

935-2

1. Considered Nov 8, 1967
2. Name of Applicant Marvin H. Roseman
3. Post Office Address Carter
4. Amount of water claimed 6.78
5. Source of water supply White Horse Creek
6. Water to be used for Irrigation
Acres to be irrigated 69
7. Water to be diverted and used in Tadd County
about 3.00 miles 25 of Union
8. Proof of Publication Received Nov 8
Not Received _____
9. Application Approved Jan 10, 1968
Subject to _____
Not Approved _____
Action deferred Investigation
10. Remarks:
Statement
Protest Letter

No. 935-2Water Division No. 2 White River District
(Blanks to be filled by the Engineer for the W. R. C.)

OCT 2 1967

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTAAPPLICATION FOR PERMIT
To Appropriate Water within the State of South Dakota

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

1. Name of applicant MARVIN ROSEMAN
Postoffice address Carter County Todd State South DakotaI. If a corporation NA(a) Name of same NA(b) Date and place of incorporation NA(c) Amount of capital stock NA(d) Amount paid in NA(e) Names and addresses of directors NA

(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, \$ 5,000.00 (c) Treasury stock, \$ NA(d) Bonds to be issued, \$ NA (e) Other resources, \$ NA2. Name of diversion work Roseman pump diversion #13. Amount of water claimed 1.45-0.78 max cubic feet per second NA4. Source of water supply unnamed creek, sometimes called White Horse Creek5. Location of point of diversion Between point N102°30'W, 3100' and N65°30'W, 650' in Sec 34, T39N, R25W. Between N54°04' SE 4 NE 44-portable pump sites in Sec 34, T39N, R25W400' from S 1/4 corner on West bank Todd County.6. Annual period or periods during which water is to be used Every year during growing season7. To be used for: overhead sprinkling

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?

(a) Number of acres to be irrigated 69 acres.(b) Legal subdivisions to be irrigated SEE BACK SHEET

(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.) NA

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

(a) Nature of use NA(b) Amount of power to be generated NA horse power.Amount claimed for engine cooling NA(c) Location of plant NA(d) Method of developing power NA(e) Point where water will be returned to stream NA

Map # 809-2

8 Estimated cost of work:

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

(c) Plumbing, \$.....

(e) Other structures

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

(b) Pumping plant, \$.....

Rock, \$.....

Total, \$.....

9. Description of diversion works:

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

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

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

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

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

(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.....years.

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

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

TEBB COUNTY TRIBUNE

STATE OF SOUTH DAKOTA

County of

ss.

I, Marvin Moreman, 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

Marvin Moreman

Subscribed and sworn to before me this

28

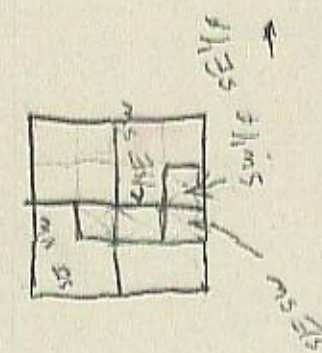
day of

Sept

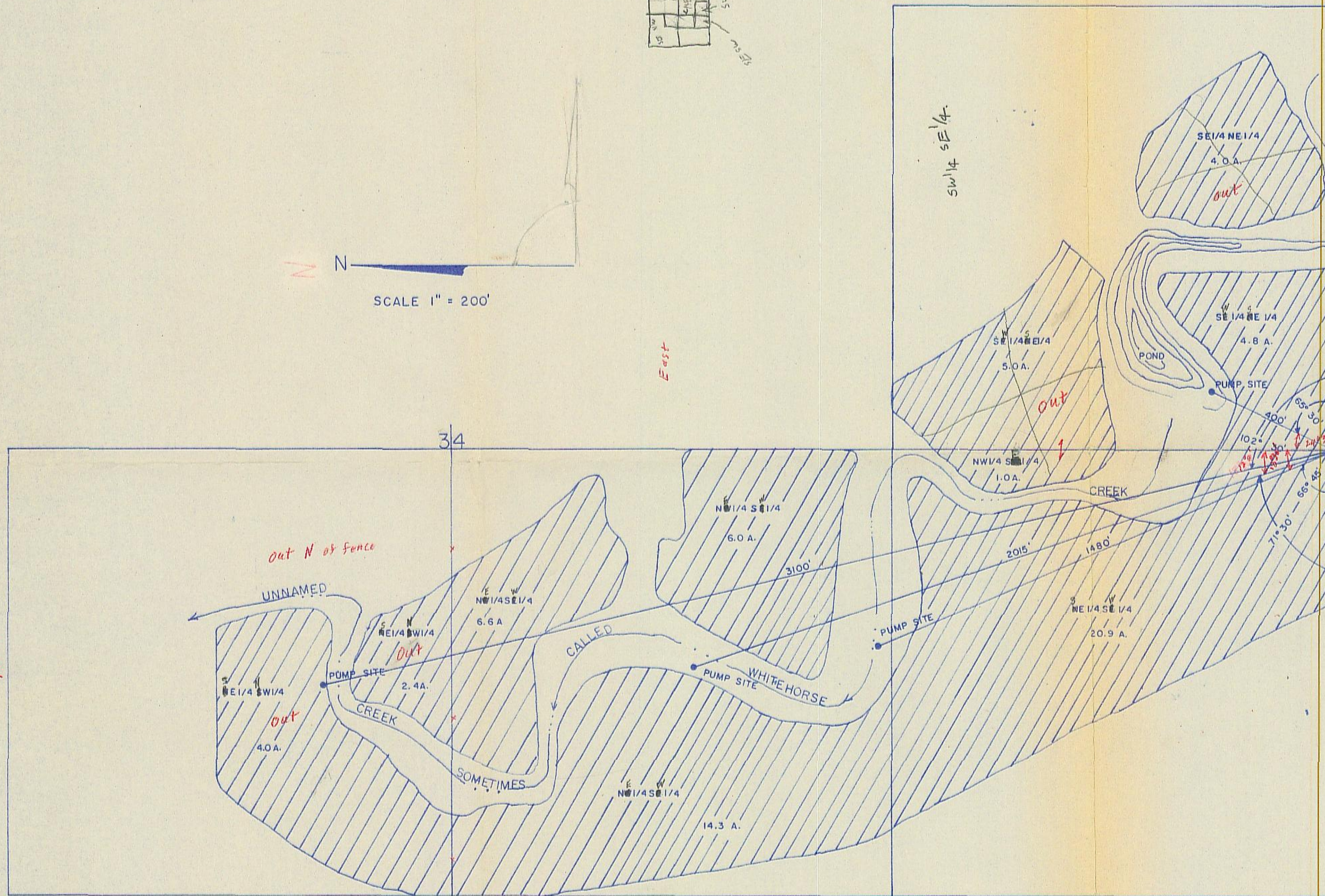
1967

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



N
SCALE 1" = 200'



LOCATION	SECTION	TWP	RANGE	ACRES
SW 1/4 SE 1/4	34	39	25	13.8
SE 1/4 SW 1/4	34	39	25	21.9
NW 1/4 SE 1/4	34	39	25	26.9
SE 1/4 NW 1/4	34	39	25	6.4
TOTAL				69.0

= LAND TO BE IRRIGATED

MARVIN MOSEMAN - OWNER
CARTER, SOUTH DAKOTA

ENGINEER'S CERTIFICATE

I, WILLIAM J. O'DONNELL, SOUTH DAKOTA REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR 1221, CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT DELINEATION OF AN IRRIGATION PUMP SITE LOCATED IN THE SE 1/4 NE 1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4 SEC 34 T39N R 25W OF THE 6TH P.M. TRIPP COUNTY SOUTH DAKOTA. THE ABOVE DESCRIBED LAND BEING OWNED BY MARVIN MOSEMAN.

DATE 9-9-67

WILLIAM J. O'DONNELL PE-LS 1221

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF CHERRY) SS

ON THIS 9th DAY OF September, 1967, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY APPEARED W. J. O'Donnell WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME AND HE ACKNOWLEDGED THE SIGNING OF SAID ENGINEER'S CERTIFICATE TO BE HIS VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL AT VALENTINE, NEBRASKA IN CHERRY COUNTY, THE AFORESAID DATE.

RAY SCHAEFER
NOTARY PUBLIC

MY COMMISSION EXPIRES: 5-24-72

MAP# 809-2 Appl# 935-2

Remarks by State Water Resources Commission:

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK WATERING, ARE TO BE BY-PASSED.

STATE OF SOUTH DAKOTA

County of HUGHES } ss.

Pierre, South Dakota, JANUARY 22 1968

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock a.m. upon the 2ND day of OCTOBER, 1967

State Water Resources Commission

By:

Arthur J. Jones
Chief Engineer, Executive Officer

Number of permit 935-2

Date of first receipt of application

OCTOBER 2 1967

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

OCTOBER 2 1967

Approved JANUARY 10 1968, Recorded in Book 10 Page 46

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 JULY 10 1970

2nd. The whole of said work is to be completed on or before JANUARY 10 1973

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is JANUARY 10 1977

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 .98 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 JANUARY 10 1977; said water to be used during the following described annual period:

DURING GROWING SEASON

Witness my hand this 22ND day of JANUARY 1968

State Water Resources Commission

By:

Arthur J. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued

SEPTEMBER 9 1977

Water License Issued

SEPTEMBER 9 1977

Remarks by the Applicant:

SE $\frac{1}{4}$ NE $\frac{1}{4}$	OF SEC. 34, T39N, R25W, OF THE 6th. P.M.	13.3 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	" " " " " " " " " "	21.9 "
NW $\frac{1}{4}$ SE $\frac{1}{4}$	" " " " " " " " " "	26.9 "
NE $\frac{1}{4}$ SW $\frac{1}{4}$	" " " " " " " " " "	6.4 "
TOTAL		69.0 ACRES

Permit No. 935-2

Water Diversion No. 2 White River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Marvin Noeman

_____ the holder _____ of
Permit No. 935-2, issued upon Application No. 935-2, bearing date of priority of October 2,
1967 authorizing the diversion of .98 cu. ft. per second of the waters of _____
an unnamed creek County of Todd, State of South Dakota ~~for~~
between a point N24°30'E, 400 feet and a point N12°W, 3100 feet from
the S¼ corner, Section 34, T39N, R25E
_____, for irrigation

_____ purposes, has _____ 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 to satisfactory
condition for diverting and conveying to the place of intended use 1.67 cu. ft. per second of water.

Date September 9, 1977

WATER RIGHTS COMMISSION

John Hatch

JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 935-2.

(1) WHEREAS On the 2nd day of October A. D. 19 57

Harvin Roseman

made Water Right Application No. 935-2 for a permit to use .98 cubic feet per second of the waters of an unnamed creek

County of Todd, State of South Dakota, for irrigation purposes and

(2) WHEREAS, On the 10th day of January A. D. 19 68

Permit No. 935-2, with a date of priority of October 2, 1967

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 10th day of January A. D. 19 73 and for the application to beneficial use of said water on or before the 10th day of January A. D. 19 77

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 .74 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:

For irrigating the following land in Section 34, T39N, R25W

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 26.9 acres

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.9 "

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.8 "

TOTAL 52.6 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 Harvin Moseman

_____ of Carter
the holder _____ and owner _____ of said permit No. 935-2 a water right, dating from October 2, 1967
_____ to use of .74 cubic feet per second of the waters
of an un-named creek
in the County of Todd and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at between a point N24°30'E, 400 feet and a point N12°W,
3100 feet from the SE corner, Section 34, T39N, R25W

and conduct to and upon portions of Section 34, T39N, R25W,
Described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 935-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 9th day of September A. D.
Seventy-seven
Nineteen Hundred and _____

WATER RIGHTS COMMISSION

By: John Hatch
Chief Engineer, Executive Officer JOHN HATCH

on or before
(First Publication October 12, 1967.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., October 5, 1967.

Notice is hereby given that Melvin Moseman whose post-office address is Carter 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 0.98 cubic feet of water per second of time from the White Horse Creek through the Moseman Diversion #1 the point of diversion of which is to be located on the both banks of said stream, in the SE $\frac{1}{4}$ $\frac{1}{4}$ of the NE $\frac{1}{4}$ both 1st and 2nd Section 34 Twp. 139N Range 25W Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, T39N, R25W.

~~XXXXX~~

~~XXXXXXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1967 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:

~~Richard Schmoever~~
RICHARD SCHMOEVER
Water Rights Specialist

cc: Melvin Moseman, Carter, S. D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Todd

ss.

Margaret Sigert being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the _____

Todd County Tribune 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 Mission County of

Todd and State of South Dakota;

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

October 12, 1967

October 19, 1967

October 26, 1967

November 2, 1967

In each and every issue of the full number thereof, the first publication being made on the 12 day of Oct

1967 and the last publication on the 2 day of

November 1967, 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 and publisher of the said newspaper.

APPROPRIATION OF WATER

Office of State Water Resources Commission,
Pierre, S. Dak.
October 5, 1967.

Notice is hereby given that Marvin Moseman whose post-office address is Carter, 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 0.08 cubic feet of water per second of time from the White Horse Creek through the Moseman Diversion No. 1, the point of diversion of which is to be located on both banks of said stream between a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a point in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ both in Section 34 Twp. 38N. Range 25W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, T38N, R25W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1967, 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.

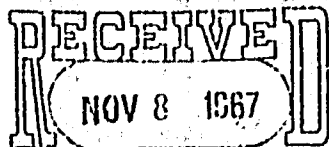
State Water Resources Commission

By: Richard Schmoeyer,
Water Rights Specialist.

Pub.—Oct. 12, 19 26 & Nov. 2.

Margaret Sigert

Subscribed and sworn to before me this 4 day of Nov A. D. 1967



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notary Public Todd County, S. D.

Office of water Carter So. Dak
Resources Commission Nov 2 - 1967
Pierre So. Dak

Dear Sir Just a line to let
you know how it is with the water
here as I see by the Todd County
paper that a Mr Marvin Roseman
who live up the creek from me
wants water rights now this
creek went dry in May last
spring and was dry till it rained
then ran till the 15th of July
and has been dry since, would I
ask you, why give him water
right he just wants to hog the
water, if there is a little water
in the creek it do us all good,

RECEIVED
NOV 6 1967

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Yours Truly
John Ellinghusen

Carter, So. Dak.

WATER RIGHT APPLICATION 933-2 - MARVIN MOSEMAN

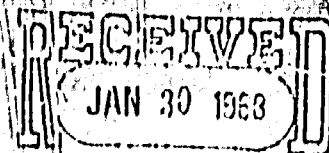
At their October, 1967, meeting the Commission considered water right application 935-2 of Marvin Moseman to divert up to 0.98 cubic feet per second of water from a tributary of White Horse Creek to irrigate 69 acres of land. A protest was received from a downstream landowner that the proposed diversion would take all of the water from the Creek. It was also pointed out that the land described in the application and water right map did not match up with the description as shown on a county map. The Commission deferred action pending investigation by the Commission staff.

A check of the water right map at the field site showed that while the Creek, proposed irrigation area and north arrow had been correctly placed on the map, that when the legal descriptions of the 40 acre sub-divisions were inserted, they were inserted as if the map had been rotated 90 degrees. While the incorrect quarter, quarter sections were listed, the correct section designation was used in the advertised notice of intent to appropriate water. In past similar cases the Commission has noted the error and ruled that the advertised notice was sufficient for the requirement of public notice. The corrected descriptions will be noted on the application and water right map.

When inspected in mid-November, 1967 the tributary proposed as the source of water had no flow of water. Two other tributaries joining this tributary immediately downstream from the proposed diversion area did have a substantial flow. The source of water for these tributaries is primarily springs, rather than surface runoff, and the spring flow is normally greater during spring and early summer months.

This is one of those many instances where the Commission has an obligation to approve the water application because at times there is unappropriated water available and where the Commission also has an obligation to see that low flows are by-passed as needed downstream.

The recommendation of the Commission staff is that water right application 935-2 be approved with the stipulation that low flows as needed for downstream domestic use, including livestock water are to be by-passed.

Permit No. 935-2

Water Division No. _____ Water District _____

STATE WATER RESOURCES COM.
 PIERRE, SOUTH DAKOTA

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.) Carter, So. Dak.(Date) Jan. 25-68

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

DEAR SIR: Notice is hereby given that on the 25 day of March
1968, at 34-39-25 County of Stoddard State of South Dakota,
 before _____ (Examining Engineer or Officer) proof will be submitted of the application to beneficial use
 of 0.98 cubic feet per second the waters of _____

_____ in accordance with the terms and conditions of Permit No. 935-2
 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 _____

Marvin Moorman - Carter, So. Dak.2. The use to which said water has been applied is Irrigation

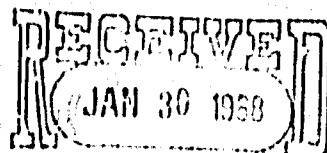
3. The amount applied to beneficial use is _____

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) _____

SW: 1/4 of SE 1/4 - 1E 1/2 of SW 1/4 - - Sec. 34-39-25SE 1/4 of NW 1/4 - 1

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

overhead sprinkling6. The right to take the water from such works is based upon permit No. 935-27. The source of supply from which such water is diverted is dam & creek8. The date of priority which said user is prepared to establish is 10-2-67(Sign) Marvin Moorman

Permit No. 935-2

Water Division No. _____

Water District _____

STATE WATER RESOURCES COM. PIERRE, SOUTH DAKOTA

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.)

Carter Co. Dak.

(Date)

Jan-25-68

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

DEAR SIRS: Notice is hereby given of the completion of the works for the diversion of _____

0.98cu. ft. per second of the waters of the state from canal

through the

overhead sprinkling

for

irrigation

purposes

_____ In accordance with the terms and conditions 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 _____

Morrin Norman, Carter Co. Dak.

2. The postoffice address of such person or the place of business of such corporation is _____

County of

Todd

State of

So. Dak.

3. The number of such permit is 935-2 and the date set for the completion of such work is _____

April 1, 1968

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 0.98 cubic feet per second.

6. The amount of land for which said water is available is _____

65

acres,

particularly described as follows:

SW 1/4 of SE 1/4 - E 1/2 of SW 1/4 - SE 1/4 of
NW 1/4 - Sec. 34-39-25

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

Morrin Norman

(Signature of Owners)

Permit No. 935-2Water Division 2 White River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Marvin
Moseman of Carter, S. Dak. holder
of Permit No. 935-2, bearing date of priority of October 2, 1967
authorizing the diversion of .98 cu. ft. per second of the waters of unnamed creek
for Irrigation purposes, in Todd 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:

Pump Berkeley - Model "B37RM", Ser. "75-73510".
Imp Dia. 9", Max 750 gpm

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

Aluminum - 6" dia - 10.0 ft

C. Works used to apply water to beneficial use.

Towlines - 1300 ft of 4" dia -
Sprinkler line - 360 ft of 6" dia -
45 sprinklers @ 9 gpm. each.

The system is in the following condition: Good.

The point of diversion is located between a point N 24°30' E 400ft and
a point N 12°0' W 3100ft, both from S ¼ Corner Sec 34, T34N R25W

The works are capable of diverting and conveying to the place of use 1.67cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in section 34, T34N R25W,

NE ¼ SW ¼ - 26.9 Ac.; SE ¼ SW ¼ - 20.9 Ac.; SW ¼ SE ¼ - 4.8 Ac.

comprising a total of 52.6 acres of land.

Date

Aug 12, 1976

LeRoy J. McNamee
(Signature)



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



December 12, 2014

No. 935-2

Curtis Moseman
29335 282nd St
Winner SD 57580

Dear Mr. Moseman:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 935-2. The water right is currently listed in the name of Marvin Moseman. Marvin Moseman returned the 2014 irrigation questionnaire indicating you now owned this land. Enclosed is a copy of the water right for your records.

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

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.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosure

RECEIVED

DEC 18 2014

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 935-2

Date: _____

I/We request that Water Right/Permit No. 935-2

formerly owned by: Marvin Moseman

be transferred to: (name)



Curtis Moseman
29335 282nd St
Winner SD 57580-5002

Telephone No. 605-879-2385

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

52.6 acres – E 1/2 SW 1/4, SW 1/4 SE 1/4 Section 34-T39N-R25W

I/We understand that the validity of Water Right/Permit No. 935-2 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.

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

Curtis Moseman
(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/18, 20 14

RECEIVED OF Curtis Moseman 29335 282nd St 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	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>935-2</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. **07021**

By *Jean Goodman*
Chief Engineer



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



December 18, 2014

935-2

Curtis Moseman
29335 282nd St
Winner SD 57580

Dear Mr. Moseman:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for Water Right No. 935-2.

The ownership change has been completed. Water Right No. 935-2 formerly held by Marvin Moseman is now listed in your name.

Enclosed for your records is Receipt No. 07021 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosure