

WATER PERMIT NO. 6881-3Name of Applicant: **Knippling Land & Cattle**Address: **33982 BIA Rt 4, Chamberlain SD 57325**Phone: **605 245-2629**Amount of Water Claimed: **9.64 cfs**Total Acres: **675**Source of Water Supply: **Missouri River**Water to be used for: **irrigation**County: **Buffalo**

Type of Waste Disposal System:

Location: **5 miles southeast of Ft Thompson****PRIORITY**Date Received: **8-20-07**Application/License Fee: **\$525**

Corrected Application Received:

Period of Annual Use: **April 1 – September 30**

Remarks:

Diversion Point: **SW ¼ SW ¼ Sec 3-T106N-R71W**

Land to be Irrigated: **SE ¼ Sec 28, SW ¼ Sec 27,**
NE ¼ Sec 33, E ½ NW ¼, W ½ NE ¼ Sec 34 and
E ½ SW ¼, W ½ SE ¼ Sec 34; all in T107N-
R71W

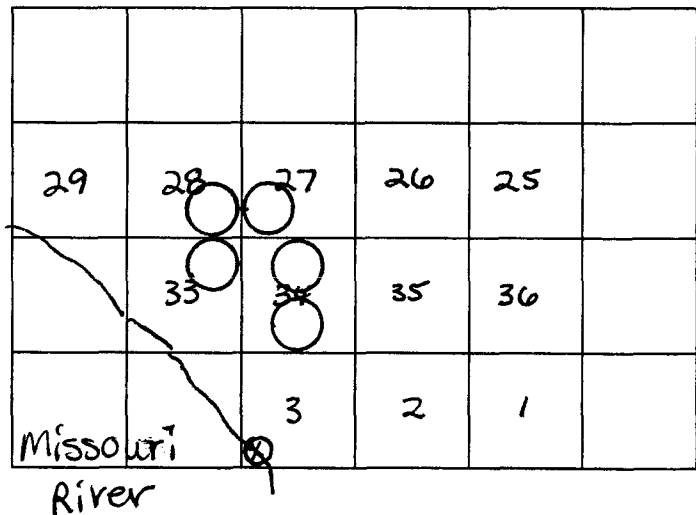
Depth of Well: **NA**

Well Driller:

Remarks:

Type of Map: **aerial**Prepared by: **Mike Key, Lake Mgr, Big Bend****Project**Reviewed and the Number Assigned on: **8-20-07**By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6881-3</u> (office use only)	Hydrologic Unit <u>10140101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Central Dakota Times P.O. Box 125</u>	
	<u>605-234-0266</u>	<u>Chamberlain 57325</u>

RECEIVED
AUG 20 2007
WATER RIGHTS PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: X New Vested Right Amendment/Correction to Permit No.
(Use predates Mar 2, 1955)

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

- Name of Applicant Knippling Land & Cattle / Roy Knippling Phone 605-245-2629
(check one) Owner Tenant/lessee
Mailing Address 33982 BIA Route 4 Chamberlain State SD 57325
(Street, RR, or Box and C) (Zip Code)
- Amount of water claimed 11.4*CFS or 5000 **GPM ***AF Total Acreage 1675
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Missouri River, Lake Francis Case Reservoir
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SW 1/4 Section 3-T106N-R71W
(SW1/4 SW1/4)
County Buffalo
- County or counties where water will be used Buffalo
- Annual period during which water is to be used April through September 30
- 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
Se 1/4 Section 28- T107N-R71W	135	E1/2 SW 1/4-W1/2 SE 1/4 Sec 34 T107N-R71W	135
SW 1/4 Section 27- T107N-R71W	135		
NE 1/4 Section 33- T107N-R71W	135		
E1/2 NW 1/4-W1/2 NE 1/4 Sec 34-T107N-R71W	135		

8. Give a description of the project. (Attach sheet if more space is needed)
This is a new development for the purposes of irrigating existing dryland farm ground. This development will consist of five center pivots, working under low pressure sprinklers with one central booster site. The intake at the river will have two suction pipes, each rated at 2500 GPM, with Riverscreens attached at the ends. These screens are specially designed to gather water off the top, in shallow depths, with the least amount of disturbance.

STATE OF SOUTH DAKOTA) SS
County of Buffalo

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)

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

Applicant's signature Roy Knippling

Subscribed and sworn to before me this 16 day of April 20 07

Jessie Neiten
Notary Public signature
(Jessie Neiten)

**SOUTH DAKOTA
WATER PERMIT NO. 6881-3**

Date of first receipt of application August 20, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6881-3 to Knippling Land & Cattle, 33982 BIA Rt 4, Chamberlain SD 57325 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. 6881-3 appropriates 11.14 cubic feet of water per second (cfs) from the Missouri River located in SW ¼ SW ¼ Section 3-T106N-R71W to irrigate 675 acres located in the SE ¼ Section 28, SW ¼ Section 27, NE ¼ Section 33, E ½ NW ¼, W ½ NE ¼ and E ½ SW ¼, W ½ SE ¼ Section 34; all in T107N-R71W. Two intakes each capable of pumping 5.57 cfs (2500 gpm) will be installed.
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: April 1 – September 30.
3. The date from which applicant may claim right is August 20, 2007.
4. The date of approval of Permit No. 6881-3 is October 22, 2007.
5. One-fifth of the construction is to be completed on or before April 22, 2010.
6. All construction is to be completed on or before October 22, 2012.
7. Water is to be put to beneficial use on or before October 22, 2016.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

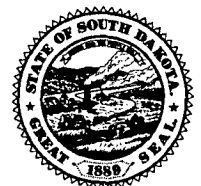
1. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints or type of soils so requires, Permit No. 6881-3 authorizes a maximum diversion rate of 11.14 cfs for the irrigation of 675 acres with an annual volume not to exceed 2 acre feet of water per acre per year.

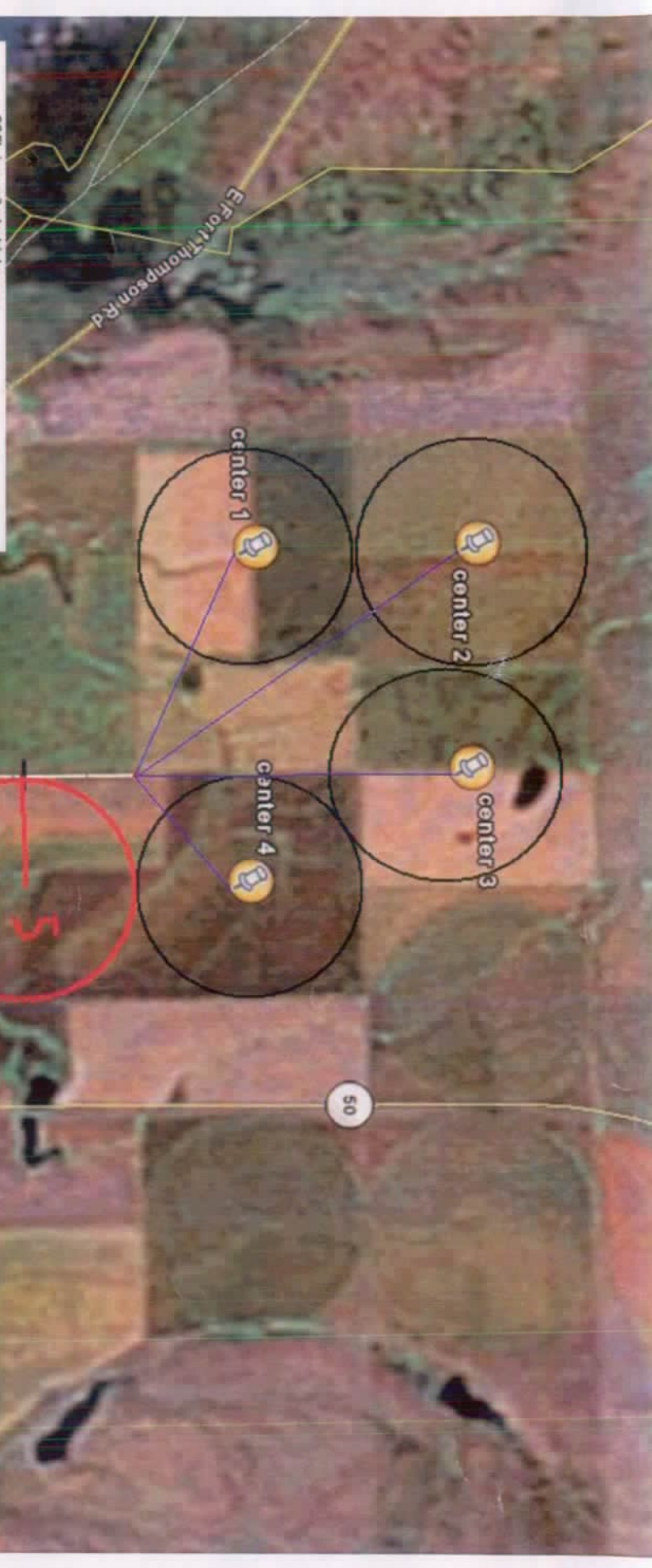
WATER MANAGEMENT BOARD

By: Garland Erbele

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

NOV 05 2007
date

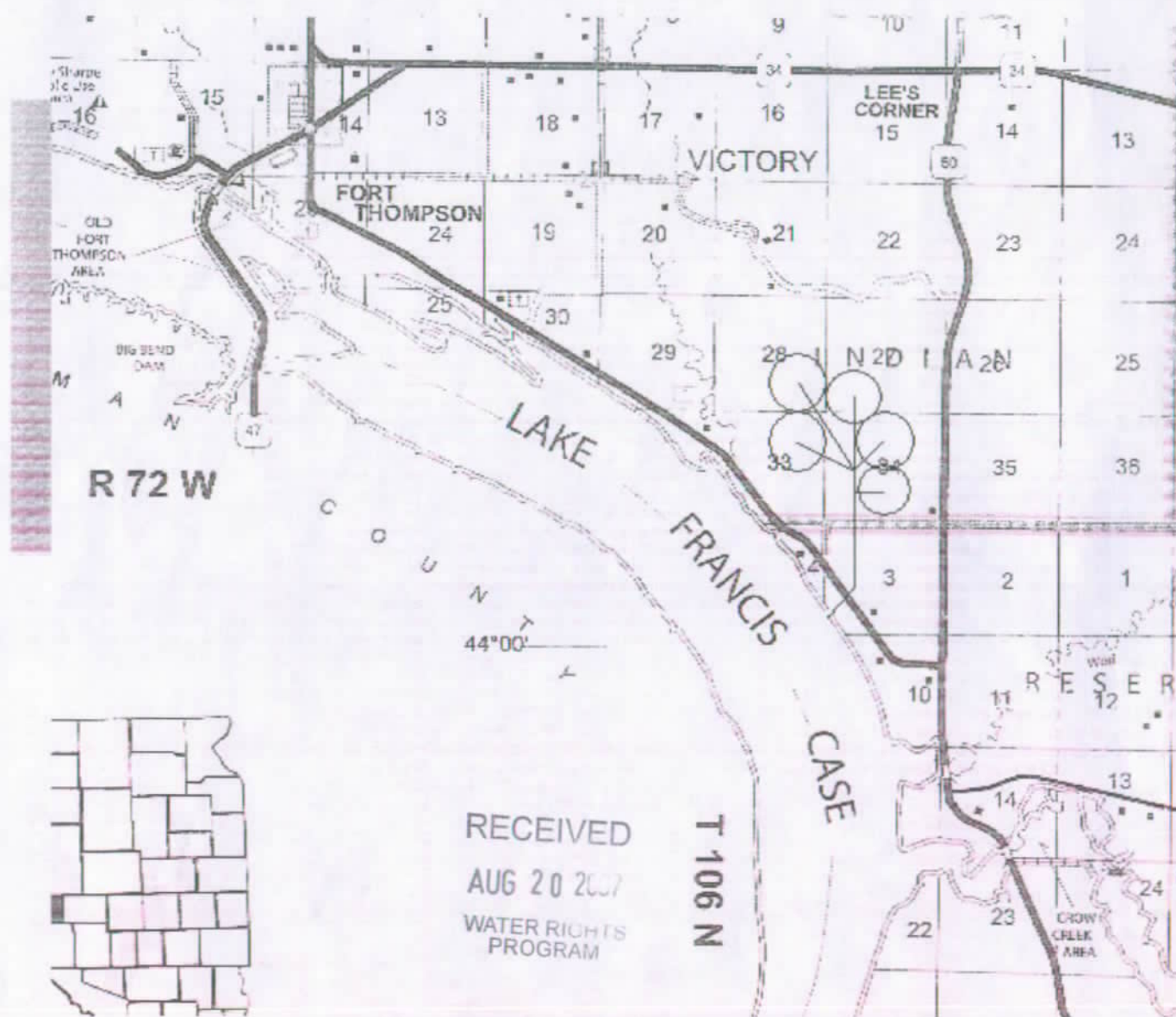




- 925' river site to highway
- 669' highway to corner
- 4071' corner to future pivot 5
- 1347' future pivot 5 to booster
- 2990' booster to center 1
- 4738' booster to center 2
- 3808' booster to center 3
- 1781' booster to center 4
- 1360' river site
- 1440' highway
- 1447' corner
- 1470' booster
- 1506' center 4
- 1537' center pivot highest part
- 1534' center 3
- 1542' center 3 highest part
- 1493' center 3
- 1531' center 2 highest part
- 1463' center 1
- 1480' center 1 highest part
- 1460' future center 5
- 1500' future center 5 highest part
- 1313' center pivot 5 back to main water line

Mike Key - Mike Key
 Lake Manager - Big Bend Project
 605-245-2255

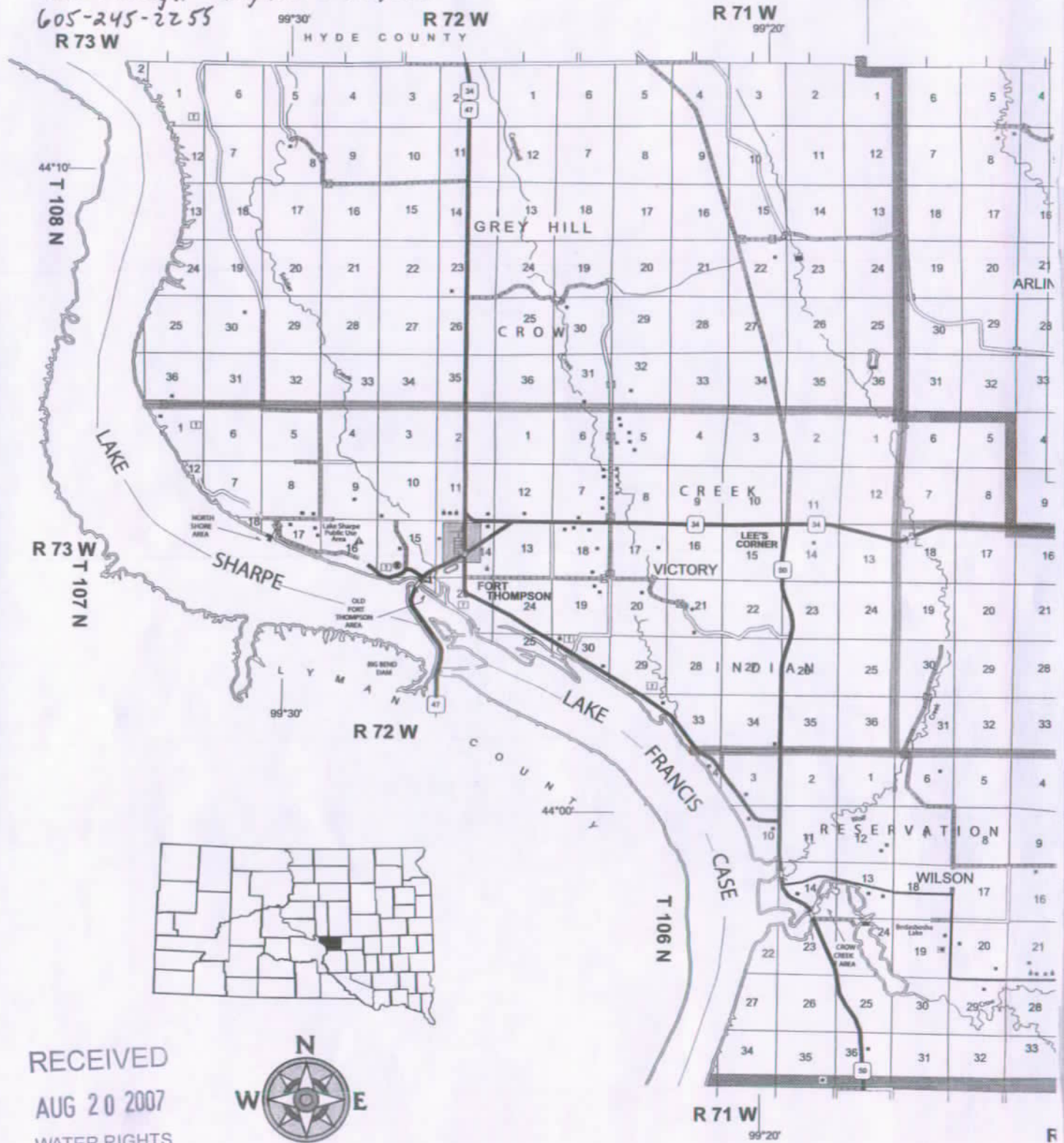
Mike Key - Mike Key
 Lake Manager - Big Bend Project
 605-245-2255



Buffalo

Mike Key - Mike Key
Lake Manager - Big Bend Project
605-245-2255
R 73 W

COUNTY MAPS



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/20, 2007

RECEIVED OF Clayton Knippling 34126 Hereford LN Chamberlain SD 57325

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

Fee for Application for Permit No. <u>6881-3</u> to Appropriate Water, to construct and to put water to beneficial use	475	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>6881-3</u>	50	00
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	525 00

No.

03133

Garland Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6881-3, Knippling Land & Cattle**

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. 6881-3, Knippling Land & Cattle, c/o Roy Knippling, 33982 BIA Route 4, Chamberlain, SD 57325.

The Chief Engineer is recommending APPROVAL of Application No. 6881-3 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) it is in the public interest with the following qualification:

1. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints or type of soils so requires, Permit No. 6881-3 authorizes a maximum diversion rate of 11.14 cfs for the irrigation of 675 acres with an annual volume not to exceed 2 acre feet of water per acre per year.

See report on application for additional information.

Garland Erbele, Chief Engineer
September 26, 2007

REPORT ON WATER PERMIT APPLICATION NO. 6881-3

Knippling Land & Cattle

September 5, 2007

Application No. 6881-3 Knippling Land & Cattle, proposes to appropriate 11.14 cubic feet of water per second from the Missouri River located in SW ¼ SW ¼ Section 3-T106N-R71W to irrigate 675 acres located in the SE ¼ Section 28, SW ¼ Section 27, NE ¼ Section 33, E ½ NW ¼, W ½ NE ¼ and E ½ SW ¼, W ½ SE ¼ Section 34; all in T107N-R71W. The water will be used for irrigation purposes. The proposed project is located approximately 5 miles southeast of Ft Thompson in Buffalo County.

Review of the Water Source

The water source for these two applications is the Missouri River flowing through Lake Francis Case, approximately 5 miles downstream from Big Bend Dam. The U.S. Army Corps of Engineers (USACE) constructed Ft Randall Dam impounding Lake Francis Case in the 1950's as part of a six reservoir Pick-Sloan project for the Missouri River. The six project dams; Ft Peck, Garrison, Oahe, Big Bend, Ft Randall and Gavins Point; are operated as a system providing storage and water releases for the Congressionally authorized purposes of which irrigation is included.

The diversion rate requested is greater than the statutory limit of 1 cfs per 70 acres. South Dakota Codified Law, SDCL 46-5-6 states the Water Management Board may allow a greater diversion, in volume or rate or both, if the method of irrigation, any time constraints on diversion of water, or the type of soil so requires. The applicant is proposing to pump from the river at the higher rate and the two intakes to be use will each have a 2500 gallon per minute (5.57 cfs) design capacity. Water availability from the Missouri River is not a problem.

If this water permit is approved, it does not preclude the applicant from the requirement to obtain any applicable permits from the U.S. Army Corps of Engineers needed to placie an intake in the Missouri River.

Review of Existing Water Rights

There are 216 existing water rights/permits appropriating water from the Missouri River in South Dakota. Since water availability is not an issue, approval of this permit would not adversely affect these existing water rights.

Conclusions

1. This Application proposes to appropriate 11.14 cfs from the Missouri River flowing through Lake Francis Case to irrigate 675 acres.
2. The diversion rate requested is greater than the statutory limit of 1 cfs per 70 acres.
3. Water Management Board may approve a greater diversion rate.
4. Water availability from the Missouri River is not a problem.
5. Approval of this permit does not preclude the applicant from any requirements in obtaining additional permits from the U.S. Army Corps of Engineers to place an intake in the Missouri River.



Mark D. Rath

Natural Resources Engineering Specialist

AFFIDAVIT OF PUBLICATION

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OCT 12 2007

WATER RIGHTS
PROGRAM

State of South Dakota

SS

County of Brule

Debi Ruiz of said county, being, first duly sworn, on oath, says: That she is the publisher of *Central Dakota Times*, a weekly newspaper, published in the City of Chamberlain, in said County of Brule, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Brule and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the Notice of Application

No 6881-3 To Appropriate
Water

a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for

two successive week(s) to wit:

Oct. 3, 2007 Oct. 10, 2007;
_____, 20____; _____, 20____;
_____, 20____; _____, 20____;

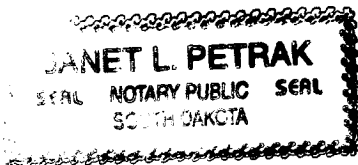
That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

\$ 38.84

Signed: Debi Ruiz

Subscribed and sworn to before me this 11th day
of October, 2007.

Janet L. Petrak
Notary Public in and for the County of Brule,
South Dakota



NOTICE OF APPLICATION NO. 6881-3 TO APPROPRIATE WATER

Notice is given that Knippling Land and Cattle, c/o Roy Knippling, 33982 BIA Route 4, Chamberlain, SD 57325 has filed an application for a water permit to appropriate 11.14 cubic feet of water per second (cfs) from the Missouri River located in SW 1/4 SW 1/4 Section 3-T106N-R71W to irrigate 675 acres located in the SE 1/4 Section 28, SW 1/4 Section 27, NE 1/4 Section 33, E 1/2 NW 1/4, ~~SW 1/4 NE 1/4~~ and E 1/2 SW 1/4, W 1/2 SE 1/4 Section 34; all in T107N-R71W. The diversion rate request is greater than the statutory limit of 1 cfs per 70 acres. The application states that two 5.57 cfs (2500 gpm) intakes will be installed.

Pursuant to SDCL 46-2A-2, the chief engineer recommends APPROVAL of Application No. 6881-3 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 this 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 this 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 recommendations 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 East 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 Oct. 22, 2007.

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. Steven M. Pimer, Secretary, Department of Environment and Natural Resources.

(October 3/October 10)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 26, 2007

Central Dakota Times
PO Box 125
Chamberlain SD 57325

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6881-3 to Appropriate Water to be published twice. Please publish the first notice on October 3, 2007 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Knippling Land and Cattle Company, Roy Knippling, 33982 BIA Route 4, Chamberlain SD 57325 (Ph # 605-245-2629).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6881-3

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

Date _____

We are in receipt of your letter of September 27, 2007 enclosing Notice to Appropriate Water by Application No. 6881-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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

September 26, 2007

Knippling Land & Cattle
Roy Knippling
33982 BIA Route 4
Chamberlain SD 57325

Dear Mr. Knippling

Water Permit Application No. 6881-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Central Dakota Times printed at Chamberlain SD (Ph # 605-234-0266). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application is 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 and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

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.

Instruction to Newspaper - Publish first Notice on October 3, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6881-3 to Appropriate Water

Notice is given that Knippling Land & Cattle, c/o Roy Knippling, 33982 BIA Route 4, Chamberlain SD 57325 has filed an application for a water permit to appropriate 11.14 cubic feet of water per second (cfs) from the Missouri River located in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3-T106N-R71W to irrigate 675 acres located in the SE $\frac{1}{4}$ Section 28, SW $\frac{1}{4}$ Section 27, NE $\frac{1}{4}$ Section 33, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 34; all in T107N-R71W. The diversion rate request is greater than the statutory limit of 1 cfs per 70 acres. The application states that two 5.57 cfs (2500 gpm) intakes will be installed.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6881-3 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 this 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 this 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 recommendations 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 22, 2007.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



NOV 05 2007

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Roy Knippling
Knippling Land & Cattle Co
33982 BIA Rt 4
Chamberlain SD 57325

Dear Mr. Knippling:

Enclosed is Water Permit No. 6881-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet ? *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

Permit No. 6881-3
Missouri River - Water District

Contact Person & Address: **Roy Knippling, 33982 BIA 4, Chamberlain SD** **605-245-2629**

Report of Examination of Works

On, **May 18, 2015**, I made a thorough examination of the water use system constructed by **Knippling Land and Cattle** holder of Permit No. **6881-3**, bearing the priority of **August 20, 2007** authorizing the diversion of **11.14** cu. ft. per second of the waters of **surface water (Missouri River)** for **irrigation** purposes, in **Buffalo** County.

The system is in the following condition **good**. The point of diversion is located **from the NW corner of Sec 3 T106N-R71W; 3500 ft S & 10 ft E** with latitude of **44.00965** and a longitude of **-99.347133** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **10.03** cu. ft. per second of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

All land is located in **Sec 27 T107-R71W**

NW ¼ SW ¼ - 33 ac **NE ¼ SW ¼ - 32 ac** **SE ¼ SW ¼ - 33 ac** **SW ¼ SW ¼ - 31 ac**
SW ¼ SE ¼ - 1 ac

All land is located in **Sec 28 T107-R71W**

NW ¼ SE ¼ - 33 ac **NE ¼ SE ¼ - 33 ac** **SE ¼ SE ¼ - 33 ac** **SW ¼ SE ¼ - 33 ac**

All land is located in **Sec 33 T107-R71W**

NW ¼ NE ¼ - 33 ac **NE ¼ NE ¼ - 33 ac** **SE ¼ NE ¼ - 33 ac** **SW ¼ NE ¼ - 33 ac**

All land is located in **Sec 34 T107-R71W**

NW ¼ NW ¼ - 3 ac **NE ¼ NW ¼ - 34 ac** **SE ¼ NW ¼ - 35 ac** **SW ¼ NW ¼ - 4 ac**
NW ¼ NE ¼ - 34 ac **NE ¼ NE ¼ - 1 ac** **SE ¼ NE ¼ - 1 ac** **SW ¼ NE ¼ - 34 ac**
NW ¼ SE ¼ - 2 ac **SE ¼ SE ¼ - 1 ac** **NW ¼ SW ¼ - 33 ac** **NE ¼ SW ¼ - 33 ac**
SE ¼ SW ¼ - 33 ac **SW ¼ SW ¼ - 33 ac**

comprising a total of **675** acres of land and the license should be issued for **10.03** cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **yes**.
- 4) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

Pump: River #1

- 1) Make Cornell 2) Model 6HH-F18DB 3) Size 6 4) Capacity 2250 GPM

Motor:

- 1) Make Balix-Reliance 2) Model No. M2559T-4 3) Horsepower rating 125 hp

Pump: River #2

- 1) Make Cornell 2) Model 6HH-F18DB 3) Size 6 in 4) Capacity 2250 GPM

Motor:

- 1) Make Balix-Reliance 2) Model No. M2559T-4 3) Horsepower rating 125 hp

Pump: Booster #1

- 1) Make Cornell 2) Model 5HH-F18 3) Size 5 in 4) Capacity 2250 GPM

Motor:

- 1) Make Baldor 2) Model No. M2555T 3) Horsepower rating 100 hp

Pump: Booster #2

- 1) Make Cornell 2) Model 5HH-F18 3) Size 5 in 4) Capacity 2250 GPM

Motor:

- 1) Make Baldor 2) Model No. M2555T 3) Horsepower rating 100 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC 2) Size 18 inches 3) Length # feet

SYSTEM TYPE:

Center pivot: #1 SE ¼ Sec 28 T107N-R71W

- 1) Make Reinke 2) Overall length 1300 feet
3) Number of towers 8 4) End gun yes
5) High or low pressure low 6) Capacity 850 GPM

Center pivot: #2 NE ¼ Sec 33 T107N-R71W

- 1) Make Reinke 2) Overall length 1280 feet
3) Number of towers 8 4) End gun yes

- 5) High or low pressure low 6) Capacity 850 GPM

Center pivot: #3 SW ¼ Sec 27 T107N-R71W

- 1) Make Reinke 2) Overall length 1250 feet
3) Number of towers 8 4) End gun yes
5) High or low pressure low 6) Capacity 850 GPM

Center pivot: #4 N ½ Sec 34 T107N-R71W

- 1) Make Reinke 2) Overall length 1300 feet
3) Number of towers 8 4) End gun yes
5) High or low pressure low 6) Capacity 850 GPM

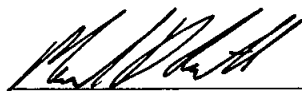
Center pivot: #5 SW ¼ Sec 34 T107N-R71W

- 1) Make Reinke 2) Overall length 1300 feet
3) Number of towers 8 4) End gun yes
5) High or low pressure low 6) Capacity 850 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate yes 2) Main line check valve yes
3) Inspection port/air relief yes 4) Low pressure drain yes
5) Discharge is 20' from source yes 6) Interlock type electric
7) Injection pump type piston 8) Injection check valve yes
9) Injection line check valve or positive displacement pump yes
10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules yes

Comments : A portion of the land is not in the same location as described in the permit.

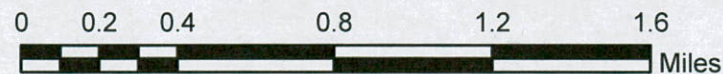
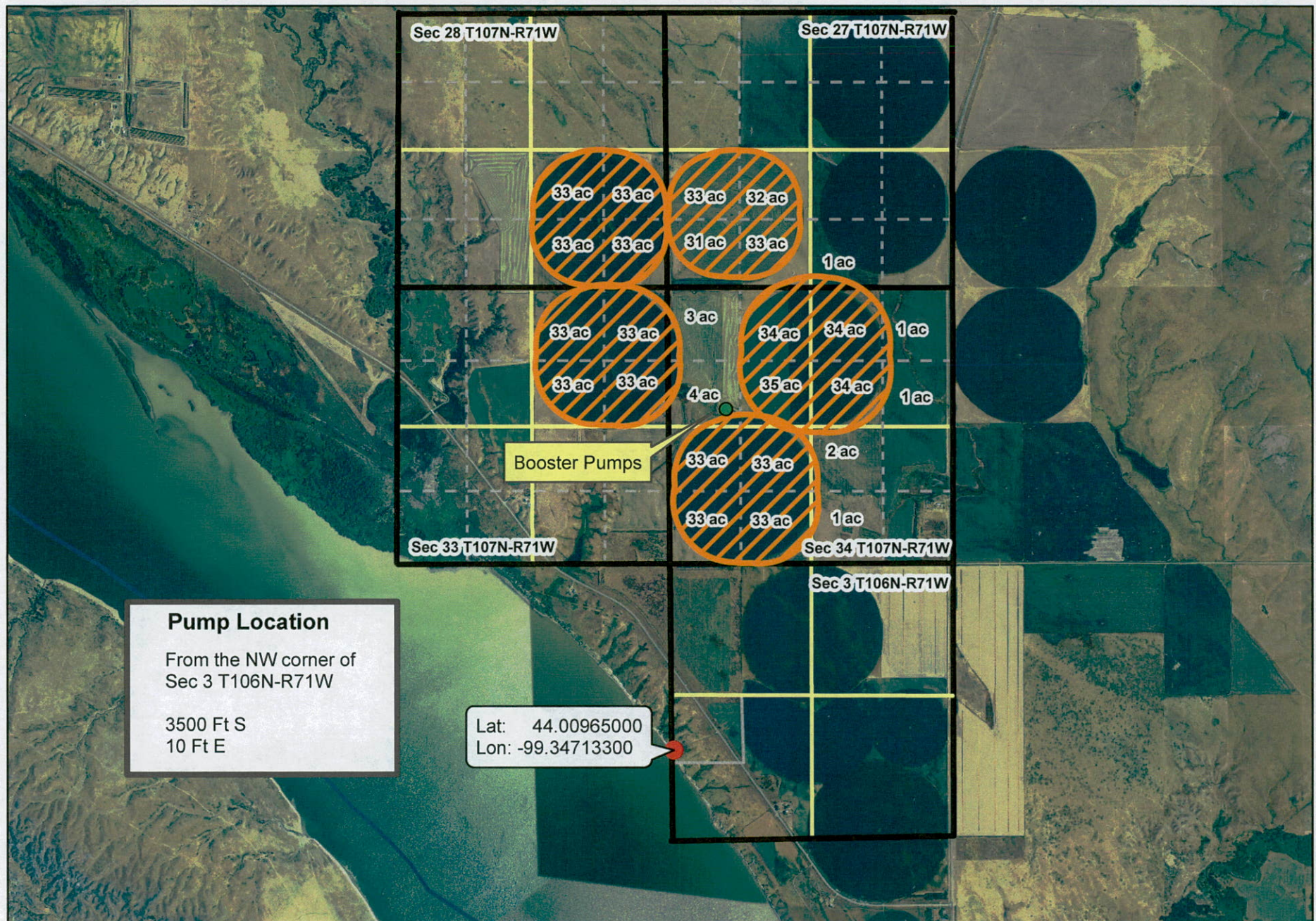


Mark D. Rath
Natural Resources Engineer III
DENR, Water Rights Program

7-6-15

Date

6881-3



Mark D Rath

Mark D Rath
Natural Resource Engineer
May 21, 2015

Licensing of Acreage Outside of Permitted Area

NAME: Knippling Land and Cattle

% Roy Knippling

ADDRESS: 33982 BIA 4, Chamberlain SD

DATE: 7/6/15 COUNTY: Buffalo TELEPHONE: 605-245-2629

AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

The acreage developed for irrigation is 675 acres as compared to 675 acres authorized by the permit.

UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage** Yes

New land is located in Sec 34 T107-R71W contiguous to the permitted location

NW ¼ NW ¼ - 3 ac SW ¼ NW ¼ - 4 ac NE ¼ NE ¼ - 1 ac SE ¼ NE ¼ - 1 ac

NW ¼ SW ¼ - 33 ac SW ¼ SW ¼ - 33 ac

- **Owned by Same Property Owner**

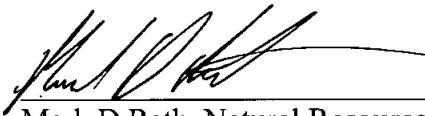
Yes

- **Developed Prior to Expiration of Construction Period**

Yes

RECOMMENDED ACTION

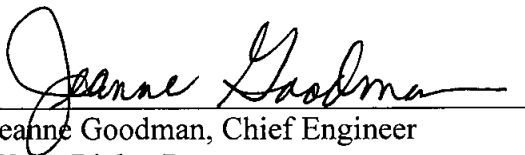
Based on the above criteria, it is recommended that the 75 acre area be included in the water license.



Mark D Rath, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.



Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

AUG 27 2015

6881-3

Roy Knippling
Knippling Land & Cattle
33982 BIA 4
Chamberlain SD 57325

Dear Mr. Knippling:

Enclosed is Water License No. 6881-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6881-3**

(1) Knippling Land & Cattle, Roy Knippling, 33982 BIA 4, Chamberlain SD 57325 made Application No. 6881-3, August 20, 2007 for a water permit to divert 11.14 cubic feet of water per second from the Missouri River, Buffalo County, South Dakota for irrigation purposes. Permit No. 6881-3, with a priority date of August 20, 2007 was approved October 22, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 22, 2012 and for the application to beneficial use of said water on or before October 22, 2016.

An inspection of the water use system constructed under Water Permit No. 6881-3 found a portion of the acreage was developed outside of the permitted area. The total project still encompasses 675 acres as originally permitted. The Chief Engineer made a finding pursuant to SDCL 46-5-30.5 that the change in location of the acreage does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.

(2) It is certified that the permit holder 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 10.03 cubic feet of water per second for beneficial use.

The location of the diversion point is 3,500 feet south and 10 feet east of the NW corner of Section 3, T106N, R71W (W ½ SW ¼).

(3) The permit holder 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 27, T107N, R71W	Section 33, T107N, R71W	Section 34, T107N, R71W continued
NW ¼ SW ¼ 33 acres	NW ¼ NE ¼ 33 acres	NW ¼ NE ¼ 34 acres
NE ¼ SW ¼ 32 acres	NE ¼ NE ¼ 33 acres	NE ¼ NE ¼ 1 acre
SE ¼ SW ¼ 33 acres	SE ¼ NE ¼ 33 acres	SE ¼ NE ¼ 1 acre
SW ¼ SW ¼ 31 acres	SW ¼ NE ¼ 33 acres	SW ¼ NE ¼ 34 acres
SW ¼ SE ¼ 1 acre		
	Section 34, T107N, R71W	
	NW ¼ NW ¼ 3 acres	NW ¼ SE ¼ 2 acres
	NE ¼ NW ¼ 34 acres	SE ¼ SE ¼ 1 acre
	SE ¼ NW ¼ 35 acres	
	SW ¼ NW ¼ 4 acres	NW ¼ SW ¼ 33 acres
		NE ¼ SW ¼ 33 acres
		SE ¼ SW ¼ 33 acres
		SW ¼ SW ¼ 33 acres

Total irrigated acres - 675

(4) Pursuant to South Dakota Water Law 46-5-30.1 Knippling Land & Cattle, Roy Knippling, 33982 BIA 4, Chamberlain SD 57325 the holder and/or owner of Water Right No. 6881-3 is issued a license to appropriate water, the right to use 10.03 cubic feet of water per second from the Missouri River with a priority date of August 20, 2007 from the location specified in (2) of this license for irrigation purposes.

continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6881-3 and subject to the following qualifications:

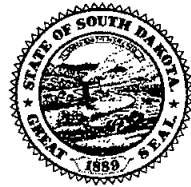
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
- Pursuant to SDCL 46-5-6 which allows for a greater diversion rate if the method of irrigation, time constraints or type of soils so requires, Permit No. 6881-3 authorizes a maximum diversion rate of 11.14 cfs for the irrigation of 675 acres with an annual volume not to exceed 2 acre feet of water per acre per year. *The actual developed diversion rate is 10.03 cfs. The water license is now limited to the developed rate.*



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 27 2015

date





6881-3
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 26, 2018

NOTICE

TO: KNIPLING LAND & CATTLE, ROY KNIPLING, 33982 BIA ROUTE 4, CHAMBERLAIN, SD 57325

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaires

Our records indicate your 2017 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2327-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6881-3 & 8294-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 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) 6881-3 & 8294-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2327-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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>

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 2018

2327-3
6881-3
8294-3

Roy Knippling
Knippling Land & Cattle
33982 BIA Rt 4
Chamberlain SD 57325

Dear Mr. Knippling:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Permit Nos. 2327-3, 6881-3 and 8294-3. 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,

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



6881-3
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 23, 2020

NOTICE

TO: KNIPLING LAND & CATTLE, ROY KNIPLING, 33982 BIA ROUTE 4, CHAMBERLAIN, SD 57325

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2327-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6881-3 & 8294-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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) 6881-3 & 8294-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2327-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: <https://denr.sd.gov/ig> using this password: PUJNJJ**

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.

6881-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 10, 2020

2327-3
6881-3
8294-3

Roy Knippling
Knippling Land & Cattle
33982 BIA Route 4
Chamberlain SD 57325

Dear Mr. Knippling:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2327-3, 6881-3 and 8294-3. 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,

A handwritten signature in cursive script that reads "Genny McMath".

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: KNIPLING LAND & CATTLE, ROY KNIPLING, 33982 BIA ROUTE 4, CHAMBERLAIN, SD 57325

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2327-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6881-3 & 8294-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 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) 6881-3 & 8294-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2327-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: <https://danr.sd.gov/iq> using this password: IJUMQV**

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 14, 2023

2327-3
6881-3
8294-3

Roy Knippling
Knippling Land & Cattle
33982 BIA Rt 4
Chamberlain SD 57325

Dear Mr. Knippling:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2327-3, 6881-3 & 8294-3. 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,

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