

WATER PERMIT NO. 5952-3

Name of Applicant: Willis L. Scott

Address: RR 1, Box 54A, Parker SD 57053

Phone: 605 297-3449

Amount of Water Claimed: 0.19 add'l cfs

Total Acres: 24 add'l acres

Source of Water Supply: groundwater

Water to be used for: irrigation County: Turner

Type of Waste Disposal System: NA

Location: 3 miles southeast of Parker

PRIORITY Date Received: 8-19-96

Fee: \$150.00

Corrected Application Received:

Period of Annual Use: May 1 - September 30

Remarks: Increase the acreage and diversion rate, and changes the well location authorized by Water Right No. 1164-3

Diversion Point: NW 1/4 NW 1/4 Sec 26-
T99N-R53W

Land to be Irrigated: NW 1/4 Sec 26-
T99N-R53W

Depth of Well: 38 feet

Well Driller: Getting Industries

Remarks:

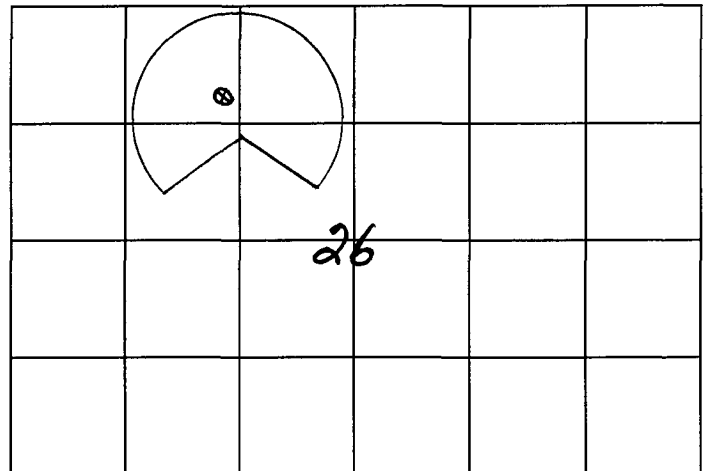
Type of Map: aerial

Prepared by: Barry McLaury

Reviewed and the Number Assigned on: 8-19-96

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



SOUTH DAKOTA
WATER PERMIT NO. 5952-3

Date of first receipt of application August 19, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5952-3 to Willis L. Scott, RR 1 Box 54A, Parker SD 57053 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. 5952-3 appropriates 0.19 cubic feet of water per second (cfs), specifies the correct location of the existing well, specifies the correct location of 29 irrigated acres and authorizes irrigation of 24 additional acres. Water Right No. 1164-3 appropriates 1.14 cfs for irrigation of 80 acres located in the W 1/2 NW 1/4 Section 26-T99N-R53W. An investigation of Water Right No. 1164-3 found 1 well constructed and supplying 1.33 cfs to irrigate 104 acres. The correct location of the one well (Parker Centerville Aquifer) 38 feet deep is the NW 1/4 NW 1/4 Section 26 and the additional 24 acres not authorized by Water Right No. 1164-3 are located in the E 1/2 NW 1/4 Section 26; all in T99N-R53W. The correct location of the 29 acres authorized by Water Right No. 1164-3 is the E 1/2 NW 1/4 Section 26-T99N-R53W.
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 - September 30.
3. The date from which applicant may claim right is August 19, 1996.
4. The date of approval of Permit No. 5952-3 is October 21, 1996.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

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

APR 7 1997

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>5952-3</u> Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>The New Era, Parker, SD</u>



Application For Permit To Appropriate Water For Irrigation

Type of Application: New Vested Right X Amendment/Correction to ~~Permit~~ License No. 1164-3
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.) _____

1. Name of Applicant Willis L. Scott ☒ Owner ☐ Tenant/Lessee Phone 297-3449
(check one)
- Mailing Address RR1 Box 54A Parker, SD 57053
(Street, RR, or Box) (Zip Code)
2. Amount of water claimed 0.19 add'l*CFS or **GPM ***AF Total Acreage 24 add'l
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply Ground Water
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well located in the NW1/4 NW1/4 Section 26 T99N R53W.
County Turner
5. County or counties where water will be used Turner
6. Annual period during which water is to be used May 1 thru September 30
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW1/4 NW1/4 Section 26 T99N R53W	34		
NE1/4 NW1/4 Section 26 T99N R53W	34		
SW1/4 NW1/4 Section 26 T99N R53W	17		
SE1/4 NW1/4 Section 26 T99N R53W	19		

8. Give a description of the project. (Attach sheet if more space is needed)
Water License No. 1164-3 authorizes irrigation of 80 acres in the W2NW1/4 Section 26 T99N R53W with a diversion rate of 1.14 CFS from a dugout fed from underground water. This application is to change the location of the diversion point, change the location of 29 acres from the W2NW1/4 Section 26 to the E2NW1/4 Section 26 and also add 24 acres. The existing center pivot was installed and two small center pivots were removed. This application also adds 0.19 CFS for a total diversion rate of 1.33 CFS for irrigation on the above described lands.
- Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

ss

County of Turner

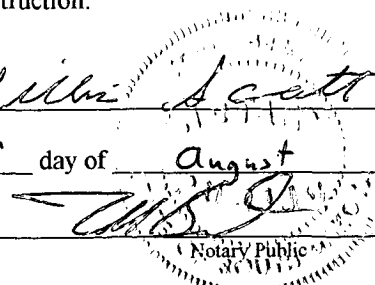
I, Willis L. Scott, the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.

Signed Willis L. Scott

Subscribed and sworn to before me this 16th day of August 19 96

My Commission Expires

11-16-03



Times.

(1) WELL CONSTRUCTION

Location of well: NW 1/4 1/4 Section 26 Township 99 Range 53

Well owner Willis Scott Parker, South Dakota
(Name)

Date well drilling completed August 27 Purpose of well irrigation
1977 (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in foot	Description of layer	
0-2	Topsoil	Depth to top of water producing aquifer <u>20</u> ft.
2-13	Gravel	Depth to static water level <u>11'</u> ft.
13-20	Clay	Name of producing aquifer (if known) _____
20-38	Gravel	Total depth of drill hole <u>38'</u> ft.
3		Depth to bottom of casing _____ ft.
		Casing information: In the space below show kind, size, weight, length per diameter, etc., for production casing and surface casing, if used.
		14" black steel casing 23 feet
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
		15' -- Stainless steel Johnson Screen (14")
		If a flowing well, flow of completed well: _____ G.P.M.
Attach sheet if more space is needed		

Attach sheet if more space is needed

Getting Industries

Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump National 5-11017C HP. 5.0

Type of pump Turbine Capacity of installed pump 600 G.P.M.

