

NO. 374-2

Water Division No. 2

Little White River

(Blanks to be filled by the State Engineer.)

District 8:15 AM

JAN 10 1949

APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

OFFICE OF THE ENGINEER
SOUTH DAKOTA

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Eugene StrainPostoffice address White River, County Kellotte, State S. Dak.I. If a corporation None

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and address of directors:

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor) Direct Labor(b) Cash on hand, \$ 5000.00 (c) Treasury stock, \$

(d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion work Strain Irrigation Project No. 23. Quantity of water claimed 1.23 cubic feet per second.4. Source of water supply Little White River5. Location of point of diversion from the SE corner of the NE $\frac{1}{4}$ Sec. 7, T. 42 N. R. 28 N.,East 1034.0 feet to pump on Left bank.
(Right or left bank looking down stream.)6. Annual periods during which water is to be used Mar. 1 to Nov. 15 Annually

7. To be used for:

I. Irrigation or domestic use:(a) Number of acres to be irrigated 86.50 acres.(b) Legal subdivisions to be irrigated See list attached

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with average thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) none

II. Mining, power, manufacturing, transportation, or other purposes:

(a) Nature of use None

(b) Amount of power to be generated horse power.

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map No. 374-2

8. Estimated cost of works:

(a) Head gates, \$ 125.00..... (b) Pumping plant, \$ 3000.00.....
 (c) Fluming, \$..... (d) Canal cart, \$..... Rock, \$.....
 (e) Other structures Sprinkle Pipe..... \$ 1975.00.. Total, \$ 5000.00.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Pumping plant and Sprinkler Pipe.....

II. Dimensions of works:

(a) Dam: Height None..... feet; length at bottom..... feet; length at top.....
 feet thickness at bottom..... feet; thickness at top.....
 feet; slope of front (water) face.....; slope of back face.....;
 material used in construction.....

(b) Reservoir: Capacity when filled..... acre feet. Surface area at highwater
 mark..... acres.

DEPTH AT OUTLET- FEET	SURFACE AREA AT EACH..... FEET OF DEPTH AT OUTLET-ACRES	CAPACITY ACRE- FEET

(c) Head gate: Width 7 inches..... feet; height..... feet;
 Material metallic.....

(d) Canal: Total length..... miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
At..... Mile	 feet	 feet	 feet	 feet
At..... Mile	 feet	 feet	 feet	 feet
At..... Mile	 feet	 feet	 feet	 feet
At..... Mile	 feet	 feet	 feet	 feet
At..... Mile	 feet	 feet	 feet	 feet
At..... Mile	 feet	 feet	 feet	 feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 3..... years.

11. Time required for complete application of water to the proposed beneficial use 2..... years.

12. Choice of newspaper for publication of notice of intention to appropriate Mellette
 County News, White River, S. Dak.....

STATE OF SOUTH DAKOTA

County of Jackson..... } ss.

I, Eugene Strain....., 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 and
 (owner, manager, engineer)
 foregoing statement, and examined the map accompanying the same, and that I know of my own
 personal knowledge that the matters herein stated and shown are true.

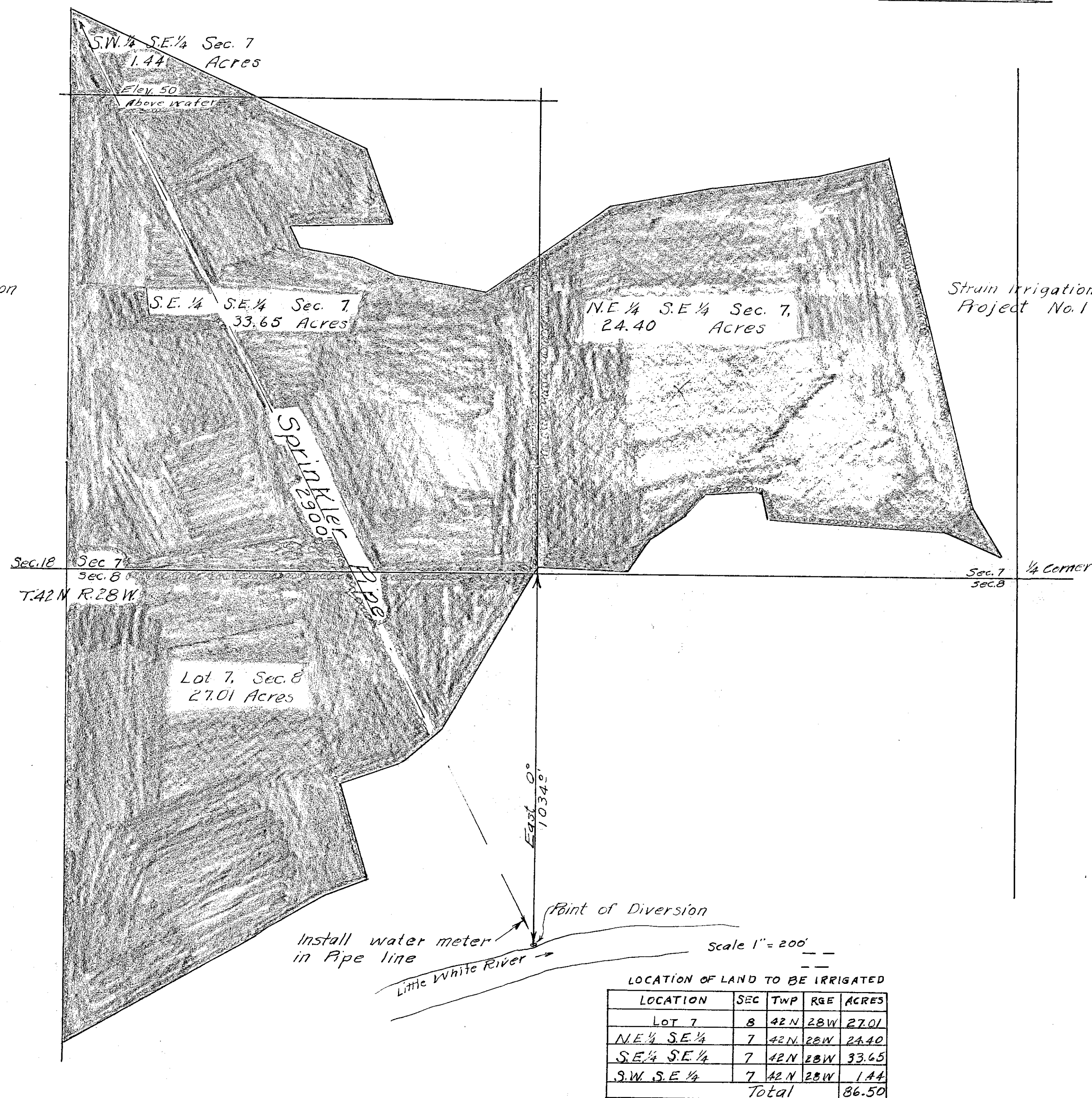
Signed Eugene Strain

Subscribed and sworn to before me this 5..... day of November, 1949

Edua F. Richardson

Notary Public (or other qualified officer)

Strain Irrigation
Project No. 3



Surveyor's Certificate:-

I, J. R. RICHARDSON, Registered Professional Engineer and Land Surveyor, No. 219, State of South Dakota, do hereby certify that I have made a careful survey of the Strain Irrigation Project No. 2 and that the map hereon is a true and correct representation of the same.

Witness my hand and seal this 1st day of November 1949, A. D.

J. R. Richardson

Registered Professional Engineer and Land Surveyor

Subscribed and sworn to before a Notary Public this 1st day of November, 1949, A. D.

Edna F. Richardson
Notary Public

STRAIN IRRIGATION PROJECT No. 2
MELLETTE COUNTY, SOUTH DAKOTA

(Water Right no 341-2)
map. no 374-2
(Obsolete)

Remarks by State Engineer:

STATE OF SOUTH DAKOTA

County of Rush

ss.

Pierre, South Dakota, January 17, 1950

This is to certify that the foregoing application was received at this office at 8:15 o'clock

A. m. upon the 8th day of November, 1949, and that after examination it was found to conform with the South Dakota Water Laws, a notice was published as required by law and no objections or protests were received.

Dean W. Loucks
DEAN W. LOUCKS, State Engineer.

Number of permit 341-2

Date of first receipt of application November 8, 1949

Date of return to applicant for correction -----, 19-----

Date of receipt of corrected application -----, 19-----

Date from which applicant may claim right November 8, 1949

Approved January 1, 1950, Recorded in Book 2 Page 658-659

This is to certify that I have examined the foregoing application for a permit to appropriate water of the state of South Dakota, and I hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth, of the work above specified is to be completed on or before January 17, 1951.

2nd. The whole of said work is to be completed on or before January 17, 1952.

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is January 17, 1953.

4th. The water appropriated shall be used for the purpose of irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 1.23 cubic feet of water per second of time; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 January 17, 1953; said water to be used during the following described annual period:

March 1 to November 15, inclusive

Witness my hand this 17th day of January, 1950.

Dean W. Loucks
DEAN W. LOUCKS, State Engineer.

List of Lands to be Irrigated by the
Strain Irrigation Project No. 2

Lot 7,	Sec. 8,	T. 42 N., R. 28 W.,	27.01	acres
N.E. $\frac{1}{4}$ S.E. $\frac{1}{4}$	Sec. 7,	T. 42 N., R. 28 W.,	24.40	2 "
S.E. $\frac{1}{4}$ S.E. $\frac{1}{4}$	Sec. 7,	T. 42 N., R. 28 W.,	33.65	"
S.V. $\frac{1}{4}$ S.E. $\frac{1}{4}$	Sec. 7,	T. 42 N., R. 28 W.,	1.44	"
Total,			86.50	Acres

Permit No. 341-2

Water Division No. _____ Water District _____

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Eugene Strainof White River, County of Mellette, and State ofSouth Dakota, the holder of Permit No. 341-2, Issued upon ApplicationNo. 341-2, bearing date of priority of November 8, 1949, authorizing the diversion of1.23 cu. ft. per second of the waters of the Little White RiverCounty of Mellette, State of South Dakota, ~~at~~ between a point 3100feet S 35° of the Cor. 18⁷/₁₇ T 42 N, R 28 W and a point 330 feet East of the SE
Cor. of the NE¹/₄NE¹/₄ Sec. 7, T 42 N, R 28 W.purposes, has fully 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 3.55 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

80 acres located SE¹/₄, Sec. 7, T 42 N, R 28 W.Witness my hand this 13th day of June A. D. 1957

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 341-2

WHEREAS, On the 8th day of November A. D. 1949Eugene Strain

of White River County of Mallette and State of
South Dakota duly made application (No. 341-2) to us for a permit to use 1.23
cubic feet per second of the waters of the Little White River
County of Mallette, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 17th day of January A. D. 1950

Permit No. 341-2 was issued to said applicant: for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 17th day of
January A. D. 1958 and for the application to beneficial use of said
water on or before the 17th day of January A. D. 1958
and,

WHEREAS, On the 27th day of February A. D. 1957

the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.55
cubic feet per second of said waters, as evidenced by our Certificate No. 341-2
dated Jun. 13, 1957 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 3.55 cubic feet per second of water, with date of
priority of November 8, 1949 and,

WHEREAS, On the 27th day of February A. D. 1957

proof was duly made of the application to beneficial use of 1.14 cubic feet per second of said water;
on 80 acres located in the SE $\frac{1}{4}$, Sec. 7, T 42 N, R 28 W

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 Eugene Strain
of White River, South Dakota the holder and owner of said permit No. 341-2
a water right, dating from November 8, 1949 to the use of 1.14
cubic feet per second of the waters of The Little White River
In the County of Mallette and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinafter mentioned, to be diverted ~~to~~ between a point 3,100 feet
S 35° W, of the Cor. 7/8 T 42 N, R 28 W and a point 330 feet East of
the SE Cor. of the NE 1/4, Sec. 7, T 42 N, R 28 W.
and conducted to and upon SE 1/4, Sec. 7, T 42 N, R 28 W

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 13th day of June A. D. Nineteen
Hundred and fifty-seven

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

No. 341-2

(First Publication _____, 19____)

APPROPRIATION OF WATER

Office of State Engineer,

Pierre, So. Dak., November 9, 1949

Notice is hereby given that Eugene Strain whose postoffice address is White River, So. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.23 cubic feet of water per second of time from the White River through the Strain Irrigation Project No. 2, the point of diversion of which is to be located on the 103 1/2 feet W. of the S.E. Cor. of the NE 1/4 SE 1/4 bank of said stream ~~to the S.E. Cor. of the S.E. 1/4 of Section 7~~ of Section 7, Twp. 42N Range 28W. Said water to be used for the purpose of providing irrigation on the following described land:

Portions of Lot 7, Section 8 and NE 1/4 SE 1/4, SE 1/4 SE 1/4, SW 1/4 SE 1/4 of Section 7, all in Twp. 42N., R. 28W and as more definitely shown on map filed with the application.

This application will be taken up by the State Engineer at his office at Pierre for consideration upon the 29th day of December, 1949, at 2:00 P.M. All persons who believe that their prior rights would be injuriously affected, or that the allowance of the permit would be detrimental to the public welfare shall file such protest with the State Engineer in writing prior to the above date and may appear on the day above mentioned in person for the purpose of discussing further, the information presented.

Appropriation action will be taken by the State Engineer after suitable time has elapsed for the consideration of any or all information presented.

EWL:RW
cc: J.R. Richardson

Dean W. Loucks
DEAN W. LOUCKS
State Engineer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County of Mallette } ss.

M. H. Ingalls being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the.....

The Mallette County News a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the

town of White River County of Mallette and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

December, 1st, 1949

December 8th, 1949

December 15, 1949

December 22, 1949

in each and every issue of the full number thereof, the first publication being made on the 1st day of December

1949 and the last publication on the 22 day of

December 1949, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was.....the printer ^x and publisher ^x of

the said newspaper.

M. H. Ingalls

Subscribed and sworn to before me this 23rd day of December A. D. 1949

Walter A. Erickson
Notary Public Mallette County, S. D.

Notice of Intention to Appropriate Water No 311-2

(First Publication Dec. 1, 1949)
APPROPRIATION OF WATER

Office of State Engineer,
Pierre, So. Dak., November 9, 1949

Notice is hereby given that Eugene Strain whose postoffice address is White River, So. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.23 cubic feet of water per second of time from the Little White River through the Strain Irrigation Project No. 2, the point of diversion of which is to be located on the left bank of said stream 1031 feet west of the S. E. Cor. of the NE¹/₄-SE¹/₄ of Section 7, Twp. 42N., Range 28W. Said water to be used for the purpose of providing irrigation on the following described land: Portions of Lot 7, Section 8 and NE¹/₄-SE¹/₄, SW¹/₄-SE¹/₄ of Section 7, all in Twp. 42N., R. 28W. and as more definitely shown on map filed with the application.

This application will be taken up by the State Engineer at his office at Pierre for consideration upon the 23th day of December, 1949, at 2:00 P. M. All persons who believe that their prior rights would be injuriously affected, or that the allowance of the permit would be detrimental to the public welfare shall file such protest with the State Engineer in writing prior to the above date and may appear on the day above mentioned in person for the purpose of discussing further, the information presented.

Appropriate action will be taken by the State Engineer after suitable time has elapsed for the consideration of any or all information presented.
DEAN W. LOUCKS, State Engineer

APPLICATION FOR EXTENSION OF TIME FOR COMPLETING WORKS

**To the State Water Resources Commission
Pierre, South Dakota**

February 24, 1956

(date)

Dear Sirs:

I hereby request that an extension of time from January 17, 1952
to January 17, 1958 be granted me for the completion of works to be done under Permit No.
341-2 and that the time for proof of beneficial use of water be extended to January 17, 1958

Said works are located in Belleville County and are described as follows:

Will be shown on revised maps which will be submitted.

Location of headworks: ~~XXXX~~ ~~XXXXXX~~

FRANKFURT..... Rotterdam..... Rouen.....

E., B.H.M.

The water is to be used for the purpose of irrigation

The extension of time for the completion of these works is requested for the following reasons: _____

More work was required to convert to Gravity from sprinkler than.....
was anticipated. This work is near completion and will have no.....
difficulty meeting the new date.

APPROVED:

State Water Resources Commission

Helder of Permit No. 341-2

By:

J. W. Grimes, Chief Engineer, Executive Officer

Permit No. 341-2Water Division No. 2 Little White River
Water District**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your ~~XXX~~ of authorization ~~XXX~~ XXX, I have ~~XXXX~~ made a thorough examination of the diversion works constructed by Eugene Strain, of White River Mallette County, South Dakota, holder of Permit No. 341-2, issued upon Application No. 341-2, bearing date of priority of November 8, 1949, authorizing the diversion of 1.23 cu. ft. per second of the waters of White River for irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: same as for 340-2and the system is in the following condition: same as for 340-2The point of diversion is located same as for 340-2The works are capable of diverting and conveying to the place of use 3.55 cu. ft. per second of water, which is to be used for irrigation

The legal sub-divisions to be irrigated are:

SE 1/4 Sec. 7 and Lot 7 of Sec. 8 all in T. 24 N. R. 28 W.
42comprising a total of 80 acres of land.

The domestic use intended comprises -----

The utilization for power, mining, or other beneficial uses comprises: -----

Witness my hand, this 13th day of June, A. D. 1957.

--SEAL--

Les Wyborny,

Examining Engineer.

March 25, 1980

Don Strain
White River, SD 57579

Dear Mr. Strain:

On December 17, 1979 we wrote you concerning the transfer of Water Right Nos. 340-2 and 341-2 in the name of Eugene Strain. To date we have heard nothing from you on this matter.

If you have misplaced the transfer forms previously sent to you, enclosed are some additional forms. Please sign, have notarized, and return the forms to this office with the required filing fee of \$2.50 for each transfer (\$5.00 total due). The permit will then be transferred to your name. If you are not the present owner of the land authorized under these water rights, please notify this office as to who does own them.

If you have any questions, please contact this office.

Sincerely,

GENNY YOLING
Staff Assistant

gy

encl

June 26, 1980

Called L. Strain - he indicated transfers
never went through, Permit is to remain
in Eugene Strain's name.

Genny

Observations during the field inspection of EUGENE STRAIN'S Irrigation Project No. 1 (Permit #340-2), Project No. 2 (Permit #341-2) and Project No. 3 (Permit #342-2) made on February 27, 1957.

The source of water is the South Fork of White River of the Little White River. The diversion point is located approximately S 35° W, 3,100 feet from the Sec. Cor. $\frac{7}{18} \frac{8}{17}$, T 42 N, R 28 W.

Power for the pump is furnished by a 3 phase, 60 cycle, 220-440 volt 45 Hp. Fairbanks Morse electric motor. It is operated on 220 volt brought to the site by a well constructed power line. This is an induction motor, Type 02K, SF:1.15, Code F, Frame #RS404, Serial # F 265386, spec. 2915-1, which operates at 50 cycle continuous 24 hour duty, draws 100-50 Amps., and turns over at a maximum of 1755 rpm's and at full load at 1460 rpms.

The pump is a Fairbanks Morse, horizontal centrifugal, size 8 inch, Model SSB3. The outlet is 8 inch, inlet is 10 inch and the Serial #K34949. It has a normal capacity of 1,600 gpm and a direct drive from the motor. No specific measuring device is provided but Mr. Strain has a straight breaker switch in the line and if the pump is operating, it is more than likely delivering its normal design capacity of 1,600 gpm. It has a 10 inch x 20 foot intake pipe with a 12' screen at the intake end.

Water is conveyed to the lateral through 5-30 foot lengths of 8 inch aluminum pipe.

The pump and motor are set on a good concrete base and protected by a well constructed wood frame pump house.

The entire outfit is new and in excellent condition.

The estimated lift is 8 feet from the water surface to the pump and 20 feet from the pump to the ditch.

Considerable washing was noted at the inlet end of the lateral. Some type of inlet structure should be constructed but the lateral inlet was in no danger of failing at the time of the inspection. The lateral is about 5000 plus feet long. Checks reflected cross sections with grades varying between .2ft/100 ft to .3 ft/100 ft, SS varying between 1.5:1 and 2:1, depths varying from 2-2½ ft., and a flow depth averaging about 1.2 ft., with the estimated capacity varying from 6.93 cfs to 8.47 cfs. Assume x-Sec. w/ a 1.5 ft. btm., 1.5:1 ss, Flow depth 1.2 ft w/ $s = .0020$ and $.0030$.

$$N = .03 \text{ (assumed)}$$

$$S = .0020$$

$$A = 3.96 \text{ ft}^2$$

$$P = 5.80 \text{ ft}$$

$$r = \frac{A}{P} = 0.68$$

$$v = \frac{.0524}{.03} = 1.75 \text{ fs}$$

$$Q = 1.75 \times 3.96 = 6.93 \text{ cfs}$$

$$N = .03 \text{ (assumed)}$$

$$S = .0030$$

$$A = 3.96 \text{ ft}^2$$

$$P = 5.80 \text{ ft.}$$

$$r = \frac{A}{P} = 0.68$$

$$v = \frac{.0642}{.03} = 2.14 \text{ fs}$$

$$Q = 2.14 \times 3.96 = 8.47 \text{ cfs}$$

There is a chute in the lateral located about midway along the westerly side of Project #2 (341-2) which is constructed of lumber and stone. It is about 12 inches deep, 16 inches wide and has an estimated 17 foot drop. According to evidence noted the flow is about 4 inches deep.

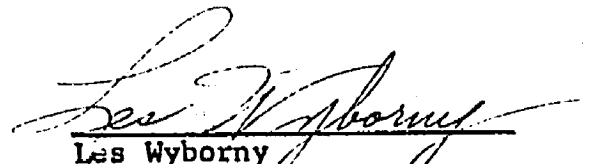
Observations during field inspection of EUGENE STRAIN's con't.

Although only the point of diversion under Permit #342-2 was being used to furnish water for the entire project under Permits #340-2, 341-2 and 342-2, portable equipment is available to utilize the points of diversion under Permits #340-2 and 341-2.

An estimated ~~85~~⁵⁰ acres located in Lot 3 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 18; 80 acres located Lot 7, Sec 8 and the SE $\frac{1}{4}$, Sec. 7; ~~50~~⁵⁰ acres located in E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 7 and Lot 3, Sec. 8 all in T 24N, R 28 W showed signs of having been irrigated. ~~24~~⁴²

The system in general was in very good condition and the primary work, such as the pump, motor etc. were in excellent condition.

A contour topog. map of the combined project ~~was~~, furnished ~~me~~ by Henry Dahlquist, Area Engineer, Soil Conservation Service, assisted me greatly in making the inspection of this project.


Les Wyborny
Water Rights Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 23, 1992

No. 340-2

341-2

342-2

Donald S. Strain
P.O. Box 208
White River, SD 57579-0208

Dear Mr. Strain:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 340-2, 341-2 and 342-2. The water rights are currently listed in the name of Eugene Strain.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 per transfer, a total of \$7.50.

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

If you have any questions, please contact me.

Sincerely,

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

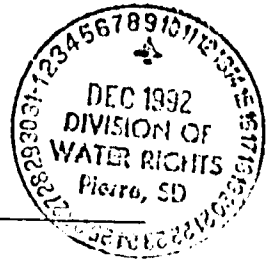
enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 341-2

Date: _____



I request that Water Right No. 341-2

formerly owned by: Eugene Strain, White River, SD 57579

be transferred to: (name & address) Donald S. Strain, PO Box 208, White River, SD 57579-0208

(Telephone No) (605) 259-3320

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

80 acres - SE 1/4 Section 7, T42N, R28W

I understand that the validity of Water Right No. 341-2 has not been determined by this transfer action. If I/We have any questions on validity, I 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.

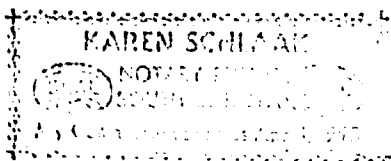
STATE OF SOUTH DAKOTA)

County of Hughes)

I, Donald S. Strain, 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.

Donald S. Strain
(Signed)

Subscribed and sworn to before me this 9th day of December, 19 92.



Karen Schlaack
(Notary Public)

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

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

RECEIPT

Division of Water Rights

413532

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 9, 19 92

RECEIVED OF Donald I Strain, PO Box 208, White River, SD 57579-0208

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 341-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By *Charles W. Hatch*
Chief Engineer



341-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 11, 1992

No. 340-2

341-2
342-2

Donald L. Strain
P.O. Box 208
White River, SD 57579-0208

Dear Mr. Strain:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 340-2, 341-2 and 342-2.

Our records now show you as the owner of Water Right Nos. 340-2, 341-2 and 342-2.

Sincerely,

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

enclosure



341-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: DONALD I STRAIN, PO BOX 208, WHITE RIVER, SD 57579 0208

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No(s) 340-2, 341-2 & 342-2. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 340-2, 341-2 & 342-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 2001

340-2
341-2
342-2

Donald I Strain
PO Box 208
White River, SD 57579-0208

Dear Mr. Strain:

I am writing to acknowledge receipt of your "2000" irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 340-2, 341-2 and 342-2.

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

If you have any questions, please contact me.

Sincerely,

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



11-18-2016

My husband - Donald G. Strain
passed away July 7, 2016.

His estate including the land is
in the process of probate. It
will be transferred to myself and
my stepson. Are there forms I
need to fill out. I am
the personal representative for
the estate ~ or do we need
to wait until it is all
finalized. Thank you —

Kathleen J. Strain



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

December 7, 2016

No. 340-2
341-2
342-2

Kathleen Strain
PO Box 208
White River SD 57579

Dear Mrs. Strain:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 340-2, 341-2 and 342-2. The water rights are currently listed in the name of Donald I Strain.

The transfer forms should be checked over for accuracy and signed by the new owner. Upon completion, return the forms to our office with a required filing fee of \$50.00 each (\$150.00 total).

For informational purposes, under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain water permit. This three year period can be waived if legal excuse exists for the years of nonuse.

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.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosures

RECEIVED
APR 10 2017
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 341-2

Date: 4-6-17

I/We request that Water Right No. 341-2

formerly owned by: Donald I Strain

X be transferred to: (name & address) Kathleen J. Strain and Donald
Bret Strain (tenants in common)
Po Box 208 White River SD 57579 Telephone No. 605-259-3320

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

80 acres - SE 1/4 Section 7-T42N-R28W

I/We understand that the validity of Water Right No. 341-2 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

Kathleen J. Strain and
* I/We Donald Bret Strain, the new owner, certify that the above information is true and correct.

x Donald Bret Strain
(Signed by new owner)
Kathleen J. Strain

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/10, 20 17

RECEIVED OF Strain Ranch PO Box 208 White River Sd 57579

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>341-2</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **08225**

By Jeanne Goodman
Chief Engineer



341-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

April 12, 2017

340-2
341-2
342-2

Kathleen J Strain
PO Box 208
White River SD 57579-0208

Dear Ms. Strain:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on Water Right Nos. 340-2, 341-2 and 342-2.

The ownership changes have been completed. The water rights formerly held by Donald I Strain are now listed under "Kathleen J Strain and Donald Bret Strain, as tenants in common".

Enclosed for your records are Receipt Nos. 08224, 08225 and 08226 in the amount of \$50 each. If you have any questions, please contact me.

Sincerely,

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

enclosures