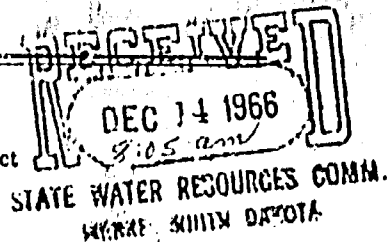


1. Considered Jan 18, 1967
2. Name of Applicant Donald Elwood
3. Post Office Address Flanoreau
4. Amount of water claimed 1.36
5. Source of water supply Ground
6. Water to be used for Irrigation
Acres to be irrigated 95
7. Water to diverted and used in Meeker County
about 15 miles of Flanoreau.
8. Proof of Publication Received C
Not Received _____
9. Application Approved V
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

at Well please
Domestic & Ground.

No. 1340-3
 Water Division No. 3 Big Sioux River District
 (Blanks to be Filled by the Engineer for the W. R. C.)



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

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

1. Name of applicant Donald Elverud
 Postoffice address Elverud, S.D., County Moody, State SD

- ~~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)
Contract & Direct Labor
- (b) Cash on hand, \$10,000.00
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$

2. Name of diversion work Elverud Irrigation Project
3. Amount of water claimed 1.36 cubic feet per second
4. Source of water supply Stony River Well
5. Location of point of diversion 1470' S 55° 40' W of NE Corner Sec. 27
T107N. R48W on bank Moody County.
6. Annual period or periods during which water is to be used April 1st to Nov. 1st
7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkler
- (a) Number of acres to be irrigated 25 acres.
 - (b) Legal subdivisions to be irrigated SE 1/4 of Sec. 27 - T107N. R48W - by letter
 - (c) Statement as to domestic use (giving location, etc.) Highway 6 Road now NE 1/4 and NE 1/4 Sec 27, T107N, R48W

(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.)

~~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 # 952-3

8. Estimated cost of work:

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

(b) Pumping plant, \$1800⁰⁰

(c) Fluming, \$-----

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

Rock, \$-----

(e) Other structures -----

\$-----

Total, \$4000⁰⁰

9. Description of diversion works:

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

Pumping Plant

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-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 -----

Minnehaha County Enterprise, Minneapolis, SD

STATE OF SOUTH DAKOTA

County of *Minnehaha* ss.

I, *Wm. H. H. H.*, 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.

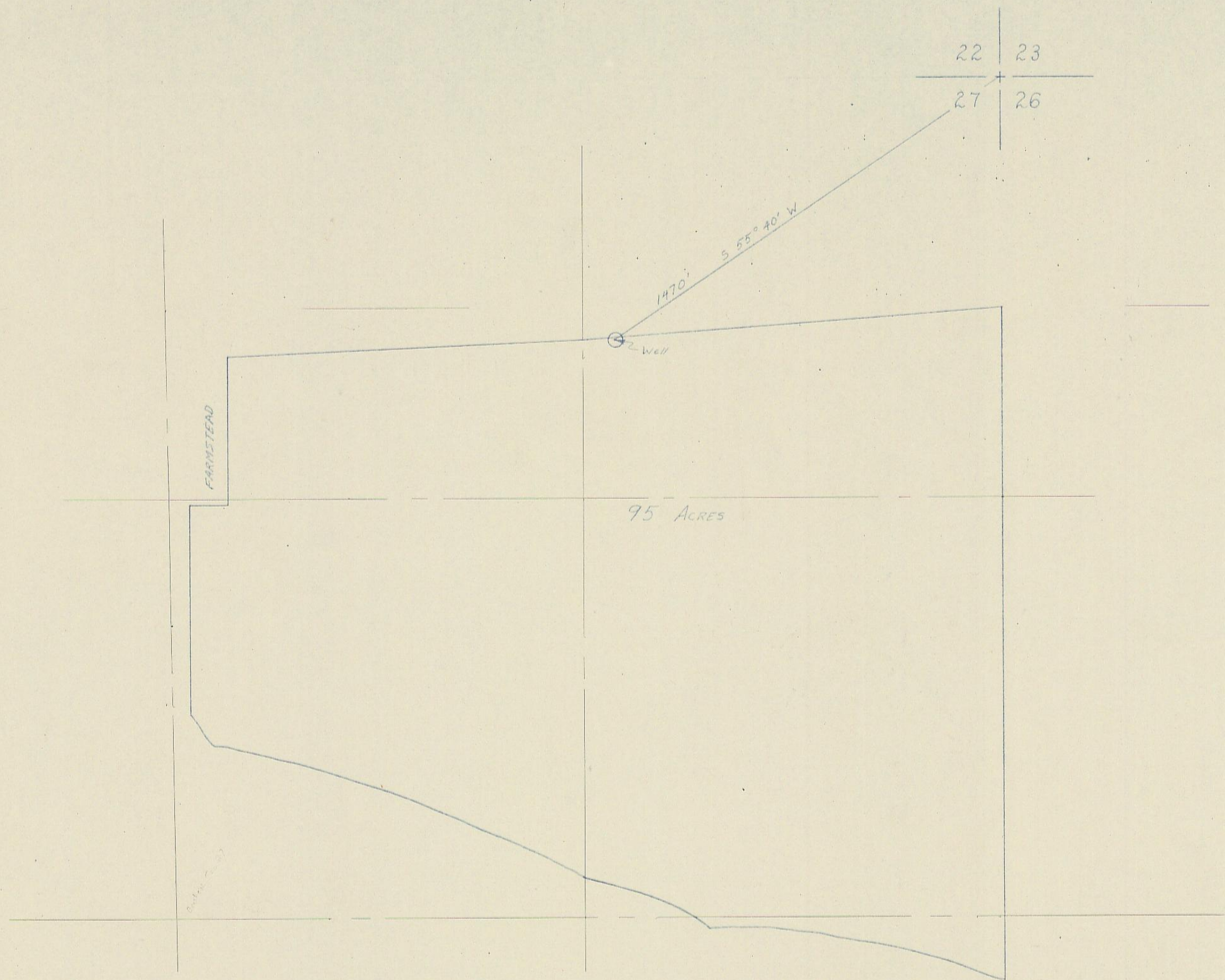
Signed

Subscribed and sworn to before me this

day of

1906

Notary Public (or other qualified officer.)



LOCATION OF LAND TO BE IRRIGATED
 Donald Elverude Irrigation Proj. No. 1.
 E 1/2 Sec. 27 T107N R 48W
 95 acres

Scale 1" = 200'

<u>Surveyor's Certificate</u> I, Walter D. Lambke, do hereby certify that this map identifies a reasonably accurate record of the land of: <u>Donald Elverude Irrigation Project, No. 1</u> Signature: <u>Walter D. Lambke</u> Registered Professional Engineer State of So. Dak. SD 1121	
Subscribed and sworn to before me this <u>10th</u> day of <u>November</u> 1966 at <u>General Creek</u> <u>Notary Public</u> my commission expires October 2, 1969	Donald Elverude Irr. Proj. No. 1 Flandreau, S. D. Moody Co. Drawn by: <u>W</u> Check by: <u></u>

Map # 952-3 (Appl # 1340-3)

Remarks by State Water Resources Commission:

The well granted under this Permit is located near domestic wells and other ~~existing~~ wells which may obtain water from the same aquifer. If the well covered by this Permit depletes the domestic supplies or interferes with prior water rights, restrictions, to the extent necessary, of the capacity of the well or periods of operation or other arrangements will be required to protect these water supplies.

STATE OF SOUTH DAKOTA

County of

Hughes

as.

Pierre, South Dakota, January 23, 1967

This is to certify that the foregoing application was received by the Commission at 8:05 o'clock

A.m. upon the 14th day of December, 1966.

State Water Resources Commission

By:

Richard D. Schnoyer
for Chief Engineer, Executive Officer

Number of permit 1340-3

Date of first receipt of application December 14, 1966

Date of return to applicant for correction, amendments or changes required as follows: 11

Date of receipt of corrected application 19

Date from which applicant may claim right December 14, 1966

Approved January 18, 1967, Recorded in Book 9 Page 209

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 18, 1968

2nd. The whole of said work is to be completed on or before January 18, 1970

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

January 18, 1972

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 1.36 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 18, 1972; said water to be used during the following described annual period:

April 1st through November 1st

Witness my hand this 23rd day of January, 1967.

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued August 1, 1972

Water License Issued August 1, 1972

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30" , Depth
 Type of casing Steel
 (wood, concrete, steel, etc.)
 Size of casing 16" , Thickness of casing 2 1/2"
 Length of casing 35' , If collection gallery, length, size and depth of
 gallery

(b) Screens

Type of perforated screen Johnson Inerator
 Size of perforated screen 16 (diameter) , 15' (length)
 Thickness of gravel pack 7 , length of gravel pack 40'

(c) Water Bearing Materials

Distance to water 10 , Character of water bearing materials 0-2 1/2' sand, 2-12' Sandy Clay, 12 to 39' Hard Gravel, 39 to 40' Gray silt

Thickness of water bearing material

(d) Pump and Motor

Type of pump Turbine
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump Layne-Bowser , size 12" Bores - 8" Column
 Kind of motor L. O. Gas
 (gasoline, electric, diesel, etc.)
 Horsepower 30 , Name of Motor Chrysler

(e) Complete well

Capacity 600 at drawdown of 36' , Estimated cost 900⁰⁰

(f) Owner of land upon which well is located

Ronald E. Howard
 Name
Rt 2 Box 4, Flanahan, ID
 Address

(g) Distance to nearest existing wells

On same owner's property 80 rods On property owned by others 80 rods

Form 15.

Permit No. 1340-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Donald Elveud

_____ the holder _____ of
Permit No. 1340-3, issued upon Application No. 1340-3, bearing date of priority of December 14,
1966 authorizing the diversion of 1.36 cu. ft. per second of the waters of _____
ground water County of DeWitt, State of South Dakota at a
point South 55° 40' West, 1470 ft. from the NE Corner, Section 27,
T107N, R48W
_____, 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 in satisfactory
condition for diverting and conveying to the place of intended use 1.36 cu. ft. per second of water.

Date August 1, 1972

WATER RESOURCES COMMISSION

By

P. GRIMES, Executive Officer

Form 10.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1340-3

(1) WHEREAS, On the 14th day of December A. D. 19 66
Donald J. Elverud

made Water Right Application No. 1340-3 for a permit to use 1.36 cubic feet per second of the waters of ground water

County of Moody State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 23rd day of January A. D. 19 67

Permit No. 1340-3, with a date of priority on December 14, 1966, 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 18th day of January A. D. 19 70 and for the application to beneficial use of said water on or before the 18th day of January A. D. 19 72

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.36 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 95 acres in the E¹/₂, Section 27, T107N, R48E

(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 _____

Donald Elverud

_____ of _____ Plendreau, S.D.

the holder _____ and owner _____ of said permit No. 1340-3 a water right, dating from December 14, 1966

_____ to use of 1.36 cubic feet per second of the waters of ground water

in the County of Moody and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point South 55°46' West, 1470 ft. from the NE Corner, Section 27, T107N, R48W

and conduct to and upon _____ portions of the El., Section 27, T107N, R48W

for the purpose of _____ irrigation

Subject to any limitations listed in Water Right Permit No. 1340-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 1st day of August A. D.

Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.V. CRILES

on or before **December 22**, 19**66**
(First Publication _____, 19____)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

December 15, 19**66**
Pierre, S. Dak., _____, 19____

Notice is hereby given that **Donald Elverud** whose postoffice address is **Flandreau** 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 **1.36** cubic feet of water per second of time from ~~the~~ **ground water** through the **Elverud Irrigation Project**, the point of diversion of which is to be located ~~on the~~ **XXXX** ~~XXXXXX~~ in the **NE** $\frac{1}{4}$ of the **NE** $\frac{1}{4}$ of Section **27** ~~XXXXXX~~ **portions of** Twp. **107N** Range **48W**. Said water to be used for the purpose of providing irrigation on the following described land:

NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, 1107N, R48W~~XXXXXX~~ **XXXXXX** purpose:

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the **16th** day of **January**, 19**67**, 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:

~~XXXXXXXXXXXXXXXXXXXX~~
RICHARD D. SCHOYMER
 Chief Engineer, Executive Officer
 Water Right Specialist

CC: Wayne D. Lyford, Publisher
 Moody County Enterprise
 Flandreau, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Moody } ss.

L. W. McConnell being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Moody County Enterprise 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 Flandreau County of Moody and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Dec. 21, 1966

Dec. 28, 1966

Jan. 4, 1967

Jan 11, 1967

in each and every issue of the full number thereof, the first publication being made on the 21 day of December 1966 and the last publication on the 11 day of January 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 foreman the printer and publisher of the said newspaper.

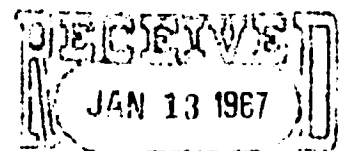
L. W. McConnell, foreman

Subscribed and sworn to before me this 11th day of January A. D. 1967

Richard D. Schoymer

Notary Public South Dakota County, S. D.

APPROPRIATION OF WATER Office of State Water Resources Commission, Pierre, S. Dak., December 15, 1966. Notice is hereby given that Donald Elverud whose postoffice address is Flandreau, 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 1.36 cubic feet of water per second of time from ground water through the Elverud Irrigation Project, the point of diversion of which is to be located in the NE$\frac{1}{4}$ of the NE$\frac{1}{4}$ of Section 27 Twp. 107N Range 48W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE$\frac{1}{4}$ and NE$\frac{1}{4}$, SE$\frac{1}{4}$, Section 27, T107N, R48W. This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration, upon the 18th day of January, 1967, 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: Richard D. Schoymer Water Right Specialist (Dec. 21, 28 — Jan. 4, 11)
--



STATE WATER RESOURCES COMMISSION
 PIERRE, SOUTH DAKOTA

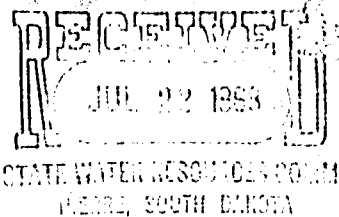
W. CAMPBELL
Mayor
J. ANDERSON
Auditor
ROSALIE CREGO
Treasurer

CITY OF FLANDREAU

FLANDREAU, SOUTH DAKOTA 57021

July 19, 1968

COUNCILMEN
Ray Armstrong
Earl Fuller
Frank Duncan
George McAtee
Patrick Fargen
Ronald Severson



State Water Resources Commission
State Office Building
Pierre, South Dakota 57501

Re: Water License No. 1182-3

Dear Sirs:

Referring to our water license for our Municipal wells, we were wondering if an irrigation project close to us may not be the cause of lowering the water level in our wells.

I have been requested to inquire if this may be determined in some way without too much trouble.

I have been informed that when the irrigation well of Don Elverud's is being pumped it lowers our water level.

We will appreciate any information in regard to this.

Yours very truly

Phoned

J. Anderson on 7-24-68

Joseph Anderson
City Auditor

Water right priority explained to Mr. Anderson.
Also that Elverud pumping would be restricted
if Flandreau water supply was endangered.
He said the Flandreau water supply was not
endangered. That the priority in location was
the info needed and that he would pass the info to

to meet with city council

Permit No. 1340-3
 Water Division 3 Big Sioux River Water District

REPORT 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 DONALD ELNERUD of FLANDREAU holder of Permit No. 1340-3, bearing date of priority of DECEMBER 14 1966 authorizing the diversion of 1.36 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in MOODY 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:

38' DEEP WELL W/ 16" CASING
8" LAYNE BOWLER 3STAGE PUMP, POWERED BY
40 H.P., U.S. ELECTRIC MOTOR

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

800' OF 8" MAINLINE
790' OF 6" "

C. Works used to apply water to beneficial use.

3 - 1160' 4" TOWLINES W/ RAINBIRD #40
SPRINKLER HEADS @ 40' SPACING 3/16 x 1/8
NOZZLES

The system is in the following condition: GOOD

The point of diversion is located S 40° S 55° 40' W, 1470 FEET
FROM THE NE CORNER, SECTION 27, T107N, R48W

The works are capable of diverting and conveying to the place of use 1.36

cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

95 ACRES IN THE E² SECTION 27, T107N, R48W

comprising a total of 95 acres of land.

Date MAY 22, 1972

Dustin Jones
 (Signature)

WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

June 23, 2008

1340-3

Don Elverud
48149 230th St
Flandreau SD 57028

Dear Mr. Elverud:

Thank you for contacting us regarding the possible sale of your land this coming fall and the need to be able to transfer the water right.

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form for filing an ownership change on Water Right No. 1340-3. Once the sale is final, the new owner should complete and sign the form. Upon completion, the form will need to be returned to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

Thank you again for notifying us of the possible ownership change. If you have any questions, please give me a call.

Sincerely,

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

enclosure

RECEIVED

MAR 30 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1340-3

Date: _____

I/We request that Water Right No. 1340-3

formerly owned by: Donald Elverud

be transferred to: (name & address)

INOR inc
Scott Ramsdell Pres
PO Box 307 Flandreau, SD 57028

Telephone No. 605 997 3704

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

95 acres in the E 1/2 Section 27, T107N, R48W

I/We understand that the validity of Water Right No. 1340-3 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 with the Water Rights Program, as evidence of the change of ownership.

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

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

Scott Ramsdell Pres
(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 3/30, 20 09

RECEIVED OF Scott Ramsdell 47899 SD Hwy 32 Flandreaus SD 57028

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ 1340-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

04700

By

[Signature]
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 30, 2009

1340-3

Scott Ramsdell
INOR Inc
PO Box 307
Flandreau SD 57028 0307

Dear Mr. Ramsdell:

I am writing to acknowledge receipt of the ownership change and filing fee you submitted for transferring Water Right No. 1340-3. The transfer has been completed. The water right formerly held by Donald Elverud is now listed in your name.

Enclosed is your Receipt No. 04100 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 10, 2010

1340-3

Scott Ramsdell
INOR Inc
PO Box 307
Flandreau SD 57028-0307

Dear Mr. Ramsdell:

Thank you for the prompt return of your 2010 irrigation questionnaire.

I noticed on the form that you indicated the system had not been constructed. A review of past questionnaire records indicates that the land was in CRP from 1998 thru 2008. I would guess that the system was removed back when the land went into CRP.

Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

As indicated in the enclosed excerpts, you will not lose your water right while your land is in CRP. Once the land comes out of CRP and again becomes eligible for irrigation, water use is necessary in order to maintain the water right unless legal excuse exists. This may or may not have any bearing on your farming operation but I wanted to let you know ahead of time what the criteria are for maintaining a water right.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 18, 2012

1340-3

Scott Ramsdell
INOR Inc
308 S Veterans St
Flandreau SD 57028 1437

Dear Mr. Ramsdell:

Enclosed is a "Notice" dated October 12, 2012 concerning the 2012 irrigation questionnaire.

The notice was originally mailed to PO Box 307, Flandreau SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures