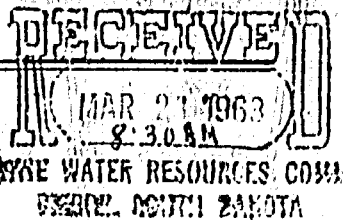


1026-3

1. Considered 5-1, 1963
2. Name of Applicant FLOREN ~~WEVER~~ THAD
3. Post Office Address YANKTON
4. Amount of water claimed 1.23
5. Source of water supply JAMES RIVER
6. Water to be used for IRRIGATION
Acres to be irrigate 86.5
7. Water to be diverted and used in YANKTON County
about 1/4 miles of YANKTON
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks

No. 1026-3Water Division No. 3 JAMES RIVER
(Blanks to be filled by the Engineer for the W. R. C.)DISTRICT WATER RESOURCES COMMISSION
SIOUX FALLS, SOUTH DAKOTA

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

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

1. Name of applicant Floren W. WaverstadPostoffice address Yankton, Rt. 2, Box 337 County Yankton State S. Dak.

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)

Direct labor(b) Cash on hand, \$ Sufficient

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Floren W. Waverstad Irrigation3. Amount of water claimed 1.23 cubic feet per second 553.5 gal. per min.4. Source of water supply James River5. Location of point of diversion South bank James Riveron bank Yankton County.6. Annual period or periods during which water is to be used April through September

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Combination(a) Number of acres to be irrigated 86.5 acres.
S $\frac{1}{2}$ SE $\frac{1}{4}$ (NW of Hwy) 3 93-55 47 A.(b) Legal subdivisions to be irrigated Lot 5 except Parcel A and 7.12. ALT 4 Sec. 3 93-55
(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 uses 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 No 667-3

8. Estimated cost of work:

(a) Head Gates, \$----- (b) Pumping plant, \$-----
 (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.)

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	FEET	ACRE-FOOT 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-----5-----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-----
 Yankton Press and Dakotan-----

STATE OF SOUTH DAKOTA }
 County of Yankton } ss.

I, Floran W. Weverstad, 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 Floran W. Weverstad

Subscribed and sworn to before me this 25th day of March 1963

Ernest M. Deth
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

My Commission Expires

January 13, 1968

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MAY 10, 1963

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
a.m. upon the 26TH day of MARCH, 1963

State Water Resources Commission

By:

Durston Jones
for Chief Engineer, Executive Officer

Number of permit 1026-3

Date of first receipt of application MARCH 26, 1963

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 MARCH 26, 1963

Approved MAY 1, 1963, Recorded in Book 8 Page 75

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 NOVEMBER 1, 1963

2nd. The whole of said work is to be completed on or before MAY 1, 1968

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is MAY 1, 1968

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 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 MAY 1, 1968; said water to be used during the following described annual period:

APRIL THRU SEPTEMBER

Witness my hand this 10TH day of MAY, 1963

State Water Resources Commission

By:

John C. Smith
Chief Engineer, Executive Officer

Certificate of Construction issued —, 19—

Water License Issued —, 19—

Affidav of Publication

STATE OF SOUTH DAKOTA

COUNTY OF YANKTON

ss.

Colin D. Monfore

being first duly sworn says: That he is the Assistant Publisher of the Yankton Printing Company, a corporation, the printer and publisher of the Yankton Daily Press and Dakotan, a daily newspaper of general circulation, printed and published in the City and County of Yankton, South Dakota; that he has personal knowledge of all the facts stated in this affidavit; and that the advertisement captioned APPROPRIATION OF WATER

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement, once each week for four successive weeks, the first publication being made on the 3rd day of April, 1963, and the last publication being made on the 24th day of April, 1963

The first publication being made on the 3rd day of April, 1963
 The second publication being made on the 10th day of April, 1963
 The third publication being made on the 17th day of April, 1963
 The fourth publication being made on the 24th day of April, 1963
 The fifth publication being made on the day of
 The sixth publication being made on the day of
 The seventh publication being made on the day of
 The eighth publication being made on the day of
 The ninth publication being made on the day of
 The tenth publication being made on the day of

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies daily and has been published in the English language within the said County of Yankton for more than one year next prior to the first publication of said notice, and is printed in Yankton in an office maintained in Yankton, South Dakota, the place of publication of said newspaper. That the full amount of the fee paid for the publication of the annexed notice is \$....., which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Colin D. Monfore

26th

Subscribed and sworn to before me this day

April, 1963.

of , 19

Notary Public, South Dakota

473-10-17-24

No. 1026-3

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., April 1, 1963.
 Notice is hereby given that Florian W. Weverstad, whose postoffice address is Yankton, 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 1.23 cubic feet of water per second of time from the James River through the Weverstad Irrigation Project, the point of diversion of which is to be located on the right bank of said stream in the SW 1/4 of the SE 1/4 of Section 5, Twp. 93N, Range 85W. Said water to be used for the purpose of providing irrigation on portions of the following described land: S 1/2 SE 1/4 & Lot 5, Section 5, T93N, R85W.

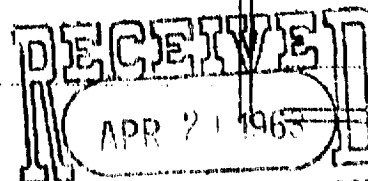
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 1st day of May, 1963, at 2 P. M. All interested persons may appear and be heard.

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

STATE WATER RESOURCES COMMISSION.
 By BURTON F. JONES,
 Water Right Specialist.

Publication Fees \$.....

Received Payment.



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

on or before
(First Publication April 8, 1963.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 1, 1963

Notice is hereby given that Floren W. Weverstad whose postoffice address is Yankton 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 1.23 cubic feet of water per second of time from the James River through the Weverstad Irrigation Project, the point of diversion of which is to be located on the right bank of said stream in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3 Twp. 93N Range 55W portions of Said water to be used for the purpose of providing irrigation on the following described land:

S $\frac{1}{2}$ SE $\frac{1}{4}$ & Lot 5, Section 3, T93N, R55W

~~xxxxxx~~ xxxxxx purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 1st day of May, 1963, at 2 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:

CC: Fred H. Monfore, Publisher
Yankton Press and Dakotan
Yankton, South Dakota

BURTON F. JONES
Water Right Specialist



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

April 15, 1985

Floren W. Weverstad
610 Burgess Rd.
Yankton, SD 57078

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 1026-3. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

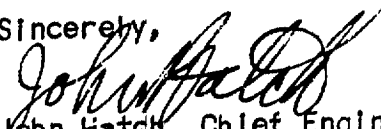
The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 1026-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

Sincerely,


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

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



Department of Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Floren W. Weverstad
610 Burgess Rd.
Yankton, SD 57078

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

A handwritten signature in cursive script that reads "John Hatch".

SUBJECT: Amendment to Water Permit No(s). 1026-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1026-3 to add the following qualification:

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

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

South Dakota
Department of
Water & Natural Resources

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

Attachment to Water Permit No(s). 1026-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1026-3 to add the following qualification:

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



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1026-3

January 8, 1986

Robert Weverstad
RR#2, Box 196
Yankton, South Dakota 57078

Dear Mr. Weverstad:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any question.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

NOTE: This transfer form is being sent to you in response to the 1985 Irrigation Questionnaire which indicated the owner of Permit No. 1026-3 should be changed from Floren Weverstad to you.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

September 2, 1986

Second Notice
Permit No. 1026-3

Robert Weverstad
RR #2, Box 196
Yankton, South Dakota 57078

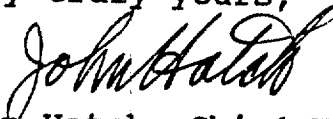
Dear Mr. Weverstad:

On January 8, 1986 notice was sent to you concerning the transfer of Water Permit No. 1026-3 in the name of Floren W. Weverstad which covers irrigation of 86.5 acres in the S 1/2 SE 1/4 and Lot 5 of Section 3, T93N-R55W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 required 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 us.

Very truly yours,



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

S509.WR

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.	
(CONSULT POSTMASTER FOR FEES)	
1. The following service is requested (check one).	
☒ Show to whom and date delivered.....	
☐ Show to whom, date, and address of delivery.....	
2. ☐ RESTRICTED DELIVERY (The restricted delivery fee is charged in addition to the return receipt fee.)	
TOTAL	
3. ARTICLE ADDRESSED TO: <i>Robert Diamondstad</i> <i>R.R. 2, Box 196</i> <i>Hampton SD 57078</i>	
4. TYPE OF SERVICE:	ARTICLE NUMBER
☒ REGISTERED ☐ INSURED	<i>DL14 817 626</i>
☐ CERTIFIED ☐ COD	
☐ REGISTERED MAIL	
(Always obtain signature of addressee or agent)	
I have received the article described above.	
SIGNATURE ☐ Addressee ☐ Authorized agent	
<i>Robert Diamondstad</i>	
DATE OF DELIVERY	POSTMARK
<i>9-3-86</i>	
5. ADDRESSEE'S ADDRESS (Only if requested)	
7. UNABLE TO DELIVER BECAUSE:	7a. EMPLOYEE'S INITIALS

October, 15, 1986

Robert Weverstad
RR 2, Box 196
Yankton, South Dakota 57078

Dear Mr. Weverstad:

I am contacting you in regard to the transfer of Water Permit No. 1026-3 now listed in the name of Floren Weverstad. I called and spoke with Mrs. Weverstad on October 15, 1986 to inquire whether or not you still wanted the water permit transferred. She indicated the permit should be transferred and stated you may not have received our September 2, 1986 notice.

Enclosed is an additional transfer form. Please check over, sign in the presence of a notary and return it to our office. A \$2.50 filing fee is required. Upon receipt of the completed transfer form and filing fee in our office, Water Permit No. 1026-3 will be transferred to you.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

 **Department of
Water & Natural Resources**

Joe Foss Building

523 East Capitol

Pierre, South Dakota 57501-3181

January 29, 1988

ROBERT L WEVERSTAD
RR 2 BOX 196
YANKTON, SD 57078

NOTICE

Re: Violation of Water Permit No(s). 1026-3 and 1987 Irrigation
Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1026-3. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1026-3 qualification:

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

The hearing will also be to determine if Permit No(s) 3594-3, 2539-3, 373-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

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

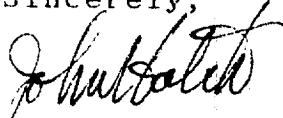
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 1026-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 3594-3, 2539-3, 373-3 also held by ROBERT L WEVERSTAD to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "John Hatch", written in dark ink.

John Hatch, Chief Engineer
Water Rights Division

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



Department of Water & Natural Resources

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

February 4, 1988

373-3
1026-3
2539-3
3594-3

Robert L Weverstad
RR #2 Box 196
Yankton, SD 57078

Dear Mr. Weverstad:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 373-3, 1026-3, 2539-3 and 3594-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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



Department of Water & Natural Resources

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

August 19, 1988

Fourth Notice
Water Permit No. 1026-3

Robert L Weverstad
RR 2, Box 196
Yankton, SD 57078

Dear Mr. Weverstad:

On January 8, September 2 and October 15, 1986, notices were sent to you concerning the transfer of Water Permit No. 1026-3 in the name of Floren Weverstad which covers irrigation of the S 1/2 SE 1/4 and Lot 5 in Section 3, T93N, R55W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water permit can then be transferred to your name. If you are not the present owner of the land covered under this permit, please notify this office. It is very important that ownership records be kept current. 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 be filed with this office within ninety days.

Failure to keep records current can mean a delay in receiving a notice or even no receipt of a notice that pertains to the water permit. In some cases, a notice from this office includes an order which could result in up to one year suspension of a permit or other penalty if not complied with.

The Statutes provide that a permit for irrigation remains appurtenant to the land. If there is an ownership change; however, no such assignment (transfer) shall be binding except upon the parties thereto, unless filed for record in this office.

If you have any questions, please contact us.

Very truly yours,

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

enclosure



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to
Robert L. Wierstad
RR 2, Box 196
Yankton SD 57078

4. Article Number

P 321 925 699

Type of Service:

- ☒ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature -- Addressee

X

6. Signature -- Agent

X

7. Date of Delivery

8-20-88

8. Addressee's Address (ONLY if requested and fee paid)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

July 3, 1991

No. 1026-3

Robert Weverstad
RR 2, Box 196
Yankton, SD 57078

Dear Mr. Weverstad:

Water Permit No. 1026-3, formerly under the name of Floren Weverstad, has been transferred to your name.

Water License No. 3594-3 (which will incorporate the applicable portions of Permit No. 1026-3) is being processed and will be forwarded to you upon completion.

If you have any questions, please feel free to contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

NOTICE OF TRANSFER OF OWNERSHIP

No. 1026-3



TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: 5-1-91

I/We request that Water Permit/Right No. 1026-3

formerly owned by: Floren Weverstad

be transferred to: (name & address) Robert Weverstad

R2 Box 196 Yankton S.D. (telephone No.) 665-5256

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

Sec 10 NW 1/4 of NW 1/4

Sec 3 80 A in SE 1/4

I/We understand that the validity of Water Permit/Right No. 1026-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Yankton)

I/We Robert Weverstad 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.

Robert Weverstad
(Signed)

Subscribed and sworn to before me this 18th day of MAY, 1999.

Mark A. Renke
(Notary Public)

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

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



JUL 23 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Robert L. Weverstad
RR 2, Box 196
Yankton, SD 57078

Dear Mr. Weverstad:

Enclosed is Water License No. 3594-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412687 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Permit No. 1026-3 are incorporated into Water License No. 3594-3.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412687

Pierre, _____ May 20, 1991

RECEIVED OF Robert Weverstad, RR 2, Box 196, Yankton, SD 57078

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____	50 00 xxx xx
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. <u>3594-3</u>	50 00
Fee for Filing Transfer Form <u>Water Permit No. 1026-3</u>	2 50
Fee for Filing Extension Request _____	
Fee for Certified Copy of _____	
Fee for Print Copy of Map _____	
Fee for Certifying _____	
Fee for _____	
(Any Other Work Provided by Law)	
Total	52 50

By John Hatch (CE)
Chief Engineer