following information needs to be submitted and/or clarified in order to process your application.

1. On Item No. 2 of the application please indicate the amount of water claimed. Under State Statutes you are allowed 1 cubic foot of water per second (cfs) for each 70 acres irrigated. This would mean you are allowed 1.87 cfs to irrigate 130 acres or 1.71 cfs to irrigate 120 acres. Also, on Item No. 2 you indicate you will be irrigating 130 acres. On Item No. 7, the acres listed total up to 120 acres. Which is correct? The filing fee for 120 acres is \$225.00 or \$250.00 for 130 acres.
2. The aerial photo submitted with your application is also being returned. The map needs to be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office). All the lands to be irrigated need to be outlined on the aerial photo(s). You will need to submit an aerial photo for the lands located in Section 28. The location of the diversion point (place where the well is to be located) also needs to be indicated.
3. On Item No. 4, please list the location of where the well will be located.
4. A soils map is required of the lands to be irrigated in order to proceed with the Soil/Water Compatibility permit.

The water permit application can not be considered until the application is complete and Soil/Water Compatibility Permit is obtained from the Department of Agriculture. Please submit the above listed items and the application will be processed.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosures

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

REPORT ON APPLICATION NO. 5528-3
for David Lilly
May 24, 1991

Application No. 5528-3 proposes to appropriate 1.87 cfs from one well approximately 66 feet deep located near the center of the N 1/2 NW1/4 of section 28 and the S 1/2 SW 1/4 of section 21 in T92N R49W. The water will be used to irrigate 140 acres in the S 1/2 SW 1/4 of section 21 and the N 1/2 NW 1/4 of section 28 in T92N R49W in Union County.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point aquifer is an alluvium mantled outwash (sand and gravel) under water table conditions in this area. The test hole log submitted with the application indicates that sand and gravel was encountered from 6 to 66 feet below land surface at this site. Over most of the area underlaid by the Missouri Elk Point aquifer the aquifer is under confined conditions. The Missouri Elk Point is hydraulically connected to the Big Sioux and Missouri Rivers and to the Big Sioux South and Lower Vermillion aquifers. The Missouri Elk Point underlies 99,600 acres and contains an estimated 1.49 million acre feet of recoverable water in storage in Union County (Hedges, 1982).

The Division of Water Rights monitors 28 observation wells completed into the Big Sioux South aquifer in Union County. Water levels in these wells respond to climatic conditions, that is, rising during wet years or periods of recharge and declining gradually during dry years due to pumping and lack of recharge. The nearest observation well to this application is UN-87F and is located about 2 miles northwest of this application. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1991).

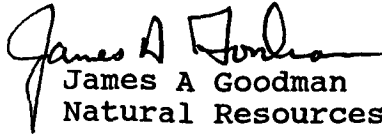
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing permit/right is over 1 mile from this site. Interference is not expected to be a problem. The aquifer is under water table conditions and drawdown caused by pumping high capacity wells in aquifers like the Missouri Elk Point does not extend very far from an individual production well.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is under water table conditions and interference is not expected to be a problem.

3. Any well authorized by this application must be constructed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S., 1982, Evaluation of Ground Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1991, Observation Well Records for Missouri Elk Point Aquifer in Union County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

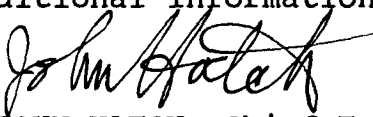
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5528-3, David Lilly

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. 5528-3, David Lilly, Rt 1, Box 156, Westfield, IA 51062.

The Chief Engineer is recommending APPROVAL of Application No. 5528-3 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 pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
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 report on application for additional information.


JOHN HATCH, Chief Engineer
June 3, 1991



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

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

June 6, 1991

David Lilly
Rt 1 Box 156
Westfield, IA 51062

Dear Mr. Lilly:

Water Permit Application No. 5528-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Elk Point Leader-Courier printed at Elk Point, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Karen Schloak
for Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

June 6, 1991

Elk Point Leader-Courier
Box 310
Elk Point, SD 57025

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5528-3 to be published twice. Please publish the first notice on June 13, 1991, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is David Lilly, Rt 1, Box 156, Westfield, IA 51062.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Karen Schlaak
for Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on or before June 13, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5528-3 to Appropriate Water

Notice is given that David Lilly, Rt 1, Box 156, Westfield IA 51062 has filed an application for a water permit to appropriate 1.87 cubic feet of water per second from one well (Missouri:Elk Point Aquifer) 75 feet deep located along the section line between the NW 1/4 Section 28 and SW 1/4 Section 21 to irrigate 140 acres located in the S 1/2 SW 1/4 Section 21 and N 1/2 NW 1/4 Section 28; all in T92N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5528-3 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 1, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5528-3 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for July 10, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the July 10, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 10, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 1, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Union) ss.

I, Lester E. Emerson

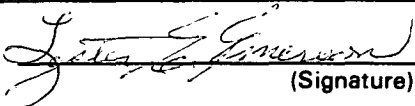
certify that the attached printed Notice was taken
 from the The Leader-Courier

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

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:

June 13 and 20


 (Signature)

Editor
 (Title)

June 20, 1991
 (Date Signed)

Cost of Printing: 58.11

NOTICE OF HEARING ON APPLICATION NO. 5528-3 TO APPROPRIATE WATER

Notice is given that David Lilly, Rt. 1 Box 156, Westfield, Iowa 51062 has filed an application for a water permit to appropriate 1.87 cubic feet of water per second from one well (Missouri/Elk Point Aquifer) 75 feet deep located along the section line between the NW $\frac{1}{4}$ Section 28 and SW $\frac{1}{4}$ Section 21 to irrigate 140 acres located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 21 and N $\frac{1}{2}$ -NW $\frac{1}{4}$ Section 28; all in T92N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5528-3 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 528 E. Capitol, Pierre, S. D. 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 1, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

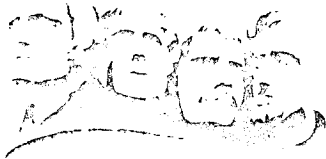
For purposes of publishing 1) the notice of hearing on Application No. 5528-3 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for July 10, 1991, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, S. D. If this application is opposed or the recommendation is contested, the July 10, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place

given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 10, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 3, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence and cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.
Pub. June 13 and 20.

South Dakota



GREAT FACES. GREAT PLACES.

AUG 28 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

David Lilly
Rt 1 Box 156
Westfield, IA 51062

Dear Mr. Lilly:

Enclosed is Water Permit No. 5528-3 authorizing construction of 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 Apr 25 1992

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

FROM: David Lilly RT 1 Box 158 Westfall, Ia
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. 5528-3.

Water Permit No. 5528-3 states that the diversion system is to be constructed by July 10 1996, and that the water it put to beneficial use by July 10 2000.

The diversion system was completed on (Well) April 1992. Wetmore Drilling Co.
Applying the water to beneficial use was completed on ?.

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

David Lilly
signature



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 20, 1996

5528-3

Noelle K Baker, Exec.
27001 K18N
Westfield, IA 51062

Dear Ms. Baker:

Thank you for returning the 1996 irrigation questionnaire for Water Permit No. 5528-3, listed in the name of David Lilly. In follow-up to our telephone conversation and the questionnaire you submitted, I am enclosing a "*Notice of Transfer of Ownership*" form for use in changing the water permit from David Lilly to the Estate name.

Please review the form for accuracy and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and then return it to our office with a required filing fee of \$2.50.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to call me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5528-3



Date: _____

I/We request that Water Permit No. 5528-3

formerly owned by: David Lilly

be transferred to: (name & address) David Lilly Estate, % Noelle K Baker, Exec., 27001 K18 N, Westfield, IA 51062

Telephone No. 712 233-1520

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

140 acres - S½ SW¼ Section 21 and the N½ NW¼ Section 28, T92N, R49W

I/We understand that the validity of Water Permit No. 5528-3 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 Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Butte)
Union)

I/We Noelle Krapp Baker being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

x Noelle Krapp Baker exec.
(Signed)

Subscribed and sworn to before me this 24th day of December, 19 96.



Tamara J. Colt
(Notary Public)

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

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

RECEIPT

415218

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ January 6, 19 97

RECEIVED OF David Lilly Estate, %Noelle K. Baker, Exec., 27001 K 15 N, Westfield, IA 51067
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 <u>Water Permit No. 5528-3</u>		2 50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatcher
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 1997

No. 5528-3

David Lilly Estate
%Noelle K. Baker, Exec.
27001 K18 N
Westfield, IA 51062

Dear Mr. Lilly:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 5528-3.

Our records now show you as the owner of Water Permit No. 5528-3.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 25, 1997

5528-3

Noelle K Baker
27001 K 18N
Westfield, IA 51062

Dear Ms. Baker:

In response to our telephone conversation, enclosed is a partially completed "Notice of Transfer of Ownership" form. You indicated that your father's estate has been settled and the water permit should be transferred to you and your sister.

Please review the form for accuracy and make any necessary corrections. Complete the portion titled "*be transferred to: (name & address)....*". Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

Thank you for contacting me regarding the transfer. If I can answer any questions for you, please contact me.

Sincerely,

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

Sept 29, 1997



Dear Ms. McMath.

Enclosed find the completed
"Transfer of Ownership" form.
Please send all correspondence
in care of my name & address.
If you have any further questions
please call. Thank you.

Sincerely,

Maile K. Baker
27001 Kien
Westfield MA 01062
712 233-1520

No. 5528-3

Date: 9-30-97

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 6, 1997

5528-3

Noelle K Baker
27001 K 18N
Westfield IA 51062

Jill K Moravek
4569 Meadow Lane
Sioux City IA 51104

Dear Ms. Baker and Ms. Moravek:

I am contacting you in regard to the ownership change filed for Water Permit No. 5528-3. The water right has been transferred, effective October 6, 1997, from David Lilly Estate to Noelle K Baker and Jill K Moravek.

Noelle, thank you for handling the paperwork concerning this transfer. Any correspondence concerning the water permit will be directed to your attention.

If either of you have any questions concerning the water permit, please give me a call.

Sincerely,

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

RECEIPT

415483

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 6, 19 97

RECEIVED OF Noelle K. Baker, 27001 K-18N, Westfield, IA 51062

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 <u>Water Permit No. 5528-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

John Hatch (8)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 1998

5528-3

Noelle K Baker
27001 K 18N
Westfield, IA 51062

Dear Ms. Baker:

Enclosed, as we discussed, are copies of past irrigation questionnaires submitted by David Lilly. I included 1992 through 1995 forms. The acreage irrigated each year seemed to vary a few acres, but is still within the amount described on the water permit.

In the event I have neglected to send you a copy of the water permit in my past correspondence, I am including a copy for your records.

If you have any questions concerning the enclosed information, please get in touch with me.

Sincerely,

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

2000 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
Please fill out and return before December 1, 2000

Jan

5528-3
NOELLE K *Knapp*
BOX 45 *21762 Hwy 12*
WESTFIELD IA 51062

CHANGES TO ADDRESS LABEL , IF ANY:

Telephone No. _____

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

1. Is the system constructed? *yes ☒ no ☐

*Type of system used (check all that apply):

center pivots ☒ towlines ☐ big gun ☐

flood ☐ sprinklers ☐ other ☐

2. Did you irrigate in 2000? *yes ☒ **no ☐

*If yes, number of acres irrigated 120

**If no, list reason(s) in comment section:

3. Source of water: well

4. Is land enrolled in CRP? *yes ☐ no ☒

*If yes, through what year? _____

5. Did you apply chemicals or fertilizer through the system in 2000? *yes ☒ no ☐

* If yes, a separate chemigation form is **NOT** needed.

Comment Section:

Office use only



The portion of the form for reporting acres irrigated is on the back of this page. Listed below are two examples of how to complete the form:

EXAMPLE 1: In June & July, 130 acres were irrigated using a pivot system (70 acres of corn & 60 acres of alfalfa). The pump rate of the pivot is 800 gallons per minute and you pumped 8 days (@ 24 hours per day) on the corn and 22 days on the alfalfa:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY					
	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: In June, 40 acres of alfalfa were irrigated (using gated pipe @ 3000 gpm) for 5 days - 24 hours per day; 60 acres of beans were irrigated (using big gun @ 380 gpm) for 10 days at 24 hours per day:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

For ease in calculating water use, please specify if actual irrigation hours or kilowatt hours are being reported. For kilowatt hours, include depth to water & system pressure in comment section.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 23, 2001

No. 5528-3

Noelle Knapp
21762 Hwy 12
Westfield IA 51062

Dear Ms. Knapp:

The Irrigation Questionnaire recently returned to our office indicated a name change on Water Permit No. 5528-3. The water permit is currently listed in the names of Noelle K. Baker and Jill K. Moravek. From the form, we could not determine if this was a name change or if a change in ownership had occurred. Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change and/or name change on Water Right No. 5528-3

The transfer form should be checked over for accuracy and signed by the new owner(s) in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

Ms. Knapp, I know this is somewhat confusing. Feel free to give me a call and clarify this situation.

Sincerely,

Karen Schlaak
Karen Schlaak
Water Rights Program
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 15, 2001

5528-3

Noelle Knapp
21762 Hwy 12
Westfield, IA 51062

Dear Mrs. Knapp:

Thank you for following up on the ownership change for Water Permit No. 5528-3. The transfer has been completed. The water permit formerly listed in the name of Noelle K Baker and Jill K Moravek is now listed in your name.

Enclosed is your Receipt No. 416768 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Glenda Marks
Secretary
Water Rights Program
(605) 773-3352

enclosure

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416768

Pierre, February 13, 2001

RECEIVED OF Noelle Knapp, 21762 HWY 12, Westfield IA 51062
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 5528-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Darland Erbe

Chief Engineer

gm

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5528-3

Date: 2-5-01



I/We request that Water Permit No. 5528-3

formerly owned by: Noelle K Baker and Jill K Moravek

be transferred to: (name & address) Noelle Krapp

21762 Hwy 12 Westfield Ia 57062 Telephone No. 712-568-1040

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

140 acres - S 1/2 SW 1/4 Section 21 and N 1/2 NW 1/4 Section 28; all in T92N-R49W

I/We understand that the validity of Water Permit No. 5528-3 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 Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

Iowa
STATE OF ~~SOUTH DAKOTA~~)

County of Plymouth)

I/We Noelle Baker Krapp being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Noelle Krapp
(Signed)

Subscribed and sworn to before me this 5th day of February, 2001.



Karla K. Less
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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.

Permit No. 5528-3
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, July 7, 2005, made a thorough examination of the water use system constructed by Noelle Knapp of 21762 Hwy 12, Westfield IA 51062 holder of Permit No. 5528-3, bearing the priority of February 28, 1991 authorizing the diversion of 1.87 cu. ft. per second of the waters of Missouri/Elk Point Aquifer for irrigation purposes, in Union County.

Inspection contact & relationship **Noell Knapp (712) 568-1040**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Westmore Dirling
- 2) No. of Wells 1
- 3) Depth(s) 60 feet
- 4) Well log is available yes
- 5) Comment:

Casing:

- 1) Diameter 16 inches
- 2) Length 40 feet
- 3) Type pvc

Screen:

- 1) Type stainless steel
- 2) Length 20 feet
- 3) Static water level 15 feet

Pump:

- 1) Make Armarillo
- 2) Model
- 3) Size
- 4) Capacity 800 GPM

Motor:

- 1) Make Lister Diesel
- 2) Model No. SP 111P2
- 3) Horsepower rating 80 hp

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

- 1) Type steel 2) Size 8 inches 3) Length 20 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
2) Overall length 1220' feet
3) Number of towers 10
4) Distance between towers _____ feet
5) End gun yes
6) High or low pressure high
7) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate no

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by yes
2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes
3) Exceptions to compliance are: none

The system is in poor condition with the point of diversion located as follows: 1230' E of the SW corner of Section 21-T92N-R49W. The works are capable of diverting and conveying to the place of use 1.78 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:

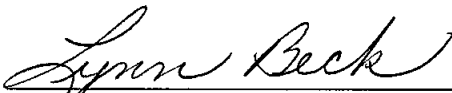
Section 21-T92N-R49W:
SW¼ SW¼ 37 acres
SE¼ SW¼ 27 acres

Section 28-T92N-R49W:
NE¼ NW¼ 30 acres
NW¼ NW¼ 37 acres

comprising a total of 131 acres of land and the license should be issued for 1.78 cfs.

All structures, wells and lands on map yes

Comments or other permit(s) associated with the project:

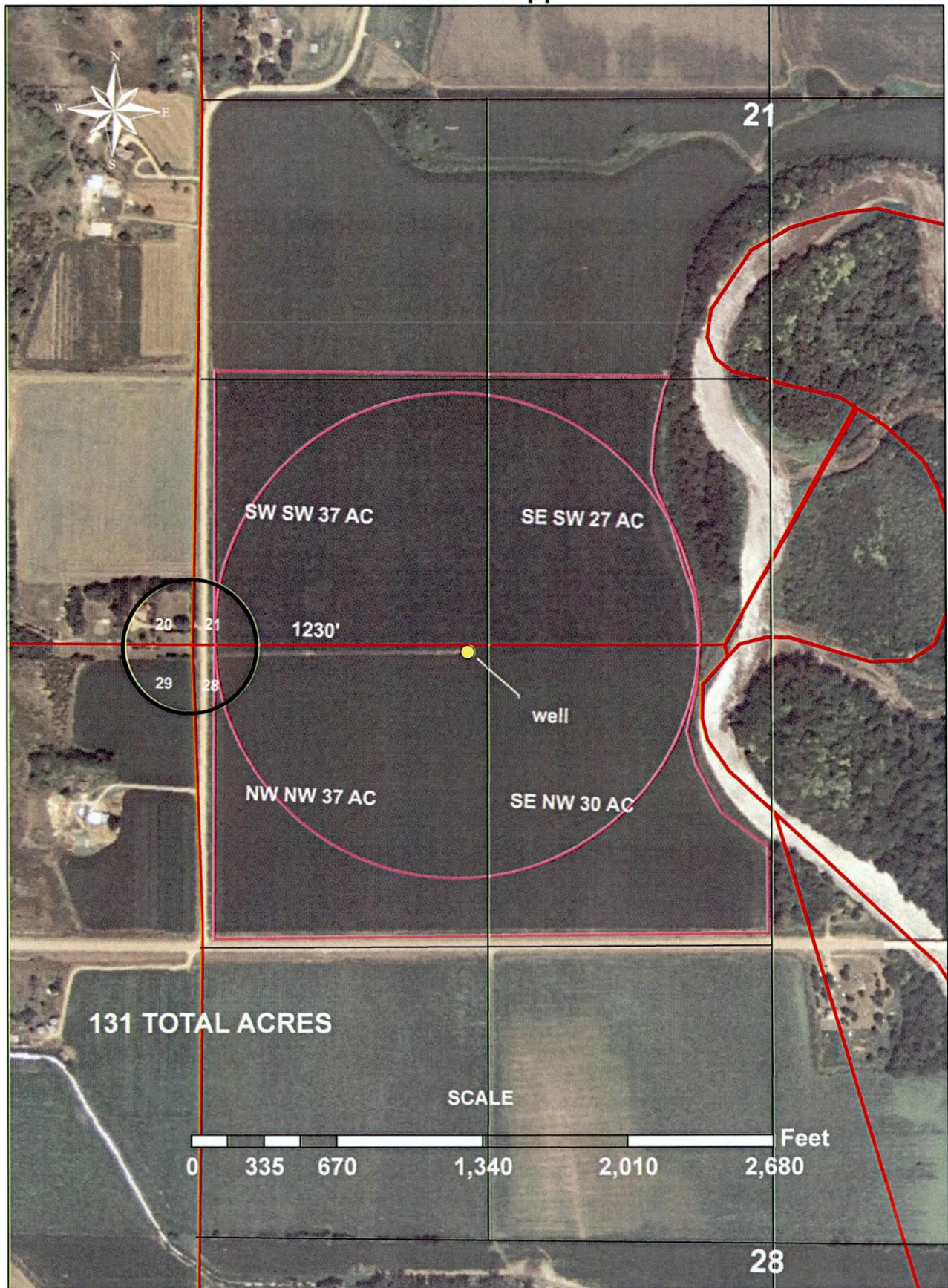


Lynn Beck
Natural Resources Engineer Specialist
DENR, Water Rights Program

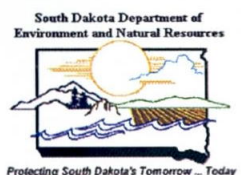
Date report completed: June 15, 2006

Lat: 42.765416
Long: -96.640599

WATER RIGHT NO. 5528-3
Noell Knapp



Lynn Beck
Lynn Beck
Natural Resources Engineer
DENR - Water Rights Program
June 15, 2006





June 27, 2006

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

5528-3

Noelle Knapp
17334 C16
Akron IA 51001

Dear Ms. Knapp:

On ~~July~~ 7, 2005 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5528-3, was completed by Lynn Beck, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date July 12, 20 06

RECEIVED OF Noelle Knapp, 17334 C16, Akron IA 51001

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5528-3</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No.

02518

By Darland Eibele
Chief Engineer *gm*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

AUG 28 2008

5528-3

Noelle Knapp
17334 C 16
Akron IA 51001

Dear Ms. Knapp:

Enclosed is Water License No. 5528-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 02508 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5528-3

(1) David Lilly, Westfield IA made Application No. 5528-3, February 28, 1991 for a water permit to divert 1.87 cubic feet of water per second from groundwater (one well), Union County, South Dakota for irrigation purposes. Permit No. 5528-3, with a priority date of February 28, 1991 was approved July 10, 1991 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 10, 1996 and for the application to beneficial use of water on or before July 10, 2000.

On February 13, 2001, Water Permit No. 5528-3 was transferred to Noelle Knapp, 17334 C16, Akron IA 51001.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 5528-3 is issued a license, bearing a priority date of February 28, 1991 to appropriate 1.87 cubic feet of water per second from groundwater (one well) to irrigate 131 acres.

The diversion point is located: 1,230 feet east of the southwest corner of Section 21-T92N-R49W. The acres authorized for irrigation are as follows:

Section 21-T92N-R49W		Section 28-T92N-R49W	
SW ¼ SW ¼	37 acres	NE ¼ NW ¼	30 acres
SE ¼ SW ¼	27 acres	NW ¼ NW ¼	37 acres
Total 131 acres			

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 5528-3 including the following now applicable qualifications:

- The well authorized pursuant to this Permit shall be constructed by a licensed well driller and construction shall comply Water Management Board Well Construction Rules, Chapter 74:02:04.
- 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.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 28 2008

date





5528-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 25, 2017

5528-3

Noelle Knapp
21762 HWY 12
Westfield IA 51062 8633

Dear Ms. Knapp:

Enclosed is a "Notice" dated October 20, 2017 concerning the 2017 irrigation questionnaire.

The notice was originally mailed to 17334 C16, Akron IA. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures