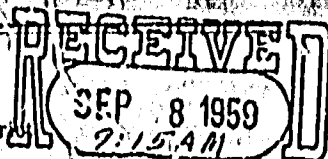


555-2

1. Considered 12-2, 1959
2. Name of Applicant R. D. Allhanger, Estate
3. Post Office Address Thurman
4. Amount of water claimed 2.85
5. Source of water supply Ground water (deep well)
6. Water to be used for Irrigation
Acres to be irrigated 200
7. Water to be diverted and used in Ship County about
12 miles SW 1/4 Section
8. Proof of Publication Received ☒
Not received ☐
9. Application Approved ☒
Subject to ☐
Not Approved ☐
Action deferred ☐

10. Remarks:

Water Division No. II White River District
(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Novotny Bros.
Postoffice address Colome, County Tripp, State S. Dakota

I. If a corporation

- (a) Name of same _____
(b) Date and place of incorporation _____
(c) Amount of capital stock _____
(d) Amount paid in _____
(e) Names and addresses 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)
employment of others
(b) Cash on hand, \$ 10,000.00 (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Rosedale Irrigation Project
3. Amount of water claimed 285 mms allowable
8.38 sec cubic feet per second
4. Source of water supply deep well
5. Location of point of diversion S. 64 degrees and 45 Minutes E 2410' from NW corner of
Sec. 33-98-78.
_____ on _____ bank _____ County.
6. Annual period or periods during which water is to be used April-November
7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Irrigation
combination system
(a) Number of acres to be irrigated 200 acres.

(b) Legal subdivisions to be irrigated 1/4 Sec. 36, 25, E 1/4 & NE 1/4 Sec. 33-98-78
(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage 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.) _____

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use _____
Name any of the above used claimed
(b) Amount of power to be generated _____ horse power.
Amount claimed for engine cooling _____
(c) Location of plant _____
(d) Method of developing power _____
(e) Point where water will be returned to stream _____

Map # 523-2

8. Estimated cost of work:

(a) Head Gates, \$.....

(b) Pumping plant, \$ 2000.00..

(c) Fluming, \$.....

(d) Canal earth, \$.....

Rock, \$.....

(e) Other structures, \$.....

Total, \$.....

9. Description of diversion works:

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

Deep well

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at 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 DEPTH AT OUTLET-ACRES	ACRE-Feet CAPACITY

(c)* Head gate: Width 6".....feet; height.....feet;

Material 198 ft. sprinkler system

(d) Canal: Total 3/4 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 2 years.

11. Time required for complete application of water to the proposed beneficial use 5 years.

12. Choice of newspaper for publication of notice of intention to appropriate

Winner Advocate, Winner, South Dakota

STATE OF SOUTH DAKOTA

County of Tripp

ss.

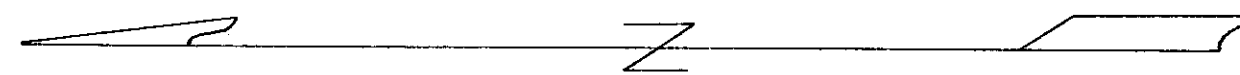
I, R. G. ALBAUGH, Administrator for the Estate of R. D. ALBAUGH, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner; that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Subscribed and sworn to before me this 4th day of September 19 59

Notary Public (or other qualified officer.)

ROSEDALE
IRRIGATION PROJECT
Scale 1" = 200'



NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28
40 ac.

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28
40 ac.

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33
40 ac.

SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33
40 ac.

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33
40 ac.

Proposed
Well

S 64° 45' E - 2410'

Sec 28
Sec 29

Sec 33
Sec 32

Area to be Irrigated:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28-98-78	40 ac.
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28-98-78	40 ac.
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33-98-78	40 ac.
SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33-98-78	40 ac.
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33-98-78	40 ac.
Total	200 ac.

R.D. Albaugh Estate owns all
land to be irrigated.

Certificate

I certify that this is a plat
of the Rosedale Irrigation Project
and shows all land to be irrigated.

Laurie Edersen
Soil Conservation Service

State of South Dakota: ss
County of Tripp :

Subscribed and sworn to before me
this 4th day of September 1959.

Irving H. Moore
Notary Public

My Commission Expires Nov. 18, 1960

Map No 533-2
(Appl No 555-2)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes

Pierre, South Dakota, December 8, 1959

This is to certify that the foregoing application was received by the Commission at 9:15 o'clock
A.M. upon the 8th day of September, 1959

State Water Resources Commission

By: John R. Miner
Chief Engineer, Executive Officer

Number of permit 555-2

Date of first receipt of application September 8, 1959

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right September 8, 1959

Approved December 2, 1959, Recorded in Book 5 Page 269

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we 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 _____

December 2, 1960

2nd. The whole of said work is to be completed on or before December 2, 1961

3rd. The time for proof of beneficial use of water appropriated in accordance herewith is

December 2, 1966

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 2.85 cubic feet per second; 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 December 2, 1966; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 8th day of December, 1959

State Water Resources Commission

By: John R. Miner
Chief Engineer, Executive Officer

Certificate of Construction issued SEPTEMBER 28, 1966

Water License issued SEPTEMBER 28, 1966

9. (Continued)

iii. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36" , Depth 160'

Type of casing steel
(wood, concrete, steel, etc.)

Size of casing 18" , Thickness of casing 16 ga.

Length of casing 160' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen

Size of perforated screen
(diameter) (length)

Thickness of gravel pack 9" , length of gravel pack 140'

(c) Water Bearing Materials

Distance to water 20' Character of water bearing materials sand & gravel
.....
.....
.....

Thickness of water bearing material varies at different depths from 4 to 20 ft.

(d) Pump and Motor

Type of pump turbine
(centrifugal, propeller, mixed flow, etc.)

Name of pump Gould , size 6"

Kind of motor gasoline
(gasoline, electric, diesel, etc.)

Horsepower 42 , Name of Motor Chrysler

(e) Complete well

Capacity 400' / Min. at drawdown of Estimated cost \$3000.00

(f) Owner of land upon which well is located R. D. ALBAUGH, ESTATE
NameWinner, South Dakota
Address

(g) Distance to nearest existing wells

On same owner's property 480 rods. On property owned by others 240 rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 555-2

WHEREAS, On the 8th day of September A. D. 1959
R. D. Albaugh, Estate
of Winner County of Tripp and State of
South Dakota duly made application (No. 555-2) to us for a permit to use 2.85
cubic feet per second of the waters of
County of Tripp irrigation
State of South Dakota, for
purposes; and

WHEREAS, On the 8th day of December A. D. 1959
Permit No. 555-2 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 2nd day of
December 61 A. D. 1961 and for the application to beneficial use of said
water on or before the 2nd day of December 66 A. D. 1966
and,

WHEREAS, On the 14th day of July A. D. 1966
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.00
cubic feet per second of said waters, as evidenced by our Certificate No. 555-2
dated September 23, 1966 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.00 cubic feet per second of water, with date of
priority of September 8, 1959 and,

WHEREAS, On the 14th day of July A. D. 1966
proof was duly made of the application to beneficial use of 2.00 cubic feet per second of said water,
for irrigating 200 acres in portions of Sections 28 and 33, T98N, R78W

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 R. D. Albaugh, Estate
of Winner the holder and owner of said permit No. 555-2
a water right, dating from September 8, 1959 to the use of 2.00
cubic feet per second of the waters of ground water
in the County of Tripp and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at a point S64° 45'E, 2410 feet from
the NW corner, Section 33, T98N, R78W
and conducted to and upon portions of Sections 28 and 33, T98N, R78W, more specifically
described in the Certificate of Completion of Works
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 28th day of September A. D. Nineteen
Hundred and Sixty-Six

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 _____

Permit No. 555-2Water Division No. 2 White River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That R. D. Albaugh, Estate

of Winner, County of Tripp, and State of South Dakota, the holder of Permit No. 555-2, Issued upon Application No. 555-2, bearing date of priority of September 8, 1959, authorizing the diversion of 2.85 cu. ft. per second of the waters of ground water County of Tripp, State of South Dakota, at a point S64° 45'E, 2410 feet from the NW corner, Section 33, T98N, R78W for irrigation

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 2.60 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:

Section 28	E $\frac{1}{2}$ SW $\frac{1}{4}$	80 acres
Section 33	N $\frac{1}{2}$ NW $\frac{1}{4}$	80 "
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40 "
Total -		200 "

Witness my hand this 28th day of September A. D. 1966

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

(First Publication before October 28, 1959)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., October 14, 1959

Notice is hereby given that R. G. Allbaugh whose postoffice address is Winner on behalf of the R. D. Allbaugh Estate S. 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 2.86 cubic feet of water per second of time from the ground water through the

Rosedale Irrigation Project point of diversion of which is to be located on the bank of said stream in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 33

Twp. 98 N Range 78 W. Said water to be used for the purpose of providing irrigation on the following described land:

E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 28; E $\frac{1}{2}$ NW $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T. 98 N. R. 78 W

and for _____ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 2nd day of December, 1959, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

~~Robert E. Jones, President~~
Burton F. Jones, Water Rights Specialist

cc John L. Rigg, Publisher
Winner Advocate
Winner, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Tripp } ss.Ronald Johannsen being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the -----

Wanner Advocate a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in thecity of Winner of Tripp County of

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

October 22, 1959October 29, 1959November 5, 1959November 12, 1959in each and every issue of the full number thereof, the first publication being made on the 22nd day of October1959 and the last publication on the 22nd day ofNovember 1959, upon which days or times

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

as ----- the printer and publisher of the said newspaper.

Ronald JohannsenSubscribed and sworn to before me this 19th day of November A. D. 1959T. E. HoffmanNotary Public Tripp County, S. D.

Legal Notices

APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak., 11/14/59
October 14, 1959

Notice is hereby given that R. D. Albaugh, whose postoffice address is Winner, S. Dak., has made an application on behalf of the R. D. Albaugh Estate, in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.88 cubic feet of water per second of time from the ground water through the Rosecale Irrigation Project, the point of diversion of which is to be located on the bank of said stream in the NE 1/4 of the NW 1/4 of Section 33, Twp. 99N, Range 78W. Said water to be used for the purpose of providing irrigation on the following described land: E 1/4 SW 1/4, Sec. 23, E 1/4 NW 1/4 & NE 1/4 SW 1/4, Sec. 33, T. 99N, R. 78W. 1/4 NW 1/4, Sec. 33, T. 99N, R. 78W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 2nd day of December, 1959, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
By: Byrd F. Jones, Water Rights Specialist (47-50)RECEIVED
NOV 14 1959STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 555-2

Water Division No. _____ Water District _____

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) _____

(Date) 1-30-64

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____
 19____, at _____ County of _____ State of South Dakota,
 before _____ (Examining Engineer or Officer) proof will be submitted of the application to beneficial use
 of 2.85 cubic feet per second of the waters of a deep well
 _____ in accordance with the terms and conditions of Permit No. 555-2
 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____
R.D. Albaugh, Estate, Winner, S. Dak.
2. The use to which said water has been applied is irrigation
3. The amount applied to beneficial use is 2.85
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) see permit
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Rosedale Irrigation Project
6. The right to take the water from such work is based upon permit No. 555-2
7. The source of supply from which such water is diverted is ground water
8. The date of priority which said user is prepared to establish is Sept 8, 1959

(Sign)

R.D. Albaugh, Estate
by R.D. Albaugh, Estate

Permit No. 555-2

Water Division No. _____ Water District _____

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) _____

(Date) 1-30-64

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 2.85
_____ cu. ft. per second of the waters of the state from adeepwell
through the Rosedale Irrigation Project
for Irrigation purposes
_____ in accordance with the terms and con-
ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is R.D. Albough, Estate
2. The postoffice address of such person or the place of business of such corporation is Winner
County of Tripp State of South Dakota
3. The number of such permit is 555-2 and the date set for the completion of such work is
December 2, 1966
4. Said water to be used for irrigation purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 2.85 cubic feet per second
6. The amount of land for which said water is available is 200 acres,
particularly described as follows: As shown in The Permit

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

R.D. Albough, Estate
By J. H. [Signature]

Permit No. 555-2

Water Division No. 2

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 letter of authorization dated 10-10-66, I have this day made a thorough examination of the diversion works constructed by R. D. Albough Estate, of Minner Trip County, South Dakota, holder of Permit No. 555-2, issued upon Application No. 555-2, bearing date of priority of September 8, 1951, authorizing the diversion of 2.55 cu. ft. per second of the waters of ground water for irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Allis Chalmers propeller 2.26 cu in engine, Western Land Boller Pump, Herb H 4-B, 160' deep 18" draw, 36' dia drill hole 2500 feet of 3 inch 7 inch aluminum pipe 50 sprinkler heads

and the system is in the following condition: Excellent

The point of diversion is located As shown on water right map No 533-2

The works are capable of diverting and conveying to the place of use 1 1/2 cu. ft. per second of water, which is to be used for irrigation purposes

The legal sub-divisions to be irrigated are: Two hundred acres as shown on water right map No 533-2

comprising a total of 206 acres of land. The domestic use intended comprises: Irrigation

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

Witness my hand, this 19th day of July, A. D. 1966

-SEAL-

Donald W. Wainwright
Examining Engineer.
Deputy Chief Engineer
Water Resources Commission

NOTICE OF TRANSFER OF WATER PERMIT

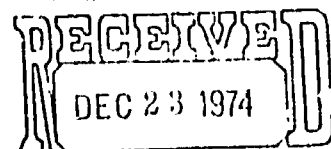
TO: **WATER RIGHTS COMMISSION**State Office Building No. 2
Pierre, South Dakota 57501Date October 25, 1974

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

Portions of Section 33, T98N, R78W, Described in
Water License No. 555-2formerly owned by R.D. Albaugh Estatehas been transferred to Novotny Brothers, Colome, South Dakotatogether with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No.
555-2 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**

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 Hughes) ss.I, Novotny Bros 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.Novotny Brothers
(Signed)Subscribed and sworn to before me this 23rd day of December, 19 74Bruce Westlund
(Notary Public)
Bruce WestlundSTATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

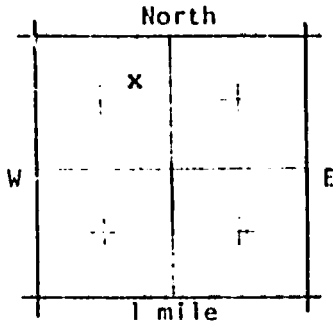
555-2

Location NE 1/4 NW 1/4 Sec 33 Twp 98 Rg 78

County

Tripp

Please mark well location with an "X"



Well Completion Date March 6, 1984

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Air reverse

WELL CONSTRUCTION:

Diameter of hole 34 inches Depth 167 feet

Casing: ☒ Steel ☐ Plastic ☐ Other
Specify _____

Pipe Weight Diameter From To
33 lb/ft 16 inches 0 feet 32 feet
30 lb/ft 16 inches 32 feet 147 feet

Was a well screen used? ☒ Yes ☐ No

If Not Specify 115' mill slot perforated

Screen Type Johnson Slot Size .125

Length 20 Diameter 16

Was Casing left open end? ☐ Yes ☒ No

Was a Packer or seal used? ☐ Yes ☒ No

If so what material? _____

Was well gravel packed? ☒ Yes ☐ No

Was well grouted? ☐ Yes ☒ No

Describe grouting procedure _____

To what depth? _____ Feet

What was grouting material? _____

If cement, how many sacks? _____

Location of packer(s) and screen or perforated pipe _____

WAS WELL PLUGGED OR ABANDONED? ☐ Yes ☒ No
If so how and with what material? _____

Well Owner:

Name Virgil Novotny

R.R. #3 Box 24

Address Colome, South Dakota 57528

Well Log:

Depth

Formation	From	To
top soil, clay	0	7
sand, clay layers	7	22
sand	22	30
med sand, clay layers	30	53
clay, sandstone layers	53	102
clay layer	102	103
clay	103	105
clay, hard clay layers	105	117
sandstone, clay layers	117	130
clay	130	140

STATIC WATER LEVEL 8 ft. 6 inches Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? ☐ Yes ☒ No

WELL TEST DATA:

☒ Pumped

☐ Bailed

☐ Other

Describe: _____

Pumping Level Below Land Surface

140'3" ft. After 4 Hrs. pumped 290 GPM

135'4" ft. After 4 Hrs. pumped 256 GPM

130' ft. After 4 Hrs. pumped 200 GPM

Remarks: Well Log Continued:

clay, sand layers	140	147
coarse sand	147	148
clay layer	148	149
coarse sand	149	150
coarse sand, trace fine gravel	150	157
clay - shale	157	167

This well was drilled under license # 273

and this report is true and accurate

Sargent Irrigation Co.
Drilling Firm

Signed by _____

3-12-84



Water Rights Division - DWNR

File No. ~~555-2~~
555-2

Conversation or File Documentation

NAME OF PERSON OR FILE: Virgil NovotnyADDRESS: RR 3, Box 25, Colome COUNTY TrippDATE: 3-21-84 TELEPHONE _____RE: Replacement irrigation well

COMMENTS:

Mr. Novotny called and advised he has drilled a replacement irrigation well about 10' from old well. The old well has been filled in.

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.

4/82

NAME: John Hatch



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 3, 2026

555-2

Mike Levi
PO Box 689
Winner, SD 57580

Dear Mr. Levi:

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

We understand that the property authorized under Water Right No. 555-2, has been sold to you. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

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

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

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

Sincerely,

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

enclosure

PAID

FEB 12 2026

Ck# 1617

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 555-2

RECEIVED

Date: 2-9-2026

FEB 13 2026

I/We request that Water Right/Permit No. 555-2 formerly owned by:
Novotny Bros (Virgil Novotny)

be transferred to:
**OFFICE OF
WATER**

New Owner Name: Mike Levi
Address: PO Box 689 mobile: 605-840-1211
City, State, Zip: Winner, SD 57580 email: mike@aqpages.com

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

200 acres; all in T98N-R78W
Section 28 - E1/2 SW1/4 - 80 acres
Section 33 - N1/2 NW1/4 - 80 acres
NE1/2 SW1/4 - 40 acres

☒ I understand that the validity of Water Right/Permit No. 555-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

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

I, Mike Levi, the new owner, certify that the above information is true and correct.

Mike Levi

(signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date February 12, 2026

RECEIVED OF Mike Levi PO Box 689 Winner, SD 57580

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 #555-2	\$50.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$50.00

By

Adam Mathewitz
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 17th, 2026

555-2

Mike Levi
PO Box 689
Winner, SD 57580

Dear Mr. Levi,

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fee you submitted for Water Right No. 555-2. Enclosed is a receipt of payment for your records.

Water Right No. 555-2, previously held by Novotny Bros (Steve Novotny), is now listed under your name. I have also updated your contact information in our system.

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

If you have any questions, please contact me.

Sincerely,

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

NOTE: The validity of Water Right No. 555-2 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure