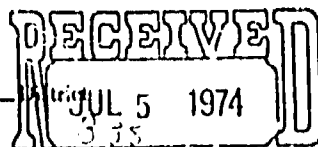


Water Right Number 1196-2

1. Considered NOVEMBER 13, 1974
2. Name of Applicant CHARLES SNYDER
3. Post Office Address TUTHILL
4. Amount of water claimed 1.44
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION  
Acres to be irrigated 280
7. Water to be diverted and used in BENNETT County  
about 35.4E Miles 1.01 of TUTHILL
8. Proof of Publication  
Received 1  
Not received \_\_\_\_\_
9. Application  
Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not approved \_\_\_\_\_  
Action deferred \_\_\_\_\_

10. Remarks:

No. 1196-2Map No. 1017-2Water Division No. 2LITTLE WHITE RIVER  
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RIGHTS COMM.  
PIERRE, SOUTH DAKOTA

## APPLICATION FOR PERMIT

## To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Don & Terry Snyder  
Postoffice address Tuthill, SD 57574  
South Dakota
- If a corporation show date and place of incorporation \_\_\_\_\_
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work sprinkler pipe SNYDER #1
4. Amount of water claimed (cubic feet per second) 650 gal/min.
5. Source of water supply well
6. Location of point of diversion center of SE $\frac{1}{4}$  of Sec 31 - 37-34
- County Bennett
7. Annual period or periods during which water is to be used April - Sept.
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, 280 Total number of acres to be irrigated

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

| Land Description                                  | No. Acres Irr. | Land Description                                  | No. Acres Irr. |
|---------------------------------------------------|----------------|---------------------------------------------------|----------------|
| NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 31-37-34 | 35             | NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec 31-37-34 | 35             |
| NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 31-37-34 | 35             | NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec 31-37-34 | 35             |
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 31-37-34 | 35             | SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec 31-37-34 | 35             |
| SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 31-37-34 | 35             | SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec 31-37-34 | 35             |

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Bennett County Booster II
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.  
Deep dug well with high volume pump.

B. Works proposed to transport water to place of use.

8" pipe

C. Works proposed to apply water to beneficial use.

Sprinkler irrigation system.

Estimated Total Cost \$ 40,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.  
(See instructions concerning preparation)

STATE OF SOUTH DAKOTA

County of Bennett

I, Charles Snyder, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Charles SnyderSubscribed and sworn to before me this 27thday of July19 74

Ann B. Eng. Christ  
Notary Public (or other qualified officer)  
Ann B. Eng. Christ

## WATER RIGHT APPLICATION APPROVAL

Don & Terry  
The Water Rights Commission hereby approves Water Right Application No. 1196-2  
CHARLES SNYDER TUTHILL  
(Applicant) (Post Office Address)  
SOUTH DAKOTA 57574 With the following modifications:  
(State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application JULY 5, 19 74  
Date of return to applicant for correction, amendments or changes required JULY 16, 19 74  
Date of receipt of corrected application SEPTEMBER 9, 19 74  
Approved NOVEMBER 13, 19 74, Recorded in Book 13 Page 122

WATER RIGHT PERMIT NO. 1196-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1196-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JULY 5, 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13, 19 77
3. The whole of said work is to be completed on or before NOVEMBER 13, 19 79
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13, 19 81
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.44 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before NOVEMBER 13, 19 81; said water to be used during the following described annual period: APRIL - SEPTEMBER

Witness my hand this 27<sup>TH</sup> day of NOVEMBER, 19 74.

WATER RIGHTS COMMISSION

By:

Donald W. Lincoln  
Chief Engineer, Executive Officer

Certificate of Construction Issued December 16, 19 80

Water License Issued December 16, 19 80

Conservation  
Commission  
Form WI #1

STATE CONSERVATION COMMISSION  
SUPPORTING INFORMATION  
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE  
WITH SDCL 46-6-3 AS AMENDED  
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: \_\_\_\_\_

Water Quality: \_\_\_\_\_

Soils Capability: \_\_\_\_\_

Approved: <sup>9/3/74</sup> *Mike Snyder*

Disapproved: \_\_\_\_\_

NAME: Charles Snyder

ADDRESS: Tuthill, South Dakota 57574

COUNTY: Bennett County

LEGAL DESCRIPTION

1. WELL LOCATION: Well #1 Center of E $\frac{1}{2}$  of Sec 31
2. AREA TO BE IRRIGATED: E $\frac{1}{2}$ , Sec 31, T 37N, R.34W

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center pivot
4. CROPS TO BE IRRIGATED: corn and alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-5 percent
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Dunday - anselmo complex with some Tuthill and anselmo fine sandy loams.

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 74-472 (well #1)
8. SALINITY: EC = 396 micromhos/cm (low-medium)
9. SODIUM: SAR = 0.34 (low)

I do hereby certify that a chemical analysis of the ground water to be  
acquired for irrigation from South Dakota State University and:  
the land capability for irrigation information has been acquired from  
Soil Conservation District technician and Gary Nies, Bennett County  
Extension Agent  
and:

that the legal description for the location of the well and land to be  
irrigated is true and correct.

Oral M. Snyder

Subscribed and sworn before me this

13 day of Aug 19 74

Allen B. Engelbert

Register of Deeds

(Title)

**REPORT OF ANALYSIS**  
 Water Quality Laboratory  
 Water Resources Research Institute  
 South Dakota State University  
 Brookings, South Dakota 57006

Submitted by: Charles Snyder Date Rec'd July 11, 1974  
 Address Tuthill, South Dakota Sample No. 74-472  
57574 Identification 911- #1  
11, 1968. 31, 1971, 1974

**WATER ANALYSIS**

|                                       |       |                             |      |           |
|---------------------------------------|-------|-----------------------------|------|-----------|
| Calcium (Ca)                          | 60    | ppm*                        | 3.00 | me/l**    |
| Magnesium (Mg)                        | 9     | ppm                         | 0.74 | me/l      |
| Sodium (Na)                           | 11    | ppm                         | 0.47 | me/l      |
| Potassium (K)                         | 14    | ppm                         | 0.38 | me/l      |
| Sulfate (SO <sub>4</sub> )            | 9     | ppm                         | 0.19 | me/l      |
| Nitrate (as N)                        |       | ppm                         |      | me/l      |
| Chloride (Cl)                         | 3     | ppm                         | 0.09 | me/l      |
| Bicarbonate (HCO <sub>3</sub> )       | 237   | ppm                         | 3.38 | me/l      |
| Carbonate (CO <sub>3</sub> )          |       | ppm                         |      | me/l      |
| Iron (Fe)                             |       | ppm                         |      | me/l      |
| Fluoride (F)                          |       | ppm                         |      | me/l      |
| Hardness (EDTA as CaCO <sub>3</sub> ) |       | ppm                         |      | g.p.g.*** |
| Alkalinity (Methyl Orange)            | 194   | ppm (as CaCO <sub>3</sub> ) |      |           |
| Alkalinity (Penolphthalein)           | 0     | ppm (as CaCO <sub>3</sub> ) |      |           |
| Electrical Conductivity               | 396   | micromhos per cm at 25° C.  |      |           |
| Sodium Adsorption Ratio               | 0.34  |                             |      |           |
| Sodium                                | 10.23 | % of cations                |      |           |
| Residual sodium carbonate             | 0.14  | me/l                        |      |           |
| pH                                    | 7.34  |                             |      |           |
| Others:                               |       |                             |      |           |

\*ppm=parts per million

\*\*me/l=milliequivalents per liter

\*\*\*g.p.g.=grains per gallon

COMMENTS: Total cations 4.59 me/l  
 Total anions 4.16 me/l

By: Barney Litton

| Service Performed   | Amount Due |
|---------------------|------------|
| Irrigation analysis | 6.00       |

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-472

Amount Enclosed \$ \_\_\_\_\_

Signed \_\_\_\_\_

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

## D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 350 ft.
- (2) Casing, Type steel Diameter 18" Thickness 1"  
(wood, concrete, steel, etc)
- (3) Perforated Screen.  
Type steel, Diameter 18, Length 280 ft.
- (4) Gravel Pack, Thickness 12, Length of gravel pack 340

## E. Dugout Information or Estimates.

- (1) Surface dimensions \_\_\_\_\_, Depth \_\_\_\_\_

## F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Gravel below red rock  
(Test hole has not yet been dug)

Depth to top of water bearing material 40 ft.

Depth to bottom of water bearing material 350 ft.

Thickness of water bearing material 310 ft.

Depth to water (ground surface to water level) 30 ft.

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

On same owner's property 1/2 mile rds. On property owned by others 150 rds. rds.

## G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Charles Snyder  
Signature of Applicant

## WATER LICENSE NO. 1196-2

(1) WHEREAS, On the 5th day of July A. D. 19 74  
Charles Snyder

made Water Right Application No. 1196-2 for a permit to use 1.44 cubic feet per second of the water-  
of ground water (one well)

County of Bennett, State of South Dakota, for Irrigation

purposes; and  
(2) WHEREAS, On the 13th day of November A. D. 19 74  
Permit No. 1196-2, with a date of priority of July 5, 1974

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water  
supply system therein described on or before the 13th day of November A. D. 19 79 and for the  
application to beneficial use of said water on or before the 13th day of November A. D. 19 81

WHEREAS, on the 2nd day of May, 1977, this permit was transferred to Don and Terry Snyder,  
Tutthill, South Dakota,

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota  
relating to completion of the construction of the water supply system and is entitled to divert 1.44 cubic feet  
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota  
relating to the application of water to beneficial use of the following extent,

to irrigate the following lands all in Section 31, T37N, R34W

NW $\frac{1}{4}$  NE $\frac{1}{4}$  33 acres

NE $\frac{1}{4}$  NE $\frac{1}{4}$  33 "

SW $\frac{1}{4}$  NE $\frac{1}{4}$  33 "

SE $\frac{1}{4}$  NE $\frac{1}{4}$  33 "

NW $\frac{1}{4}$  SE $\frac{1}{4}$  33 "

NE $\frac{1}{4}$  SE $\frac{1}{4}$  33 "

SW $\frac{1}{4}$  SE $\frac{1}{4}$  33 "

SE $\frac{1}{4}$  SE $\frac{1}{4}$  33 "

TOTAL 264 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to \_\_\_\_\_  
Don and Terry Snyder

\_\_\_\_\_ of Tuthill, South Dakota

the holder S and owner S of said permit No. 1196-2 a water right, dating from July 5, 1974

\_\_\_\_\_ to use of 1.44 cubic feet per second of the water

of ground water (one well)

in the County of Bennett and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point 1290 feet south and 620 feet west of the

NE corner, Section 31, T37N, R34W

and conducted to and upon portions of land all in Section 31, T37N, R34W, more

fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1196-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 16th day of December A.D.

Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch  
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 1196-2

Water Diversion No. 2 White River Water District  
10140203

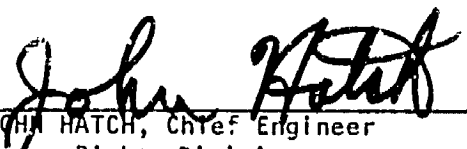
### CERTIFICATE OF CONSTRUCTION

This is to Certify, That Don and Terry Snyder

\_\_\_\_\_ the holder<sup>s</sup> of  
Permit No. 1196-2, issued upon Application No. 1196-2, bearing date of priority of \_\_\_\_\_  
July 5, 1974 authorizing the diversion of 1.44 cu. ft. per second of the waters of \_\_\_\_\_  
ground water (one well) County of Bennett, State of South Dakota at \_\_\_\_\_  
a point 1290 feet south and 620 feet west of the NE corner, Section 31,  
T37N, R34W  
\_\_\_\_\_, for Irrigation

purposes, have complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.78 cu. ft. per second of water.

Date December 16, 1980

  
JOHN HATCH, Chief Engineer  
Water Rights Division

Form 8 - Proof of Publication - Notice of  
Intent to Appropriate Water

No. 1196-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Bennett ) ss.

I, Mary E. Long hereby  
certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the Bennett County Booster II

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

City of Martin

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

October 3, 1974

October 10, 1974

(Signature)

Owner

(Title)

October 11, 1974

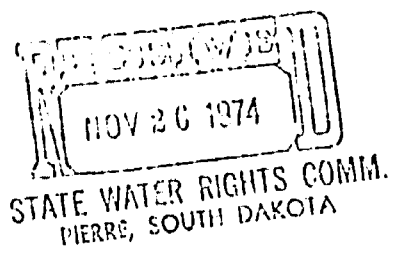
(Date Signed)

NOTICE  
INTENT TO  
APPROPRIATE WATER  
No. 1196-2

September 19, 1974  
Pierre, South Dakota 57501  
Notice is hereby given that  
Charles Snyder whose post office  
address is Tuthill, South Dakota,  
has made an application in  
accordance with the provisions of  
the water laws of South Dakota  
for a permit to appropriate for  
beneficial use 1.44 cubic feet of  
water per second of time from  
ground water through the Snyder  
No. 2, the point of diversion of  
which is to be located in the  
Center of the E½ of Section 31,  
Twp. 37N, Range 34W. Said water  
to be used for the purpose of  
providing irrigation on portions of  
the following described land:  
E½, Section 31, T37N, R34W.  
This application No. 1196-2 will  
be considered by the Water Rights  
Commission at the Embassy  
Room No. 1 of the Downtown  
Holiday Inn at Sioux Falls, S.D.  
upon the 13th day of November,  
1974, at 2:00 p.m. All interested  
persons may appear and be  
heard.

WATER RIGHTS  
COMMISSION  
BURTON F. JONES  
Water Rights Specialist

2T-15



Publish first publication, on or before October 31, 19 74NOTICE  
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 19, 19 74Notice is hereby given that Charles Snyderwhose post office address is Tuthill, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use1.44 cubic feet of water per second of time from the ground water through the Snyder #2, the point of diversion of which is to be located in the \_\_\_\_\_Center of the E $\frac{1}{2}$ of Section 31, Twp. 37N, Range 34W. Said water to be used for the purpose of providing irrigation on portions of the following described land:E $\frac{1}{2}$ , Section 31, T37N, R34W

This application No. 1196-2 will be considered by the Water Rights Commission at the Embassy Room #1 of the Downtown Holiday Inn at Sioux Falls, S.D. ~~XXXXXX~~

~~XXXX~~ upon the 13th day of November, 19 74, at 2:30 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

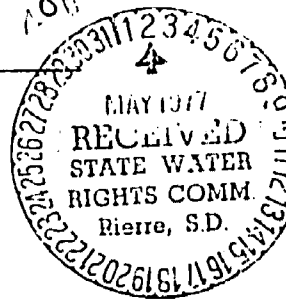
BURTON F. JONES  
Water Rights Specialist

BFJbw

cc: Charles Snyder, Tuthill, South Dakota 57574

Form 20.

No. 1196-2



NOTICE OF TRANSFER OF WATER PERMIT

TO: **WATER RIGHTS COMMISSION**

Water Resources Commission  
State Office Building No. 2  
Pierre, South Dakota 57501

Date 4-27-77

This is to notify you that title to the lands described as follows:

E $\frac{1}{2}$ , Section 31, T37, R34

formerly owned by Charles Snyder, Tuthill, SD

has been transferred to Don and Terry Snyder, Tuthill, SD

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1196-2 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

**WATER RIGHTS COMMISSION**  
If A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA )  
County of Bennett ) ss.

I, Don Snyder and Terry Snyder being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

(Signed)

Suscribed and sworn to before me this 29th day of April, 1977

Luella Cozad  
(Notary Public)

My commission expires: 3-11-85

1196-7 Don & Terry Snyder

5-2-79 South Ck. Valley - (32121)  
Thru. Model 4571 - Ser. # 28718

Power not  
checked  
at shop

Motor GE 100 HP. 1765 RPM

Model 5K6237 XM500A.

Ser. # BNT 209415

Pump Johnson Ser. # 77163

Model 18 F.M.C.

Model 700 L 5' 3" N 3/4" CP

11.80 CP. Salinas

Model 2200 Ser. # 396877

Model 2200 Ser. # 396877

Pump 500 gpm. Motor 1/2 HP

# RECEIPT

## WATER RIGHTS COMMISSION

State of South Dakota

No 4 7784

PIERRE, November 14, 1950

RECEIVED OF Don Snyder, Tuthill SD 57574

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

|                                                                                                                    |           |           |
|--------------------------------------------------------------------------------------------------------------------|-----------|-----------|
| Fee for Application for Permit to Appropriate Water No. .... (examination, processing, recording and filing) ..... |           |           |
| Fee for inspecting Construction, and Issuing Cert. of Construction No. 1196-2 )                                    | 12        | 00        |
| Fee for inspecting Beneficial Use, and Issuing Water License No. 1196-2 )                                          |           |           |
| Fee for Issuing Location Certificate-Dry Draw, No. ....                                                            |           |           |
| Fee for filing .....                                                                                               |           |           |
| Fee for certified copy of .....                                                                                    |           |           |
| Fee for Print copy of map .....                                                                                    |           |           |
| Fee for Certifying .....                                                                                           |           |           |
| Fee for .....                                                                                                      |           |           |
| (any other work as provided by law)                                                                                |           |           |
| <b>TOTAL</b>                                                                                                       | <b>12</b> | <b>00</b> |

WATER RIGHTS COMMISSION

By John Hatch  
Chief Engineer, Executive Officer  
JOHN HATCH

(kw)

Permit No. 1196-2Water Division 2 Little White River Water District

# REPORT OF EXAMINATION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Don & Terry Snyder of Tutthill, South Dakota 57274 holder of Permit No. 1196, bearing date of priority of July 5, 1974 authorizing the diversion of 1.44 cu. ft. per second of the waters of One Well for Irrigation purposes, in Bennett County.

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

The Water Use System consists of,

## A. Works used to divert the water:

Motor: GE, Model 5K 6257 X M500A, Ser# BNJ204415  
100 HP, 1765 RPM.

Pump: Johnston, Model 12 EMC, Ser# 77163.  
Pumping 500 gpm.

## B. Works used to transport water to place of use,

3340 ft. 8" PVC Underground Pipe.

## C. Works used to apply water to beneficial use.

North Center Pivot: Lockwood, Model 2200, Ser# 396577  
South Center Pivot: Valley, Model 4871, Ser# 28718

The system is in the following condition: Good

The point of diversion is located 1290 ft S. and 620 ft W of the NE Cor  
Sec. 31, T37N, R34W.

The works are capable of diverting and conveying to the place of use 1.78cu. ft. per second of water which is to be used for Irrigation.Water has been put to beneficial use to the maximum extent as follows: All in Sec. 31, T37N, R34W

NW $\frac{1}{4}$  NE $\frac{1}{4}$  - 33 Ac., NE $\frac{1}{4}$  NE $\frac{1}{4}$  - 33 Ac., SW $\frac{1}{4}$  NE $\frac{1}{4}$  - 33 Ac., SE $\frac{1}{4}$  NE $\frac{1}{4}$  - 33 Ac.,  
NW $\frac{1}{4}$  SE $\frac{1}{4}$  - 33 Ac., NE $\frac{1}{4}$  SE $\frac{1}{4}$  - 33 Ac., SW $\frac{1}{4}$  SE $\frac{1}{4}$  - 33 Ac., SE $\frac{1}{4}$  SE $\frac{1}{4}$  - 33 Ac.

comprising a total of 264 acres of land.

Well data:

Depth 200 ftStatic 40 ftPumping 500 gpmCapacity Tested to 900 gpmLicense for 1.44 cfs.Issued May 2, 1974Date May 2, 1974

LeRoy J. McNaught  
(Signature)

**SOUTH Dakota** Department of  
**Water & Natural Resources**

Joe Foss Building Water Rights Division  
Pierre, South Dakota 57501

(605) 773-3352

December 29, 1980

Don & Terry Snyder  
Tuthill, SD 57574

Dear Sirs:

Enclosed herewith are, Water License No. 1196-2 and Certificate of Construction.

Water License No. 1196-2 is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division

JH:gy

enclosures

NOTE: Your pump capacity is 1.78 cfs (800 gpm); however you are only entitled to divert 1.44 cfs (647 gpm). Any diversion in excess of 1.44 cfs would be a violation of your Water Right.



# Department of Water & Natural Resources

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

April 15, 1985

Don & Terry Snyder  
Tuthill SD 57574

## Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 1195-2 & 1196-2. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 1195-2 & 1196-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

Sincerely,

  
John Hatch, Chief Engineer  
Water Rights Division  
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

**South Dakota** Department of  
**Water & Natural Resources**

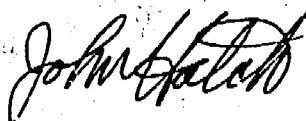
Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Don & Terry Snyder  
Tuthill, SD 57574

FROM: John Hatch, Chief Engineer  
Water Rights Division 773-3352



SUBJECT: Amendment to Water Permit No(s). 1195-2 & 1196-2.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1195-2 & 1196-2 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.



# Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 1195-2 & 1196-2

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1195-2 & 1196-2 to add the following qualification:

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



# Department of Water & Natural Resources

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

March 23, 1987

DON/TERRY SNYDER  
TUTHILL, SD 57574

## NOTICE

Re: Violation of Water Permit No(s). 1196-2, 1195-2

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 1196-2, 1195-2. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1196-2, 1195-2 qualification:

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

The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 1196-2, 1195-2 until either the 1986 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

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

NOTE: If the questionnaire(s) is received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



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

May 14, 1987

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: DON/TERRY SNYDER

TUTHILL, SD 57574

FROM: John Hatch, Chief Engineer  
Water Rights Division  
605 773-3352

SUBJECT: One Year Suspension Of Water Permit No(s). 1196-2,  
1195-2 If The 1986 Irrigation Questionnaire Is Not  
Received By June 1, 1987

Pursuant to the provisions of the Notice dated March 23, 1987,  
and following the Hearing May 6, 1987, the Water Management Board  
ordered:

That Water Permit No(s). 1196-2, 1195-2 be **SUSPENDED** until  
December 31, 1987 unless the required 1986 Irrigation Water Use  
Questionnaire is received by June 1, 1987.

Suspension of a permit means water may not be pumped during the  
1987 Irrigation Season. Decisions of the Board may be appealed  
to the Circuit Court and the Supreme Court as provided by law.

*Letter returned by P.O. - not suspended*



# Department of Water & Natural Resources

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

January 29, 1988

DON/TERRY SNYDER  
TUTHILL, SD 57574

## NOTICE

Re: Violation of Water Permit No(s). 1195-2, 1196-2

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 1195-2, 1196-2. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1195-2, 1196-2 qualification:

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

The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 1195-2, 1196-2 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



# Department of Water & Natural Resources

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

March 14, 1988

## NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: DON/TERRY SNYDER

TUTHILL, SD 57574

FROM: John Hatch, Chief Engineer  
Water Rights Division  
605-773-3352

SUBJECT: One Year Suspension Of Water Permit No(s). 1195-2,  
1196-2

Pursuant to the provisions of the notice dated January 29, 1988, and following the hearing of March 2, 1988, the Water Management Board has ordered:

That Water Permit No(s). 1195-2, 1196-2 be **SUSPENDED** until December 31, 1988.

Suspension of a permit means water may not be pumped during the 1988 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

Water Rights Division - DVMR  
Conversation or File Documentation

File No. 1195-2

1196-2

NAME OF PERSON OR FILE: Don/Terry Snyder

ADDRESS: Tuthill, SD COUNTY Bennett

DATE: March, 1988 TELEPHONE

RE: status of suspended permits

COMMENTS:

On March 2, 1988, the Water Management Board took action to suspend Permit Nos. 1195-2 and 1196-2. The notices sent to Don & Terry Snyder were returned by the Post Office marked no forwarding order on file. The permits were no longer suspended.

August 29, 1988

The Assessor's Office has Connecticut Mutual Life Insurance Company listed as owner of the lands described in Permit Nos. 1195-2 and 1196-2.

I contacted Don Smith/with Conn. Mutual about the permits and he indicated the lands were still being irrigated and confirmed that the Insurance Company did own the lands. Send a transfer notice for each permit to him.

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

NAME:

Benny McMath

 **Department of  
Water & Natural Resources**

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

August 29, 1988

1195-2  
1196-2

Don Smith  
Connecticut Mutual Life Ins. Co.  
106 West Capitol  
Pierre, SD 57501

Dear Mr. Smith:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1195-2 and 1196-2. As we discussed in our telephone conversation, the water rights are currently listed in the name of Don and Terry Snyder.

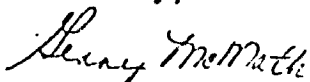
The forms should be checked over and signed in the presence of a notary public by a representative from the Insurance Company. Upon completion of the forms, they will need to be returned to our office with a required filing fee of \$2.50 each (total of \$5.00). The water rights will then be transferred to the proper name.

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

Also enclosed is a notice concerning validation of Vested Water Right Claims. This notice was originally sent to Don & Terry Snyder; however, it was later returned by the Post Office.

If you have any questions, please contact us.

Sincerely,



GENNY MCMATH  
Natural Resources Analyst  
605 773-3352

enclosure



1196-2

AGRIVEST, INC.

500 WINDING BROOK DRIVE, GLASTONBURY, CONNECTICUT 06033 (203) 659 3711

JAMES B. McCANDLESS  
EXECUTIVE VICE PRESIDENT

September 14, 1988



South Dakota Department of Water  
& Natural Resources  
Joe Foss Building  
523 East Capitol  
Pierre, SD 57501-3181

Re: Connecticut Mutual Life Ins. Co.  
Permit #1195-2 & 1196-2, Bennett  
County, SD

To Whom it May Concern:

Enclosed are two Notices of Transfer of Water Permit for water permits in connection with property acquired by foreclosure by Connecticut Mutual. Also, enclosed is a check in the amount of \$5.00 to cover the transfer fee.

Sincerely,

A handwritten signature in dark ink, appearing to read "James B. McCandless".

James B. McCandless.  
Executive Vice President

JBM:jw  
encls.  
cc: Don Smith


 NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights  
Foss Building  
Pierre, SD 57501

Date: September 7, 1988

This is to notify you that the title to the lands described as follows:

E½ Section 31, T37N, R34W

formerly owned by Don & Terry Snyder  
Connecticut Mutual Life Ins. Co., c/o AgriVest, Inc.  
 has been transferred to 500 Winding Brook Drive, Glastonbury, CT 06033  
 (please include complete mailing address)  
 together with any rights to the beneficial use of water thereon as evidenced by  
 Water Right Permit No. 1196-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

CONNECTICUT  
 STATE OF ~~SOUTH DAKOTA~~ )  
 ) ss.  
 County of HARTFORD )

I, Connecticut Mutual Life Ins. Co. being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

CONNECTICUT MUTUAL LIFE INSURANCE COMPANY  
 BY: AgriVest, Inc., its Attorney in Fact

BY: *James P. McCallister*  
 (Signed)  
 Executive Vice President

Subscribed and sworn to before me this 7th Day of September, 1988.

*James Wright*  
 (Notary Public)

NOTARY PUBLIC  
 My Commission Expires Mar. 31, 1989

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

441413

Pierre, September 16, 1948

Connecticut Mutual Life Ins. Co., c/o AgriVest, Inc.

RECEIVED OF 500 Windino Brook Drive, Glastonbury, CT 06033

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

|                                                                                                                            |       |      |
|----------------------------------------------------------------------------------------------------------------------------|-------|------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____ |       |      |
| Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____                                         |       |      |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                     |       |      |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____                        |       |      |
| Fee for Filing Transfer Form <u>Permit No. 1196-2</u>                                                                      | 2     | 50   |
| Fee for Filing Extension Request _____                                                                                     |       |      |
| Fee for Certified Copy of _____                                                                                            |       |      |
| Fee for Print Copy of Map _____                                                                                            |       |      |
| Fee for Certifying _____                                                                                                   |       |      |
| Fee for _____                                                                                                              |       |      |
| (Any Other Work Provided by Law)                                                                                           | Total | 2 50 |

By J. H. Hatch  
Chief Engineer JOHN HATCH (S)



# Department of Water & Natural Resources

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

WATER RIGHTS DIVISION  
(605) 773-3352

September 19, 1988

Connecticut Mutual Life Insurance Company  
c/o AgriVest, Incorporated  
500 Winding Brook Drive  
Glastonbury, Connecticut 06033

Dear Sir:

Enclosed are receipt Nos. 411413 and 411414 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 1196-2 and 1195-2.

Our records now show Connecticut Mutual Life Insurance Company, as owner of these Water Rights.

Sincerely,

Maxine Stirling  
Secretary

ms/  
Enc. 2



C.M. AGRI-CREDIT CORPORATION, S.D.

## FARM AND RANCH LOANS

KANSAS

NEBRASKA

**SOUTH DAKOTA**

**SOUTH DAKOTA OFFICE**

Don L. Smith  
106 W. Capitol  
Pierre, South Dakota 57501  
Off. Phone 605-224-9811  
Re- Phone 605-224-2577

## NEBRASKA OFFICE

**Ted A. Klug**  
1218 N. Ash Street  
North Platte, Nebraska 69101  
Off. Phone 308-532-6450  
Res. Phone 308-582-4523

November 28, 1988

Mr. Scott Haffner  
AgriVest Inc.  
500 Winding Brook Drive  
Glastonbury, CT 06033

RE: Snyder 4-J  
Crago #96639-J

Dear Scott:

Please find enclosed a completed form on the Snyder property pursuant to your 11-1-88 memo with regard to a irrigation questionnaire on the above properties. The original has been sent to the water rights division.

The water rights people informed me there is no questionnaire for the Crago property as subject is on Cook-Burns ditch.

Sincerely,

Don L. Smith, President  
C.M. Agri-Credit Corp., SD

DLS/1gs

cc: Mike Septer  
Ted Klug  
Genny McMath



MORTGAGE CORRESPONDENT  
THE CONNECTICUT MUTUAL LIFE INSURANCE COMPANY



# Department of Water & Natural Resources

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

February 9, 1990

AGRIVEST INC  
500 WINDING BRK  
GLASTONBURY, CT 06033

## NOTICE

RE: Violation of Water Permit No(s). (1196-2, 1195-2)

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1196-2, 1195-2. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1196-2, 1195-2 qualification:

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

The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 1196-2, 1195-2 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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



# Department of Water & Natural Resources

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

February 27, 1990

1195-2  
1196-2

Jerome & Susan Pribil  
PO Box 824  
Oneill, NE 68763

Dear Mr. & Mrs. Pribil:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1195-2 and 1196-2. The water rights are currently listed in the name of Connecticut Mutual Insurance Company.

Please check over the forms and sign them in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

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

Also enclosed are copies of the water rights. You may keep them for your files. If you have any questions, please contact me.

Sincerely,

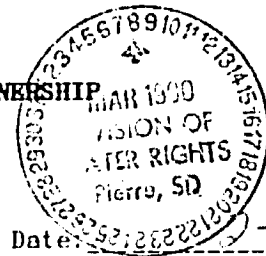
GENNY MCMATH  
Natural Resources Analyst  
605 773-3352

enclosure

# NOTICE OF TRANSFER OF OWNERSHIP

No. 1196-2

TO: Chief Engineer  
Water Rights Division, DWNR  
523 East Capitol  
Pierre, SD 57501-3180



Date: 28-9-90

I/We request that Water ~~Permit~~/Right No. 1196-2

formerly owned by: Connecticut Mutual Insurance Co

be transferred to: (name & address) Jerome & Susan Pibel  
Box 824 Culler, MT 59713 (telephone No.) 409-336-1482

Title to the following described land(s)/property has been transferred as described above:  
264 acres - E 1/2 Section 31, T37N, R34W

I/We understand that the validity of Water ~~Permit~~/Right No. 1196-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

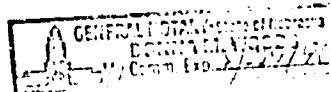
A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA )  
County of Bennett )

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

*[Signature]*  
(Signed)

Subscribed and sworn to before me this 5 day of March, 1990.



(Notary Public)

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

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

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412128

Pierre, March 9, 1990

RECEIVED OF Jerome Pribil, Box 824, O'Neill, NE 68763

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

|                                                                                                                            |       |      |
|----------------------------------------------------------------------------------------------------------------------------|-------|------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____ |       |      |
| Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____                                         |       |      |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                     |       |      |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____                        |       |      |
| Fee for Filing Transfer Form _____ Water Right No. 1196-2                                                                  | 2     | 50   |
| Fee for Filing Extension Request _____                                                                                     |       |      |
| Fee for Certified Copy of _____                                                                                            |       |      |
| Fee for Print Copy of Map _____                                                                                            |       |      |
| Fee for Certifying _____                                                                                                   |       |      |
| Fee for _____                                                                                                              |       |      |
| (Any Other Work Provided by Law)                                                                                           | Total | 2 50 |

By W. L. O'Neil  
Chief Engineer

**South Dakota Department of  
Water & Natural Resources**

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

March 14, 1990

1195-2

1196-2

2076-2

2077-2

Jerome Pribil  
Box 824  
ONeill, NE 68763

Dear Mr. Pribil:

I am writing to acknowledge receipt of your 1989 irrigation questionnaires for Water Permit Nos. 2076-2 and 2077-2. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaires. Your questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

*Ron Duvall*

RON DUVALL  
Natural Resources Engineer  
Water Rights Division

NOTE: Thank you for returning the Irrigation Questionnaires for Water Permit Nos. 1195-2 and 1196-2 (originally sent to Agrivest Inc.)



# Department of Water & Natural Resources

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

March 29, 1990

No. 1195-2  
(1196-2)

Jerome or Susan Pribil  
Box 824  
O'Neill NE 68763

Dear Mr. & Mrs. Pribil:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 1195-2 and 1196-2.

Our records now show you as the owners of these Water Rights.

Sincerely,

KAREN SCHLAAK  
Senior Secretary  
Water Rights Division  
605 773-3352

enclosure



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

JEROME/SUSAN PRIBIL  
BOX 824  
O'NEILL NE 68763

NOTICE

RE: Violation of Water Permit No(s) 1195-2, 1196-2, 2076-2 & 2077-2

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1195-2, 1196-2, 2076-2 & 2077-2. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1195-2, 1196-2, 2076-2 & 2077-2 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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 SDCL 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) 1195-2, 1196-2, 2076-2 & 2077-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV  
Water Rights Division  
605 773-3352



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

March 9, 1992

**NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT**

**TO:** JEROME/SUSAN PRIBIL  
BOX 824  
O'NEILL, NE 68763

**FROM:** Ron Duvall, Natural Resources Engineer IV,  
Water Rights Division  
(605) 773-3352 *Ron Duvall*

**SUBJECT:** One Year Suspension of Water Permit No(s).  
1195-2, 1196-2, 2076-2 & 2077-2

Pursuant to the provisions of the notice dated January 27, 1992, and following the hearing of March 4, 1992, the Water Management Board has ordered:

That Water Permit No(s). 1195-2, 1196-2, 2076-2 & 2077-2 be **SUSPENDED** until December 31, 1992. Suspension of the permit(s) does not excuse the permit owner from the requirement to submit the 1991 irrigation questionnaire.

Suspension of a permit means water may not be pumped during the 1992 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension(s), you will need to submit a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 6-7, 1992 in Pierre. The letter should include your reasons for not completing the irrigation questionnaire(s) prior to the March Board meeting.

1196-2



May 3, 1992

Jerome & Susan Pribil  
R.R. 1 Box 102 E  
Gordon, NE 69343  
(308) 282-1330

Department of Environment  
and Natural Resources  
Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

Dear Mr. Duvall,

I did not get the questionnaire because of an address change. If I didn't get the questionnaire, I couldn't fill it out. Suspension of the permits would cause great economic loss due to the fact that water could not be pumped during the 1992 season.

I didn't think about calling the Water Rights Division about an address change. I did receive a letter dated March 9th advising me of a one year suspension of the water permits, but I never did get the questionnaire.

Enclosed are a copy of the questionnaires for 1991. I would like to have these permits reinstated and please advise as soon as possible.

Yours truly,

*Jerome Pribil*  
Jerome Pribil

Permit # 1195-2, 1196-2, 2076-2, 2077-2



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

May 8, 1992

NOTICE

TO: Jerome & Susan Pribal, RR #1 Box 102E, Gordon, NE 69343

FROM: JOHN HATCH, Chief Engineer  
Water Rights Division  
(605) 773-3352

SUBJECT: Reinstatement of Water Permit Nos. 1195-2, 1196-2,  
2076-2 and 2077-2

Pursuant to your letter dated May 3, 1992 and following a hearing by the Water Management Board May 6, 1992, the Board passed the following motion:

Water Permit Nos. 1195-2, 1196-2, 2076-2 and 2077-2 are reinstated effective immediately.

The Water Management Board expressed concern that by your absence from the hearing, and that the irrigation questionnaires were delinquent, that you do not view the irrigation questionnaires or notices as necessary or important. You need to understand the severity of the consequences for not returning yearly irrigation questionnaires. The Board stated that future irrigation questionnaire violations could result in suspension or possible cancellation of the permits with no opportunity for reinstatement.

You stated in your letter that due to improper address you did not receive the irrigation questionnaires mailed in October and received only the March 9, 1991 Notice stating you were suspended. We do realize that the "O'Neill address" we mailed the questionnaires and followup notices to was incorrect. However, Susan Pribal did sign for our January 27th "Certified Mail" card on February 3, 1992. The January 27th notice informed you that the irrigation questionnaires were not received and that if they were not returned by March 4, 1992, the permits would be suspended.

Violations of any qualifications on your irrigation permits and subsequent Board action become part of the permanent record. This notice will be placed in your water permit files and failure to submit future irrigation questionnaires will result in past violations being reviewed by the Water Management Board.

cc: Diane Best, Assistant Attorney General



1196-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 9, 1998

**NOTICE**

**TO:** JEROME PRIBIL, RR 1 BOX 102E, GORDON, NE 69343

**FROM:** Ron Duvall, Natural Resources Engineer  
for John Hatch, Chief Engineer  
Water Rights Program

**SUBJECT:** Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1195-2, 1196-2, 2076-2, 2077-2, 2077A-2 & 2321-2. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1195-2, 1196-2, 2076-2, 2077-2, 2077A-2 & 2321-2 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 1195-2, 1196-2, 2076-2, 2077-2, 2077A-2 & 2321-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

**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.



1196-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 27, 1998

Jerome & Susan Pribal  
RR 1 Box 102E  
Gordon, NE 69343

RE: Water Right/Permit Nos. 1195-2, 1196-2, 2076-2, 2077-2, 2077A-2 & 2321-2

Dear Mr. & Mrs. Pribal:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Right/Permit Nos. 1195-2, 1196-2, 2076-2, 2077-2, 2077A-2 & 2321-2.

The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely

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



11 96-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

APR 23 1998

Jerome & Susan Pribil  
RR 1 Box 102E  
Gordon, NE 69343

RE: Water License Nos. 1195-2, 1196-2, 2076-2, 2077-2 and 2321-2

Dear Mr. & Mrs. Pribil:

Enclosed are Reissued Water License Nos. 1195-2, 1196-2 and Water License Nos. 2076-2, 2077-2 and 2321-2. These are the final water right documents completing your process of obtaining water rights. Also enclosed are Receipt Nos. 415701, 415702 and 415703 in the amount of \$50.00 each which you paid for the investigation and issuance of the water licenses.

For your information, SDCL 46-5-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 1195-2, 1196-2, 2076-2, 2077-2 and 2321-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any flowing well that is being used or is not considered abandoned, must be valved and controlled, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water Licenses, SD State Water Laws provide that you have a continuing right to the use of the water. If you have any question, please contact us.

Very truly yours,

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

encl

gm

# STATE OF SOUTH DAKOTA

## REISSUED WATER LICENSE NO. 1196-2

(1) Don & Terry Snyder were issued Water License No. 1196-2, December 16, 1980 for a water right to divert 1.44 cubic feet of water per second from ground water (one well), Bennett County, South Dakota for irrigation purposes. Water License No. 1196-2, with a priority date of July 5, 1974 was issued to the applicants for diversion of water with construction of the described water supply system completed the application to beneficial use of said water completed.

Water Right No. 1196-2 was transferred March 8, 1990, to Jerome or Susan Pribil.

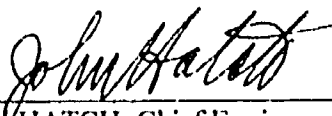
Water License No. 1196-2 was originally issued for irrigation of 264 acres in the E $\frac{1}{2}$  Section 31, T37N, R34W from a well located in the NE $\frac{1}{4}$  Section 31. The SE $\frac{1}{4}$  of Section 31 is now irrigated as part of the water use system authorized under Water Right No. 2321-2. Water License No. 1196-2 is being reissued to reflect this change and describe the system as it is now operated.

(2) It is certified that the water right holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.44 cubic feet of water per second for beneficial use. The location of the diversion point is 1,290'S and 620'W of the NE corner of Section 31, T37N, R34W (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ).

(3) The water right holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

| Section 31, T37N, R34W            |           |
|-----------------------------------|-----------|
| NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 33 acres  |
| NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 33 acres  |
| SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 33 acres  |
| SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 33 acres  |
| Total                             | 132 acres |

(4) Pursuant to South Dakota Water Law 46-5-30.1 Jerome or Susan Pribil, RR 1 Box 102E, Gordon, NE 69343 the holders and/or owners of Reissued Water Right No. 1196-2 are issued a license to appropriate water, the right to use 1.44 cubic feet of water per second from ground water (one well) with a priority date of July 5, 1974 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 1196-2 and subject to South Dakota State Law.

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

APR 23 1998

date





1196-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
www.state.sd.us/denr

January 22, 1999

NOTICE

TO: JEROME PRIBIL, RR 1 BOX 102E, GORDON, NE 69343  
FROM: Ron Duvall, Natural Resources Engineer  
for John Hatch, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1195-2, 1196-2, 2076-2, 2077-2, 2077A-2 & 2321-2. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1195-2, 1196-2, 2076-2, 2077-2, 2077A-2 & 2321-2 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 1195-2, 1196-2, 2076-2, 2077-2, 2077A-2 & 2321-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

**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.



1196-2  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

February 17, 1999

Jerome & Susan Pribil  
RR 1 Box 102E  
Gordon, NE 69343

RE: Water Right/Permit Nos. 1195-2, 1196-2, 2076-2, 2077-2, 2077A-2 and 2321-2

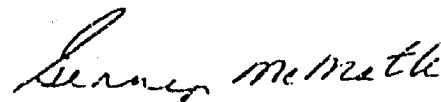
Dear Mr. & Mrs. Pribil:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right/Permit Nos. 1195-2, 1196-2, 2076-2, 2077-2, 2077A-2 and 2321-2.

The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

File No. 2077A-2

Water Rights Division -DENR  
Conversation or File Documentation

NAME OF PERSON OR FILE: Jerome or Susan Pribil

COUNTY: Bennett Co.

ADDRESS: XXXXXXXXXXXXX

TELEPHONE: Jerome (308) 282-1330  
Susan (308) 282-6134 (work)  
(308) 282-2163 (home)

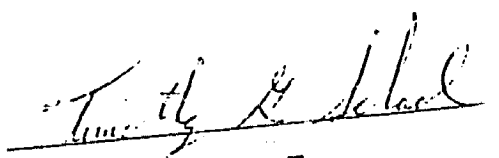
DATE: November 13, 2001

RE: Cancellation of Water Permit No. 2077A-2

I inspected Water Permit No. 2077A-2 on October 23, 2001 and talked to Jerome and Susan Pribil today about cancellation of this permit. The additional well for Water Permit No. 2077-2, to help the pivot in the NW 1/4 of Section 32-T37N-R34W, was never developed. I told both of them that if they ever wanted to develop this well, we could add an additional diversion point pursuant to SDCL 46-5-13.1 and they would not need to apply for a new permit. They said that was OK and we could schedule Water Permit No. 2077A-2 for cancellation.

They did inform me that they have divorced and all of the other permits should be in Susan's name. I told her we would send her a transfer form to transfer Water Permit Nos. 1195-2, 1196-2, 2076-2, 2077-2 and 2321-2 to her name. She also said to send her the irrigation questionnaires.

Susan Pribil  
120 N. Pine St.  
Gordon, NE 69343

  
Timothy G. Schaal, P.E.  
Natural Resources Engineer Specialist  
Water Rights Program



1196-2  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3102  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

November 13, 2001

Susan Pribil  
120 N Pine St  
Gordon, NE 69343

RE: Water Right Nos. 1195-2, 1196-2, 2076-2, 2077-2 and 2321-2

Dear Ms. Pribil:

Recently, Tim Schaal, a staff engineer with our program, met with you and Jerome regarding your water rights. Tim indicated that you now own all the land and the water rights should be transferred to your name. Currently they are in either Jerome's name or are listed in both your names.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the changes. Please review the forms and make any corrections or additions that are necessary. Upon completion, please sign the forms in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (total of \$12.50). The check or money order for \$12.50 can be made payable to the Water Rights Program.

A transfer of ownership will not be required for Water Permit No. 2077A-2. Tim said he spoke with you about scheduling the permit for cancellation consideration since the well authorized under the permit was never developed. When the permit is actually scheduled for cancellation, you will receive a letter from us letting you know the time, date and place of the hearing.

If you have any questions concerning the transfer forms or pending cancellation of Water Permit No. 2077A-2, please get in touch with me.

Sincerely,

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

enclosures

# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources

N<sup>o</sup> 416986

Pierre, ~~August 26~~ November 26, 20 01

RECEIVED OF Susan Pribil, 120 N Pine St., Gordon NE 69343

the following amount in fees for services rendered as provided for by law: (Jerome or Susan Pribil)

|                                                                                                                      |            |
|----------------------------------------------------------------------------------------------------------------------|------------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____ |            |
| Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____                                  |            |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                               |            |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____                  |            |
| Fee for Filing Transfer Form <u>1196-2</u>                                                                           | 2 50       |
| Fee for Filing Extension Request _____                                                                               |            |
| Fee for _____                                                                                                        |            |
| _____                                                                                                                |            |
| _____                                                                                                                |            |
| _____                                                                                                                |            |
| (Any Other Work Provided by Law)                                                                                     | Total 2 50 |

By

*Darlene Erbe*  
Chief Engineer gm

# NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1196-2

Date: 11/19/01

I/We request that Water Right No. 1196-2

formerly owned by: Jerome or Susan Pribil

be transferred to: (name & address) Susan Pribil, 120 N Pine St, Gordon, NE 69343

Telephone No. 308-282-2163

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

132 acres - NE 1/4 Section 31, T37N, R34W

I/We understand that the validity of Water Right No. 1196-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA )

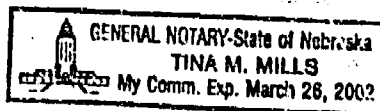
County of Stevenson )

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

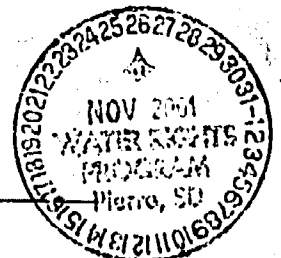
Susan Pribil

(Signature of new owner)

Subscribed and sworn to before me this 19<sup>th</sup> day of November, 2001.



Tina M. Mills  
(Notary Public)



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

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



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

December 6, 2001

Susan Pribil  
120 N Pine St  
Gordon, NE 69343

RE: Water Right Nos. 1195-2, 1196-2, 2076-2, 2077-2 and 2321-2

Dear Ms. Pribil:

Thank you for following up on the ownership change for Water Right Nos. 1195-2, 1196-2, 2076-2, 2077-2 and 2321-2. The transfers have been completed and all of the above listed water rights are now listed in your name.

Enclosed are your Receipt Nos. 416986, 416987, 416988, 416989 and 416990 in the amounts of \$2.50 each. You may keep these for your records.

If you have any questions, please get in touch with me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

April 8, 2003

Susan Pribil  
120 N Pine  
Gordon NE 69343

RE: Water Right Nos. 1195-2, 1196-2, 2076-2, 2077-2 and 2321-2

Dear Ms. Pribil:

Thank you for contacting us regarding the pending sale of your land. In the event you need them, I have included copies of Water Right Nos. 1195-2, 1196-2, 2076-2, 2077-2 and 2321-2.

Also enclosed are partially completed Notice of Transfer of Ownership forms for filing ownership changes. Please review the forms and make any necessary corrections. The new owner will need to sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$12.50). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please get in touch with me.

Sincerely,

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

enclosures

## NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1196-2

Date: 4/22/03

I/We request that Water Right No. 1196-2

formerly owned by: Susan Pribil

be transferred to: (name & address) IRELAND BROS., LLC  
HC 2 Box 76  
MARTIN, SD 57551 Telephone No. 605-685-1174

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

132 acres – NE ¼ Section 31, T37N, R34W

I/We understand that the validity of Water Right No. 1196-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

**A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.**

I/We IRELAND BROS., LLC, the new owner, certify that the above information is true and correct.

BT Jell (PARTNER)  
(Signed by new owner)

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

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

RECEIVED  
APR 28 2003  
WATER RIGHTS  
PROGRAM



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

April 30, 2003

Ireland Bros LLC  
HC 2 Box 76  
Martin SD 57551

Dear Sirs:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees you submitted for Water Right Nos. 1195-2, 1196-2, 2076-2, 2077-2 and 2321-2. The transfers have been completed. The water rights formerly listed in the name of Susan Pribil are now listed in the name of "Ireland Bros LLC".

Enclosed are your Receipt Nos. 000727, 000728, 000729, 000730 and 000731 in the amounts of \$2.50 each which you paid for filing the ownership changes. I have also included copies of the water rights and a copy of last year's irrigation questionnaires. You may keep these for your records.

In October, we will be mailing out the 2003 irrigation questionnaires. The forms I included from last year will give you an idea of what type of records to keep track of during the irrigation season. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 28, 2003

RECEIVED OF Ireland Bros., HC 2 Box 76, Martin SD 57551-9720

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

|                                                                                                                |       |      |
|----------------------------------------------------------------------------------------------------------------|-------|------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use |       |      |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   |       |      |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                         |       |      |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____            |       |      |
| Fee for Filing Transfer Form <u>1196-2</u>                                                                     |       | 2 50 |
| 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 | 2.50 |

No. 000727

By J Ireland Eble  
Chief Engineer

12/5/03

1196-2

TO WHOM IT MAY CONCERN:

1196-2

2076-2

2077-2

1195-2

2321-2

WE JUST PURCHASED THESE SYSTEMS IN APRIL OF THIS YEAR. WHEN WE TRANSFERRED THE WATER RIGHTS, I DIDN'T RECOGNIZE SOME DISCREPANCIES WITH THE PERMITS VS. HOW THE SYSTEMS ARE SET UP. ON THE THREE CIRCLED PERMITS, I HAVE DONE MY BEST TO SHOW HOW THE SYSTEMS ARE OPERATED. 1196-2 & 2321-2 ARE TIED TOGETHER TO ~~SERVE~~ SERVE 3 PIVOTS. PLEASE LET ME KNOW IF YOU HAVE ANY QUESTIONS.

THANKS

BRENT IRELAND

605 685 1373

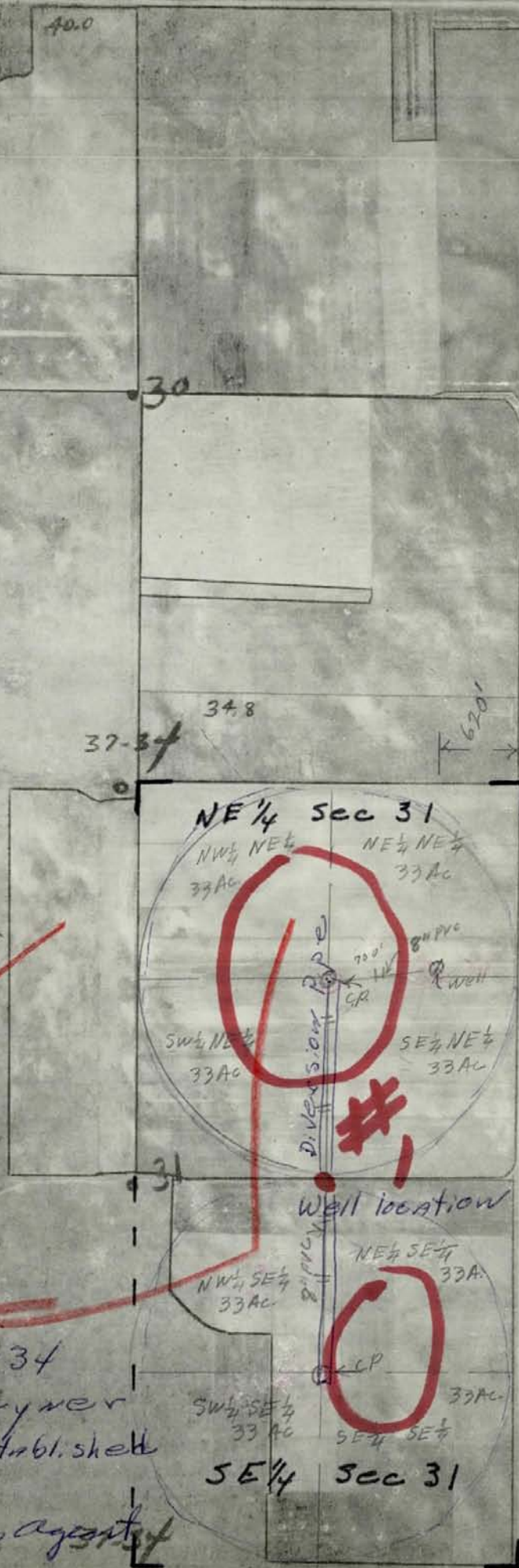
tireland@gate.net

RECEIVED  
DEC - 8 2003  
WATER RIGHTS  
PROGRAM

MAP NO. 1117-2  
APPL NO. 1196-3

Map # 1017-2

Well # 2  
E 1/2 of Sec 31 - 37-34  
Owner: Charles Snyder  
Corner 1/2 section established  
by Gary Hines  
County Extension Agent



Ireland Brothers  
28855 Maple Road  
Martin, SD 57551

RECEIVED

DEC 20 2005

WATER RIGHTS  
PROGRAM

December 17, 2005

To Whom It May Concern:

I am writing to clear up the operation of the water permits currently owned and operated by Ireland Bros., LLC of Martin South Dakota. These permits were transferred to Ireland Bros., LLC from Susan Pribil on or around 4/22/03.

Following is a description of how they were operated (i.e., how they were configured/piped) when we purchased the land from Susan Pribil. Included in this packet is an aerial photo (FSA Map) with the wells marked and the pipelines drawn in red as best as I know (none of the below ground piping was put in by Ireland Brothers nor has any been dug up).

Well #1 (A) (Permit #1195-2) supplies water to irrigate the SE ¼ of Sec 32.

Well #2 (B) (Permit #2077-2) supplies water to irrigate the NE ¼ of Sec 32.

Well #3 (C) (Permit #2076-2) supplies water to irrigate the SW ¼ of Sec 32.

Well E, located in the NE ¼ of Sec 31, (Permit #1196-2) can supply water to irrigate the NW ¼ of Sec 32, the NE ¼ of Sec 31 and the SE ¼ of Sec 31.

Well D, located in the SE ¼ of Sec 31, (Permit #2321-2) can supply water to irrigate the NW ¼ of Sec 32, the NE ¼ of Sec 31 and the SE ¼ of Sec 31.

Note that Wells D & E are tied together. The can supply water to any of three pivots. These two wells are used to irrigate all three pivots, a total of 367 acres.

Also note that the pivots on the SE ¼ of Sec 32 and the NE ¼ of Sec 31 are equipped with big end guns (w/ booster pumps). Flow is 850 gpm when guns are running...750 gpm when they are turned off.

I have completed the Questionnaires as best I can and have added corrections to correspond to the above information. The questionnaires are included in this packet. I have updated the address listed to our new 911 address. Also, Ireland Bros., LLC was never fully funded and is in the process of being dissolved. Therefore, we need to correct/change this to Ireland Brothers. This is a general partnership.

Please contact me if you need any additional information or if there is a problem with the information I have provided. I can be reached at 605.685.1373 or via email at tireland@gwtc.net.

Sincerely,



Brent Ireland



1196-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 4, 2006

Brent Ireland  
Ireland Brothers  
28855 Maple Rd  
Martin SD 57551

Dear Mr. Ireland:

I am writing in regard to the name change needed for Water Right Nos. 1195-2, 1196-2, 2076-2, 2077-2 and 2321-2.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the changes. Please sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$12.50). The check or money order for the fee can be made payable to the Water Rights Program.

In reference to your letter of December 20<sup>th</sup> and the map showing the wells and lands they irrigate, the water rights will be reissued to reflect these changes. This will be done after the water rights have been transferred to Ireland Brothers.

If you have any questions, please contact me.

Sincerely,

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

enclosures

## NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1196-2

Date: \_\_\_\_\_

I/We request that Water Right No. 1196-2

formerly owned by: Ireland Brothers, LLC

be transferred to: (name & address) Ireland Brothers, 28855 Maple Rd, Martin SD 57551

Telephone No. 605 685-1373

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

NE ¼ Section 31, T37N, R34W

I/We understand that the validity of Water Right No. 1196-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

**A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.**

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

Burt L. L. (Partners)  
(Signed by new owner)

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

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

RECEIVED  
JAN 12 2003  
WATER RIGHTS  
PROGRAM

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 12, 2006

RECEIVED OF Ireland Brothers, 28855 Maple Rd, Martin SD 57551

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

|                                                                                                                |       |      |
|----------------------------------------------------------------------------------------------------------------|-------|------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use | 2     | 50   |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   |       |      |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                         |       |      |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____            |       |      |
| Fee for Filing Transfer Form <u>119602</u>                                                                     |       |      |
| 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. _____                                         | 2     | 50   |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |      |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 2.50 |

No.

002179

By

Darlene E. Eide  
Chief Engineer



1196-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

April 20, 2006

Brent Ireland  
Ireland Brothers  
28855 Maple Rd  
Martin SD 57551

RE: Water Right Nos. 1195-2, 1196-2, 2076-2, 2077-2 and 2321-2

Dear Mr. Ireland:

In January, 2006, you submitted transfer forms and filing fees for transferring the above listed water rights from Ireland Brothers LLC to Ireland Brothers. Enclosed are your Receipt Nos. 002177, 002178, 002179, 002180 and 002181 in the amounts of \$2.50 each. You may keep these for your records.

Based on your letter and map showing how your irrigation systems are operated and the wells used to supply each system, we are in the process of reissuing a couple of the water licenses to reflect the changes. The changes should streamline the annual irrigation questionnaire reporting for you.

The licenses will be sent to you under separate cover once they are issued. If you have any questions, please contact me.

Sincerely,

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

enclosures



1196-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

APR 27 2006

1196-2  
2077-2  
2321-2

Brent Ireland  
Ireland Brothers  
28855 Maple Rd  
Martin SD 57551

Dear Mr. Ireland

Enclosed are Reissued Water License Nos. 2077-2 and 2321-2. The licenses were reissued based on the changes you have made to your irrigation systems and now reflect the systems as they currently operate. The reissued water licenses do not allow for an increase in the developed diversion rate or the acres irrigated.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 2077-2 and 2321-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

**Note:** The applicable portions of Water Right No. 1196-2 were incorporated into Reissued Water License No. 2321-2.