

STATE OF NORTH DAKOTA

ASSIGNMENT OF
PERFECTED WATER PERMIT NO. 4186

1. Name of Permit Holder: GRUMAN, CHARLES E.
Mailing Address: 11031 6TH STREET SE
HANNAFORD, ND 58448-9459
2. Priority Date: December 20, 1989
3. Nature of use: Irrigation
4. Source of Water Supply: Ground Water
Aquifer: Spiritwood
5. Point of Diversion:

NE1/4 of Section 25, Township 147 N., Range 061 W., Griggs County

6. Amount of water authorized, rate at which it may be diverted from the respective point of diversion, and period of use:

Annual Use (Ac-Ft)
192.9

Rate (gpm)
600

7. Description of land irrigated:

9.0 Acres in the NE1/4 of Section 25, Township 147 North, Range 061 West
14.9 Acres in the NW1/4 of Section 25, Township 147 North, Range 061 West
8.8 Acres in the SW1/4 of Section 25, Township 147 North, Range 061 West
13.2 Acres in the SE1/4 of Section 25, Township 147 North, Range 061 West
45.9 Total Acres Irrigated

This is to certify that the information stated in a State Water Commission staff memorandum dated January 12, 2016, indicates said permit is to be assigned to:

Name: CHARLES E. GRUMAN RESIDUARY TRUST

Mailing Address: 11031 6TH STREET SE

City: HANNAFORD

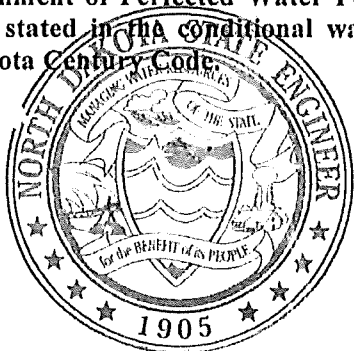
State: ND


Zip: 58448-9459

Now, therefore, by virtue of the authority vested in me by the laws of the State of North Dakota, I hereby approve and confirm the above Assignment of Perfected Water Permit No. 4186.

This Assignment of Perfected Water Permit No. 4186 is subject to the terms, limitations, and conditions stated in the conditional water permit as authorized by Section 61-04-06.2 of the North Dakota Century Code.

SEAL




Todd Sando, PE
State Engineer

Date: January 15, 2016

Perfected Water Permit No. 4186

Now, therefore, by virtue of the authority vested in me by the laws of the State of North Dakota, I hereby grant and confirm to Charles E. Gruman of RR #1, Box 124 Hannaford, North Dakota 58448 holder(s) of said Conditional Permit No. 4186, a right dating from December 20, 1989 to appropriate and divert from at a point located in the NE $\frac{1}{4}$ Sec. 25, Twp. 147N, Rge. 61W, a quantity of water limited to the amount that can be beneficially used herein, but not to exceed 192.9 acre feet at an authorized pumping rate of 200 gallons per minute, annually for irrigating a total of 45.9 acres (Purpose) and if purpose is irrigation, water is to be applied to the following lands to which this Water Permit is appurtenant:

Sec.	Twp.	Rge.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
25	147	61	8.0	1.0			8.0		2.9	4.0	8.5			0.3	5.5	2.0	5.4	0.3	45.9
																	TOTAL		45.9

Estimated return flow to stream

This Water Permit is subject to the limitation on the use of water as set forth in the laws of this State and to the rights of prior claimants recognized under the laws of North Dakota, and to the following additional limitations. The same conditions shall hereby apply which were stipulated on conditional water permit #4186.


The right to use water for irrigation set forth herein is limited to the above described lands and is subject to cancellation for nonuse.

WITNESS my hand and seal at Bismarck, North Dakota, this 9th day of June, 1993

SEAL

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH


David A. Sprynczyatyk
State Engineer - State of North Dakota

SS.

On this 9th day of June, 1993, before me a Notary Public, personally appeared David A. Sprynczynatyk, known to me to be the same person who executed this Perfected Water Permit and acknowledged to me that he executed the same.

SFN 3233 (500-11/89)

MARY HILLSTROM
Notary Public, STATE OF NORTH DAKOTA
My Commission Expires APRIL 5, 1999

Permit No. 4186

**STATE OF NORTH DAKOTA
CONDITIONAL WATER PERMIT**

This conditional water permit authorizes permittee to construct the necessary diversion facilities and to appropriate the water specified below.

1. Name of Applicant Charles E. Gruman

Mailing Address RR #1, Box 124

City Hannaford State North Dakota Zip 58448

2. Source of Water Supply: Ground Water ☒ Surface Water ☐

If Surface Water: 1) Stream _____ A Tributary of _____

3. (a) Point of Diversion:

(1) NE 1/4 of Section 25 Township 147 N., Range 61 W., Griggs County

Additional Points of Diversion, if any:

(2) _____ 1/4 of Section _____ Township _____ N., Range _____ W., _____ County

(3) _____ 1/4 of Section _____ Township _____ N., Range _____ W., _____ County

(b) If water is not consumed, estimated quantity of water returned _____,

name of receiving body of water _____,

and location of discharge point: _____ 1/4 _____ 1/4 Sec. _____, TWP. _____, Rge. _____

4. Amount of water authorized, rate at which it may be diverted at the points listed and period of use:

(1) 192.9 Acre-feet at 800 cfs from April 15 to October 1 inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

(2) _____ Acre-feet at _____ cfs from _____ to _____ inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

(3) _____ Acre-feet at _____ cfs from _____ to _____ inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

Total amount authorized: 192.9 acre-feet at a maximum rate of 800 cfs

(The remaining 281.0 acre-feet of water and 1200 gallons per minute initially requested shall hereby be denied.)

5. Priority date: December 20, 1989

6. Nature of use:

Municipal _____

Rural-Domestic _____

Industrial _____

Irrigation X Sprinkler

Recreation _____

Fish and Wildlife _____

Other, Please Specify _____

SFN-7644

7. If applicable, description of land to be irrigated (show lot numbers when possible):

Sec	Twp	Rge	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
25	147	61	The permit holder is hereby granted approval to irrigate a total of 45.9 acres of land to be located in the NE 1/4, NE 1/4 NW 1/4, SW 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4 and SE 1/4 of Section 25, Township 147 North, Range 61 West.																45.9
			Total number of acres to be irrigated																45.9

(The remaining 270.0 acres initially requested to be irrigated shall hereby be denied.)

8. Conditions, limitations, restrictions, and terms of permit:

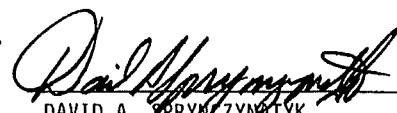
- 1) The well(s) shall be placed in such a location, constructed to such a depth, have such an efficiency, and pumped at such a rate that will not unreasonably restrict further development of the aquifer system;
- 2) The well(s) shall be located no less than 660 feet from the perimeter of the described property in the permit; any location closer than 660 feet must be approved by the State Engineer prior to the construction of the well;
- 3) The irrigation well(s) shall be constructed with a measuring port and a tube having a minimum 3/4-inch inside diameter installed in the annular space between the pump column and the well casing and extending to the top of the bowl assembly or submersible pump to allow the measurement of water levels in the well(s). The bottom end of the tube shall be plugged and the bottom 2 feet perforated. Any other facility for water level measurement must be approved by the State Engineer;
- 4) The pumping rate shall be subject to the results of an aquifer test;
- 5) Prior to the beneficial use of water, an automatic backflow prevention device (check valve) shall be installed in the above ground portion of the pipeline near the pump discharge. The injection of fertilizer, pesticides, other chemicals or crop stimulants into the pipeline shall be downstream from the check valve. Other automatic backflow devices and the placement of those devices may be utilized upon written approval of the State Engineer;
- 6) Prior to the beneficial use of water, instrumentation shall be installed from which the quantity of water pumped can be determined. The instruments are subject to approval by the State Engineer and shall be available for inspection by representatives of the State Engineer; and
- 7) Failure to comply with any order of the State Engineer may result in forfeiture of this water permit.

9. Water shall be beneficially used on or before: July 1, 1993

10. Date application reviewed by State Engineer: June 15, 1990

A perfected permit will be issued after the facilities have been properly constructed and inspected. A water right accrues upon placing the water to beneficial use, as authorized herein.

Dated this 15th day of June, 19 90



DAVID A. SPRY
State Engineer

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Subscribed and sworn before me this 15th day of June, 19 90

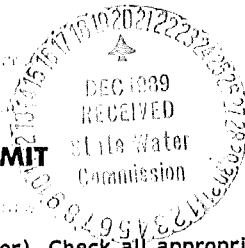
(Seal)

M. C. EMERSON
Notary Public, BURLEIGH CO., N. DAK.
My Commission Expires MAR. 1, 1993


NOTARY PUBLIC

Application No. 4186

STATE OF NORTH DAKOTA
APPLICATION FOR CONDITIONAL WATER PERMIT



NOTE: Use one application for each type of source (ground water, surface water). Check all appropriate boxes and fill in each blank line. If the question is not applicable to your proposed development, enter NA (not applicable). If more space is necessary, attach additional sheets.

(PLEASE TYPE OR PRINT IN INK)

1. Name of Applicant Charles E Gruman
Mailing Address RR 1 Box 124
City Hannaford State ND Zip 58448
Home Phone 701-769-2294 Other Phone _____

2. Source of Water Supply: Ground Water ☒ Surface Water ☐
If Surface Water: 1) Stream _____ A Tributary of _____
2) If New Impoundment — $\frac{1}{4}$ Sec. _____, Twp. _____, Rge. _____
3) If Existing Impoundment, Give Name _____

3. (a) Point of Diversion:

(1) NE $\frac{1}{4}$ of Section 25 Township 147 N., Range 61 W., Griggs County

Additional Points of Diversion, if any:

(2) _____ $\frac{1}{4}$ of Section _____ Township _____ N., Range _____ W., _____ County

(3) _____ $\frac{1}{4}$ of Section _____ Township _____ N., Range _____ W., _____ County

(b) If water is not consumed, name the receiving body of water _____

and describe location of discharge point: $\frac{1}{4}$ Sec. _____, Twp. _____, Rge. _____

4. Amount of water requested, rate at which it will be diverted at the points listed and period of use:

(1) 473.9 (AMOUNT) Acre-feet at 2000 (RATE) cfs from Apr 15 MONTH-DAY to Oct 1 MONTH-DAY inclusive
(2) _____ (AMOUNT) Acre-feet at _____ (RATE) cfs from _____ MONTH-DAY to _____ MONTH-DAY inclusive
(3) _____ (AMOUNT) Acre-feet at _____ (RATE) cfs from _____ MONTH-DAY to _____ MONTH-DAY inclusive

Total amount requested: 473.9 acre-feet at a maximum rate of 2000 cfs-gpm

5. Proposed Construction:

Proposed starting date _____

Anticipated completion date _____

6. Description of proposed beneficial water uses:

(a) Irrigation (if applicable)

1. Method of irrigation: Gravity ☐; Sprinkler ☒; Waterspreading ☐
2. Project will involve new irrigated land: Yes ☐ No ☒
3. Project will involve supplemental water to existing irrigation: Yes ☒ No ☐
4. Description of land to be irrigated (show lot numbers where applicable):

Sec.	Twp.	Rge.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
25	147	61	28.0	39.0	40.0	37.0	28.0		2.9	40.0	27.5			0.3	27.5	40.0	5.4	0.3	315.9
Total number of acres to be irrigated																			

(b) Non-Irrigation use: (If applicable)

Municipal
 Rural-Domestic.....
 Industrial.....
 Recreation.....
 Fish and Wildlife.....
 Other, Please Specify.....

7. Ownership:

- (a) Property owner at the point of diversion: Charles E. Gruman
- (b) Property owner at the place of use: " " "
- (c) If either (a) or (b) above are other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

- ✓ 8. State law requires that cities and landowners within a one-mile radius of the proposed point of diversion be advised of this application. A completed "Notice of Application" will be forwarded to you upon receipt of this application. Therefore, please indicate the number of landowners and cities which you must notify: ELEVEN LAND OWNERS

- ✓ 9. THE APPLICANT CERTIFIES THAT THE STATEMENTS APPEARING HEREIN ARE TO THE BEST OF HIS KNOWLEDGE TRUE AND CORRECT.

Charles E. Gruman 12-14-1989
 (SIGNATURE) (DATE)
 _____ (DATE)
 _____ (DATE)
 _____ (DATE)

Signature of the applicant(s) must be exactly as in Item 1. If more than one applicant is shown, all must sign.

NOTE: Mail the completed application, along with the required map and application fee to:

STATE ENGINEER
 State Office Building
 900 East Boulevard
 Bismarck, North Dakota 58505

NORTH DAKOTA STATE ENGINEER

ORDER CANCELING A PORTION OF WATER PERMIT NO. 4186

FINDINGS OF FACT

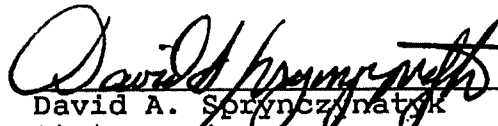
1. Conditional Water Permit No. 4186 was issued to Charles E. Gruman, Hannaford, North Dakota, by the State Engineer on June 15, 1990, to appropriate 192.9 acre-feet of water annually at 800 gallons permit minute from ground water for irrigation purposes
2. The date of priority for this water permit is December 20, 1989.
3. The point of diversion for this water permit is the NE1/4 of Section 25, Township 147 North, Range 61 West, Griggs County.
4. The description of land to be irrigated with water pursuant to this permit is 45.9 acres in the NE1/4, NE1/4NW1/4, SW1/4NW1/4, SE1/4NW1/4, SE1/4SW1/4, and SE1/4 of Section 25, Township 147 North, Range 61 West.
5. The conditional water permit provided that the water subject to this permit was to be beneficially used on or before July 1, 1993.
6. The permittee has developed 45.9 acres using 192.9 acre-feet of water at 200 gallons per minute, and the permit will be perfected for these amounts.
7. Permittee was advised by certified mail, received on February 3, 1993, that the period for applying water to a beneficial use on the remaining undeveloped portion of this permit had expired and that the undeveloped portion would be canceled if no request for an extension of time for development was received

by the State Engineer within sixty days after the date the permittee is informed by certified mail that the period for applying water to the beneficial use cited in the conditional permit has expired.

8. The permittee has not requested renewal and an extension of the period for applying water to a beneficial use for the remaining undeveloped portion of the permit; rather, permittee has advised the State Engineer by letter received February 12, 1993, that permittee will not request an extension for the remaining undeveloped portion of the permit.

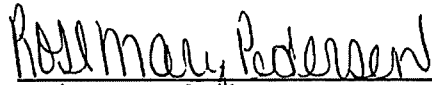
THEREFORE, it is declared that the remaining 600 gallons per minute under Conditional Water Permit No. 4186 are canceled.

DATED March 16, 1993.


David A. Sprynczynatyk
State Engineer

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)SS.
)

The foregoing instrument was acknowledged before me March 16, 1993, by David A. Sprynczynatyk, State Engineer.


Notary Public

Rosemary Pedersen
Notary Public, BURLEIGH CO., N. DAK.
My Commission Expires NOV. 12, 1994

STATE OF NORTH DAKOTA

PERFECTED WATER PERMIT NO. 04186

ATTACHMENT "A"

Increase in the Pumping Rate

Perfected Water Permit No. 4186 was approved for the annual appropriation of 192.9 acre-feet of ground water from a point of diversion located in the NE1/4 of Section 25, Township 147 North, Range 61 West, at a pumping rate of 200 gallons per minute to irrigate 45.9 acres of land located in Section 25, Township 147 North, Range 61 West, Griggs County.

A letter was received from the permit holder on November 28, 2003, requesting a total gallons per minute pumping rate of 1600 between Perfected Water Permit No. 3111A and Perfected Water Permit No. 4186 because his irrigation system was modified to conserve water. Water Permit No. 3111A is approved for a total pumping rate of 1000 gallons per minute and Water Permit No. 4186 is approved for a pumping rate of 200 gallons per minute. Therefore, in a staff memorandum dated December 10, 2003, it is recommended the pumping rate for Water Permit No. 4186 be increased by 400 gallons per minute for a total of 600 gallons per minute in order for the two permits to have a total pumping rate of 1600 gallons per minute.


On December 15, 2003, the State Engineer hereby approves the following:

The authorized pumping rate for Perfected Water Permit No. 4186 shall hereby be increased to 600 gallons per minute.

All other provisions and conditions stipulated on the permit shall remain unchanged.

SEAL



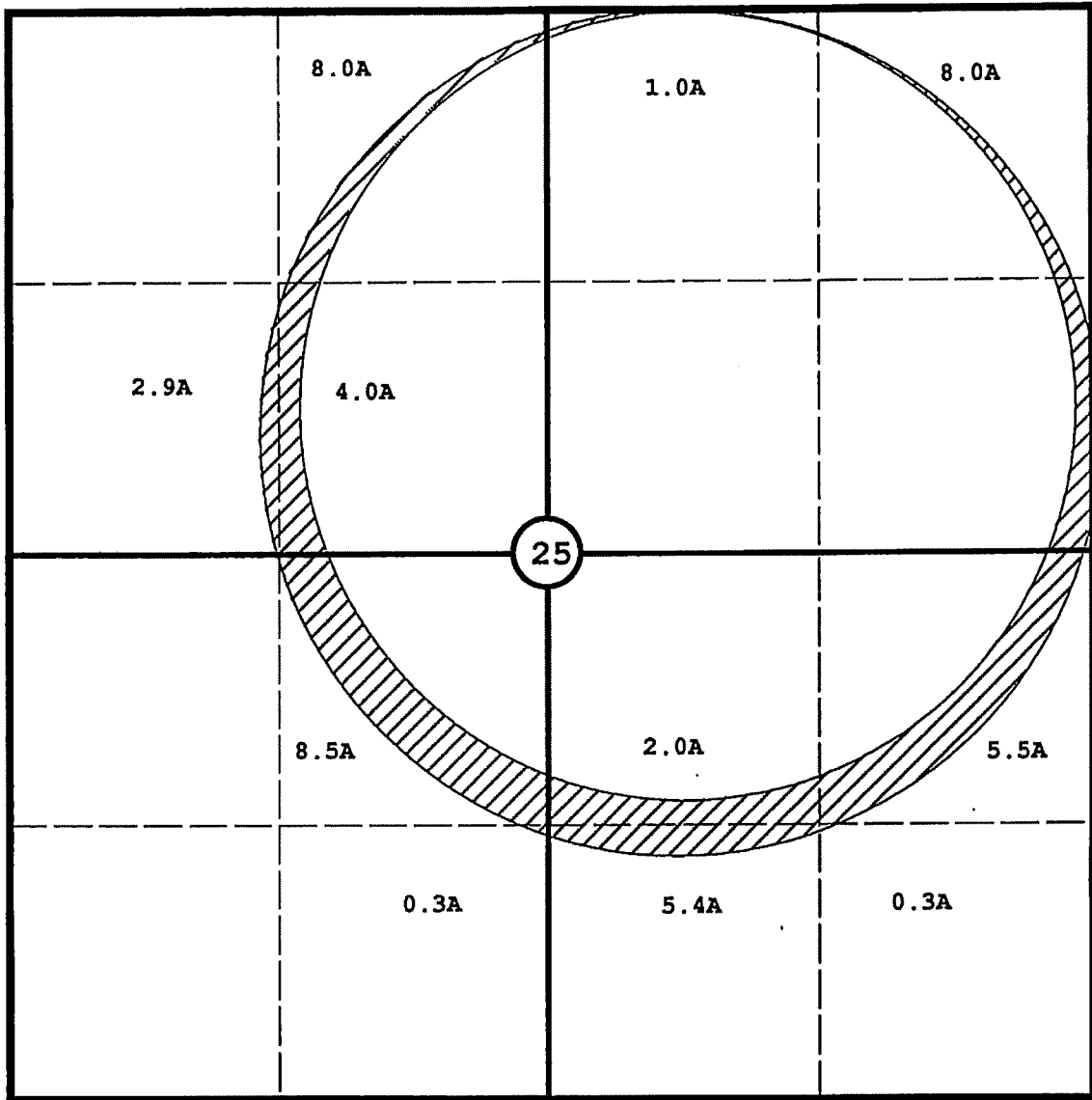

Dale L. Frink
State Engineer

Date: December 15, 2003

REVISED MAP

1/19/93

R 61 W



T
147
N

Water Permit #4186

County :Griggs

STATE OF NORTH DAKOTA

ASSIGNMENT OF
PERFECTED WATER PERMIT NO. 3111A

1. Name of Permit Holder: GRUMAN, CHARLES E.
Mailing Address: 11031 6TH STREET SE
HANNAFORD, ND 58448-9459
2. Priority Date: June 21, 1978
3. Nature of use: Irrigation
4. Source of Water Supply: Ground Water
Aquifer: Spiritwood
5. Point of Diversion:

NE1/4 of Section 25, Township 147 N., Range 061 W., Griggs County

6. Amount of water authorized, rate at which it may be diverted from the respective point of diversion, and period of use:

Annual Use (Ac-Ft)	Rate (gpm)
280.0	1000

7. Description of land irrigated:

135.0 Acres in the NE1/4 of Section 25, Township 147 North, Range 061 West
56.0 Acres in the NW1/4 of Section 25, Township 147 North, Range 061 West
19.0 Acres in the SW1/4 of Section 25, Township 147 North, Range 061 West
60.0 Acres in the SE1/4 of Section 25, Township 147 North, Range 061 West
270.0 Total Acres Irrigated

This is to certify that the information stated in a State Water Commission staff memorandum dated January 12, 2016, indicates said permit is to be assigned to:

Name: CHARLES E. GRUMAN RESIDUARY TRUST

Mailing Address: 11031 6TH STREET SE

City: HANNAFORD

State: ND


Zip: 58448-9459

Now, therefore, by virtue of the authority vested in me by the laws of the State of North Dakota, I hereby approve and confirm the above Assignment of Perfected Water Permit No. 3111A.

This Assignment of Perfected Water Permit No. 3111A is subject to the terms, limitations, and conditions stated in the conditional water permit as authorized by Section 61-04-06.2 of the North Dakota Century Code

SEAL




Todd Sando, PE
State Engineer

Date: January 15, 2016

Perfected Water Permit No. 3111A

Now, therefore, by virtue of the authority vested in me by the laws of the State of North Dakota, I hereby grant and confirm to Production Credit Association of Grand Forks of P. O. Box 1357 Grand Forks, North Dakota 58201 holder(s) of said Conditional Permit No. 3111A, a right dating from June 21, 1978 to appropriate and divert from at a point located in the NE $\frac{1}{4}$ Sec. 25, Twp. 147N, Rge. 61W, a quantity of water limited to the amount that can be beneficially used herein, but not to exceed 280.0 acre feet at a total pumping rate not to exceed 1200 gallons per minute (See attachment "B") annually/for irrigating a total of 270.0 acres (Purpose)

and if purpose is irrigation, water is to be applied to the following lands to which this Water Permit is appurtenant:

Sec.	Twp.	Rge.	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NEK	NW¼	SW¼	SE¼	NEK	NW¼	SW¼	SE¼	NEK	NW¼	SW¼	SE¼	NEK	NW¼	SW¼	SE¼		
25	147	61	20.0	38.0	40.0	37.0	20.0				36.0	19.0				22.0	38.0			270.0
																		TOTAL		270.0

Estimated return flow to stream.

This Water Permit is subject to the limitation on the use of water as set forth in the laws of this State and to the rights of prior claimants recognized under the laws of North Dakota, and to the following additional limitations The same conditions shall hereby apply which were stipulated on conditional water permit #311.

The right to use water for irrigation set forth herein is limited to the above described lands and is subject to cancellation for nonuse.

WITNESS my hand and seal at Bismarck, North Dakota, this 27th day of January, 1987

(SEAL)

State Engineer— State of North Dakota

STATE OF NORTH DAKOTA, }
COUNTY OF BURLEIGH, } ss

On this 27th day of January, 19 87, before me a notary public, personally appeared Vernon F. Felt, known to me to be the same person who executed the Perfected Water Permit and acknowledged to me that he executed the same.

SFN 3233

M. C. Emerson
Notary Public

M. C. EMERSON
Notary Public, BURLEIGH CO., N. DAK.
My Commission Expires MAR. 1, 1987



North Dakota State Water Commission

GOVERNOR GEORGE A. SINNER
CHAIRMAN

July 23, 1986

VERNON FAHY
SECRETARY & STATE ENGINEER

Gerald Kuster
RR #1, Box 46
Reynolds, ND 58275

RE: Water Permit #3111A

Dear Mr. Kuster:

This is pursuant to your request that you be allowed to transfer your water permit to other parcels of land owned by you.

1. Your present permit authorizes you to use 280 acre-feet of 1200 gpm of water to irrigate 210 acres. Specifically, you have been authorized to irrigate 210.0 acres of land located in the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 147 North, Range 61 West.

2. You have requested that you be authorized to irrigate the following acres, in addition to those acres already authorized, without using any additional water: 22 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, Township 147 North, Range 61 West and 38 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, Township 147 North, Range 61 West.

*additional
60.0 acres*

3. I have reviewed your request and have found that it will not cause detriment to any existing rights.

4. Therefore, your request is hereby approved, and from this date forward, you are authorized to irrigate the lands described as:

22 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.25, T.147N., R.61W.
20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.25, T.147N., R.61W.
38 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.25, T.147N., R.61W.
40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.25, T.147N., R.61W.,
37 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.25, T.147N., R.61W.,
20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.25, T.147N., R.61W.
36 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.25, T.147N., R.61W.
38 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.25, T.147N., R.61W.
19 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.25, T.147N., R.61W.

*Total
of 270.0
acres*

270 acres total, utilizing the same point of diversion and the same amount of water as presently authorized pursuant to water permit #3111A.

Sincerely,

Vern Fahy
State Engineer

VF:kh

900 East Boulevard-Bismarck, North Dakota-58505-0187/224-2750

Permit No. 3111A

STATE OF NORTH DAKOTA CONDITIONAL WATER PERMIT

This conditional water permit authorizes permittee to construct the necessary diversion facilities and to appropriate the water specified below.

#3111: 153.0 acre-feet - 800 gpm
130.0 acres in Sec 5-146-60

#3111A: 280.0 acre-feet - 1200 gpm
210.0 acres in Sec. 25-147-61
(an additional 60.0 acres
approved for a total of 270.0 acres)

1. Name of Applicant Terry L. Hall

Mailing Address _____

City Binford State North Dakota Zip 58416

2. Source of Water Supply: Ground Water ☒ Surface Water ☐

If Surface Water: 1) Stream _____ A Tributary of _____

3. (a) Point of Diversion:

#3111A (1) NE 1/4 of Section 25 Township 147 N., Range 61 W., Griggs County)

Additional Points of Diversion, if any:

(2) _____ 1/4 of Section _____ Township _____ N., Range _____ W., _____ County

(3) _____ 1/4 of Section _____ Township _____ N., Range _____ W., _____ County

(b) If water is not consumed, estimated quantity of water returned _____,

name of receiving body of water _____,

and location of discharge point: _____ 1/4 _____ 1/4 Sec. _____, TWP. _____, Rge. _____

4. Amount of water authorized, rate at which it may be diverted at the points listed and period of use:

(1) _____ Acre-feet at _____ cfs from _____ to _____ inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

(2) _____ Acre-feet at _____ cfs from _____ to _____ inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

(3) _____ Acre-feet at _____ cfs from _____ to _____ inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

Total amount authorized: 280.0 acre-feet at a maximum rate of 1200 ~~xxfx~~ gpm
(The remainder of the application/request shall be held in abeyance.)

5. Priority date: June 21, 1978

6. Nature of use:

Municipal _____

Rural-Domestic _____

Industrial _____

Irrigation X

Recreation _____

Fish and Wildlife _____

Other, Please Specify _____

•

[illegible]

8. Conditions, limitations, restrictions, and terms of permit:


- 1) The well(s) shall be constructed to such a depth and have such an efficiency that will not unreasonably restrict further development of the aquifer system;
- 2) The well(s) shall be located no less than 660 feet from the perimeter of the described property in the permit; any location closer than 660 feet must be approved by the State Engineer prior to the construction of the well;
- 3) The irrigation well(s) shall be constructed with a measuring port to allow the measurement of water levels in the well(s);
- 4) The final pumping rate shall be subject to the results of an aquifer test;
- 5) Prior to the beneficial use of water, a continuous recording meter shall be installed on the discharge line to measure the quantity of water pumped from the well. The meter shall conform to specifications (attached) set forth by the North Dakota State Water Commission and be available for inspection by representatives of the Commission; and
- 6) Failure to comply with any order of the State Engineer may result in forfeiture of water permit.

9. Water shall be beneficially used on or before: July 1, 1983

10. Date application reviewed by State Water Commission: August 23, 1979

A perfected permit will be issued after the facilities have been properly constructed and inspected. A water right accrues upon placing the water to beneficial use, as authorized herein.

Dated this 23rd day of August, 19 79.


VERNON FAHY
State Engineer

STATE OF NORTH DAKOTA
COUNTY OF BURKE

Subscribed and sworn before me this 23 day of August, 1979

STATE OF NORTH DAKOTA
(Seal)

M. C. EMERSON
Notary Public, BURLEIGH, CO., N. DAK.
My Commission Expires MARCH 1, 1981

M. C. Emerson
NOTARY PUBLIC



North Dakota State Water Commission

GOVERNOR ALLEN I. OLSON
CHAIRMAN

VERNON FAHY
SECRETARY & STATE ENGINEER

IN THE MATTER OF

Conditional Water Permit No. 3111

ATTACHMENT "A"

On August 23, 1979, the State Engineer granted approval for the applicant to appropriate 280.0 acre-feet from the NE $\frac{1}{4}$ of Section 25, Township 147 North, Range 61 West, at a pumping rate not to exceed 1200 gallons per minute, for the purpose of irrigating 210.0 acres in the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 25, Township 147 North, Range 61 West. The remainder of the initial application has been held in abeyance pending additional data.

That portion of the initial application being held in abeyance has been reviewed by the State Engineer and a portion of the application has been recommended to be released at this time and to deny the balance.

* * * * *

On November 3, 1983, the State Engineer hereby grants approval of the following:

The permit holder is hereby granted approval to appropriate an additional 152.0 acre-feet of water annually from the SW $\frac{1}{4}$ of Section 5, Township 146 North, Range 60 West, to irrigate an additional 130.0 acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 5, Township 146 North, Range 60 West, at a pumping rate of up to 800 gallons per minute.

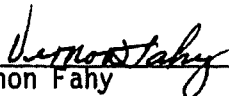
The remaining 442.0 acre-feet of water initially requested and the remaining 97.0 acres initially requested to be irrigated shall hereby be denied.

Total amounts granted for conditional water permit No. 3111 are 432.0 acre-feet of water annually to irrigate a total of 340.0 acres, at a total pumping rate not to exceed 2000 gallons per minute.

IN THE MATTER OF
Conditional Water Permit No. 3111
November 3, 1983
Page 2

The following conditions shall hereby apply to this development:

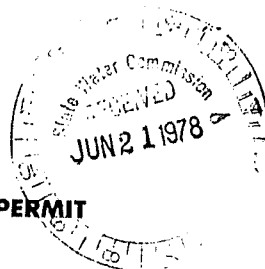
- 1) The same conditions as stipulated on conditional water permit No. 3111 shall hereby apply to this development; and
- 2) Pertaining to development under Attachment "A", water shall be beneficially used on or before December 1, 1986.



Vernon Fahy
State Engineer
November 3, 1983

Application No. 3111

**STATE OF NORTH DAKOTA
APPLICATION FOR CONDITIONAL WATER PERMIT**



NOTE: Use one application for each type of source (ground water, surface water). Check all appropriate boxes and fill in each blank line. If the question is not applicable to your proposed development, enter NA (not applicable). If more space is necessary, attach additional sheets.

(PLEASE TYPE OR PRINT IN INK)

1. Name of Applicant Terry L. Hall

Mailing Address _____

City Binford State North Dakota Zip 58416

Home Phone 676-2535 Other Phone _____

2. Source of Water Supply: Ground Water ☒ Surface Water ☐

If Surface Water: 1) Stream _____ A Tributary of _____

2) If New Impoundment — $\frac{1}{4}$ $\frac{1}{4}$ Sec. _____, Twp. _____, Rge. _____

3) If Existing Impoundment, Give Name _____

3. (a) Point of Diversion:

(1) SW $\frac{1}{4}$ of Section 5 Township 146 N., Range 60 W., Griggs County

Additional Points of Diversion, if any:

(2) NE $\frac{1}{4}$ of Section 25 Township 147 N., Range 61 W., Griggs County

(3) $\frac{1}{4}$ of Section _____ Township _____ N., Range _____ W., _____ County

(b) If water is not consumed, name the receiving body of water _____

and describe location of discharge point: $\frac{1}{4}$ $\frac{1}{4}$ Sec. _____, Twp. _____, Rge. _____

4. Amount of water requested, rate at which it will be diverted at the points listed and period of use:

(1) 374 Acre-feet at 1000 ~~gpm~~ from April 15 to October 1 inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

(2) 500 Acre-feet at 1000 ~~cfs~~ from April 15 to October 1 inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

(3) _____ Acre-feet at _____ cfs from _____ to _____ inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

Total amount requested: 874 acre-feet at a maximum rate of 2000 ~~cfs~~ gpm

5. Proposed Construction:

August 1, 1978

Proposed starting date

June 1, 1982

Completion date

(a) Irrigation (if applicable)

- [illegible]

Municipal _____
Rural-Domestic _____
Industrial _____
Recreation _____
Fish and Wildlife _____
Other, Please Specify _____

(a) Property owner at the point of diversion: Terry L. Hall

(b) Property owner at the place of use: Terry L. Hall

(c) If either (a) or (b) above are other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

8. State law requires that cities and landowners within a one-mile radius of the proposed point of diversion be advised of this application. A completed "Notice of Application" will be forwarded to you upon receipt of this application. Therefore, please indicate the number of landowners and cities which you must notify: 20

9. THE APPLICANT CERTIFIES THAT THE STATEMENTS APPEARING HEREIN ARE TO THE BEST OF HIS KNOWLEDGE TRUE AND CORRECT.

OF HIS KNOWLEDGE AND BELIEF

Terry J. Hall 6-19-78
(SIGNATURE) (DATE)

(SIGNATURE) (DATE)

(SIGNATURE) (DATE)

Signature of the applicant(s) must be exactly as in Item 1. If more than one applicant is shown, all must sign.

NOTE: Mail the completed application, along with the required map and application fee to:

STATE ENGINEER
State Office Building
900 East Boulevard
Bismarck



Office of the State Engineer

IN THE MATTER OF

PERFECTED WATER PERMIT NO. 3111A

ATTACHMENT "B" - Pumping Rate Amendment

On January 27, 1987, a Perfected Water Permit was issued for water permit No. 3111A, for the annual appropriation of 280.0 acre-feet of ground water utilizing a point of diversion located in the NE1/4 of Section 25, Township 147 North, Range 61 West, at an authorized pumping rate of 1200 gallons per minute, for the purpose of irrigating 270.0 acres of land to be located in the NE1/4, NE1/4NW1/4, SE1/4NW1/4, NE1/4SW1/4, NE1/4SE1/4 and the NW1/4SE1/4 of Section 25, Township 147 North, Range 61 West, in Griggs County.

The permit holder has developed an oversized pivot system with portions of the appropriation coming from water permit Nos. 3111A and 4186. The total pumping rate of the system is 1200 gallons per minute. The authorized pumping rate for water permit No. 3111A is 1200 gallons per minute and the authorized pumping rate for water permit No. 4186 is 800 gallons per minute.

A staff memorandum dated June 30, 1993, states, in part: "It is recommended that water permit No. 3111A be amended to 1000 gallons per minute and the remaining 200 gallons be dropped from this permit. Water permit No. 4186 will be perfected for 200 gallons per minute."

* * * * *

On June 30, 1993, the authorized pumping rate shall hereby be reduced from 1200 gallons per minute to 1000 gallons per minute for Perfected Water Permit No. 3111A.

All other provisions and conditions stipulated on water permit No. 3111A shall remain unchanged.

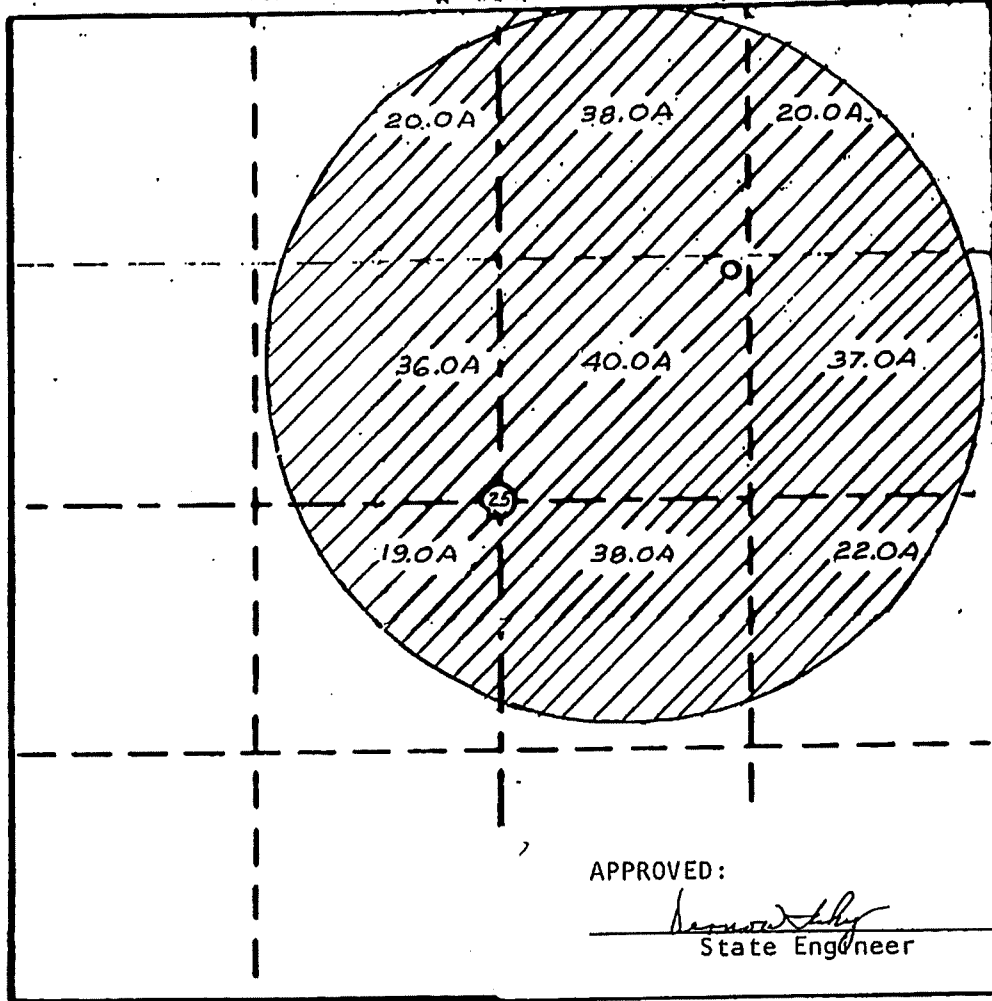
A handwritten signature in cursive script, reading "David A. Sprindzynatyk", is written over a horizontal line.

David A. Sprindzynatyk
State Engineer
June 30, 1993

Revised

R 61W

Map



APPROVED:

[Signature]
State Engineer

Scale 1" = 1000'

STATE OF NORTH DAKOTA }
COUNTY OF CASS }



Area to be irrigated



Pump site (proposed)

I, Robert R. Boone of Fargo, N. Dak. do hereby certify that this map was made from notes taken during an actual survey made by me, (or, made under my direction by Dale Fisk, for whose work I stand personally responsible, on April 24, 1978; and that it correctly represents the irrigation works described in the accompanying application, together with a meander of streams, and shows accurately the location and area of the lands proposed to be irrigated in each subdivision.

[Signature]
Surveyor

MAP
To accompany application
No. 3111A for
Hall Irrigation
PROJECT
Grippe County, N. Dakota
Terry Hall
Bismarck, N. Dakota
Applicant

STATE OF NORTH DAKOTA

ASSIGNMENT OF
PERFECTED WATER PERMIT NO. 4186

1. Name of Permit Holder: GRUMAN, CHARLES E.
Mailing Address: 11031 6TH STREET SE
HANNAFORD, ND 58448-9459

2. Priority Date: December 20, 1989

3. Nature of use: Irrigation

4. Source of Water Supply: Ground Water
Aquifer: Spiritwood

5. Point of Diversion:

NE1/4 of Section 25, Township 147 N., Range 061 W., Griggs County

6. Amount of water authorized, rate at which it may be diverted from the respective point of diversion, and period of use:

Annual Use (Ac-Ft)
192.9

Rate (gpm)
600

7. Description of land irrigated:

9.0 Acres in the NE1/4 of Section 25, Township 147 North, Range 061 West
14.9 Acres in the NW1/4 of Section 25, Township 147 North, Range 061 West
8.8 Acres in the SW1/4 of Section 25, Township 147 North, Range 061 West
13.2 Acres in the SE1/4 of Section 25, Township 147 North, Range 061 West
45.9 Total Acres Irrigated

This is to certify that the information stated in a State Water Commission staff memorandum dated January 12, 2016, indicates said permit is to be assigned to:

Name: CHARLES E. GRUMAN RESIDUARY TRUST

Mailing Address: 11031 6TH STREET SE

City: HANNAFORD

State: ND


Zip: 58448-9459

Now, therefore, by virtue of the authority vested in me by the laws of the State of North Dakota, I hereby approve and confirm the above Assignment of Perfected Water Permit No. 4186.

This Assignment of Perfected Water Permit No. 4186 is subject to the terms, limitations, and conditions stated in the Conditional water permit as authorized by Section 61-04-06.2 of the North Dakota Century Code.

SEAL




Todd Sando, PE
State Engineer

Date: January 15, 2016

SCANNED

Perfected Water Permit No. 4186

Conditional Permit No. 4186 Priority Date December 20, 1989
Name of Conditional Permit Holder Charles E. Gruman
Address RR #1, Box 124 - Hannaford, North Dakota 58448
Source of Water Ground Water
Quantity of Water Approved in Conditional Permit 192.9 acre-feet / of water annually to irrigate a total of 45.9 acres
Nature of Use Irrigation
Date Application Approved and Conditional Permit Issued June 15, 1990
Date Water Beneficially Used 1992

This is to certify that the holder(s) of the conditional permit to divert and appropriate water as indicated above has completed construction of the works as set forth therein. And that the holder(s) of said conditional permit did, on the 24th day of June, 1992, submit proof of the application to beneficial use of 192.9 acre feet of water for the following purpose to irrigate a total of 45.9 acres.

March 16, 1993: Order issued declaring 600 gallons per minute forfeited, abandoned and void.

Now, therefore, by virtue of the authority vested in me by the laws of the State of North Dakota, I hereby grant and confirm to Charles E. Gruman of RR #1, Box 124 Hannaford, North Dakota 58448 holder(x) of said Conditional Permit No. 4186, a right dating from December 20, 1989 to appropriate and divert from at a point located in the NE $\frac{1}{4}$ Sec. 25, Twp. 147N, Rge. 61W, a quantity of water limited to the amount that can be beneficially used herein, but not to exceed 192.9 acre feet at an authorized pumping rate of 200 gallons per minute, annually for irrigating a total of 45.9 acres (Purpose)

and if purpose is irrigation, water is to be applied to the following lands to which this Water Permit is appurtenant:

Sec.	Twp.	Rge.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
25	147	61	8.0	1.0			8.0		2.9	4.0	8.5			0.3	5.5	2.0	5.4	0.3	45.9
																	TOTAL		45.9


Estimated return flow to stream

This Water Permit is subject to the limitation on the use of water as set forth in the laws of this State and to the rights of prior claimants recognized under the laws of North Dakota, and to the following additional limitations. The same conditions shall hereby apply which were stipulated on conditional water permit #4186.

The right to use water for irrigation set forth herein is limited to the above described lands and is subject to cancellation for nonuse.

WITNESS my hand and seal at Bismarck, North Dakota, this 9th day of June, 1993

SEAL.


David A. Sprynczyatyk
State Engineer - State of North Dakota

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF BURLEIGH)

On this 9th day of June, 1993, before me a Notary Public, personally appeared David A. Sprynczynatyk, known to me to be the same person who executed this Perfected Water Permit and acknowledged to me that he executed the same.

SFN 3233 (500-11/89)

May Kreitzer
Notary Public

MARY HILLSTROM
Notary Public, STATE OF NORTH DAKOTA
My Commission Expires APRIL 5, 1999

SCANNED

Permit No. 4186

STATE OF NORTH DAKOTA CONDITIONAL WATER PERMIT

This conditional water permit authorizes permittee to construct the necessary diversion facilities and to appropriate the water specified below.

1. Name of Applicant Charles E. Gruman

Mailing Address RR #1, Box 124

City Hanna Ford State North Dakota Zip 58448

2. Source of Water Supply: Ground Water ☒ Surface Water ☐

If Surface Water: 1) Stream _____ A Tributary of _____

3. (a) Point of Diversion:

(1) NE 1/4 of Section 25 Township 147 N., Range 61 W., Griggs County

Additional Points of Diversion, if any:

(2) _____ 1/4 of Section _____ Township _____ N., Range _____ W., _____ County

(3) _____ 1/4 of Section _____ Township _____ N., Range _____ W., _____ County

(b) If water is not consumed, estimated quantity of water returned _____,

name of receiving body of water _____,

and location of discharge point: _____ 1/4 _____ 1/4 Sec., TWP., Rge. _____

4. Amount of water authorized, rate at which it may be diverted at the points listed and period of use:

(1) 192.9 Acre-feet at 800 cfs from April 15 to October 1 inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

(2) _____ Acre-feet at _____ cfs from _____ to _____ inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

(3) _____ Acre-feet at _____ cfs from _____ to _____ inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

Total amount authorized: 192.9 acre-feet at a maximum rate of 800 cfs
gpm

(The remaining 281.0 acre-feet of water and 1200 gallons per minute initially requested shall hereby be denied.)

5. Priority date: December 20, 1989

6. Nature of use:

Municipal _____

Rural-Domestic _____

Industrial _____

Irrigation X Sprinkler _____

Recreation _____

Fish and Wildlife _____

Other, Please Specify _____

SCANNED

SFN 7644

7. If applicable, description of land to be irrigated (show lot numbers when possible):

Sec	Twp	Rge	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
25	147	61	The permit holder is hereby granted approval to irrigate a total of 45.9 acres of land to be located in the NE 1/4, NE 1/4 NW 1/4, SW 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4 and SE 1/4 of Section 25, Township 147 North, Range 61 West.																45.9

(The remaining 270.0 acres initially requested to be irrigated shall hereby be denied.)

8. Conditions, limitations, restrictions, and terms of permit:

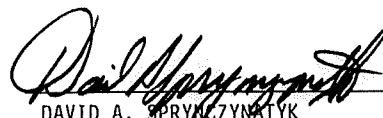
- 1) The well(s) shall be placed in such a location, constructed to such a depth, have such an efficiency, and pumped at such a rate that will not unreasonably restrict further development of the aquifer system;
- 2) The well(s) shall be located no less than 660 feet from the perimeter of the described property in the permit; any location closer than 660 feet must be approved by the State Engineer prior to the construction of the well;
- 3) The irrigation well(s) shall be constructed with a measuring port and a tube having a minimum 3/4-inch inside diameter installed in the annular space between the pump column and the well casing and extending to the top of the bowl assembly or submersible pump to allow the measurement of water levels in the well(s). The bottom end of the tube shall be plugged and the bottom 2 feet perforated. Any other facility for water level measurement must be approved by the State Engineer;
- 4) The pumping rate shall be subject to the results of an aquifer test;
- 5) Prior to the beneficial use of water, an automatic backflow prevention device (check valve) shall be installed in the above ground portion of the pipeline near the pump discharge. The injection of fertilizer, pesticides, other chemicals or crop stimulants into the pipeline shall be downstream from the check valve. Other automatic backflow devices and the placement of those devices may be utilized upon written approval of the State Engineer;
- 6) Prior to the beneficial use of water, instrumentation shall be installed from which the quantity of water pumped can be determined. The instruments are subject to approval by the State Engineer and shall be available for inspection by representatives of the State Engineer; and
- 7) Failure to comply with any order of the State Engineer may result in forfeiture of this water permit.

9. Water shall be beneficially used on or before: July 1, 1993

10. Date application reviewed by State Engineer: June 15, 1990

A perfected permit will be issued after the facilities have been properly constructed and inspected. A water right accrues upon placing the water to beneficial use, as authorized herein.

Dated this 15th day of June, 19 90


DAVID A. SPRY
State Engineer

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Subscribed and sworn before me this 15th day of June, 19 90

(Seal)

M. C. EMERSON
Notary Public, BURLEIGH CO., N. DAK.
My Commission Expires MAR. 1, 1993


NOTARY PUBLIC

Application No. 4186

STATE OF NORTH DAKOTA
APPLICATION FOR CONDITIONAL WATER PERMIT



NOTE: Use one application for each type of source (ground water, surface water). Check all appropriate boxes and fill in each blank line. If the question is not applicable to your proposed development, enter NA (not applicable). If more space is necessary, attach additional sheets.

(PLEASE TYPE OR PRINT IN INK)

1. Name of Applicant Charles E Gruman
Mailing Address RR 1 Box 124
City Hannaford State ND Zip 58448
Home Phone 701-769-2294 Other Phone _____

2. Source of Water Supply: Ground Water ☒ Surface Water ☐
If Surface Water: 1) Stream _____ A Tributary of _____
2) If New Impoundment — $\frac{1}{4}$ Sec. _____, Twp. _____, Rge. _____
3) If Existing Impoundment, Give Name _____

3. (a) Point of Diversion:
(1) NE $\frac{1}{4}$ of Section 25 Township 147 N., Range 61 W., Griggs County
Additional Points of Diversion, if any:
(2) $\frac{1}{4}$ of Section _____ Township _____ N., Range _____ W., _____ County
(3) $\frac{1}{4}$ of Section _____ Township _____ N., Range _____ W., _____ County
(b) If water is not consumed, name the receiving body of water _____
and describe location of discharge point: $\frac{1}{4}$ Sec. _____, Twp. _____, Rge. _____

4. Amount of water requested, rate at which it will be diverted at the points listed and period of use:
(1) 473.9 (AMOUNT) Acre-feet at 2000 (RATE) cfs gpm from Apr 15 (MONTH-DAY) to Oct 1 (MONTH-DAY) Inclusive
(2) _____ (AMOUNT) Acre-feet at _____ (RATE) cfs gpm from _____ (MONTH-DAY) to _____ (MONTH-DAY) Inclusive
(3) _____ (AMOUNT) Acre-feet at _____ (RATE) cfs gpm from _____ (MONTH-DAY) to _____ (MONTH-DAY) Inclusive
Total amount requested: 473.9 acre-feet at a maximum rate of 2000 cfs gpm

5. Proposed Construction:

Proposed starting date _____
Anticipated completion date _____

SCANNED

6. Description of proposed beneficial water uses:

(a) Irrigation (If applicable)

1. Method of Irrigation: Gravity ☐; Sprinkler ☒; Waterspreading ☐
2. Project will involve new irrigated land: Yes ☐ No ☒
3. Project will involve supplemental water to existing irrigation: Yes ☒ No ☐
4. Description of land to be irrigated (show lot numbers where applicable):

[illegible]

(b) Non-irrigation use: (if applicable)

Municipal
 Rural-Domestic
 Industrial
 Recreation
 Fish and Wildlife
 Other, Please Specify

7. Ownership:

- (a) Property owner at the point of diversion: Charles E. Gruman
- (b) Property owner at the place of use: " " "
- (c) If either (a) or (b) above are other than the applicant, describe the arrangement enabling the applicant to make this filing: Charles E. Gruman

8. State law requires that cities and landowners within a one-mile radius of the proposed point of diversion be advised of this application. A completed "Notice of Application" will be forwarded to you upon receipt of this application. Therefore, please indicate the number of landowners and cities which you must notify: ELEVEN LAND OWNERS

9. THE APPLICANT CERTIFIES THAT THE STATEMENTS APPEARING HEREIN ARE TO THE BEST OF HIS KNOWLEDGE TRUE AND CORRECT.

Charles E. Truman 12-14-1989

(SIGNATURE) (DATE)

(SIGNATURE) (DATE)

(SIGNATURE) (DATE)

Signature of the applicant(s) must be exactly as in Item 1. If more than one applicant is shown, all must sign.

NOTE: Mail the completed application, along with the required map and application fee to:

STATE ENGINEER
State Office Building
900 East Boulevard
Bismarck, North Dakota 58505

NORTH DAKOTA STATE ENGINEER

ORDER CANCELING A PORTION OF WATER PERMIT NO. 4186

FINDINGS OF FACT

1. Conditional Water Permit No. 4186 was issued to Charles E. Gruman, Hannaford, North Dakota, by the State Engineer on June 15, 1990, to appropriate 192.9 acre-feet of water annually at 800 gallons permit minute from ground water for irrigation purposes

2. The date of priority for this water permit is December 20, 1989.

3. The point of diversion for this water permit is the NE1/4 of Section 25, Township 147 North, Range 61 West, Griggs County.

4. The description of land to be irrigated with water pursuant to this permit is 45.9 acres in the NE1/4, NE1/4NW1/4, SW1/4NW1/4, SE1/4NW1/4, SE1/4SW1/4, and SE1/4 of Section 25, Township 147 North, Range 61 West.

5. The conditional water permit provided that the water subject to this permit was to be beneficially used on or before July 1, 1993.

6. The permittee has developed 45.9 acres using 192.9 acre-feet of water at 200 gallons per minute, and the permit will be perfected for these amounts.

7. Permittee was advised by certified mail, received on February 3, 1993, that the period for applying water to a beneficial use on the remaining undeveloped portion of this permit had expired and that the undeveloped portion would be canceled if no request for an extension of time for development was received

STATE OF NORTH DAKOTA

PERFECTED WATER PERMIT NO. 04186

ATTACHMENT "A"

Increase in the Pumping Rate

Perfected Water Permit No. 4186 was approved for the annual appropriation of 192.9 acre-feet of ground water from a point of diversion located in the NE1/4 of Section 25, Township 147 North, Range 61 West, at a pumping rate of 200 gallons per minute to irrigate 45.9 acres of land located in Section 25, Township 147 North, Range 61 West, Griggs County.

A letter was received from the permit holder on November 28, 2003, requesting a total gallons per minute pumping rate of 1600 between Perfected Water Permit No. 3111A and Perfected Water Permit No. 4186 because his irrigation system was modified to conserve water. Water Permit No. 3111A is approved for a total pumping rate of 1000 gallons per minute and Water Permit No. 4186 is approved for a pumping rate of 200 gallons per minute. Therefore, in a staff memorandum dated December 10, 2003, it is recommended the pumping rate for Water Permit No. 4186 be increased by 400 gallons per minute for a total of 600 gallons per minute in order for the two permits to have a total pumping rate of 1600 gallons per minute.

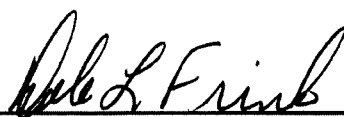
On December 15, 2003, the State Engineer hereby approves the following:

The authorized pumping rate for Perfected Water Permit No. 4186 shall hereby be increased to 600 gallons per minute.

All other provisions and conditions stipulated on the permit shall remain unchanged.

SEAL




Dale L. Frink
State Engineer

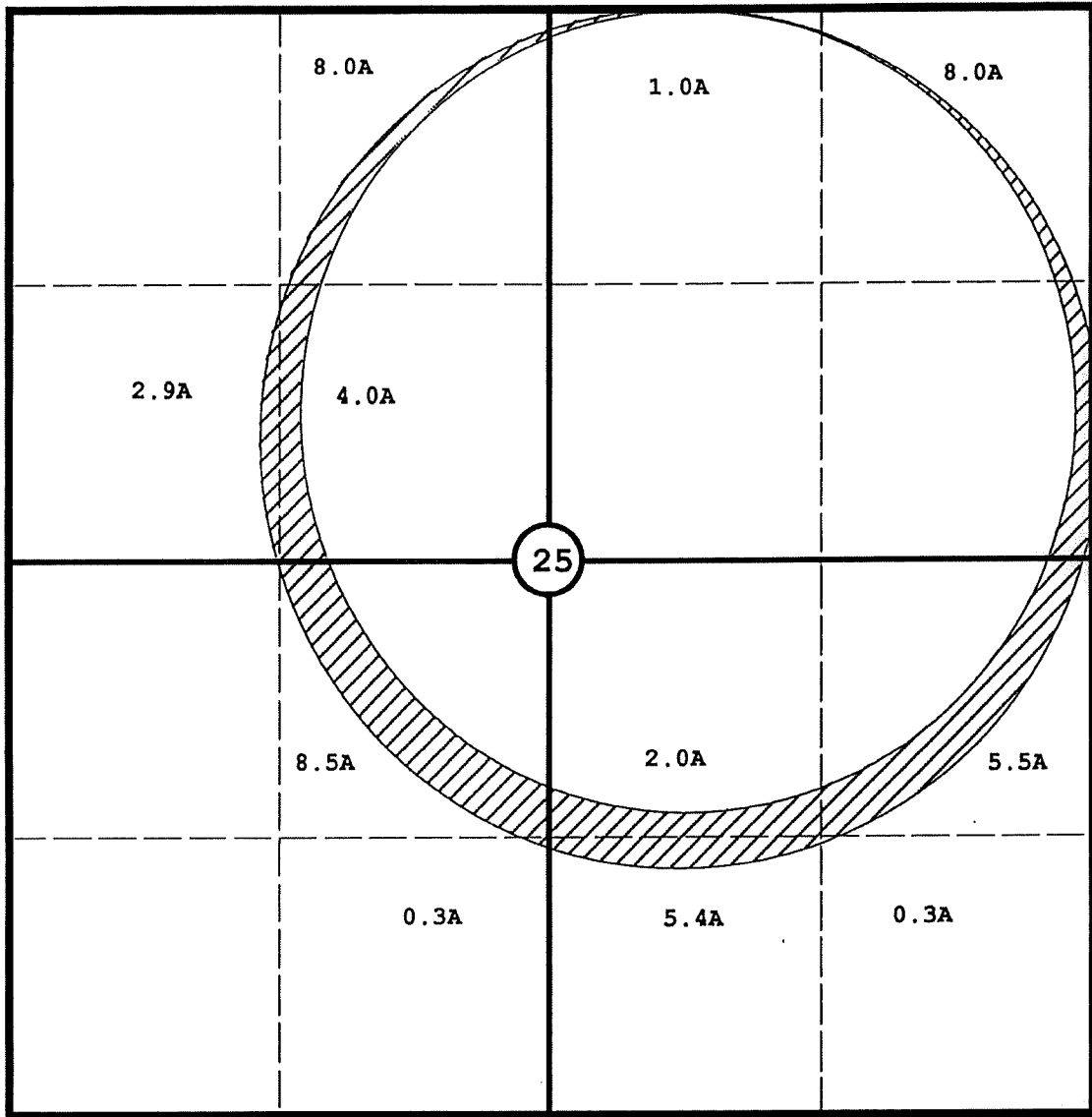
Date: December 15, 2003

SCANNED

REVISED MAP

1/19/93

R 61 W



T
147
N

Water Permit #4186

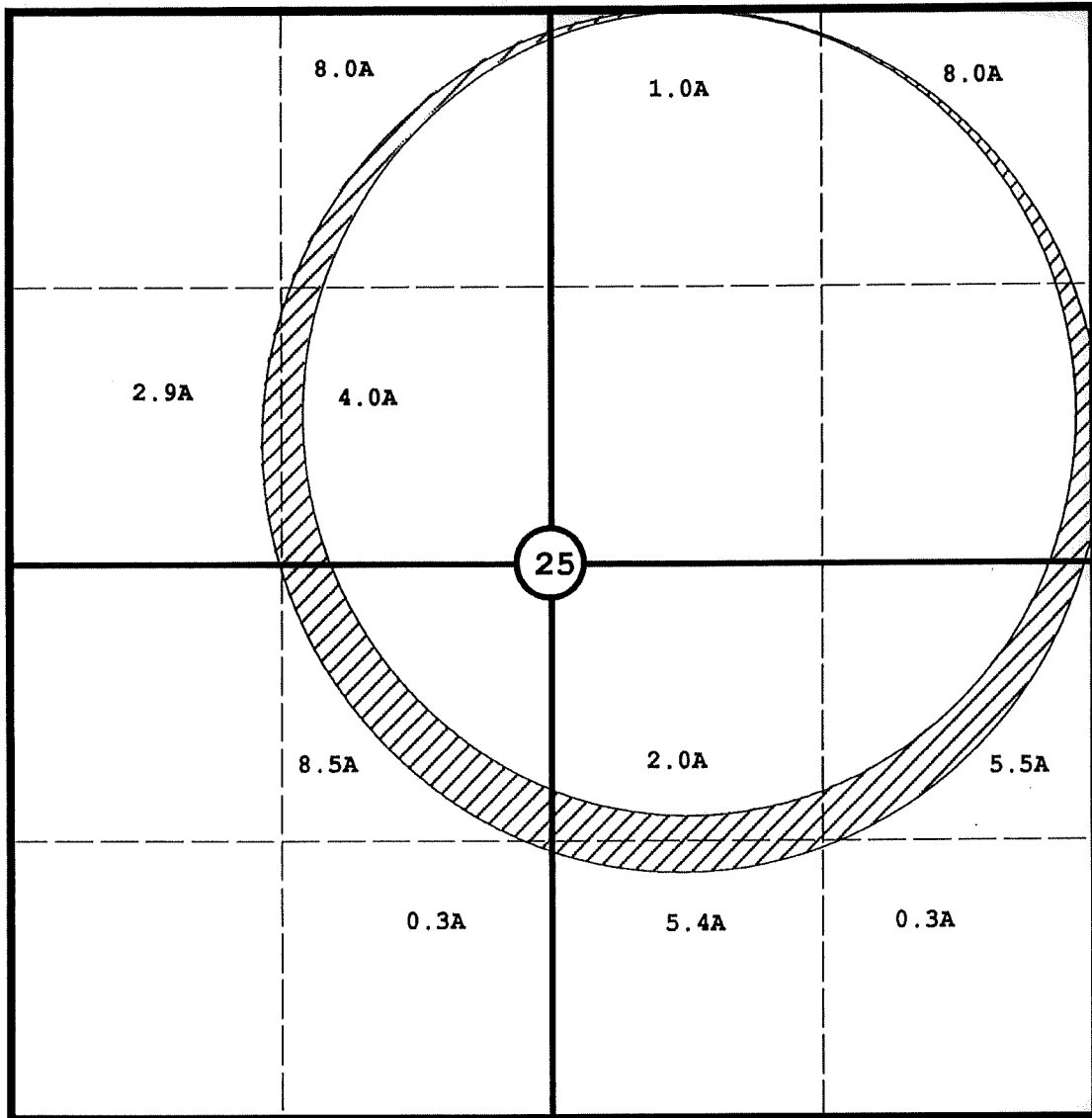
County :Griggs

SCANNED

REVISED MAP

1/19/93

R 61 W



T
147
N

Water Permit #4186

County :Griggs



State of North Dakota

Office of the State Engineer

900 EAST BOULEVARD AVE. • BISMARCK, ND 58505-0850
701-328-2750 • FAX 701-328-3696 • <http://swc.nd.gov>

Water Appropriation Division
(701) 328-2754

January 15, 2016

Charles E. Gruman Residuary Trust
C/O Wells Fargo Trust
Mr. Dan DeKrey
PO Box 340
Moorhead, MN 56561

RE: SWC Perfected Water Permit Nos. 3111A and 4186
SWC Conditional Water Permit No. 4516
Transmittal of Assignments of Permits

Dear Mr. DeKrey:

Enclosed are Assignments of Water Permit Nos. 3111A, 4186 and 4516 from Charles E. Gruman to Charles E. Gruman Residuary Trust, Hannaford, ND.

It is recommended that Assignment Nos. 3111A and 4186, for perfected water permits, be recorded with the Griggs County Recorder at your earliest convenience.

If you have any questions on the Assignments, please contact Jim MacArthur of my staff at (701) 328-3441.

Sincerely,

Todd Sando, PE
State Engineer

TS:js
Enclosure

**NORTH DAKOTA STATE WATER COMMISSION
OFFICE MEMO**

MEMO TO: Todd Sando, P.E., State Engineer, through
Jon C. Patch, P.E., Director - Water Appropriation Division
FROM: James M. Mac Arthur - Water Resource Senior Manager
SUBJECT: Water Permit Nos. 3111A, 4186 & 4516
Charles E. Gruman/assign
DATE: January 12, 2016

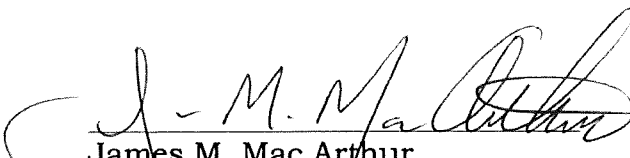
JP 1/12/16

Our office received documentation from Well Fargo Bank's trust department, regarding their appointment as Trustee's for the Gruman Trust. The mail to address, will be to Wells Fargo Trust c/o Dan DeKrey.

It will be necessary to make the following assignment:

From: Charles E. Gruman – 11031 6th Street SE, Hannaford ND 58448-9459.

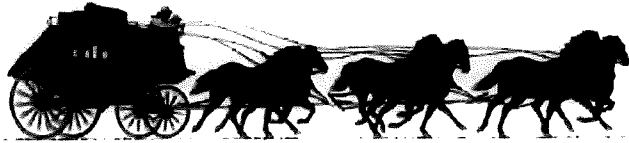
To: Charles E. Gruman Residuary Trust - 11031 6th Street SE, Hannaford ND 58448-9459.


James M. Mac Arthur
Water Resource Senior Manager
Water Appropriation Division

jmm

Wells Fargo

Copied to Jim



MEMO

DATE: 12-23-2015
TO: NDSWC
FROM: Dan DeKrey
RE: Charles E. Gruman Residuary Trust



The 2015 Annual Water Use Report is enclosed as requested.

The permit is in the name of Charles E. Gruman, but the land was placed in Trust in 2009 with the Gruman siblings as Co-Trustees. Wells Fargo Bank, NA has since become the Successor Trustee and the siblings have been removed.

The Personal Representative's Deed distributing the real estate into the Trust and the court order to appoint Wells Fargo Bank, NA as Successor Trustee of the Charles E. Gruman Residuary Trust is included to verify this information. As I understand, the permit is still in the name of Charles E. Gruman and should be transferred to the Trust.

Please call with any questions or concerns.

A handwritten signature, which appears to be 'Dan DeKrey', is located below the text 'Please call with any questions or concerns.'.

PERSONAL REPRESENTATIVE'S DEED OF DISTRIBUTION

THIS INDENTURE is made this 5th day of August, 2009, by and between Karla Gruman Rippchen, Personal Representative of the Estate of Charles Edward Gruman, also known as Charles E. Gruman, deceased, hereinafter "Grantor," and Mark E. Gruman, Karla Gruman Rippchen, Audra R. Coppa, Sue Gruman Kraft, and Katherine R. Gruman as co-Trustees of the Charles E. Gruman Residuary Trust, hereinafter "Grantee," whose post office address is 4480 Thornwood Drive, Bettendorf, Iowa 52722.

WITNESSETH:

WHEREAS, on the 17th day of November, 2008, the District Court in and for the County of Griggs and State of North Dakota did appoint Karla Gruman Rippchen as Personal Representative of the Estate of Charles Edward Gruman, deceased, and Letters Testamentary were issued to her as said Personal Representative on said date. As such Personal Representative, Karla Gruman Rippchen does hereby make this conveyance pursuant to the authority and power granted unto her by virtue of Sections 30.1-18-11 and 30.1-18-15 of the North Dakota Century Code.

WHEREAS, Grantee is entitled to distribution of certain real property hereinafter described from the estate of said decedent.

NOW THEREFORE, for good and valuable consideration, the Grantor does hereby convey to the Grantee, in as full and ample manner as permitted by law, the following-described real property in the County of Griggs, State of North Dakota, to-wit:

All that part of the North Half (N1/2) and the North 707 feet of the Southwest Quarter (SW1/4) of Section 5, Township 144 North, Range 59 West of the Fifth Principal Meridian lying west of the westerly right of way boundary of new State Highway No. 1, and also a strip of land 100 feet wide lying north of and adjoining Lots 2 and 3 of section 5-144-59, and extending from the west line of Lot 3 extended to the north to the N.P.R.R. right of way in the North Half of the Southwest Quarter (N1/2SW1/4) of Section 5, township 144, Range 59 West of the Fifth Principal Meridian

and

lots 2 and 3 of Section 5, Township 144 North, Range 59 West of the Fifth Principal Meridian

100387

Pg 1 of 7

GRIGGS COUNTY 8/27/2009 at 1:30 PM
Return To: Vogel Law Office
PO Box 1389

Fargo ND 58107-1389

100387

Karla Gruman Rippchen

KARLA GRUMAN RIPPCHEN, Personal
Representative of the Estate of Charles

Edward

Gruman, a/k/a Charles E. Gruman,

deceased

STATE OF ^{Wisconsin} IOWA)

COUNTY OF ^{Richland})
:SS

On this 5th day of August, 2009, before me, a notary public in and for said county and state, personally appeared **Karla Gruman Rippchen**, known to me to be the person who is described in and who executed the within and foregoing instrument, and said person acknowledged to me that she executed the same as personal representative of the estate of Charles Edward Gruman, also known as Charles E. Gruman, deceased.

(SEAL)

Margie E. Bied

Notary Public

My Commission expires:

08-05-2012

The undersigned authorized agent for the within Grantee does hereby certify that this transfer is a sale/transfer in the settlement of an estate, and is exempt under NDCC §11-18-02.2(6)(d).

Dated: 8-7, 2009.

C. Nicholas Vogel
Grantee or Authorized Agent

The legal description was obtained from previously recorded instruments.

C. Nicholas Vogel (ND #02917))

100387

Pg 4 of 7

GRIGGS COUNTY 8/27/2009 at 1:30 PM
Return To: Vogel Law Office
PO Box 1389

4

Fargo ND 58107-1389

and

Outlot 1 City of Hannaford

and

Lots 2 and 3, less 10.27 acres, of Section 5, Township
144 North, Range 59 West of the Fifth Principal
Meridian

and

The Southwest Quarter (SW $\frac{1}{4}$), and Lots 7 and 9, less
2.84 railroad and right of way, in Section 33, Township
145 North, Range 59 West of the Fifth Principal
Meridian

and

That part of the Southeast Quarter (SE $\frac{1}{4}$) of Section 33,
Township 145 North, Range 59 West of the Fifth
Principal Meridian, lying East of the Northern Pacific
Railroad and South of the Old Wagon Road, containing
approximately 63 acres

and

The West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of
Section 36, Township 145 North, Range 59 West of the
Fifth Principal Meridian

and

The West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$), the
Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
and Lots 3, 4, 5, 9, and 10, of Section 5 (aka West Half
(W $\frac{1}{2}$) of Section 5), Township 146 North, Range 60
West of the Fifth Principal Meridian

and

The East Half of the East Half (E $\frac{1}{2}$ E $\frac{1}{2}$) of Section 6,
Township 146 North, Range 60 West of the Fifth
Principal Meridian

and

The East Half of the West Half (E $\frac{1}{2}$ W $\frac{1}{2}$) of Section 27,
Township 144 North, Range 60 West of the Fifth
Principal Meridian

and

All of Section 25, Township 147 North, Range 61 West
of the Fifth Principal Meridian

WITNESS the hand of the Grantor this 5 day of August, 2009.

100387

GRIGGS COUNTY 8/27/2009 at 1:30 PM
Return To: Vogel Law Office
PO Box 1389

Fargo ND 58107-1389

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Susan E. Johnson-Drenth (05387)
 JD Legal Planning PLLC
 902 28th Street South, Ste. 2
 Fargo, ND 58103
 Telephone: (701) 364-9595
 Fax: (701) 364-9596
 Email: sdrenth@jlegalplanning.com

Court File No. 20-2014-CV-00015

Attorney for Audra R. Coppa and Sue Gruman Kraft

IN THE DISTRICT COURT OF GRIGGS COUNTY, STATE OF NORTH DAKOTA

In re: Gruman Trust

**ORDER REMOVING CO-TRUSTEES AND
 APPOINTING INDEPENDENT THIRD PARTY TRUSTEE**

The Stipulation Agreement dated November 24, 2014, made between Attorney Susan Johnson-Drenth on behalf of Petitioners, Audra R. Coppa ("Audra") and Sue Gruman Kraft ("Sue") (collectively referred to as "Petitioners"); and, Attorney Timothy G. Richard on behalf of Respondents, Karla C. Rippchen ("Karla"), Mark E. Gruman ("Mark"), and Katherine R. Gross, f/k/a Katherine R. Gruman ("Katherine") (collectively referred to as "Respondents") and Denise F. Gruman, having duly come before the above named Court, and the Court having considered the terms and conditions of the Stipulation Agreement, now makes the following Order:

1. That Audra, Sue, Karla, Mark, and Katherine be removed as co-trustees of the Charles E. Gruman Residuary Trust ("Residuary Trust") and the Gruman Trust II (a/k/a the Charles E. Gruman Children's Trust II) ("Children's Trust").
2. That Wells Fargo Bank, N.A., be appointed as successor Trustee of both the Residuary Trust and the Children's Trust, and their Acceptance has been filed with the Court.
3. That all of the terms and conditions of the Stipulation Agreement be incorporated within this Order.
4. That none of the aforementioned trusts be subject to the further supervision of the Court.
5. For such other and further relief as the Court deems proper.

Dated this 15th day of December, 2014.

BY THE COURT:

Judge of District Court

FILED
 In District Court
 Griggs County, ND

DEC 2 2014

Filed - Clerk of District Court
 11/24/2014 4:18:33 PM
 Griggs County, ND

Kelly Vincent, Clerk
 By [Signature] Deputy

Subject: Fwd: Gruman Trust Deed

Date: Monday, November 16, 2015 at 2:24:19 PM Central Standard Time

From: Hove, Mike H.

To: MacArthur, Jim M.

Hello Jim,

I spoke with Karla Rippchen on Friday regarding the AUFs associated with permits 3111A; 4516; & 4186, which used to be held by her father, Charles Gruman. He has recently died, so the estate is being managed by Dan DeKrey at Wells Fargo. She asked that I send the AUF paper work to Dan DeKrey. So I contacted him, and we talked about getting the water permit assigned to the correct property holder(s). He asked what we needed, and I told him we need a copy of the warranty deed.

Dan DeKrey sent me the Deed as a PDF with this e-mail, which I am forwarding to you for working through the assignment process.

If you have any questions, Dan said he would be more than willing to help us in this process.

Respectfully yours,
Michael Hove
Water Resource Senior Manager
Office of the State Engineer
900 E. Blvd. Ave.
Bismarck, ND 58505
701-328-2754
mhove@nd.gov

Begin forwarded message:

From: <Daniel.D.DeKrey@wellsfargo.com>
Subject: Gruman Trust Deed
Date: November 16, 2015 at 12:36:36 PM CST
To: <mhove@nd.gov>

Mike,

Here is the PR Deed that transferred the real estate from Charles's estate into the Trust. The Trustees were different at the time, as family members, but now Wells Fargo is Trustee. Name of Trust is the same, Charles E. Gruman Residuary Trust.

Dan DeKrey
Assistant Vice President
Real Estate Asset Management

Wells Fargo Wealth Management | 400 E. Broadway Ave, Suite 104 | Bismarck, ND 58501
MAC N9619-011
Tel 701-222-5149 | Toll Free 800-456-0041 | Fax 701-222-5121
daniel.d.dekrey@wellsfargo.com

North Dakota State Water Commission
Office Memo

To; David Sprynczynatyk, State Engineer, through, *moz*
Milton O. Lindvig, Director, Hydrology Division,
From Steve W. Pusc, Hydrogeologist,
Subject Water permit application # 4186
Date: 06/15/90

Mr. Charles E. Gruman, Hannaford, North Dakota has applied for a water permit to irrigate 315.9 acres of land with 473.9 acre-feet of ground water from the NE 1/4 of section 25 Township 147 North Range 61 West, Griggs county. The proposed pumping rate is 2000 gpm. There were no objections filed concerning this application.

The land specified under this application (#4186) is presently covered under perfected water permit # 3111A for 280.0 acre-feet of water at a rate of 1200 gpm to irrigate 270.0 acres. This property has changed hands a few times and sometime during this period, the system was expanded to cover 315.9 acres. According to 1989 water use records supplied by Mr. Gruman he is presently irrigating 265 acres in section 25. Recorded water use has been as follows:

YEAR	WATER USE (ACRE-FEET)	ACRES	PUMPING RATE (GPM)
1982	72.9	270.0	1100
1983	22.5	270.0	1100
1984	165.3	248.0	1200
1985	163.1	250.0	1200
1986	104.2	250.0	1200
1987	78.2	268.0	1000
1988	170.0	170.0	1200
1989	285.0	265.0	1200

Thus, the new application represents an increase of 193.9 acre-feet of ground water to irrigate an additional 45.9 acres. The proposed increase in pumping rate from 1200 gpm to 2000 gpm represents an increase of 800 gpm.

The well that Mr. Gruman utilizes is 12 inches in diameter and screened from 207 to 244 feet below land surface. Static water level as reported by the well driller was 61.6 feet below land surface. The well was test pumped at 1000 gpm. Specific capacity after pumping at 1000 gpm for 50 hours was 25 gpm/foot. Over the past 8 years the well has been pumped from 1000 to 1200 gpm.

The land described under permit #'s 3111A and water permit application #4186 overlies a portion of the Spiritwood aquifer system in Griggs county. The irrigation well drilled for permit 3111A (NE 1/4 25) penetrated the main thickness of sand and gravel from 165 to 272 feet below land surface. Thus, in this area the Spiritwood aquifer is at least 107 feet thick. Test drilling done by the State Water Commission in section 24 (1/4 mile northwest of the production well in the NE 1/4 of section 25) revealed that in this area the Spiritwood is 86 feet thick and occurs from 260 to 346 feet below land surface.

There are several water permits which derive water from the Spiritwood aquifer system in Griggs county. The nearest permits to application # 4186 (or #3111A) are permits # 2220 and # 3163. Those permits in order of priority date are summarized below:

PERMIT NUMBER	PRIO. DATE	POD	ACRE- FEET	ACRES	PUMPING RATE	COMM.
2220	02/25/75	35DA	198.0	132	800	dev.
3111A	06/21/78	25A	280.0	270	1200	dev.
3163	03/02/79	24A	225.0	150	1000	not dev.

Note that permit # 3111A, which covers the same land as the application currently being evaluated, is senior to permit # 3163 but junior to # 2220. If permit application # 4186 is granted and permit # 3111A cancelled, the permit holder would lose priority date status. To prevent this we should only grant the amount above the current allocation specified under permit # 3111A and deny the remainder of the request.

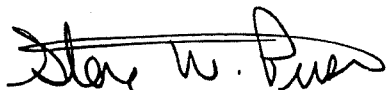
Several observation wells have been constructed in the area to monitor the impacts of the present development. A hydrograph of water levels from an observation well which is located at Township 147 North, Range 61 West, 24BBB is presented in figure 1 (approximately 1.25 miles from the production well in section 25). The well is screened from 217-220 feet below land surface. Recorded depth to water before development was 31-32 feet below land surface. Water levels in the well respond to pumping of the irrigation well in section 25. The largest recorded yearly decline, of approximately 29 to 30 feet, was recorded in 1980. Unfortunately, water use was not submitted for that year. As is evident, water levels recover throughout years of diminished water use (1982-1983, 1986-1987) and decline slightly with increased use (1984,1985,1988,1989). Examination of spring water levels (following recovery from pumping) reveals that the long term decline due to pumping has been only 8 feet (1984) to 14 feet (1981). Note also

that there is over 100 feet of drawdown available before the top of the aquifer is reached (fig.1). Favorable water level recovery following all the irrigation seasons, and the large available drawdown (100 ft. plus) suggest that additional appropriation can be supported.

Hydrologic investigation of the area indicates that there is sufficient aquifer material, favorable long term water level fluctuations, and considerable available drawdown to support the additional development. Based on the available data, no adverse impacts to fully penetrating, properly constructed wells in the area should result from the additional appropriation.

The land specified under permit application # 4186 is presently covered under water permit #3111A. Permit # 3111A is approved for 280 acre-feet to irrigate 270 acres or slightly more than 1 acre-foot/acre. This project has changed hands a few times and during this period the system was expanded to 315.9 acres. Application #4186 was submitted in order to cover the entire 315.9 acres. Under that application (#4186) Mr. Gruman wants to irrigate the entire 315.9 acres with 473.9 acre-feet of ground water or 1.5 acre-feet/acre. Unfortunately, there are intervening permits in the area and if application #4186 were approved and #3111A cancelled, the permit holder would lose priority date status in the area. Therefore, I recommend that water permit application #4186 be approved for the appropriation and diversion of a 193.9 acre-feet of ground water at a 800 gpm from the NE 1/4 of section 25, Township 147 North, Range 61 West, Griggs county to irrigate 45.9 acres. This will allow the permit holder to maintain priority date status on the portion specified under permit # 3111A. Total appropriation under permits #3111A and # 4186 would then be 473.9 acre feet at 2000 gpm to irrigate 315.9 acres. The remainder of the request (#4186) , or 281.0 acre-feet to irrigate 270 acres at 1200 gpm should be denied. All standard conditions shall apply.

Water use for permits #3111A and #4186 should only be reported under one of the permits.

A handwritten signature in black ink, appearing to read "Steve W. Pusc". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Steve W. Pusc, Hydrogeologist