Depth of pump placement 30 ft., Date of pump installation 10 - 76

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____.

tube material _____



Name of Pump Installation Contractor

RECEIPT

415052

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ August 19 _____, 19 96

RECEIVED OF Willis Scott, RR 1, Box 54A, Parker SD 57053

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

Fee for Application for Permit No. <u>5752-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	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 _____		

(Any Other Work Provided by Law)	Total	150 00

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 12, 1996

Willis L. Scott
RR1 Box 54A
Parker, SD 57053

Dear Mr. Scott:

After an investigation of Water Right No. 1164-3, I found a problem with the total amount of acreage being irrigated. There are approximately 102 acres being irrigated with a center pivot in the NW1/4 Section 26; T99N R53W. The Water Right for this acreage only allows irrigation of 80 acres in the W1/2 NW1/4. I spoke with Curt Adrian, renter, and he said originally there were two small center pivots at this location. There is one center pivot which irrigates the E1/2 NW1/4 as well as the W1/2 NW1/4 Section 26. The enclosed application is for a permit to irrigate the 24 additional acres which are not covered by your current license. The application also changes the location of the diversion point. (See part 8 of the enclosed application for more information).

Please fill out the bottom of the enclosed completed application. Note that the application must be signed in the presence of a Notary Public. Please return the application with an application filing fee of \$150.00 in the self-addressed envelope provided.

If you have any questions, feel free to contact me at 605-773-3352.

Sincerely,

Barry A. McLaury
Water Rights Program

enclosures

REPORT ON WATER PERMIT APPLICATION NO. 5952-3

for Willis L. Scott
September 19, 1996

Application No. 5952-3 proposes to appropriate 0.19 cfs (85 gpm), specify the correct location of the existing well, specify the correct location of 29 irrigated acres and to irrigate 24 additional acres, Water Right No. 1164-3 appropriates 1.14 cfs for irrigation of 80 acres located in the W 1/2 NW 1/4 of Section 26, T99N-R53W. An investigation of Water Right No. 1164-3 found one well constructed and supplying 1.33 cfs to irrigate 104 acres. The correct location of the 38 feet deep well is in the NW 1/4 NW 1/4 of . 26 and the additional 24 acres are located in the E 1/2 NW 1/4 of . 26; all in T99N-R53W in Turner County. The corrected location of 29 acres authorized by Water Right No. 1164-3 is also in the E 1/2 NW 1/4 of . 26, T99N-R53W.

AQUIFER - PARKER CENTERVILLE (PAC)

The Parker Centerville is a surficial outwash (sand and gravel) which is under predominantly water table conditions. The aquifer underlies 74 square miles and contains an estimated 322,000 acre feet of water in storage (Lindgren, 1990). The well log included with the application indicates gravel from 2 to 13 feet, clay from 13 to 20 feet and gravel from 20 to 38 feet all below land surface. The well as completed had a static water level of 11 feet below land surface.

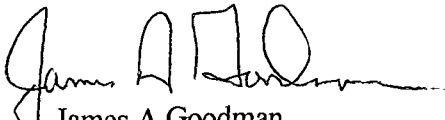
The Water Rights Program monitors four observation wells completed into the Parker Centerville aquifer which are located in a one mile radius of the application. These observation wells show good correlation with climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1996).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

This application is completely surrounded by other irrigation permits/rights which obtain water from the Parker Centerville aquifer. Interference is not a concern. Drawdown caused by pumping does not extend very far from individual production wells. A more important factor is the natural wet and dry conditions which prevail in the area. During a drought period the ground water level can decline significantly decreasing the already relatively thin saturated thickness of the aquifer and limiting the amount of water which can be produced by a well.

CONCLUSIONS

1. Water is available from the Parker Centerville aquifer.
2. The aquifer is under water table conditions and drawdown caused by pumping should not be significant. Interference is not a concern even though there are other nearby water users. The observation well record provides verification of this statement.
3. The well for this application has been in use for many years. This application is being made to reflect changes made by the owner which expanded the original permit. Approval of this application will enable licensing of this system to reflect conditions as they exist today.



James A Goodman
Natural Resources Engineer

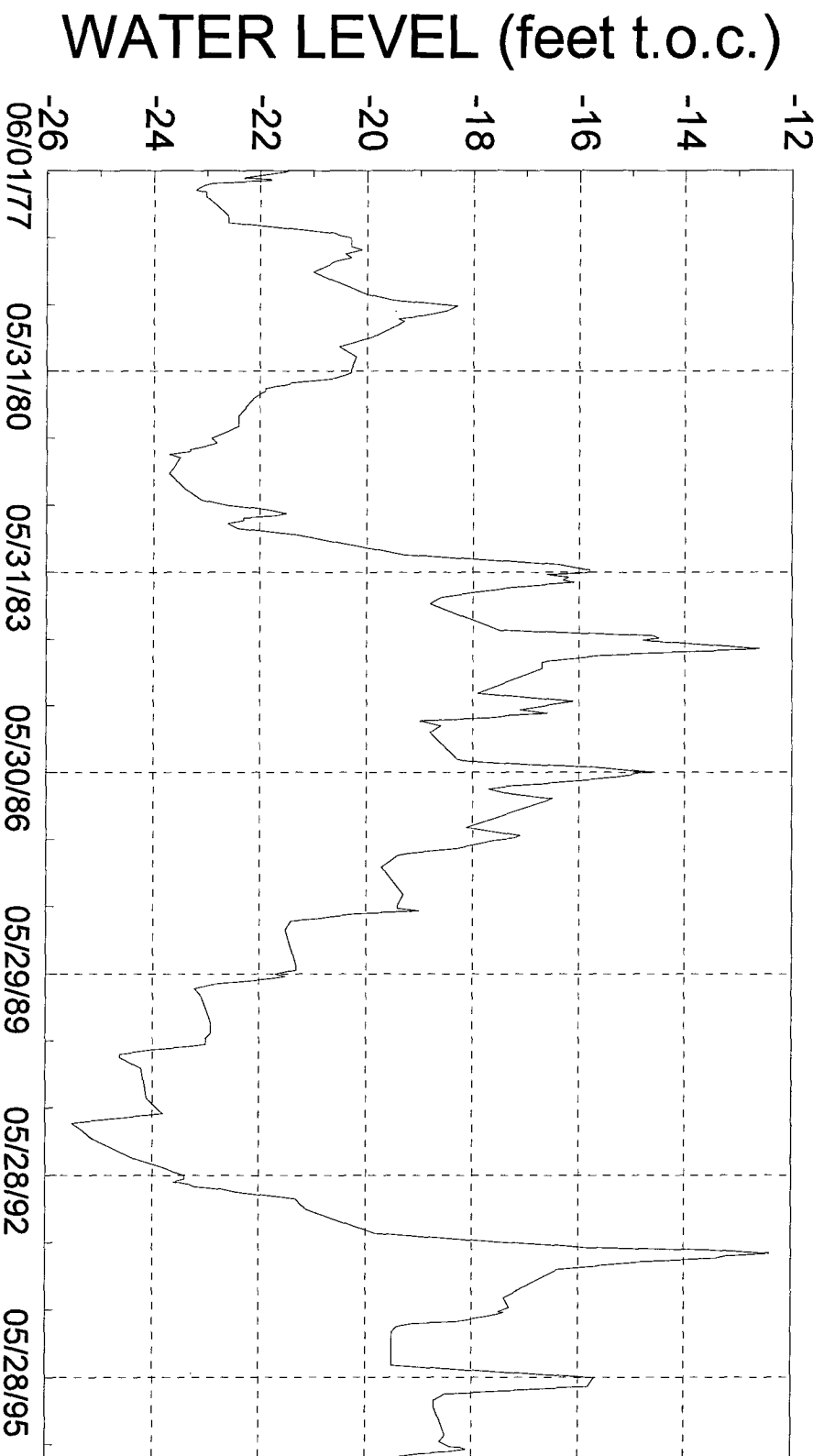
BIBLIOGRAPHY

Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, USGS WRI 90-4093, USGS, Huron, SD, 57350.

Water Rights, 1996, Unpublished Observation Well Data for Turner County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

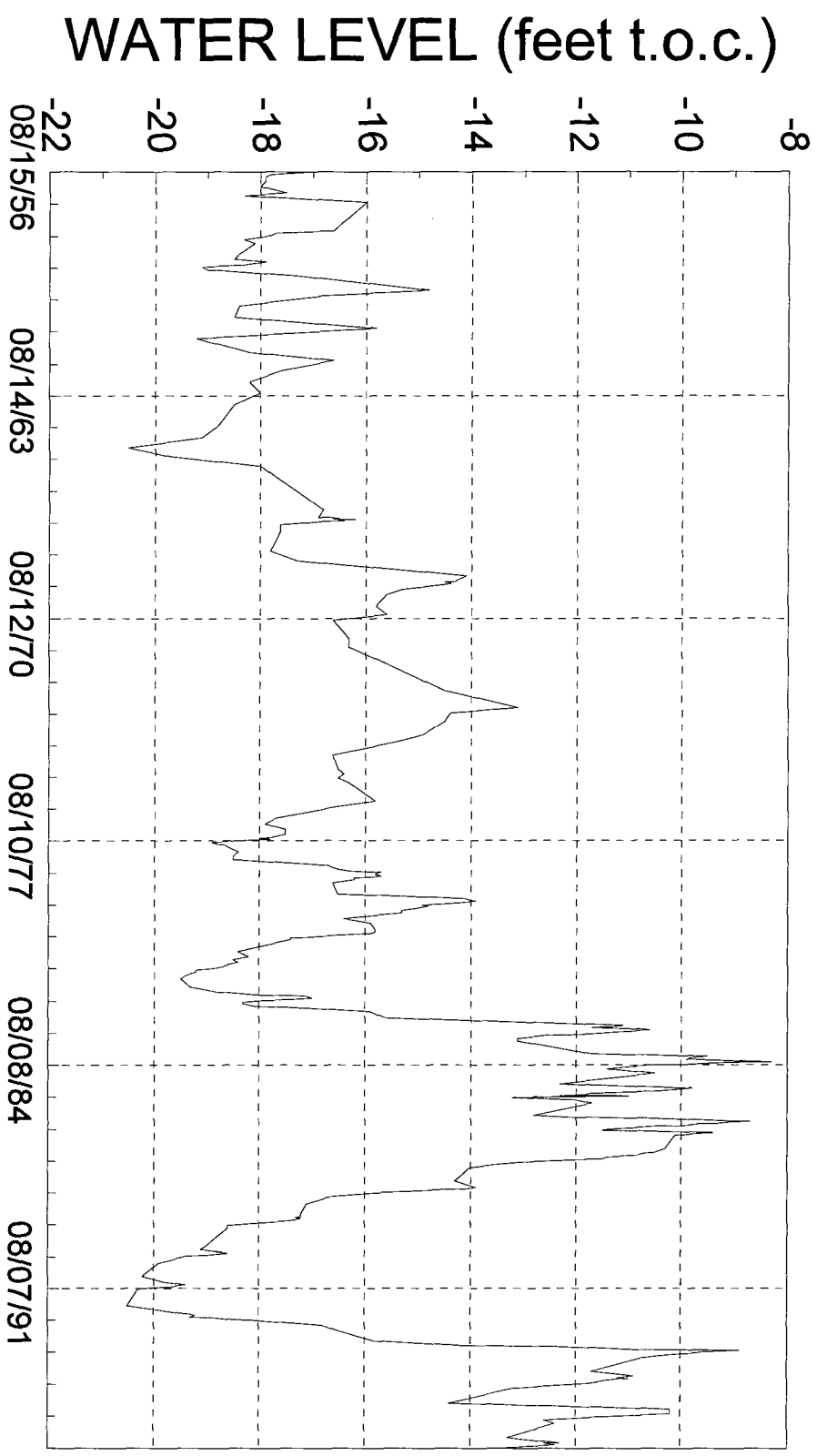
WATER RIGHTS OBSERVATION WELL

TU-77A



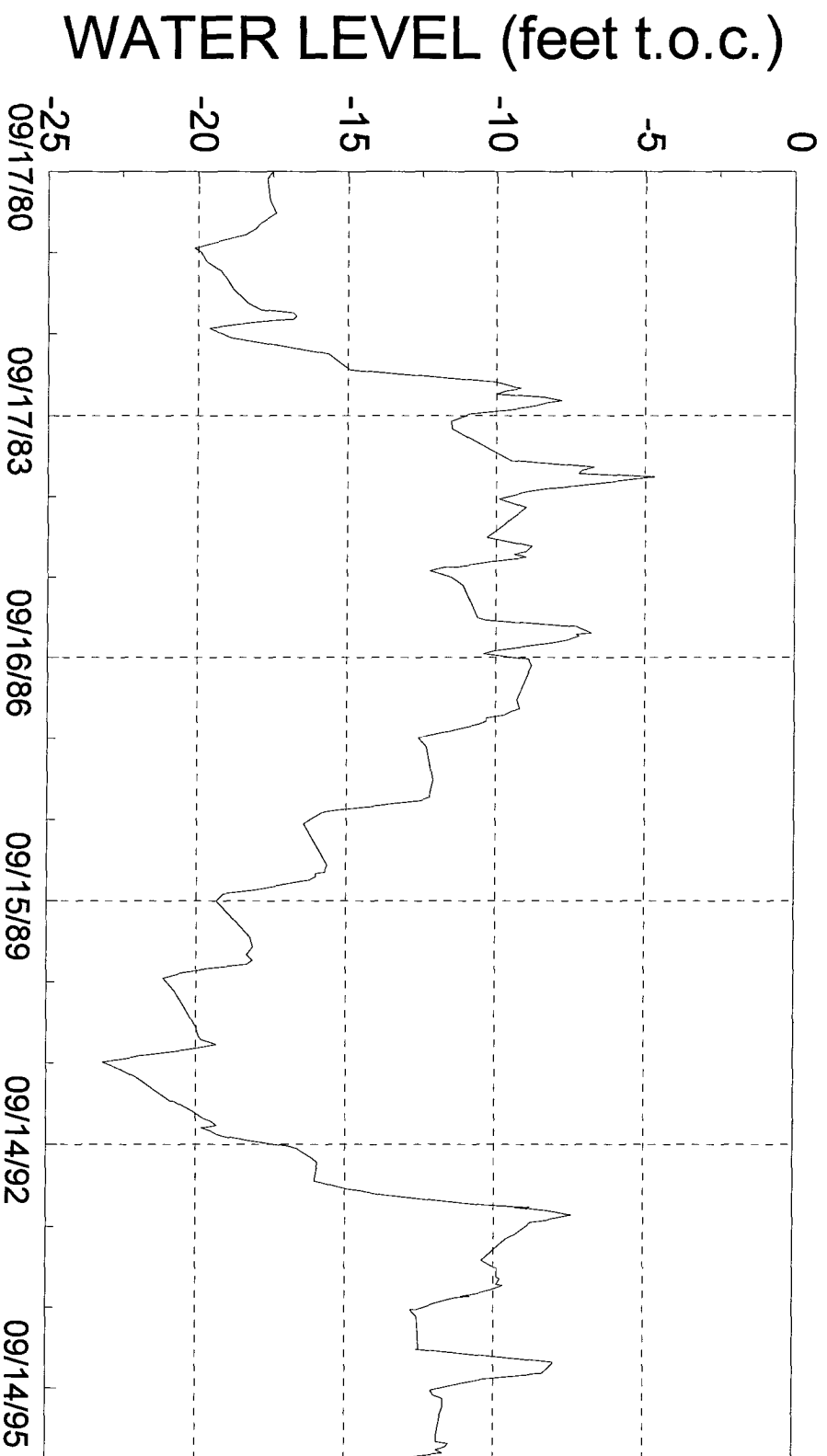
WATER RIGHTS OBSERVATION WELL

TU-79E



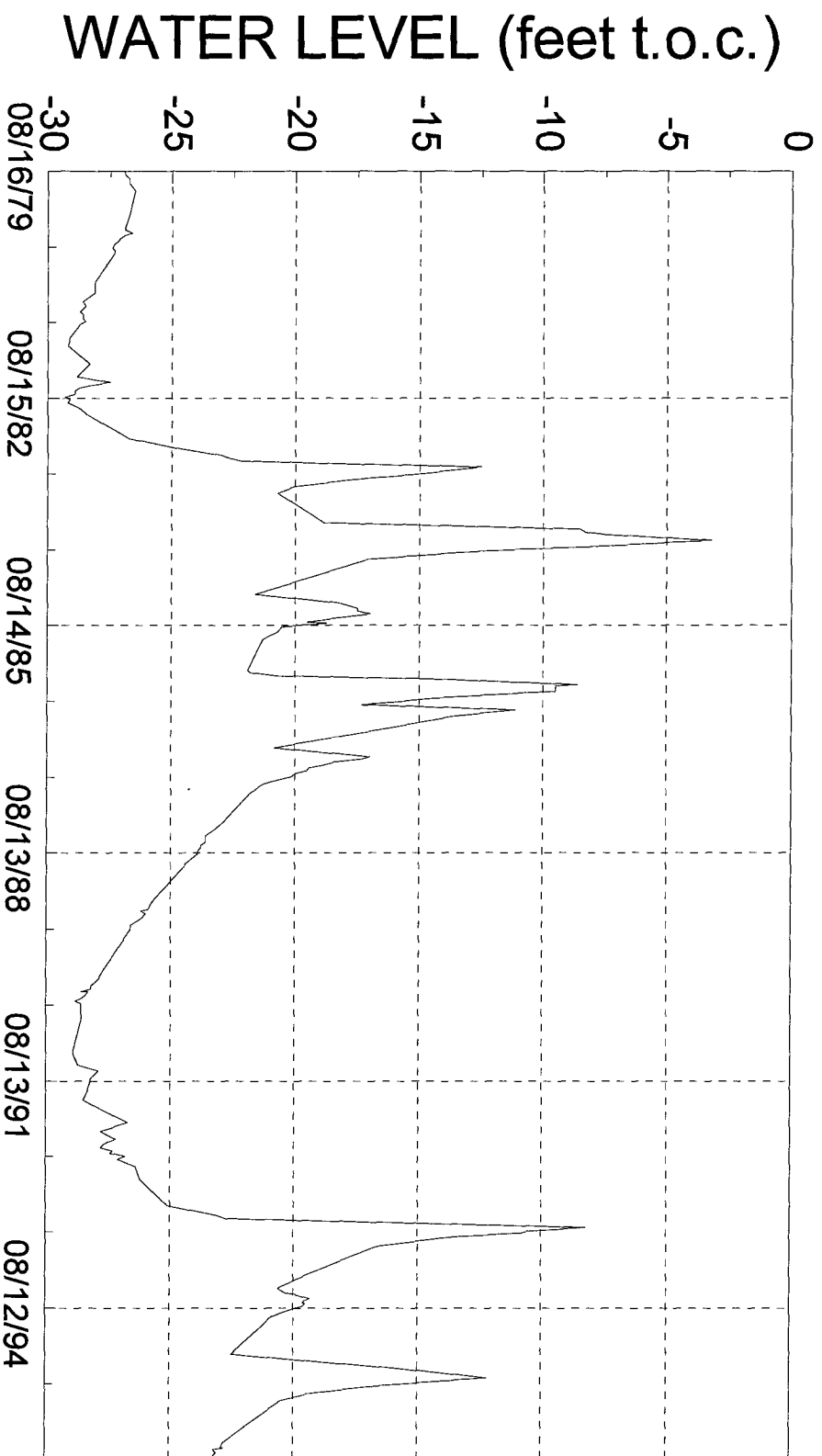
WATER RIGHTS OBSERVATION WELL

TU-80D



WATER RIGHTS OBSERVATION WELL

TU-79A



RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5952-3, Willis L. Scott

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5952-3, Willis L. Scott, RR 1, Box 54A, Parker, SD 57053.

The Chief Engineer is recommending APPROVAL of Application No. 5952-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been 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 approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
September 25, 1996



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

September 26, 1996

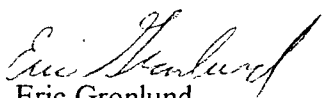
Willis L. Scott
RR 1, Box 54A
Parker, SD 57053

Dear Mr. Scott:

Water Permit Application No. 5952-3 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 New Era printed at Parker, SD (Ph # (605) 297-4419). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 26, 1996

The New Era
Box 577
Parker, SD 57053-0577

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5952-3 to be published twice. Please publish the first notice on October 3, 1996, 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 Willis L. Scott, RR 1, Box 54A, Parker, SD 57053 (Ph # (605) 297-3449).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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 October 3, 1996, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5952-3 to Appropriate Water
and Amend Water Right No. 1164-3

Notice is given that Willis L. Scott, RR 1, Box 54A, Parker, SD 57053 has filed an application for a water permit to appropriate 0.19 cubic feet of water per second (cfs), specify the correct location of the existing well, specify the correct location of 29 irrigated acres and to irrigate 24 additional acres. Water Right No. 1164-3 appropriates 1.14 cfs for irrigation of 80 acres located in the W 1/2 NW 1/4 Section 26-T99N-R53W. An investigation of Water Right No. 1164-3 found one well constructed and supplying 1.33 cfs to irrigate 104 acres. The correct location of the one well (Parker Centerville Aquifer) 38 feet deep is the NW 1/4 NW 1/4 Section 26 and the additional 24 acres not authorized by Water Right No. 1164-3 are located in the E 1/2 NW 1/4 Section 26; all in T99N-R53W. The correct location of 29 acres authorized by Water Right No. 1164-3 is the E 1/2 NW 1/4 Section 26-T99N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5952-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 October 21, 1996.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Turner) SS

1. Mary Lee

certify that the attached printed Notice was

taken from the

New Era

printed and published in Parker

County of Turner and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

October 3, 1996

October 10, 1996

Cost of Printing:

47.89

Mary Lee
 (Signature)

Office Manager
 (Title)

10-10-96

(Date Signed)



Notice of Application No. 5952-3 to Appropriate Water and Amend Water Right No. 1164-3

Notice is given that Willis L. Scott, RR 1, Box 54A, Parker, SD 57053 has filed an application for a water permit to appropriate 0.19 cubic feet of water per second (cfs), specify the correct location of the existing well, specify the correct location of 29 irrigated acres and to irrigate 24 additional acres. Water Right No. 1164-3 appropriates 1.14 cfs for irrigation of 80 acres located in the W 1/2 NW 1/4 Section 26-T99N-R53W. An investigation of Water Right No. 1164-3 found one well constructed and supplying 1.33 cfs to irrigate 104 acres. The correct location of the one well (Parker Centerville Aquifer) 38 feet deep is the NW 1/4 NW 1/4 Section 26 and the additional 24 acres not authorized by Water Right No. 1164-3 are located in the E 1/2 NW 1/4 Section 26; all in T99N-R53W. The correct location of 29 acres authorized by Water Right No. 1164-3 is the E 1/2 NW 1/4 Section 26-T99N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5952-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief

engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523E, Capitol, Pierre, SD 57501 (605 776-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 21, 1996.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

#1377, Oct. 3 and 10, 1996.

Permit No. 5952-3
Vermillion 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, June 19, 1996, made a thorough examination of the water use system constructed by Willis L. Scott, of RR1 Box 54A, Parker, SD 57053 holder of Water Permit No. 5952-3, and Water License No. 1164-3, bearing the priorities of August 19, 1996 and February 18, 1965 (respectively) authorizing diversions of 0.19 & 1.14 (respectively) cu. ft. of water per second from ground water 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:

A 50 HP US Electrical motor with a 600 GPM National Pump.

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

595 feet of 8" steel pipeline.

C. Works used to apply water to beneficial use:

A 1260 foot Valley center pivot with 6 towers and rated at 600 GPM.

The system is in the following condition good. The point of diversion is located 1300 feet E and 725 feet S from the NW corner of Section 26; T099N R53W (NW1/4 NW1/4). The works are capable of diverting and conveying to the place of use 1.33 cu. ft. of water per second which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

T099N R53W	SECTION 26	NW1/4 NW1/4	34 ACRES
		NE1/4 NW1/4	34 ACRES
		SW1/4 NW1/4	17 ACRES
		SE1/4 NW1/4	19 ACRES

comprising a total of 104 acres of land and the license should be issued for 1.33 cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: None Date Report Completed: February 7, 1997



Barry A. McLaury
Natural Resources Scientist
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 5952-3

Other license(s) associated with the project: 1164-3

DATE OF INSPECTION: June 19, 1996

NAME OF INSPECTION CONTACT: Curt Adrian, renter

NAME & ADDRESS OF PERMIT HOLDER: Willis Scott, RR1 Box 54A, Parker, SD 57053

DIVERSION POINT LEGAL LOCATION: 1300 feet E and 725 feet S from the NW corner of Section 26; T099N R53W (NW1/4 NW1/4).

WELL INFORMATION:

- | | |
|---|-----------------------------------|
| 1) Well Drilling Firm: <u>Gettling Industries</u> | 3) Depth(s) <u>38</u> feet |
| 2) No. of Wells <u>1</u> | 4) Well log is available <u>Y</u> |

Casing:

- 1) Diameter 14 inches
- 2) Length 23 feet
- 3) Type black steel

Screen:

- 1) Type stainless steel
- 2) Length 15 feet
- 3) Static water level 11 feet

Motor:

- 1) Make US Electrical
- 2) Frame No. 326 TP
- 3) Horsepower rating 50 HP

Pump:

- 1) Make National Pump
- 2) Model No. N 200
- 3) Capacity 600 GPM

DISTRIBUTION LINES OR CANALS:

- | | | |
|----------------------|-------------------------|---------------------------|
| 1) Type <u>steel</u> | 2) Size <u>8</u> inches | 3) Length <u>595</u> feet |
|----------------------|-------------------------|---------------------------|

SYSTEM TYPE:

Center pivot:

- | | |
|------------------------------------|------------------------------------|
| 1) Make <u>Valley?</u> | 4) End gun <u>Y</u> |
| 2) Overall length <u>1260</u> feet | 5) High or low pressure <u>low</u> |
| 3) Number of towers <u>6</u> | 6) Capacity <u>600</u> GPM |

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

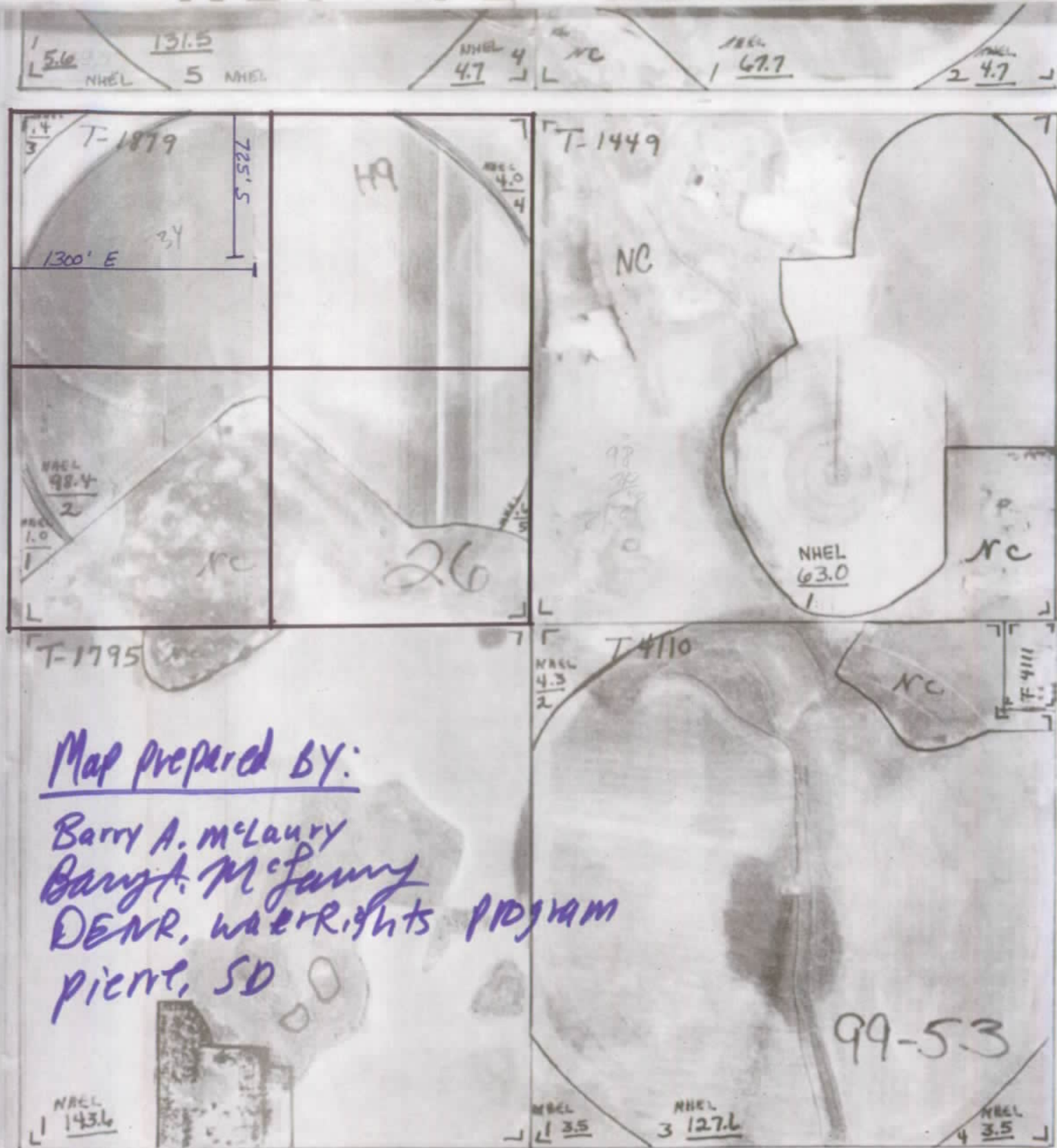
PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

COMMENTS:

Water License No. 1164-3 will be incorporated into water permit No. 5952-3 during licensing.

NOT TO SCALE





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 7 1997

Willis L. Scott
RR 1, Box 54A
Parker, SD 57053

Dear Mr. Scott:

Enclosed is Water Permit No. 5952-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

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

enclosures

RECEIPT

415315

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ April 14, 19 97

RECEIVED OF Willis L. Scott, RR 1, Box 54A, Parker, SD 57053

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>5952-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5952-3

(1) Willis L Scott, RR 1, Box 54A, Parker SD 57053 made Application No. 5952-3, August 19, 1996 for a water permit to divert an additional 0.19 cubic feet of water per second (cfs), specify the correct location of irrigated acres and authorize irrigation of additional acres authorized by Water Right No. 1164-3. The entire system is located in Turner County, South Dakota and used for irrigation purposes. Permit No. 5952-3, with a priority date of August 19, 1996 was approved October 21, 1996 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

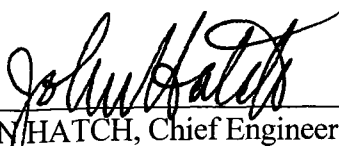
Water Right No. 1164-3 authorizes irrigation of 80 acres and retains a priority date of February 18, 1965. The remaining acreage retains a priority date of August 19, 1996 established by No. 5952-3. The applicable portions of Water Right No. 1164-3 have been incorporated into this Water License No. 5952-3.

(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 1.33 cubic feet of water per second for beneficial use. The location of the diversion point is 1,300 feet east and 725 feet south from the northwest corner of Section 26-T99N-R53W (NW 1/4 NW 1/4).

(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:

Section 26-T99N-R53W	NW 1/4 NW 1/4	34 acres
	NE 1/4 NW 1/4	34 acres
	SW 1/4 NW 1/4	17 acres
	SE 1/4 NW 1/4	19 acres
Total		104 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Willis L Scott, RR 1 Box 54A, Parker SD 57053 the holder and/or owner of Incorporated Water Permit No. 5952-3 is issued a license to appropriate water, the right to use 1.33 cubic feet of water per second from groundwater (one well) with priority dates of February 18, 1965 (1.14 cfs) and August 19, 1996 (0.19 cfs) 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 Incorporated Water Permit No. 5952-3 and subject to South Dakota State Law.


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

JUN 12 1997

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 12 1997

5952-3

Willis L. Scott
RR 1, Box 54A
Parker, SD 57053

Dear Mr. Scott:

Enclosed is Water License No. 5952-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415315 in the amount of \$50.00 which you paid for the investigation 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. 5952-3, 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 Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of Water Right No. 1164-3 have been incorporated into this Water License No. 5952-3.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

April 15, 2013

5952-3

Kelly Knodel
43725 284th St
Freeman SD 57029

Dear Mr. Knodel:

I am writing in follow-up to our phone conversation concerning Water Right No. 5952-3, currently listed in the name of Willis Scott (copy enclosed).

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Each year in October, we mail out irrigation questionnaires to irrigators in South Dakota for reporting annual water use. Submission of the form is mandatory whether irrigation takes place or not. We use the information irrigators submit as one of the tools for managing water resources of the state. For informational purposes, I am including a copy of the 2011 irrigation questionnaire submitted by Mr. Adrian. This will give you an idea of what type of information to keep track of during the irrigation season.

You can keep the enclosed copy of the water right and also the irrigation questionnaire sample. Please return the completed transfer form and filing fee as soon as possible. Thank you in advance for your assistance in updating the water right. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

RECEIVED

MAY 22 2013

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5952-3

Date: 5-17-13

I/We request that Water Right No. 5952-3

formerly owned by: Willis L Scott

be transferred to: (name & address) Kelly Knodel

43725 284TH ST

Freeman SD 57009 Telephone No. 605-925-4595

Mobil No. 605 310-1844

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

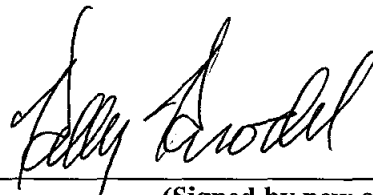
104 acres - NW 1/4 Section 26, T99N, R53W

I/We understand that the validity of Water Right No. 5952-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Kelly Knodel, the new owner, certify that the above information is true and correct.



(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/22, 20 13

RECEIVED OF Knadel Contractors 43725 284th St Freeman SD 57029

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>5952-3</u>	50	00
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. **06341**

By Jeannie Goslan
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

June 6, 2013

5952-3

Kelly Knodel
43725 284th St
Freeman SD 57029

Dear Mr. Knodel:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership of Water Right No. 5952-3.

The ownership change has been completed. Water Right No. 5952-3, formerly held by Willis L. Scott is now listed in your name.

Enclosed for your records is Receipt No. 06341 in the amount of \$50.00 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 10, 2016

5952-3

Mike Abbas
27666 456th Ave
Parker SD 57053

Dear Mr. Abbas:

I am contacting you in regard to irrigation of land described in Water Right No. 5952-3 held by Kelly Knodel (copy enclosed).

In October, 2015 we mailed out the annual irrigation questionnaire for reporting water use. The form was originally mailed to Steve Schmeichel. In visiting with Mr. Knodel, it is my understanding that you now rent the land and would have the information needed.

I am enclosing the 2015 questionnaire. Please complete the form and return it by February 26th. I have included a postage paid envelope for your use in returning the form. There is also a website listed on the top of the yellow form if you would like to submit the form online.

Please let me know if you have any questions concerning the water right or how to fill out the form. Thank you in advance for any information you can provide.

Sincerely,

Genny McMath
Water Rights Program
605 773-5455

c: Kelly Knodel, 43725 284th St, Freeman SD 57029



5952-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: MIKE ABBAS, OPERATOR, 27666 456TH AVE, PARKER, SD 57053
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5952-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5952-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5952-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

c: KELLY KNODEL, 43725 284th ST, FREEMAN SD 57029

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

McMath, Genny

From: Knodel Contractors <kelly@knodelcontractors.com>
Sent: Tuesday, January 24, 2017 8:54 AM
To: McMath, Genny
Subject: Irrigation Questionnaire Permit # 5952-3
Attachments: Scan0729.pdf

Genny McMath,

We received your Notice about the 2016 Irrigation Questionnaire that was supposed to be submitted by our operator Mike Abbas. We are very sorry he has not submitted the irrigation questionnaire! This is yet another reason we have terminated our lease with Mike Abbas as of the end of the 2016 crop year. Attached is our notice of termination of farm lease to him.

Can we get a copy of last years (2015) irrigation questionnaire so that we can try and catch up with him and help him fill it out and get it back to you asap? Also it states in the notice that there is an additional questionnaire enclosed, but it was not included. Could you email me a copy of the questionnaire in case Mike Abbas doesn't have in so we can take it to him and get it filled out.

Thanks for your help with this matter, we are so sorry Mike hasn't submitted this yet, and again this is why we terminated his lease on our farm land.

Kelly Knodel

**NOTICE OF TERMINATION OF FARM LEASE
(SDCL §43-32-22.1)**

August 24, 2016

Mike and Lisa Abbas
604 Judson Ave.
Hurley, South Dakota 57036

Re: Termination of Farm Lease

Dear Mr. and Mrs. Abbas:

There is currently an oral farm lease between me and you (including any entities owned by you that may have an interest in the oral lease or which may farm on the real property subject to the oral lease) with respect to the following described real property:

Northwest Quarter (NW 1/4) Less Beckman Tract One (1), Section 26-99-53, Turner
County, South Dakota

This is notice that the oral lease is hereby terminated pursuant to SDCL §43-32-22.1. The oral lease will terminate at the end of the 2016 crop year. Termination of the lease does not relieve you of any of your obligations or responsibilities under the oral lease through the time of termination.

Kelly Knodel

McMath, Genny

From: Shawn Vannorsdel <ShawnVannorsdel@banksecuritystate.com>
Sent: Wednesday, February 01, 2017 8:54 AM
To: McMath, Genny
Subject: Irrigation Questionnaire for permit # 5952-3
Attachments: 20170201083859198.pdf

Genny, attached is the completed irrigation questionnaire you requested for permit # 5952-3. Please confirm receipt of this and let me know if this will be sufficient.

I will be the new tenant in '17. I am moving in a couple months and my new address will be as follows:

Shawn Vannorsdel
45442 288th Street
Viborg, SD 57070

My current address is still:

28457 US Hwy 81
Freeman, SD 57029



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 1, 2017

5952-3

Kelly Knodel
43725 284th St
Freeman SD 57029

Dear Mr. Knodel:

I am writing to acknowledge receipt of the 2016 irrigation questionnaire. The information was submitted by Mr. Abbas on January 30th and a follow-up form received from Mr. Vannorsdel on February 1st.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 5952-3. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

As you requested, Mike Abbas's name has been removed from our records and will no longer receive correspondence concerning the annual questionnaires. The irrigation questionnaire that will be mailed out in October, 2017 will be directed to Mr. Vannorsdel for completion.

If you have any questions, please contact me.

Sincerely,

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

c: Shawn Vannorsdel, 28457 US Hwy 81, Freeman SD 57029



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 13, 2025

5952-3

Kelly Knodel
43725 284th St
Freeman SD 57029

Dear Mr. Knodel:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters.

This year we received word from your renter, Shawn Vannorsdel, that the property authorized for irrigation under Water Right No. 5952-3 had been sold.

Water Right No. 5952-3 authorizes the diversion of 1.33 cubic feet of water (600 gpm) from one well for the irrigation of 104 acres located in the NW ¼ Section 26-T99N-R53W.

If you would please provide our office with any contact information you may have for the new owner, we would appreciate it. Until we have new information, we will update our records to have next year's Irrigation Questionnaire held back from mailing.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 3, 2026

5952-3

Knife River
C/O Ron Klinker
1500 N Sweetman Place
Sioux Falls, SD 57107

Dear Mr. Klinker:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters.

We understand that the property authorized under Water Right No. 5952-3, has been sold to you. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

Should you decide you wish to discontinue the irrigation on this piece of land, we would ask that you let us know.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 3, 2026

5952-3

Knife River
C/O Ron Klinker
1500 N Sweetman Place
Sioux Falls, SD 57107

Dear Mr. Klinker,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). The information was received in our office prior to the Water Management Board meeting, and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us

8584-3
5952-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: SHAWN VANNORSDEL, RENTER, 45442 288TH ST, VIBORG, SD 57070
FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5952-3 & 8584-3. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5952-3 & 8584-3 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5952-3 & 8584-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: IEIUGK**

cc: KELLY KNODEL, 43725 284TH ST, FREEMAN SD 57029

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 5952-3

Date: 2/3/2026

I/We request that Water Right/Permit No. 5952-3 formerly owned by:
Kelly Knodel be transferred to:

New Owner Name: Knife River
Address: 1508 N Sweetman Place mobile: 320-291-6876
City, State, Zip: Sioux Falls, SD 57117 email: ron.klinker@kniferiver.com

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

104 acres located in:
NW1/4 NW1/4 - 34 acres
NE1/4 NW1/4 - 34 acres
SW1/4 NW1/4 - 17 acres
SE1/4 NW1/4 - 19 acres
All in Section 26-T99N-R53W

☒ I understand that the validity of Water Right/Permit No. 5952-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Ron Klinker the new owner, certify that the above information is true and correct.

RK
(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date February 03, 2026

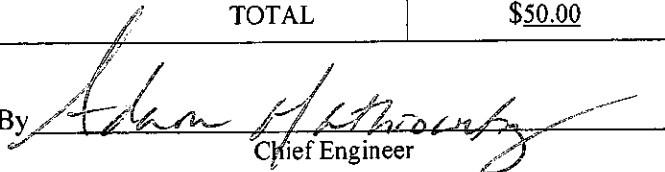
RECEIVED OF KNIFE RIVER 1500 N SWEETMAN PLACE SIOUX FALLS, SD 57117

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 #5952-3 _____	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$ <u>50.00</u>

By




Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 4th, 2026

5952-3

Knife River
C/O Ron Klinker
1500 N. Sweetman Place
Sioux Falls, SD 57717

Dear Mr. Klinker

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fee you submitted for Water Right No. 5952-3. Enclosed is a receipt of payment for your records.

Water Right No. 5952-3, previously held by Kelly Knodel, is now listed under Knife River. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right No. 5952-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure