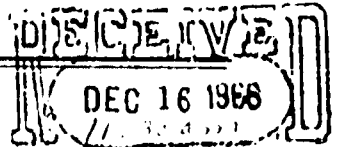


1. Considered Jan 18, 1962
2. Name of Applicant Peter C Meyer
3. Post Office Address Pollock
4. Amount of water claimed 5.74
5. Source of water supply Missouri River
6. Water to be used for IRRIGATION
- Acres to be irrigated 414 11
7. Water to diverted and used in Campbell County
about 6 mi miles of Pollock.
8. Proof of Publication Received L
Not Received _____
9. Application Approved L
Subject to OK
Not Approved _____
Action deferred _____

10. Remarks:

No. 1341-3Water Division No. 3 Missouri River District
(Blanks to be filled by the Engineer for the W. R. C.)STATE 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 PETER C. MEYER
Postoffice address FALLS, S.D., County CAMPBELL State S. DAK.

- I. If a corporation _____ TRANSFERRED TO:
 (a) Name of same _____ Steven McCullough
 (b) Date and place of incorporation _____ RR #2
 (c) Amount of capital stock _____ Oakes ND 58474
 (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 & EMPLOYMENT OF OTHERS
 (b) Cash on hand, \$ AD EQUITATE (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work PETER C. MEYER IRRIGATION PROJECT
 3. Amount of water claimed 5.74 cubic feet per second
 4. Source of water supply CANE RESERVOIR MISSOURI RIVER
 5. Location of point of diversion SEE ATTACHMENT
 _____ on LEFT bank CAMPBELL County.
 6. Annual period or periods during which water is to be used DURING GROWING SEASON
 7. To be used for:

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

(a) Number of acres to be irrigated 75,414.11 acres.(b) Legal subdivisions to be irrigated SEE ATTACHMENT

(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 # 953-3

Location of Land to be Irrigated.

N.E. S.E.	Sec. 6	T 128N	R 79W	21.0 ac.
Lot 4	Sec. 5	T 128N	R 79W	60.11 ac.
Lot 3	Sec. 5	T 128N	R 79W	2.2 ac.
S.W. N.W.	Sec. 5	T 128N	R 79W	40.0 ac.
S.E. N.W.	Sec. 5	T 128N	R 79W	5.0 ac.
N.W. N.W.	Sec. 5	T 128N	R 79W	40.0 ac.
N.E. S.W.	Sec. 5	T 128N	R 79W	13.1 ac.
S.W. S.W.	Sec. 5	T 128N	R 79W	8.5 ac.
S.E. S.W.	Sec. 5	T 128N	R 79W	3.5 ac.
N.W. S.E.	Sec. 5	T 128N	R 79W	34.0 ac.
N.E. S.E.	Sec. 5	T 128N	R 79W	35.6 ac.
S.W. S.E.	Sec. 5	T 128N	R 79W	10.1 ac.
S.E. S.E.	Sec. 5	T 128N	R 79W	23.0 ac.
S.W. S.W.	Sec. 4	T 128N	R 79W	38.0 ac.
N.E. N.E.	Sec. 8	T 128N	R 79W	28.0 ac.
S.E. N.E.	Sec. 8	T 128N	R 79W	12.0 ac.
N.W. N.W.	Sec. 9	T 128N	R 79W	40.0 ac.
TOTAL				414.11 ac.

PUMP STA. No. 1.

FROM N.W. CORNER OF Sec. 5 T 128N R 79W
280 Rds. SOUTH.

PUMP STA. No. 2.

FROM N.E. CORNER OF Sec. 8 T 128N R 79W
20 Rds. West AND 20 Rds. South.

PUMP STA. No. 3.

FROM N.E. CORNER OF Sec. 8 T 128W R 79W.
132 Rds. SOUTH AND 76 Rds. West.

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.)

PUMPING PLANT & Pipeline (Gated & Sprinkler)

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 ----- 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 Valley Pioneer
Valley Pioneer

STATE OF SOUTH DAKOTA

County of Campbell } ss.

I, Peter C. Meyer, 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 Peter C. Meyer

Subscribed and sworn to before me this 5th day of December 1966

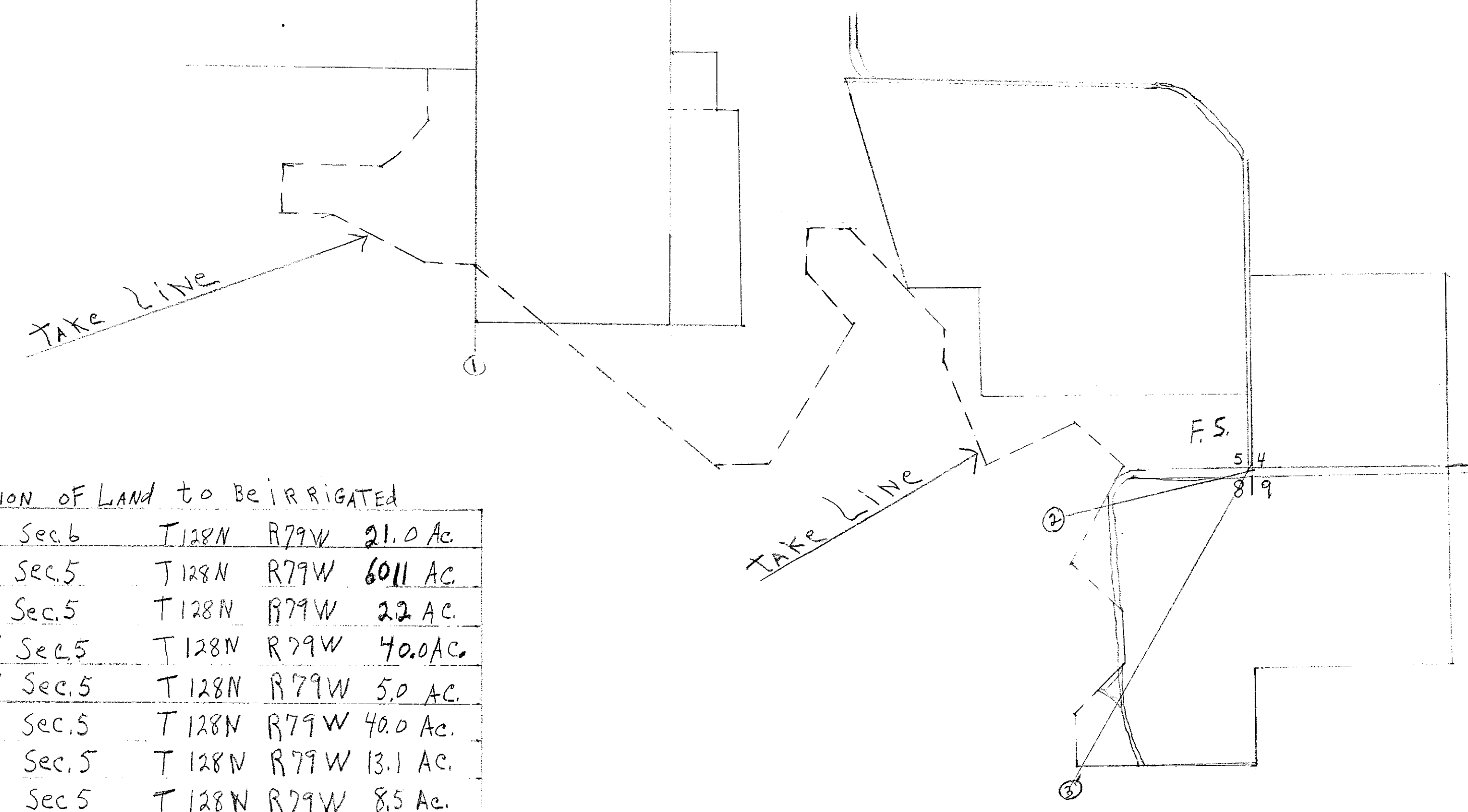
Ray W. Kunder
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device

128 North

North Dakota
South Dakota

65



LOCATION OF LAND to be IRRIGATED

NE SE	Sec 6	T 128 N	R 79 W	21.0 Ac.
Lot 4	Sec 5	T 128 N	R 79 W	60.11 Ac.
Lot 3	Sec 5	T 128 N	R 79 W	22 Ac.
SW NW	Sec 5	T 128 N	R 79 W	40.0 Ac.
Se NW	Sec 5	T 128 N	R 79 W	5.0 Ac.
NW NW	Sec 5	T 128 N	R 79 W	40.0 Ac.
NE SW	Sec 5	T 128 N	R 79 W	13.1 Ac.
SW SW	Sec 5	T 128 N	R 79 W	8.5 Ac.
SE SW	Sec 5	T 128 N	R 79 W	3.5 Ac.
NW SE	Sec 5	T 128 N	R 79 W	34.0 Ac.
NE SE	Sec 5	T 128 N	R 79 W	35.6 Ac.
SW SE	Sec 5	T 128 N	R 79 W	10.1 Ac.
SE SE	Sec 5	T 128 N	R 79 W	23.0 Ac.
SW SW	Sec 4	T 128 N	R 79 W	38.0 Ac.
NE NE	Sec 8	T 128 N	R 79 W	28.0 Ac.
SE NE	Sec 8	T 128 N	R 79 W	12.0 Ac.
NW NW	Sec 9	T 128 N	R 79 W	40.0 Ac.
TOTAL				414.11 Ac.

79 West

PUMP STA. No. 1
FROM NW CORNER OF SEC 5 T 128 N, R 79 W 280 Rds South
PUMP STA. No. 2
FROM NE CORNER OF SEC 8 T 128 N, R 79 W 80 Rds West AND
20 Rds South
PUMP STA. No. 3
FROM NE CORNER OF SEC 8 T 128 W R 79 W
132 Rds. South AND 76 Rds. West

1" = 660'

ALL LANDS OWNED BY Peter C & WILLIAM Meyer

Map # 953-3 (App # 1341-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, January 23, 1967

This is to certify that the foregoing application was received by the Commission at 11:30 o'clock
A.m. upon the 16th day of December, 1966

State Water Resources Commission

By: Richard D. Schreyer
for Chief Engineer, Executive Officer

Number of permit 1341-3

Date of first receipt of application December 16, 1966

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 December 16, 1966

Approved January 18, 1967, Recorded in Book 9 Page 210

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, 1969

2nd. The whole of said work is to be completed on or before January 18, 1972

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 5.74 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
23rd day of January, 1967

Witness my hand this _____ day of _____, 1967

State Water Resources Commission

By: Richard D. Schreyer
Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 8, 1972

Water License Issued MAY 8, 1972

Form 15.

Permit No. 1341-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Peter C. Meyer

_____ the holder _____ of
Permit No. 1341-3, issued upon Application No. 1341-3, bearing date of priority of December 16,
1966 authorizing the diversion of 5.74 cu. ft. per second of the waters of _____
the Missouri River County of Cambridge, State of South Dakota at _____
#1, -from the NW Corner, Sec. 5, T128N, R79W, S. 280 rods, #2-8 rods W. and 20 rods S.,
and #3-123 rods S. and 76 Rods W., both from the NE Corner, Section 8, T128N, R79W.
_____, for irrigation

_____ purposes, has 8 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 4.0 cu. ft. per second of water.

Date May 8, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1341-3

(1) WHEREAS, On the 16th day of December A. D. 19 66
Peter C. Meyer

made Water Right Application No. 1341-3 for a permit to use 5.74 cubic feet per second of the waters of the Missouri River

County of Campbell State of South Dakota, for irrigation

purpose and
 (2) WHEREAS, On the 23rd day of January A. D. 19 67
 Permit No. 1341-3 with a date of priority of December 16, 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 72 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 4.0 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 T126N, R79W

ACRES			ACRES		
Section 4	SW $\frac{1}{4}$ SW $\frac{1}{4}$	38.0	Section 8	NE $\frac{1}{4}$ NE $\frac{1}{4}$	28.0
Section 5	Lot 3	2.2		SE $\frac{1}{4}$ NE $\frac{1}{4}$	12.0
	Lot 4	60.11	Section 9	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0	TOTAL		414.11
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0			
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0			
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	13.1			
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	8.5			
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	3.5			
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	34.0			
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	35.6			
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	10.1			
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	23.0			

(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 Peter C. Meyer

_____ of Pollock, S.D.
the holder _____ and owner _____ of said permit No. 1341-3 a water right, dating from December 16, 1966
_____ to use of 4.0 cubic feet per second of the waters
of the Missouri River

in the County of Campbell and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at #1 - from the NW Corner, Sec. 5, T128N, R79W, S. 280 rods;
#2 - 8 rods E. and 20 rods S., and #3 - 123 rods S. and 76 Rods W., both from the NE Corner,
Section 8, T128N, R79W

and conduct to and upon portions of Sections 4, 5, 8 and 9, T128N, R79W, described on
the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1341-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 8th day of May A. D.
Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.V. GRINES

APPROPRIATION OF WATER

Office of State Water Resources Commission,
Pierre, S. Dak., _____ December 16 _____, 1966.

Section 5; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4; E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 8; and NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 9, all in T128N, R79W

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:

~~CONFIDENTIAL~~
RICHARD D. SCHMOYER
Water Right Specialist

CC: E. L. McKay, Publisher
Pollock Pioneer
Pollock, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County _____

ss.

E. J. MacKay being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the _____

Pollock Democrat a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the

town of Pollock County of

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

Dec. 22, 1966

29

Jan. 5, 1967

12

in each and every issue of the full number thereof, the first publication being made on the 22 day of Dec. 1966, and the last publication on the 12 day of

Jan. 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 owner the printer and publisher of the said newspaper.

E. J. MacKay

Subscribed and sworn to before me this 13 day of January A.D. 1967

HERBERT E. PARROTT, Notary Public
My Commission Expires June 11, 1978

Notary Public Campbell County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission
Pierre, S. Dak., Dec. 16, 1966

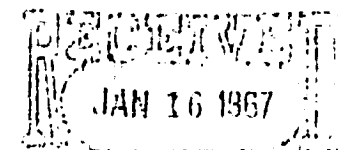
Notice is hereby given that Peter C. Meyer whose postoffice address is Pollock, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 5.72 cubic feet of water per second of time from the Missouri River through the Meyer Irrigation Project No. 1, the point of diversion of which app. to be located on the left bank of said stream in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, and 14 of the NE $\frac{1}{4}$ of Section 9, all in Twp. 128 N, Range 3W. Said water to be used for the purpose of providing irrigation on portions of the following described land: Section 5; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4; E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 8, and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, all in T 128 N, R 79W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th 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. SCHMOYER**
Water Right Specialist



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

DEPARTMENT OF THE ARMY
EASEMENT FOR RIGHT OF WAY
(PIPELINE)

ON OMAHA DAM AND RESERVOIR PROJECT, SOUTH DAKOTA

No. DACW45-2-67-5183

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2669, hereby grants to

Peter C. Meyer
Pollock, South Dakota

hereinafter designated as the grantee, for a period ~~XXXXXX~~ coextensive with State Water Permit
~~XX~~
an easement for a right of way for the installation, operation and maintenance of three (3) portable irrigation water pipelines and portable pump units

over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit "A", entitled Segment 23, Oahe Dam and Reservoir attached hereto and made a part hereof, and described as follows:

No. 1 - A strip of land 33 feet in width in Sections 5 and 6, lying 16½ feet on either side of the following described line; beginning at the Northwest corner of Lot 5 in said Section 5, thence South along the West line of said Section 5 to the shoreline of the reservoir, containing 0.20 acres, more or less.

No. 2 - A strip of land 33 feet in width in Section 8 lying 16½ feet on either side of the following described line; beginning at the Northeast corner of NW¼NE¼NE¼ of said Section 8, thence South 75°00' West to the shoreline of the reservoir, containing 0.15 acres, more or less.

No. 3 - A strip of land 33 feet in width in Section 8 lying 16½ feet on either side of the following described line; beginning at the Northeast corner of the NE¼SE¼NW¼ of said Section 8, thence South 30°00' West to the shoreline of the reservoir, containing 0.10 acres, more or less.

All of the said sites described are in Township 128 North, Range 78 West of the 5th Principal Meridian, Campbell County, South Dakota.

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of one hundred fifty and no/100 dollars - - - - - \$ 150.00)
for the term , payable in advance. Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to the District Engineer, Omaha District, Corps of Engineers, 6012 U. S. Post Office and Courthouse, Omaha, Nebraska 68102.

2. The installation and/or operation and maintenance of said line shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having immediate jurisdiction over the property, hereinafter designated as "said officer", and in such manner as not to endanger personnel or property of the United States on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.

3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.

4. The grantee shall supervise the said line and cause it to be inspected at reasonable intervals, and shall immediately repair any leaks found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said line and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.

5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

6. The United States reserves to itself the right to construct, use, and maintain across, over, and/or under the right of way hereby granted, electric transmission, telephone, telegraph, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right of way herein granted.

7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to government activities, and the grantee shall hold the United States harmless from any and all such claims.

8. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said line.

9. That the grantee shall furnish through said line such service as may be required from time to time for governmental purposes on said land, provided that payment for such service will be made by the United States at rates which shall be mutually agreeable but which shall never exceed the most favorable rates granted by the grantee for similar service.

10. In the event all or any portion of said land occupied by said line shall be needed by the United States, or in the event the existence of said line shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said line and related facilities to such other location or locations on said land as may be designated by said officer, and, in the event said line shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee.

11. This easement may be terminated by the Secretary of the Army upon a reasonable notice to the grantee if the Secretary of the Army shall determine that the right of way hereby granted interferes with the use or disposal of said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for nonuse, or for abandonment.

12. Upon the expiration or termination of this grant, the grantee shall, without expense to the United States, and within such time as the Secretary of the Army may indicate, remove the said line from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said line and so restore the premises, the United States shall have the option either to take over the said line as the property of the United States, without compensation therefor, or to remove the said line and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents, on account of the taking over of said line or on account of its removal.

13. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the heirs, representatives, successors, and assigns of the grantee.

14. That it is understood that this instrument is effective only insofar as the rights of the United States in the said property are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

15. That this easement and right of way is granted for the exercise of established water rights. It is understood and agreed that no right to use water from the reservoir is created by this grant.

16. That the grantee shall not discharge waste or effluent from the granted property in such a manner that such discharge will contaminate streams or other bodies of water or otherwise become a public nuisance.

17. That the irrigation lines and pumps at Sites 2 and 3 shall be placed so as not to interfere with public vehicular access to and from the areas.

18. That the grantee will coordinate the installation of the pump units at Sites 2 and 3 with the Area Engineer.

That Conditions Nos. 15, 16, 17 and 18 were added prior to the execution of this easement.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this 25th
day of May 1967

/s/ Dale Kent
DALE KENT
Chief, Real Estate Division
Omaha District, Corps of Engineers

DEPT. OF THE INTERIOR

SEG. 24

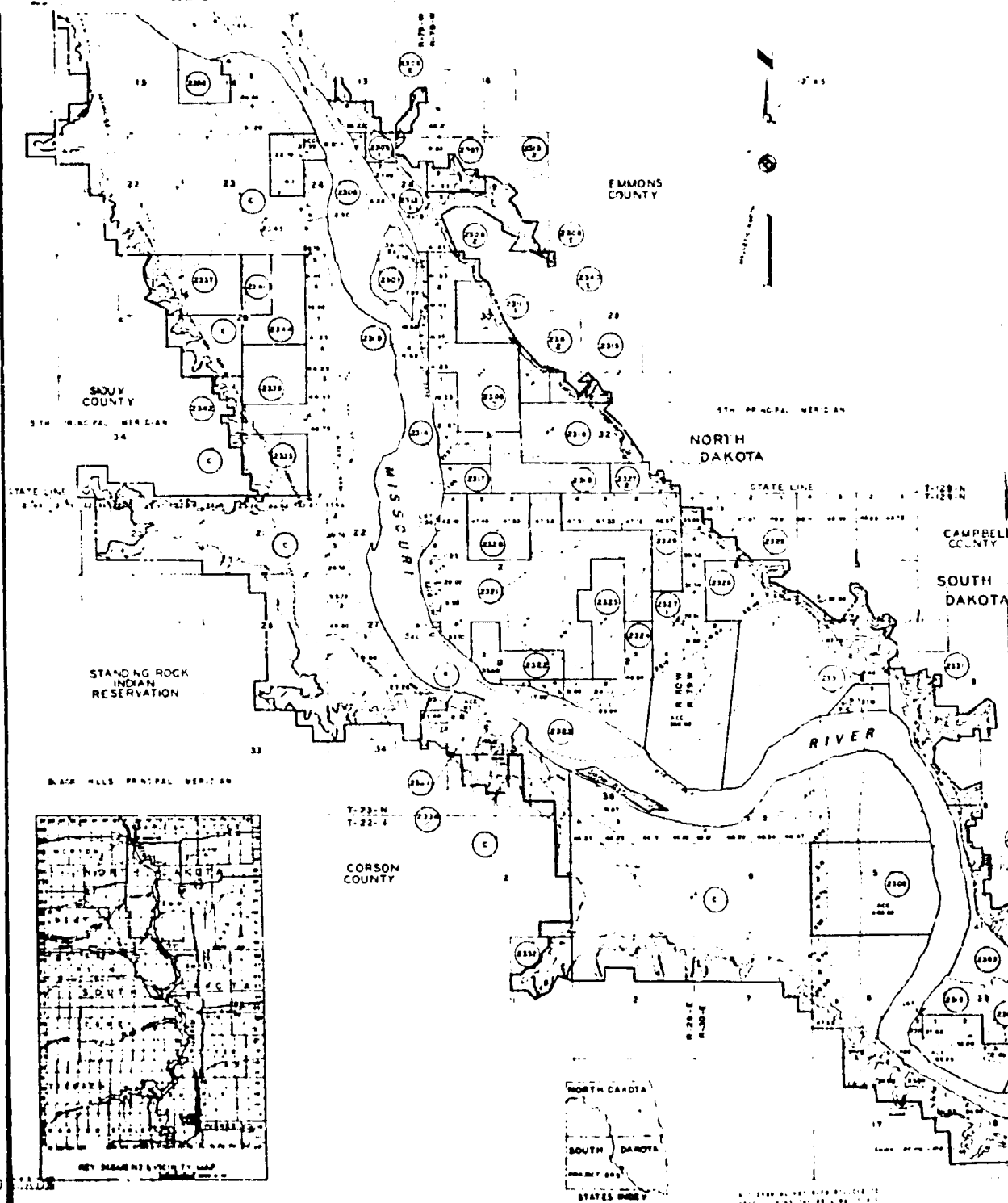


EXHIBIT A ATTACHED TO AND MADE
PART OF DEED NO. 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

December 13, 1966

Nebraska Real Estate Project Office

P. O. Box 870

Lincoln, Nebraska

Dear Sir:

I hereby request an easement for irrigation purpose for three (3) acres of land below "water line" for pumping water from Lake Mead. One (1) in Section 3 and 5; and two (2) in Section 3 of Township 128 N., Range 73 W., Campbell County, South Dakota.

Pumping station #1

S. E. corner of Section 3, Township 128 N., Range 73 W., 246 feet south and "water line."

Pumping station #2

S. E. corner of Section 3, Township 128 N., Range 73 W., 246 feet south and "water line" and 246 feet south and "water line."

Pumping station #3

S. E. corner of Section 3, Township 128 N., Range 73 W., 246 feet south and "water line" and 246 feet south and "water line."

I am enclosing a map of the above described land and a map of the water line.

I am enclosing a map of the above described land and a map of the water line.

I am enclosing a map of the above described land and a map of the water line.

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I am enclosing a map of the above described land and a map of the water line.

Permit No. 1341-3Water Division 3 MISSOURI 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 PETER C. MEYER of POLLACK holder of Permit No. 1341-3, bearing date of priority of DECEMBER 16, 1923 authorizing the diversion of 5.74 cu. ft. per second of the waters of MISSOURI RIVER for IRRIGATION purposes, in CAMPBELL 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:

573 INTERNATIONAL DIESEL MOTOR POWERS
C.M.C. PUMP - 8" INLET - 10" OUTLET

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

1/4 MILE 10" MAINLINE
1/4 MILE 8" MAINLINE

C. Works used to apply water to beneficial use.

10 - 1/4 MILE 4" TOWLINES WITH RAINBIRD #30
SPRINKLER HEADS W/ 1/16" NOZZLES SET AT
30' INTERVALS

The system is in the following condition:

GOOD

The point of diversion is located 1/4 MI FROM THE NW CORNER, SECTION 5, T128N, R79W,
S. 280 RODS. #2 - 8 RODS W & 20 RODS S,
#3, 132 RODS S & 76 RODS W, BOTH FROM THE NE CORNER, SECTION 8, T128N,
R79W

The works are capable of diverting and conveying to the place of use 4.0cu. 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 T128N, R79W

SECTION 4	SECTION 5	SECTION 8
SW ¹ SW ⁴ 38 AC.	LOT 3 2.2 AC	NE ¹ SW ⁴ 12.1 AC.
SECTION 6	LOT 4 60.11 AC.	NE ¹ NE ⁴ 23.0 AC.
NE ¹ SE ⁴ 21 AC.	SW ⁴ NW ⁴ 40.0 AC.	SE ¹ NE ⁴ 12.0 AC.
SECTION 9	SE ¹ UW ⁴ 5.0 "	SW ⁴ SW ⁴ 8.5 AC.
NW ⁴ NW ⁴ 40 AC.	NW ⁴ UW ⁴ 40.0 AC	NW ¹ SE ⁴ 34.0 AC.
		NE ¹ SE ⁴ 25.6 AC.
		SW ¹ SE ⁴ 10.1 AC.
		SE ¹ SE ⁴ 23.0 AC.

comprising a total of 414.11 acres of land.

Date APRIL 26, 1972
Durton Jones
(Signature)
WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8680

PIERRE, _____, 19__22

RECEIVED OF Steven McCullough, RR#2, Oakes, ND 58454

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

Fee for Application for Permit to appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. _____		
Fee for inspecting Beneficial Use, and issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing <u>Transfer of WR # 1341-3</u>	2	50
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By J. H. H. H. H.
Chief Engineer, Executive Officer
JOHN HATHORN

NO. 1341-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

414.11 acres - SW 1/4 SW 1/4 Section 4, Lots 3 & 4, S 1/2 NW 1/4, NW 1/4 NW 1/4,
NE 1/4, SW 1/4, S 1/2 SW 1/4, SE 1/4, Section 5, E 1/2 NE 1/4, Section 8, NW 1/4 NW 1/4
Section 9, T128N, R79W
formerly owned by Peter C. Meyer

has been transferred to Steven McCullough ^{CANCELLED 5-8-1974} ~~Pollock SD 57648~~

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1341-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

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

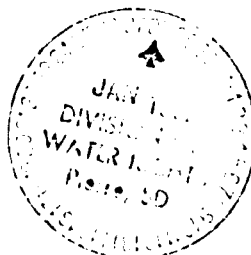
STATE OF SOUTH DAKOTA)
County of Campbell) ss.

I, Steven McCullough 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.

Steven McCullough
(Signed)

Subscribed and sworn to before me this 21 Day of January, 1984.

Shirley V. P.
(Notary Public)



WHR-37-1-7/73

Notice of Transfer of Water Permit

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

No. 1341-3

Division of Water Rights
605 775-3352

February 27, 1987

Peter C. Hoyer
P.O. Box 665
Pollock, South Dakota 57648

Dear Mr. Hoyer:

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 a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/

Enc.

The enclosed 1986 irrigation questionnaire should be completed and returned to our office. Mr. McCullough has not returned the questionnaire yet.

DWIR-82CA-8/83

 **Department of
Water & Natural Resources**

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

March 11, 1987

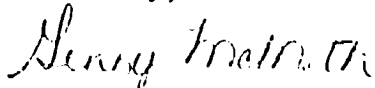
Dallas Moon
Corps of Engineers
Pierre Real Estate Project Office
PO Box 670
Pierre, SD 57501

Dear Mr. Moon:

Mr. Peter C Meyer has filed a "Notice of Transfer" for Water Right No. 1341-3 with our office. As you requested, enclosed is a copy of the transfer.

The water right records are now listed under Mr. Meyer's name. If you have any questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl

N.O. 1341-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 3-4-87

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

414.11 acres - SW 1/4 SW 1/4 Section 4, Lots 3 & 4, S 1/2 NW 1/4, NW 1/4 NW 1/4,
NE 1/4, SW 1/4, S 1/2 SW 1/4, SE 1/4, Section 5, E 1/2 NE 1/4, Section 8, NW 1/4 NW 1/4
formerly owned by Steven McCullough

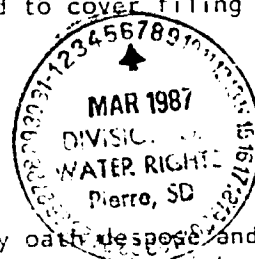
has been transferred to Feter C. Meyer, P.O. Box 665, Pollock, SD 57648
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 1341-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit"
in its appropriate file at the Div. of Water Rights, Water Management Board as
evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of Campbell) ss.

I, Feter C. Meyer 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 infor-
mation herein stated is true.



Feter C. Meyer
(Signed)

Subscribed and sworn to before me this 5 Day of March, 1987.

Annetta Fetterley
(Notary Public)

ANNETTA FETTERLEY, Notary Public
CAMPBELL COUNTY, SD
My Commission Expires 7-20-93

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, March 6, 1957

RECEIVED OF Peter C. Meyer, P.O. Box 665, Pollock, SD 57048

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 _____		
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>1341-3</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	2 50

By John Hatch
Chief Engineer JOHN HATCH (S)

No. 1341-3

 **Department of
Water & Natural Resources**

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

March 18, 1987

Peter C. Meyer
P.O. Box 665
Pollock, South Dakota 57648

Dear Mr. Meyer:

Enclosed is receipt No. 410764 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1341-3.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right

L
100

 **Department of
Water & Natural Resources**

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

November 2, 1987

1341-3

Dan Kamphuis
HC 01 Box 34
Pollock, SD 57648

Dear Mr. Kamphuis:

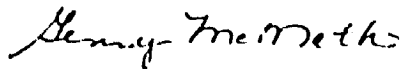
Mr. Peter C Meyer of Pollock, notified our office that you now own the land covered under Water Right No. 1341-3.

In order for the water right to be changed over to your name, it will be necessary for you to file a "Notice of Transfer" with our office. Enclosed is a partially completed transfer form. Please check over the form, sign and have it notarized. Upon completion of the form, return it to our office with a required filing fee of \$2.50.

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

If you have any questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure

NOTICE OF TRANSFER OF WATER



NO. 1341-3

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Nov 30, 1987

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

414.11 acres - SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, Lots 3 & 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,
and SE $\frac{1}{4}$ Section 5, E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9, all in T128N, R79W

formerly owned by Peter C. Meyer, Pollock SD

has been transferred to DANIEL J. KAMPHUIS HC01 Box 34 Pollock SD
(please include complete mailing address) 57648
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1341-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

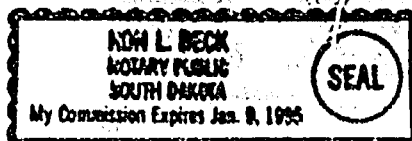
STATE OF SOUTH DAKOTA)
County of _____) ss.

I, DANIEL J. KAMPHUIS 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.

Daniel J. Kamps
(Signed)

Subscribed and sworn to before me this 30th Day of November, 1987.

Ron L. Beck
(Notary Public)



1341-3

WATER RIGHTS DIVISION
(605) 773-3352

December 1, 1987

Daniel J. Kamphuis
HC 01, Box 34
Pollock, South Dakota 57648

Dear Mr. Kamphuis:

I am contacting you in regard to the "Notice of Transfer" you submitted for changing ownership of Water Right No. 1341-3. The form was completed properly; however, a \$2.50 filing fee is required before the transfer can be filed.

Please remit the \$2.50 fee as soon as possible. Upon receipt of the filing fee, Water Right No. 1341-3 will be transferred from Peter C. Meyer to your name.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms

No. 1341-3



**Department of
Water & Natural Resources**

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

December 10, 1967

Daniel J. Kamphuis
HCO 1, Box 34
Pollock, South Dakota 57648

Dear Mr. Kamphuis:

Enclosed is receipt No. 411084 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1341-3.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/

WNR-821-7, 79
Receipt & Notice of filing of Transfer of Water Right

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, December 6, 1987

RECEIVED OF Daniel J. Kamphuis, HCO 1, Box 34, Pollock, SD 57648

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 _____

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 1341-3 _____

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

2 50

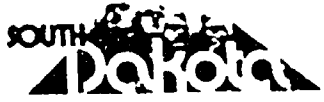
2 50

By

Chief Engineer

JOHN HATCH

(FIS)



Department of Water & Natural Resources

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

February 9, 1990

DANIEL J KAMPHUIS
HC 01 BOX 34
POLLOCK, SD 57648

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1341-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire 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 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LeCrosse, Rapid City SD.

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). 1341-3 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.

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

March 2, 1990

1341-3

Daniel Kamphuis
1418 Coronado
Bismarck ND 58504

Dear Mr. Mr. Kamphuis:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 1341-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall /KS

RON DUVALL
Natural Resources Engineer
Water Rights Division



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

DANIEL J KAMPHUIS
1766 ENSENADA T
PENSACOLA BEACH FL 32561

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1341-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

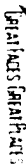
1. Amend Permit No(s) 1341-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, your name will be deleted from the Board agenda.

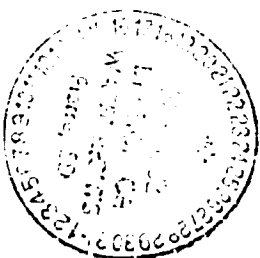
Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



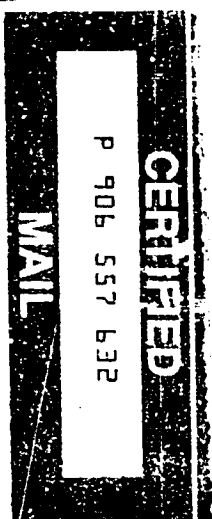
JOE FOSS BUILDING

523 EAST CAPITOL
PIERRE SOUTHBAKOTA 57501-3181



~~DANIEL J KAMPHUIS
1766 ENSENADA T
PENSACOLA BEACH, FL 32561~~

1341-3



NAME	1st NO.	2nd NO.	3rd NO.
1-23	2-24	3-25	4-26
5-27	6-28	7-29	8-30
9-31	10-32	11-33	12-34
13-35	14-36	15-37	16-38
17-39	18-40	19-41	20-42
21-43	22-44	23-45	24-46
25-47	26-48	27-49	28-50
29-51	30-52	31-53	32-54
33-55	34-56	35-57	36-58
37-59	38-60	39-61	40-62
41-63	42-64	43-65	44-66
45-67	46-68	47-69	48-70
49-71	50-72	51-73	52-74
53-75	54-76	55-77	56-78
57-79	58-80	59-81	60-82
61-83	62-84	63-85	64-86
65-87	66-88	67-89	68-90
69-91	70-92	71-93	72-94
73-95	74-96	75-97	76-98
77-99	78-100	79-101	80-102
81-103	82-104	83-105	84-106
85-107	86-108	87-109	88-110
89-111	90-112	91-113	92-114
93-115	94-116	95-117	96-118
97-119	98-120	99-121	100-122
101-123	102-124	103-125	104-126
105-127	106-128	107-129	108-130
109-131	110-132	111-133	112-134
113-135	114-136	115-137	116-138
117-139	118-140	119-141	120-142
121-143	122-144	123-145	124-146
125-147	126-148	127-149	128-150
129-151	130-152	131-153	132-154
133-155	134-156	135-157	136-158
137-159	138-160	139-161	140-162
141-163	142-164	143-165	144-166
145-167	146-168	147-169	148-170
149-171	150-172	151-173	152-174
153-175	154-176	155-177	156-178
157-179	158-180	159-181	160-182
161-183	162-184	163-185	164-186
165-187	166-188	167-189	168-190
169-191	170-192	171-193	172-194
173-195	174-196	175-197	176-198
177-199	178-200	179-201	180-202
181-203	182-204	183-205	184-206
185-207	186-208	187-209	188-210
189-211	190-212	191-213	192-214
193-215	194-216	195-217	196-218
197-219	198-220	199-221	200-222
201-223	202-224	203-225	204-226
205-227	206-228	207-229	208-230
209-231	210-232	211-233	212-234
213-235	214-236	215-237	216-238
217-239	218-240	219-241	220-242
221-243	222-244	223-245	224-246
225-247	226-248	227-249	228-250
229-251	230-252	231-253	232-254
233-255	234-256	235-257	236-258
237-259	238-260	239-261	240-262
241-263	242-264	243-265	244-266
245-267	246-268	247-269	248-270
249-271	250-272	251-273	252-274
253-275	254-276	255-277	256-278
257-279	258-280	259-281	260-282
261-283	262-284	263-285	264-286
265-287	266-288	267-289	268-290
269-291	270-292	271-293	272-294
273-295	274-296	275-297	276-298
277-299	278-300	279-301	280-302
281-303	282-304	283-305	284-306
285-307	286-308	287-	

[illegible]

Is your RETURN ADDRESS
completed on the reverse side?

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

3. Article Addressed to:

DANIEL J KAMPHUIS
1766 EISENHADA T
PENSACOLA BEACH, FL 32561

5. Signature (Addressee)

6. Signature (Agent)

- I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

4a. Article Number

1916 557632

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

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

PS Form 3811, November 1990 U.S. GPO: 1991-297-066

DOMESTIC RETURN RECEIPT

Thank you for using
Return Receipt Service.

CERTIFICATION

I hereby certify that on February 24, 1992 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Unclaimed Certified Mail, along with a copy of the previous Notice addressed as stated below:

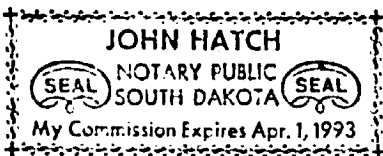
Daniel J. Kamphuis, 1766 Ensenada Tres, Pensacola Beach, FL 32561.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

Sworn to, before me, this 25th day of February, 1992.



John Hatch
Notary Public



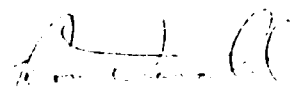
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 24, 1992

1341-3

NOTICE

TO: Daniel J Kamphuis, 1766 Ensenada Tres, Pensacola Beach,
FL, 32561

FROM: Ron Duvall, Natural Resources Engineer 
for JOHN HATCH, Chief Engineer
Water Rights Division

SUBJECT: Unclaimed Certified Mail

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you January 29 and February 5, 1992 to pick up and sign for the certified mail.

If you have any questions, please contact Genny McMath, (605) 773-3352.

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 1992

NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: DANIEL J KAMPHUIS
8513 KEISER SE
ALTO, MI 49302-9728

FROM: Pon Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352 *Pon Duvall*

SUBJECT: Amendment to Water Permit No(s). 1341-3

Pursuant to the provisions of the Notice dated January 27, 1992, and following the hearing March 4, 1992, the Water Management Board has amended Water Permit No(s). 1341-3 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 future irrigation questionnaires could result in suspension of the water permit and no use of water for up to one year for the first violation.

1341-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: DANIEL J KAMPHUIS
8513 KEISER SE
ALTO MI 493029728

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 1341-3

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1341-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1341-3 qualification:

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

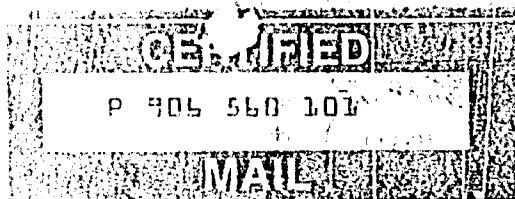
The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1341-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Butler
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES



(1341-3)

~~DANIEL J KAMPHUIS
8513 KEISER SE
ALTO MI 493029728~~

Name _____
1st Notice 2-2 ✓
2nd Notice 2-7 ✓
Return 2-17 ✓

*Del attempted
2-2-93*





1341-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 22, 1993

1341-3

NOTICE

TO: Daniel J Kamphuis, 8513 Keiser SE, Alto, MI
49302-9728

FROM: Ron Duvall, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

SUBJECT: Violation of Water Permit No. 1341-3

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you February 2 and February 7, 1993 to pick up and sign for the certified mail.

If you have any questions, please contact Genny McMath, (605) 773-3352.

enclosure



1341-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 1993

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: DANIEL J KAMPHUIS
8513 KEISER SE
ALTO MI 493029728

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352 *Ron Duvall*

SUBJECT: One Year Suspension of Water Permit No. 1341-3

Pursuant to the provisions of the notices dated January 29, 1993, and following the hearing of March 3, 1993, the Water Management Board has ordered:

That Water Permit No. 1341-3 be SUSPENDED until December 31, 1993. Suspension of the permit does not excuse the permit owner from the requirement to submit the 1992 irrigation questionnaire.

Suspension of a permit means water may not be pumped during the 1993 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension(s), you will need to submit a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 5-6, 1993 in Pierre. The letter should include your reasons for not completing the irrigation questionnaire prior to the March Board meeting.

John H. Kato
Notary Public

1341-3

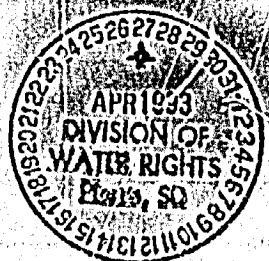
On the behave of Dan Kampheis
I would like to say I am sincerely
sorry for the inconvenience I would
really appreciate if we could work something
out to get the permit reinstated.

Sincerely yours

Lee B. VanderVoort

R.R. 2 Box 43

Tinton NH 52552





1341-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

April 28, 1993

NOTICE

TO: Daniel J Kamphuis, 8513 Keiser SE, Alto, MI 49302-9728
Lee B Vander Vorste, RR #2 Box 93, Linton, ND 58552-9702

FROM: Eric Gronlund, Natural Resources Engineer III
Water Rights Division *Eric Gronlund*
(605) 773-3352

SUBJECT: Notice of Hearing to Consider Request for Reconsideration
of Suspended Water Right No. 1341-3

The hearing on the April 27, 1993, request submitted by Lee Vander Vorste, to the Water Management Board to reconsider suspension of Water Right No. 1341-3 has been scheduled for 9:00 am, May 5, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD.

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.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permit, defer action or take no action. The hearing is an adversary proceeding and any party 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 at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

Prior to April 26, 1993, contact the Water Rights Division by writing to 523 E Capitol, Pierre, SD 57501-3181 or calling (605) 773-3352 to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

c: Diane Best, Assistant Attorney General

1341-3

CERTIFICATION

I hereby certify that on April 28, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated April 28, 1993, regarding Notice of Hearing to Consider Request for Reconsideration of Suspended Water Right No. 1341-3 addressed as stated below:

Daniel J. Kamphuis, 8513 Keiser SE, Alto, MI 49302-9728.

Lee B. Vander Vorste, RR 2, Box 93, Linton, ND 58552-9702.

Copy of "Notice" and a letter Lee B. Vander Vorste submitted to our office was sent Inter-office to:

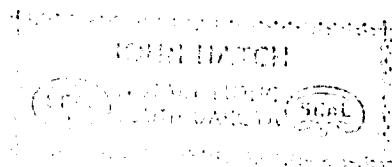
Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

Sworn to, before me, this 3rd day of May, 1993.



John Hatch
Notary Public
JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001

1341-3

Daniel Kamphuis
Water Right No. 1341-3

GENERAL

Application submitted by: Peter C Meyer
Pollock, SD

Water License issued: May 8, 1972

Water Right transferred 12-1-87 to Daniel J Kamphuis
(current address) 8513 Keiser SE
Alto, MI 49302-9728

Water Right AMENDED March 4, 1992 to include the Irrigation Questionnaire Qualification due to violation of the requirement to submit the 1991 irrigation questionnaire.

FIVE YEAR HISTORY OF IRRIGATION QUESTIONNAIRE RETURNS

Year	<u>Date Request Mailed</u>	<u>Date Irrigation Ques. Returned</u>	<u>Date of any Board Action</u>
1988	October, 1988	November 15, 1988	none
1989	October, 1989	February 27, 1990	none
1990	October, 1990	November 9, 1990	none
1991	October, 1991	March 26, 1992	March 4, 1992
1992	October, 1992	April 27, 1993	March 3, 1993

PAST VIOLATION:

1. 1992 Irrigation Questionnaire Violation

January 29, 1993, Mr. Kamphuis was sent a "Notice of Violation" for nonreturn of his 1992 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held March 3, 1993. The "Notice" was sent Certified Mail, Return-Receipt Requested.

February 22, 1993, the "Notice" dated January 29, 1993 was returned by the Post Office marked "Unclaimed".

February 22, 1993, the "Notice" was resent to Mr. Kamphuis by regular first class mail. The secretary certified the mailing.

March 2, 1993, the Water Management Board SUSPENDED Water Right No. 1341-3 until December 31, 1993.

March 9, 1993, Mr. Kamphuis was notified of the Board action to suspend his permit for one year.

April 27, 1993, Lee B Vander Vorste, Manager for Mr. Kamphuis, stopped in the office and submitted a letter requesting to appear before the Water Management Board.



1341-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 10, 1993

NOTICE

TO: Daniel J Kamphuis, 8513 Keiser SE, Alto, MI 49302-9728
Lee B Vander Vorste, RR #2 Box 93, Linton, ND 58552-9702

FROM: JOHN HATCH, Chief Engineer *John Hatch*
Water Rights Division
(605) 773-3352

SUBJECT: Reinstatement of Water Right No. 1341-3

Pursuant to your letter of April 27, 1993, and following a hearing by the Water Management Board May 5, 1993, the Board rescinded the March 3rd motion to suspend Water Right No. 1341-3. This action reinstated Water Right No. 1341-3, effective immediately.

The Water Management Board took into consideration that the irrigation questionnaire was now on file in the Division office and that this was your first violation. The attendance at the hearing by Lee Vander Vorste, to explain the circumstances involving the delay in returning the questionnaire assisted the Board in making a decision.

The Board's motion to rescind the suspension of your water permit for the 1993 irrigation season included a statement that "failure to submit future required irrigation questionnaires will result in a one year suspension or possible cancellation of the permit without reinstatement."

Violations of any qualifications on irrigation permits and subsequent Board action become part of the permanent record. This notice will be placed in Water Right No. 1341-3 and failure to submit future irrigation questionnaires will result in past violations being reviewed by the Water Management Board.

c: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on May 10, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated May 10, 1993, regarding Reinstatement of Water Right No. 1341-3 addressed as stated below:

Daniel J. Kamphuis, 8513 Keiber SE, Alton, MI 49302-9728.

Lee B. VanderVorste, RR 2, Box 93, Linton, ND 58552-9702.

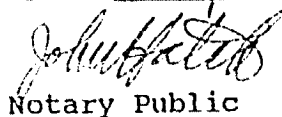
Copy Sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 11th day of May, 1993.



JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



1341-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 10, 1994

No. 1341-3

Ben Collins
P.O. Box 419
Williston, ND 58801-0419

Dear Mr. Collins:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1341-3. The water right is currently listed in the name of Daniel J. Kamphuis.

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

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

If you have any questions, please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1341-3

Date: 5/12/94

I/We request that Water Right No. 1341-3

formerly owned by: Daniel J Kamphuis

be transferred to: (name & address) BEN E. COLLINS P.O. Box 419
WILLISTON N DAK (Telephone No) 701-572-0160

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

414.11 acres - SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 4; Lots 3 & 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec 5; E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 8;
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 9, T128N, R79W

I/We understand that the validity of Water Right No. 1341-3 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.

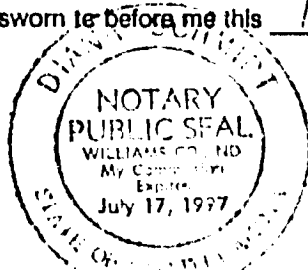
STATE OF SOUTH DAKOTA)

County of CAMPBELL)

I/We BEN E. COLLINS 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.

Ben E. Collins
(Signed)

Subscribed and sworn to before me this 12 day of May, 1994.



Anna Anderson
(Notary Public)

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

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

RECEIPT

Division of Water Rights

414173

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 16, 19 94

RECEIVED OF ~~RETA~~ Vi Collins, PO Box 419, Williston, ND 58802-0419

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 _____ Water Right No. 1341-3	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Blatnik
Chief Engineer



1341-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 18, 1994

No. 1341-3

Ben E. Collins
P.O. Box 419
Williston, ND 58802-0419

Dear Mr. Collins:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1341-3.

Our records now show you as the owner of Water Right No. 1341-3.

Sincerely,

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

enclosure

1341-3
Bm

1997 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
PLEASE FILL OUT AND RETURN BEFORE DECEMBER 1, 1997

1341-3
BEN E COLLINS
PO BOX 419
WILLISTON ND 58802-0419

CHANGES TO ADDRESS LABEL, IF ANY:

Telephone No. (701) 572-0160

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

HAS SYSTEM BEEN CONSTRUCTED? ☒ YES ☒ NO

DID YOU IRRIGATE IN 1997? YES ☐ NO ☐ IF YES, NUMBER OF ACRES IRRIGATED 380

SOURCE OF WATER LAKE DAKOTA

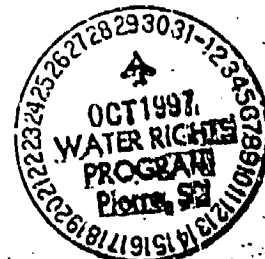
DID YOU CHEMIGATE IN 1997? YES ☒ NO ☒

TYPE OF SYSTEM (CHECK ALL THAT APPLY):

CENTER PIVOTS ☒ TOWNLINES ☐ BIG GUN ☐

FLOOD ☐ SPRINKLERS ☐ OTHER ☐

COMMENT SECTION:



THE PORTION OF THE FORM FOR REPORTING ACRES IRRIGATED IS ON THE BACK OF THIS PAGE. LISTED BELOW ARE TWO EXAMPLES OF HOW TO COMPLETE THE FORM:

EXAMPLE 1: IN JUNE & JULY, 130 ACRES WERE IRRIGATED USING A PIVOT SYSTEM (70 ACRES OF CORN & 60 ACRES OF ALFALFA). THE PUMP RATE OF THE PIVOT IS 800 GALLONS PER MINUTE AND YOU PUMPED 8 DAYS (@ 24 HOURS PER DAY) ON THE CORN AND 22 DAYS ON THE ALFALFA.

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: IN JUNE, 40 ACRES OF ALFALFA WERE IRRIGATED (USING GATED PIPE @ 3000 GPM) FOR 5 DAYS - 24 HOURS PER DAY; 60 ACRES OF BEANS WERE IRRIGATED (USING BIG GUN @ 380 GPM) FOR 10 DAYS AT 24 HOURS PER DAY.

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

PLEASE SPECIFY IF ACTUAL IRRIGATION HOURS OR KILOWATT HOURS ARE BEING REPORTED. FOR KILOWATT HOURS, INCLUDE DEPTH TO WATER & SYSTEM PRESSURE IN COMMENT SECTION.

MONTH IRRIGATED	CROP TYPE	ACRES IRRIGATED	PUMP RATE/GPM	DAYS PER MONTH	AVE/HRS PER DAY
-----------------	-----------	-----------------	---------------	----------------	-----------------

MARCH	CORN & ALFALFA	390	1600	25	22
APRIL	CORN & ALFALFA	380	1600	25	22
MAY	CORN & ALFALFA	380	1600	25	22
JUNE	CORN & ALFALFA	380	1600	25	22
JULY	CORN & ALFALFA	380	1600	25	22
AUGUST	CORN & ALFALFA	380	1600	25	22
SEPTEMBER	CORN & ALFALFA	380	1600	25	22
OCTOBER	CORN & ALFALFA	380	1600	25	22

IF MORE ROOM IS NEEDED, PLEASE INCLUDE THE INFORMATION ON A BLANK SHEET OF PAPER
162 acft each month

1341-3

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Dennis with NRCS in Campbell County

DATE: November 19, 1997

TELEPHONE: 605 955-3514

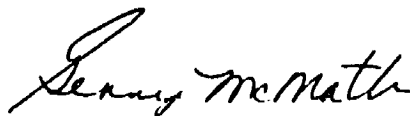
RE: irrigation practices in Campbell County

COMMENTS:

The 1997 irrigation questionnaire returned by Ben Collins for Water Right No. 1341-3 reflected irrigation of 390 acres from March thru October (25 days per month @ 22 hours per day).

I contacted the NRCS to find out if this was possible. Dennis stated that in his opinion it could not have happened. In their area, they received approximately 100 inches of snow last winter. Much of the snow was still on the ground in March and April which would have prevented crops from being planted. The extremely cold temperatures would also have prevented water from being pumped through pivot systems

I inquired about the time frame that irrigators in that area would normally plant corn. He stated usually between May 10-15. This would be dependent on the temperatures and the ability to get into the fields. He also stated that corn may be irrigated through August and could possibly be irrigated the first part of September, but typically it is not necessary after the first part of September. The corn needs to be let dry to prepare for harvesting.



Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-5381

January 6, 1998

1341-3

Ben Collins
PO Box 419
Williston, ND 58802-0419

Dear Mr. Collins:

I am writing in regard to your 1997 irrigation questionnaire. The prompt return of your questionnaire was appreciated, however the information contained in the report can not be accurate.

On the form, you stated that 390 acres of corn and alfalfa were irrigated 25 days a month at 22 hours per day from March through October. During a drought, putting this amount of water on 390 acres would be understandable. However, during the winter of 1996-1997, record amounts of snowfall occurred over most of South Dakota. According to the Natural Resource Conservation Service in Campbell County, snowfall was approximately 100 inches for the season. Much of this snow was still on the ground during March and April of 1997. The very cold temperatures would not have allowed irrigation during March and the first part of April and planting of crops would have been delayed until the first part of May. Irrigation of corn from about the middle of September thru October is also unusual. Corn is typically let dry to prepare for harvesting.

The information contained in the irrigation questionnaires submitted by irrigators is important for management of the state water resources. The 1997 irrigation questionnaire you submitted is part of your permanent water right records. If you would like to review the form or submit an updated form, please contact Genny McMath with our office at (605) 773-3352.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 1998

1341-3

Ben Collins
PO Box 419
Williston, ND 58802-0419

Dear Mr. Collins:

Enclosed, as you requested, is a corrected copy of the information you submitted for your 1997 irrigation questionnaire.

On January 12, 1998, you contacted our office and indicated the irrigation information for the months of March and October, 1997 could be deleted from the questionnaire. I have made the corrections by lining out the data and typing a notation as to why the information was being crossed off.

Thank you for getting in touch with me to update your questionnaire. If I can answer any questions for you, please contact me.

Sincerely,

A handwritten signature in cursive script, reading 'Genny McMath'.

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



January 22, 1999

1341-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

NOTICE

TO: BEN E COLLINS, PO BOX 419, WILLISTON, ND 58802 0419

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1341-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1341-3 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1341-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action, or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

In your RETURN ADDRESS, completed on the reverse side?

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BEN E COLLINS
PO BOX 419
WILLISTON ND 58802 0419

4a. Article Number

7 119 141 544

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery FEB 9 1999

5. Received By: (Print Name)

JOEL COLLINS

6. Signature (Addressee or Agent)

X *[Signature]*

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

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 18, 1999

1341-3

Tom & Marjorie Gunderson
4150 149th NW
Bismarck, ND 58501

Dear Mr. & Mrs. Gunderson

I am contacting you in regard to Water Right No. 1341-3, currently listed in the name of Ben Collins. Mr. Collins notified us on February 11th that he had sold his land to you.

Today, I spoke with Allen Reiersen concerning the water right. He indicated that he rents the land from you. I am forwarding a 1998 irrigation questionnaire to Mr. Reiersen to fill out. He indicated he had the information necessary to complete the form.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right No. 1340-3. Please review the form and complete as needed. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50.

Thank you in advance for your help and also for having Mr. Reiersen call me concerning the water right. If you have any questions concerning the water right or with completion of the transfer form, please get in touch with me.

Sincerely,

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

encl



1341-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: ALLEN REIERSON, RENTER, PO BOX 424, POLLOCK, SD 57648 0424
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 1341-3, 2219A-3 and 2766-3. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No. 2766-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit Nos. 1341-3 & 2219A-3 qualification:

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

The hearing will be held at 10:00 am, March 7, 2001 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-4, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit Nos. 1341-3 & 2219A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No. 2766-3 to require the Irrigation Water Use Questionnaire to be submitted each year.
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on or before March 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

c: TOM & MARJORIE GUNDERSON, 4150 149TH NW, BISMARCK, ND 58501

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 1, 2001

1341-3
2219A-3
2766-3

Allen Reiersen
PO Box 424
Pollock, SD 57648-0424

Dear Mr. Reiersen:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 1341-3, 2219A-3 and 2766-3.

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

If you have any questions, please contact me.

Sincerely,

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

c: Tom & Marjorie Gunderson



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 18, 2002

1341-3

Tom & Marjorie Gunderson
1213 E Coulee Rd
Bismarck ND 58501

Dear Mr. & Mrs. Gunderson:

Thank you for taking the time to visit with me about Water Right No. 1341-3, listed in the name of Ben Collins. Enclosed is a copy of the water right.

In order to change the ownership of the water right, you will need to file a Notice of Transfer of Ownership form with us. Enclosed is a partially completed form. Please review and complete as needed. Upon completion, please sign the form and return it 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.

Also enclosed is the 2002 irrigation questionnaire pertaining to Water Right No. 1341-3. This will need to be completed and returned prior to December 2nd.

Thank you in advance for your help. If I can answer any questions for you, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1341-3

Date: _____

I/We request that Water Right No. 1341-3

formerly owned by: Ben E Collins

be transferred to: (name & address) Tom & Marjorie Gunderson, 1213 E Coulee Rd, Bismarck, ND 58501

Telephone No. _____

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

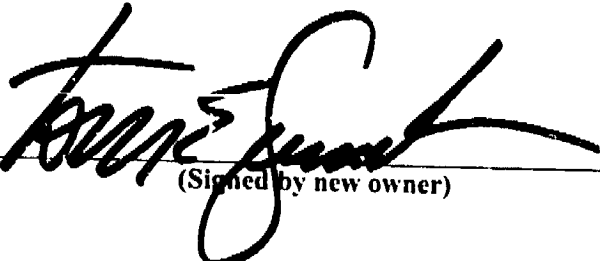
414.11 acres - S 7/4 SW 1/4 Section 4, Lots 3 & 4, S 1/2 NW 1/4, NW 1/4 NW 1/4, SW 1/4, SE 1/4 Section 5,
E 1/2 NE 1/4 Section 8 and NW 1/4 NW 1/4 Section 9, T128N, R79W

I/We understand that the validity of Water Right No. 1341-3 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 Tom Gunderson the new owner, certify that the above information is true and correct.


(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 OCTOBER 28, 20 07

RECEIVED OF Dakota Classic Beef PO Box 5001 Mandan ND 58554

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 <u>1341-2</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	2.50

No.

000231

By Darla L. Ebel
Chief Engineer *g?iw*



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 29, 2002

1341-3

Tom & Marjorie Gunderson
1213 E Coulee Rd
Bismarck ND 58501

Dear Mr. & Mrs. Gunderson:

Thank you for sending in the ownership change for Water Right No. 1341-3. The transfer has been completed. The water right, formerly held by Ben Collins, is now listed in your names.

Enclosed is your Receipt No. 000331 in the amount of \$2.50 which you paid for filing the ownership change.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure



1341-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 4, 2004

1341-3
2219A-3
2766-3

Tom & Marjorie Gunderson
1401 Bayview Ct
Bismarck ND 58504-7087

Dear Mr. & Mrs. Gunderson:

Enclosed is a "Notice" dated October 22, 2004 concerning your 2004 irrigation questionnaires. The notice was originally mailed to 1213 E Coulee Rd, Bismarck, ND. 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
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

McMath, Genny

From: Erbele, Garland
Sent: Monday, November 29, 2004 8:55 AM
To: McMath, Genny
Subject: FW: Water Rights

Genny, would you work with this couple on getting their water rights transferred. Also check on additional water rights. Thanks.

-----Original Message-----

From: TGunder100@aol.com [mailto:TGunder100@aol.com]
Sent: Wednesday, November 24, 2004 7:23 AM
To: garland.erbele@state.sd.us
Subject: Water Rights

We are in the process of selling some of my properties in Campbell County, SD and wish to transfer some of my water rights to Sherwin Schwab, 13939 376th Av, Mina, SD (605-225-4483). We wish to keep Water Right No. 1341-3 and transfer No. 2766-3 and No. 2219A-3 to Sherwin Schwab. What are the procedures? Do we have any other Water Rights Permits in Campbell County?

Tom and Marjorie Gunderson

1401 Bayview Court
Bismarck, ND 58504
701-250-3202 Work
701-222-2333 Home
701-226-1902 Cell



January 4, 2005

1341-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

1341-3
2219A-3
2766-3

Tom & Marjorie Gunderson
1401 Bayview Ct
Bismarck ND 58504-7087

Dear Mr. & Mrs. Gunderson:

I am writing in regard to your water rights and to the 2004 irrigation questionnaires. On November 24th, you emailed Garland Erbele, the Chief Engineer of the Water Rights Program and indicated you were in the process of selling your land. I responded to your email and asked whether or not you wished to have me send the transfer of ownership forms to you or to the new owner. My email also included a question on where the 2004 irrigation questionnaires should be directed. To date, we have not received a response from you.

I did go ahead and take the liberty of mailing two "Notice of Transfer of Ownership" forms to Sherwin Schwab for Water Right Nos. 2219A-3 and 2766-3. We have not received anything back from him yet.

The irrigation questionnaires were due in our office on December 3rd. The notices to irrigators concerning delinquent irrigation questionnaires will be mailed from our office in less than two weeks. The notices will contain a time and date of a hearing to be held by the Water Management Board to consider violations for non-returned irrigation questionnaires. Please get in touch with us prior to that time as to whether or not the land was irrigated and if so, how we can help you get the forms filled out if you have questions on them.

Sincerely,

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



1341-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: TOM & MARJORIE GUNDERSON, 1401 BAYVIEW CT, BISMARCK, ND 58504 7087
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2766-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1341-3 & 2219A-3 qualification:

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

The hearing will be held at 8:30 am, March 2, 2005 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1341-3 & 2219A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2766-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 25, 2005, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1341-3

Track & Confirm

Current Status

You entered 2301 0370 0000 7541 4838

Your item was delivered at 12:07 pm on January 26, 2005 in BISMARCK, ND 58501. The item was signed for by L BOEHM.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

Notification Options

▶ Track & Confirm by email

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 4838

TOM & MARJORIE GUNDERSON
1401 BAYVIEW CT
BISMARCK ND 58504 7087

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PS Form 153, February 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 14, 2005

1341-3

Tom or Marjorie Gunderson
1401 Bayview Ct
Bismarck ND 58504-7087

Dear Mr. & Mrs. Gunderson:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire for Water Right No. 1341-3. Sherwin Schwab has submitted the 2004 irrigation questionnaires for Water Right Nos. 2219A-3 and 2766-3 (formerly listed in your name).

You may disregard the January 20, 2005, "Notice" concerning reporting requirements for the above water rights. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



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 4, 2008

1341-3

Tom or Marjorie Gunderson
1401 Bayview Ct
Bismarck ND 58504-7087

Dear Mr. & Mrs. Gunderson:

Thank you for the prompt return of your 2008 irrigation questionnaire for Water Right No. 1341-3. I note from your questionnaire that you had placed all of your land in the CRP program from through 2018.

Under SDCL 46-5-37.2, a water right will not be forfeited for nonuse if the land is placed in an acreage reserve or production quota program, if the water source is not fully appropriated, if the withdrawal from use does not prevent approval of new permits from the same source and if the appropriated water has been applied to beneficial use prior to participation in the federal program.

The annual irrigation questionnaire will not be mailed to you until your land comes out of CRP. If you should sell the land or move prior to the land coming out of CRP, please notify us so the appropriate changes can be made to the water right.

Sincerely,

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

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Tom Gunderson, 1413 Bayview Ct, Bismarck ND 58504

DATE: June 11, 2019 **TELEPHONE:** 605 889-2583

RE: CRP

COMMENTS:

Water Right No. 1341-3 covers irrigation of land from the Missouri River in Campbell County. Irrigation questionnaires have not been mailed to Gunderson's since 2008 since the land has been in CRP.

I called and spoke with Tom Gunderson who indicated he still owns the land and will begin farming it again. It was not re-enrolled in CRP.

I told him we would move the water right back into mailing for the annual questionnaires and he would be receiving them again each October. He said that was fine and gave me the new mailing address of 1413 Bayview Ct, Bismarck.



Genny McMath
Water Rights Program

1341-3



EIN Assistant

Your Progress: 1. Identity 2. Authenticate 3. Addresses 4. Details 5. EIN Confirmation

Congratulations! The EIN has been successfully assigned.

EIN Assigned: [REDACTED]

Legal Name: GUNDERSON FAMILY LLC

The confirmation letter will be mailed to the applicant. This letter will be the applicant's official IRS notice and will contain important information regarding the EIN. Allow up to 4 weeks for the letter to arrive by mail.

We strongly recommend you print this page for your records.

Click "Continue" to get additional information about using the new EIN.

Continue >>

Help Topics

[Can the EIN be used before the confirmation letter is received?](#)

Tom Gunderson

Gary Gunderson 701-426-8033

Gerry Gunderson

Robert Gunderson

(Switch) Address change → Gunderson Family LLC
4901 Inlet Bay Drive
MANDAN, ND 58554

**SIGN
HERE**

2

RECEIVED

NOV 12 2021

WATER RIGHTS
PROGRAM



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 17, 2021

1341-3

Greg Gunderson
Gunderson Family LLC
4901 Inlet Bay Dr
Mandan ND 58554

Dear Mr. Gunderson:

We have received the 2021 irrigation questionnaire with notations on the ownership change and enrollment in the Conservation Reserve Program.

With regard to the CRP program, the questionnaire that was submitted indicates the land is in CRP through 2027. We will hold up mailing irrigation questionnaires to you until the land comes out of the program.

Regarding the ownership change, enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosure

1341-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date November 29, 2021RECEIVED OF Gunderson LLC 4901 Inlet Bay Dr., Mandan ND 58554

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>1341-3</u>	<u>\$50.00</u>
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	<u>\$50.00</u>

By *Iric Gronlund*
 Chief Engineer
VM

PAID

NOV 29 2021

Ck# 343NOTICE OF TRANSFER OF OWNERSHIP
RECEIVED

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

NOV 29 2021

WATER RIGHTS
PROGRAMNo. 1341-3Date: 11/23/21I/We request that Water Right No. 1341-3formerly owned by: Tom & Marjorie Gunderson

be transferred to: (name & address)

Gunderson Family LLC
Tom Gunderson, Gary Gunderson, Robert Gunderson &
Greg Gunderson PARTNERS Telephone No. 701-426-8033

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

**414.11 acres in the SW ¼ SW ¼ Section 4, Section 5, NE ¼ SE ¼ Section 6, E ½ NE ¼ Section 8 and
NW ¼ NW ¼ Section 9, T128N, R79W (as described on water license)**

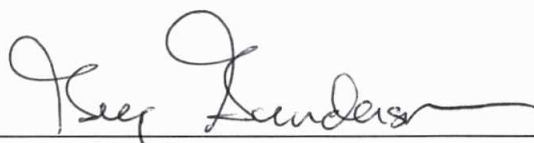
I/We understand that the validity of Water Right No. 1341-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 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 Greg Gunderson, the new owner, certify that the above information is true and correct.

Gunderson Family LLC
PARTNER



(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.

4901 Inlet Bay Dr., Mandan ND 58554



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 30, 2021

1341-3

Greg Gunderson
Gunderson Family LLC
4901 Inlet Bay Dr
Mandan ND 58554

Dear Mr. Gunderson:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 1341-3.

The ownership change has been completed. The water right formerly held by Tom & Marjorie Gunderson is now listed under **Gunderson Family LLC** with Tom Gunderson, Gerry Gunderson, Robert Gunderson and Greg Gunderson, as Partners.

Enclosed for your records is a receipt for the filing fee that was paid. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosure



1241-3

OFFICE OF THE SECRETARY OF STATE
STEVEN J. BARNETT, SECRETARY OF STATE
JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **Gunderson Family, LLC**

General Information

SOS Business ID DL045199
Filing Type: Limited Liability Company - Domestic
09/21/2015
Delayed Effective Date: 09/21/2015 2:59 PM
Status: Good Standing
Duration Term: Perpetual
Managed By: Member-Managed

Registered Agent Address

ROBERT GUNDERSON
1209 BOBBIE DRIVE
ABERDEEN, SD 57401

Principal Address

1209 BOBBIE DRIVE
ABERDEEN, SD 57401

The following document(s) was/were filed in this office on the date(s) indicated below:

Date Filed	Filing Description	Image #
07/18/2021	2021 Annual Report	B0186-5915
07/06/2020	2020 Annual Report	B0145-5347
07/23/2019	2019 Annual Report	B0106-6245
07/03/2018	2018 Annual Report	B0066-2853
08/22/2017	2017 Annual Report	B0037-9166
08/29/2016	2016 Annual Report	
09/21/2015	Initial Filing (Delayed Date 09/21/2015)	DL045199

State of South Dakota



OFFICE OF THE SECRETARY OF STATE

Certificate of Organization Domestic LLC

ORGANIZATIONAL ID# DL045199

I, Shantel Krebs, Secretary of State of the State of South Dakota, hereby certify that the Articles of Organization of

Gunderson Family, LLC

duly signed and verified, have been received in this office and are found to conform to law.

ACCORDINGLY, and by virtue of the authority vested in me by law, I hereby issue this Certificate of Organization and attach hereto a duplicate of the Articles of Organization.



IN TESTIMONY WHEREOF,
I have hereunto set my hand and
affixed the Great Seal of the
State of South Dakota, at Pierre,
the Capital, this 09/21/2015.

Shantel Krebs

Shantel Krebs
Secretary of State

9/21/2015 3:05:18 PM

Change ID: 1277415

ARTICLES OF ORGANIZATION
OF
GUNDERSON FAMILY, LLC

RECEIVED
SEP 2 1999
S.D. SEC. OF STATE

We, the undersigned natural persons of the age of eighteen (18) years or more, acting as organizer of a limited liability company under the South Dakota Limited Liability Company Act SDCL § 47-34A, do hereby adopt the following Articles of Organization for such Limited Liability Company.

ARTICLE ONE.

The name of the Limited Liability Company is Gunderson Family, LLC

ARTICLE TWO.

The duration of the company shall have a perpetual duration.

ARTICLE THREE.

The address of the initial designated office for the Limited Liability Company is 3517 Downing Street, Bismarck, North Dakota 58504.

ARTICLE FOUR.

The name and address of the registered agent shall be Robert Gunderson of 1209 Bobbie Drive, Aberdeen, South Dakota 57401.

ARTICLE FIVE.

The name and address of each organizer shall be as follows:

Thomas E. Gunderson
1413 Bayview Ct.
Bismarck, ND 58504

Greg Gunderson
4901 Inlet Bay
Mandan, ND 58554

Gerry Gunderson
3517 Downing Street
Bismarck, ND 58504

Robert Gunderson
1209 Bobbie Drive
Aberdeen, SD 57401

ARTICLE SIX.

The management of the Limited Liability Company is reserved to the members, or as set forth in the Operating Agreement of the Company.

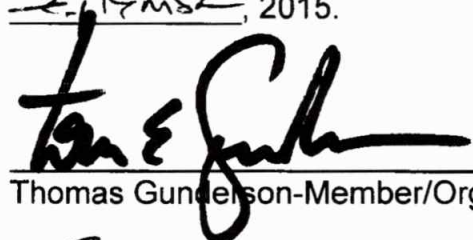
ARTICLE SEVEN.

That no member of the company shall be liable for debts and obligations of said company under SDCL § 47-34A - 303(c).

ARTICLE EIGHT.

The purpose of the Limited Liability Company shall be set forth in the Operating Agreement adopted by the Company.

IN WITNESS WHEREOF, we have hereunto set our hands this 4th day of September, 2015.


Thomas Gunderson-Member/Organizer


Greg Gunderson-Member/Organizer


Gerry Gunderson-Member/Organizer


Robert Gunderson-Member/Organizer