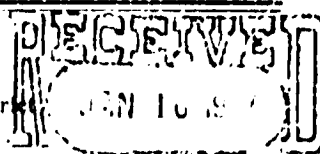


1348-3

1. Considered Mar 15, 1902
2. Name of Applicant Leroy Gehring
3. Post Office Address Stebens, Iowa
4. Amount of water claimed 10
5. Source of water supply Ground
6. Water to be used for Irrigation
Acres to be irrigated 80
7. Water to diverted and used in Thayer County
about 2 1/2 miles 20 of Highway
8. Proof of Publication Received Mar 9
Not Received _____
9. Application Approved ✓
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1348-3Water Division No. 3 Vermillion River District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of applicant Dennis Ihnen
Hurley, SD 57036
 Postoffice address _____, County _____, State Texas

I. If a corporation _____

(a) Name of same _____

(b) Date and place of incorporation _____

(c) Amount of capital stock _____

(d) Amount paid in _____

(e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Contract(b) Cash on hand, \$ Adequate

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Getting Irrigation Project #423. Amount of water claimed 1 cubic feet per second4. Source of water supply Well #35. Location of point of diversion Central 1/4 N 1/4 NE 1/4 18-48-21_____ on _____ bank Tanner County.6. Annual period or periods during which water is to be used April 1st thru Dec 1st

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkler(a) Number of acres to be irrigated 50 acres.(b) Legal subdivisions to be irrigated NE 1/4 N 1/4 NE 1/4 18-48-21

(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 # 958-3

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$..... Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....
 material used in construction.....
 (b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-FOOT CAPACITY

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

(d) Canal. Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....3 years.

11. Time required for complete application of water to the proposed beneficial use.....3 years.

12. Choice of newspaper for publication of notice of intention to appropriate.....Hurley Leader, Hurley, S. Dak

STATE OF SOUTH DAKOTA

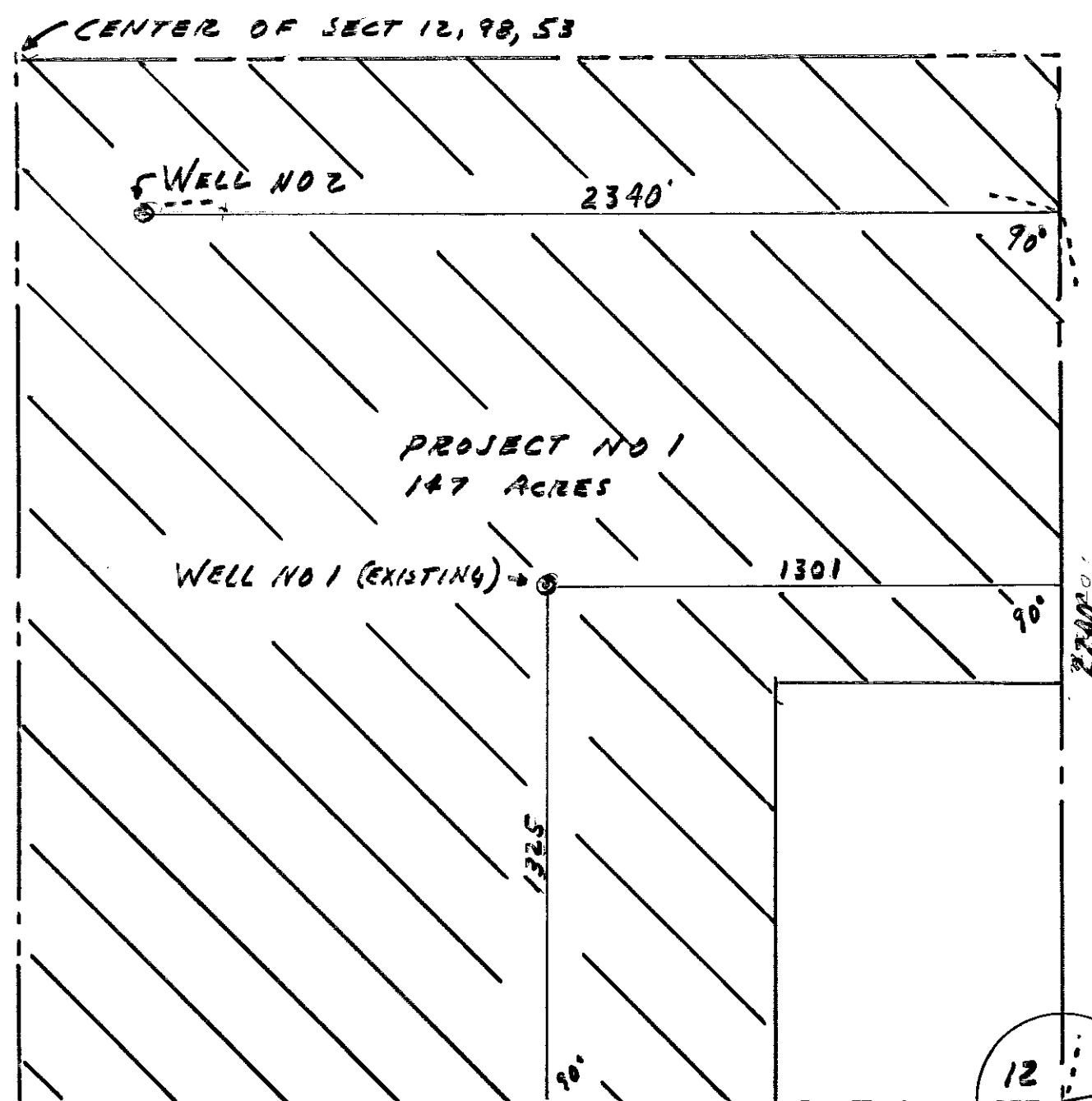
County of Hughes ss.

I, Le Roy Getting, 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 Le Roy Getting

Subscribed and sworn to before me this 16th day of June 1912

Blundell Allen
 Notary Public (or other qualified officer.)



AREA BY LEGAL SUBDIVISION

PROJECT NO 1:

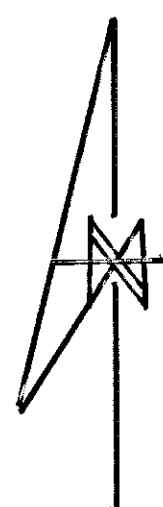
147 ACRES S.W 1/4, SECT 12, T.98N., R.53W.

PROJECT NO 2:

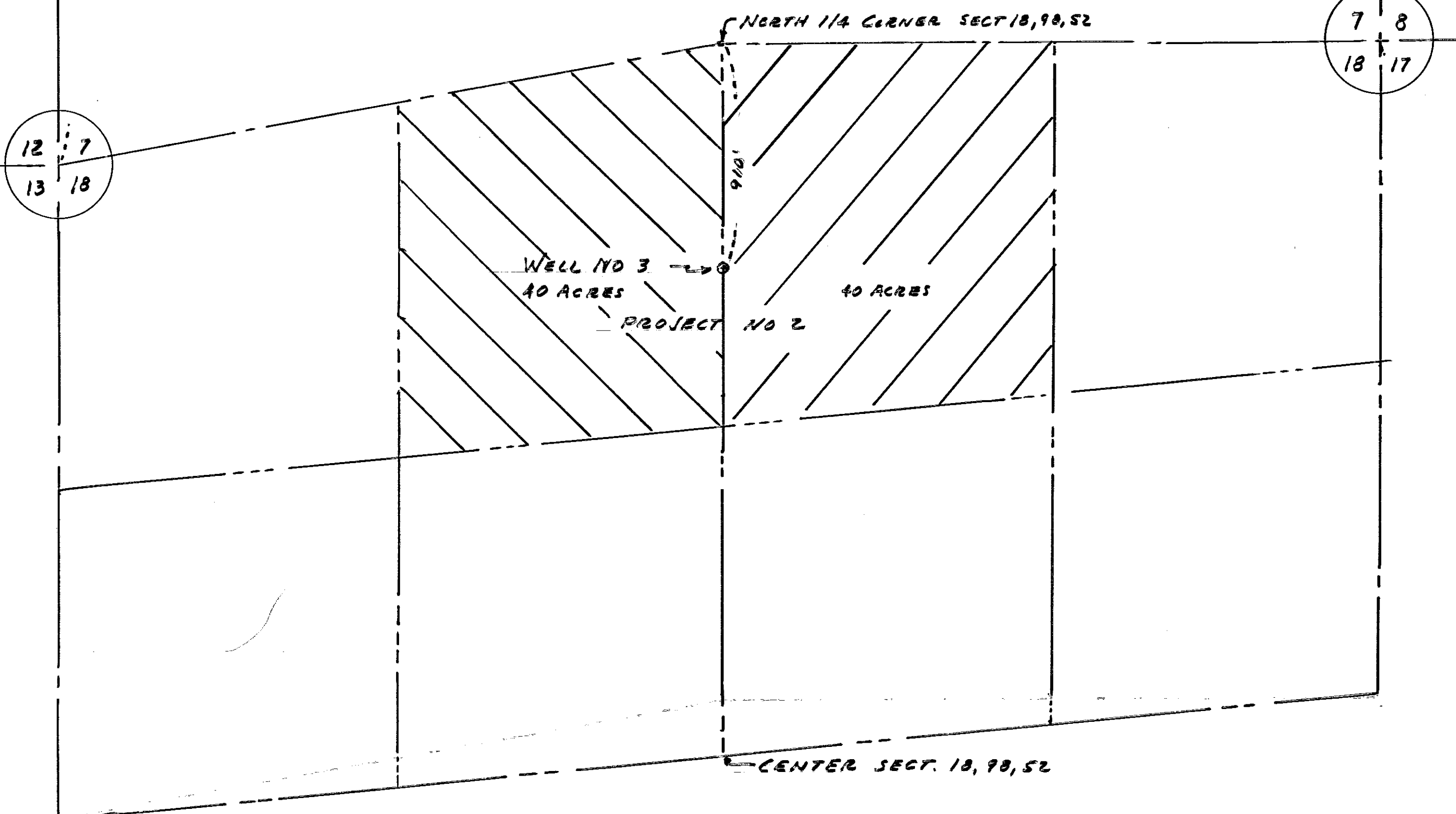
40 ACRES NE 1/4, NW 1/4, SECT 18, T.98N. R.52W.

40 ACRES NW 1/4, NE 1/4, SECT 18, T.98N. R.52W.

80 ACRES TOTAL PROJECT NO. 2.



SCALE 1"=400'



SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE)

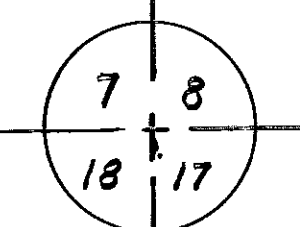
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF DARYLL GETTING,
SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON FEB 9, 1967 FOR WHICH APPLICATION
FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP
IS A TRUE REPRESENTATION THERE OF
WITNESS MY HAND AND SEAL THIS 8TH DAY OF FEB 1967

Harlan W. Meyer
REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 8TH DAY
OF FEB 1967

Corinne Johnson
NOTARY PUBLIC



DARYLL GETTING IRRIGATION PROJECTS NO 1 & NO 2
SHOWING AREA & WELL LOCATIONS WHERE WATERS
WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

OWNER

DARYLL GETTING

SURVEYOR

HARLAN W. MEYER

MAP # 958-3

(Appl. 1348-3) FEB 1967

(Appl. 1349-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, March 16, 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 January, 1967

State Water Resources Commission

By: Richard O Schreyer
7m Chief Engineer, Executive Officer

Number of permit 1398-3

Date of first receipt of application January 16, 1967

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right January 16, 1967

Approved March 16, 1967, Recorded in Book 9 Page 238

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 September 16, 1968

2nd. The whole of said work is to be completed on or before March 16, 1970

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

March 16, 1973

4th. The water appropriated shall be used for the purpose of _____

Irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 1.0 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 March 16, 1973; said water to be used during the following described annual period:

April 1st through November 1st

Witness my hand this 16 day of March, 1967

State Water Resources Commissioner

By: Richard O Schreyer
Chief Engineer, Executive Officer

Certificate of Construction issued FEBRUARY 7, 1978

Water License issued FEBRUARY 7, 1978

J. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 50'

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

Size of casing 18", Thickness of casing _____

Length of casing 50'. If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen Johnson Steel

Size of perforated screen _____ (diameter) _____ (length)

Thickness of gravel pack 6", length of gravel pack 50'

(c) Water Bearing Materials

Distance to water 35' Character of water bearing materials: _____

Thickness of water bearing material 20'

(d) Pump and Motor

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

Name of pump Western Land Reclaimers size _____

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

Horsepower 60, Name of Motor _____

(e) Complete well

Capacity _____ at drawdown of _____ Estimated cost _____

(f) Owner of land upon which well is located LeRoy C. Thompson
Name

Saukville, Iowa
Address

(g) Distance to nearest existing wells

On same owner's property 100 rds. On property owned by others 200 rds

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1348-3

(1) WHEREAS, On the 16th day of January A. D. 1967
LeRoy Gettling

made Water Right Application No. 1348-3 for a permit to use 1.0 cubic feet per second of the waters of groundwater

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

(2) WHEREAS, On the 16th day of March A. D. 1967
 Permit No. 1348-3, with a date of priority of January 16, 1967

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 15th day of March A. D. 1970 and for the application to beneficial use of said water on or before the 16th day of March A. D. 1973

and, whereas, on the 26th day of April, 1977, the Permit was transferred to Dennis Ihnen

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.0 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 NW 1/4 NE 1/4, Section 13, T98, R52W

(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 Dennis Ihnen of Hurley the holder and owner of said permit No. 1348-3 a water right, dating from January 16, 1967 to use of 1.0 cubic feet per second of the waters of groundwater in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 910'S of the NE corner, Section 18, T28N, R52W and conduct to and upon the NE 1/4, Section 18, T28N, R52W for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1348-3 and subject to the laws of the State of South Dakota.

WITNESS. My hand and seal of our office at Pierre, South Dakota this 7th day of February A. D. Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION

By:

John R. Bullett
Chief Engineer, Executive Officer

Permit No. — 1348-3 —

Water Diversion No. 3 Vermilion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Dennis Ihnen

the holder of

Permit No. 1348-3, issued upon Application No. 1348-3, bearing date of priority of January 16, 1967

authorizing the diversion of 1.0 cu. ft. per second of the waters of groundwater County of Turner, State of South Dakota at

a point 910'S of the NE corner, Section 18, T96N, R52W

for Irrigation

purposes, has complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.11 cu. ft. per second of water.

Date February 7, 1970

By

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

On or before **February, 10**, 19**67**
 (First Publication _____, 19____)

APPROPRIATION OF WATER

Office of State Water Resources Commission

February 10, 19**67**
 Pierre, S. Dak., _____, 19____

Notice is hereby given that **LeRoy Getting** whose postoffice address is **Janborn, Iowa** ~~has~~ has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use **1.0** cubic feet of water per second of time from ~~the~~ **ground water** through the **Getting Project #2**, the point of diversion of which is to be located on the ~~_____~~ **portions of** ~~_____~~ in the **NW** $\frac{1}{4}$ of the **NE** $\frac{1}{4}$ of Section **18** Twp. **98N** Range **52W** Said water to be used for the purpose of providing irrigation on the following described land:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, T98N, R52W

~~and/or~~ _____ ~~XXXXXX~~
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the **15th** day of **March**, 19**67**, at **2 P.** M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

~~Chief Engineer, Executive Office~~
RICHARD D. ECKHOYER
 Water Right Specialist

CC: Kenneth Hofmeister, Publisher
 Hurley Leader
 Hurley, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Dewey } ss.Robert J. Gering being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the

Daily Leader a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theDaily Leader of Theriot County ofDewey and State of South Dakota; that the said notice was published in said newspaper on the following dates:Feb. 16, 1967Feb. 23, 1967Mar. 2, 1967Mar. 9, 1967on each and every issue of the full number thereof, the first publication being made on the 16 day of Feb.1967 and the last publication on the 9 day ofMar. 1967, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication hewas Editor the printer and publisher of the said newspaper.

Subscribed and sworn to before me this

day of

A. D. 1967

MAR 1967

STATE WATER RESOURCES COMMISSION
PIERRE SOUTH DAKOTA

Notary Public

County, S. D.

APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. D.

February 10, 1967.

Notice is hereby given that Lefroy Getting whose postoffice address is Sanborn, Iowa, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.0 cubic feet of water per second of time from ground water through the Getting Project No. 2, the point of diversion of which is to be located in the NW one quarter of the NE one quarter of Section 18 Twp. 98N Range 52W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE one quarter NW 1/4 and NW one quarter NE one quarter, Section 18, T98N, R52W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of March, 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.
Pub. Feb. 16.23 Mar. 2.9

Permit No. 1348-2Water Division No. 3 Water District**Notice of Application of Water to Beneficial Use**

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

(P. O.) Sanborn, Iowa
(Date) April 19, 1968

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

DEAR SIR: Notice is hereby given that on the _____ day of _____
 19____, at _____ County of _____ State of South Dakota,
 before _____ (Examining Engineer or Officer) proof will be submitted of the application to beneficial use
 of 1 cubic feet per second of the waters of Ground
 _____ in accordance with the terms and conditions of Permit No. 1348-2
 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

Le Roy Getting, Sanborn, Iowa2. The use to which said water has been applied is Irrigation3. The amount applied to beneficial use is 1 cfs4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) Same as permit

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

Getting Irrigation Project # 26. The right to take the water from such works is based upon permit No. 1348-27. The source of supply from which such water is diverted is Ground8. The date of priority which said user is prepared to establish is 7/16/67(Sign) Walter Getting

Permit No. 1348-3Water Division No. 3 Water District**NOTICE OF COMPLETION OF WORKS**

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

(P. C.) Sauborn, Iowa(Date) April 19, 1968

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

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 1 cu. ft. per second of the waters of the state from Ground through the Gettling Irrigation Proj. #2 for Irrigation purposes

----- In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is LeRoy Gettling

2. The postoffice address of such person or the place of business of such corporation is Sauborn County of O'Brien State of Iowa

3. The number of such permit is 1348-3 and the date set for the completion of such work is

4. Said water to be used for 3/16/1970 purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 1 cubic feet per second.

6. The amount of land for which said water is available is 80 acres, particularly described as follows: Same as permit

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

(Signature of Owners)

LeRoy Gettling

Permit No. 1348-3
VERMILION
 Water Division No. 3 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that ~~in accordance with your letter of authorization dated~~

~~to~~ I have this day made a thorough examination of the diversion works constructed by

LE ROY GETTING, of SANBORN, IOWA

~~County, South Dakota~~ holder of Permit No. 1348-3 Issued

upon Application No. 1348-3, bearing date of priority of JANUARY 16, 1967, authorizing the

diversion of 1.0 cu. ft. per second of the waters of GROUND WATER for IRRIGATION

purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 39' WELL WITH WESTERN LAND ROLLER 6" PUMP WITH 3-10" BOWLS, POWERED BY 40 H.P. WEINER ELECTRIC MOTOR. 7 TOWER VALLEY IRRIGATOR

and the system is in the following condition: EXCELLENT

The point of diversion is located 9.10'S OF N¹/₄ CORNER, SECTION 18, T98N, R52W

The works are capable of diverting and conveying to the place of use 1.1 cu. ft. per second of water, which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: NE⁴ NW⁴ & NW⁴ NE⁴, SECTION 18, T98N, R52W.

comprising a total of _____ acres of land.

The domestic use intended comprises _____

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

Witness my hand, this 30TH day of

APRIL

1968

—SEAL—

Burton J. [Signature]
 Examining Engineer

WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

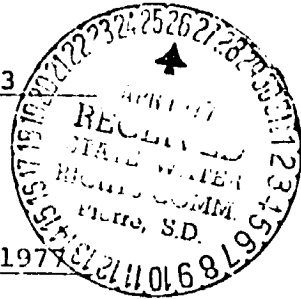
Form 20.

No. 1348-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, South Dakota 57501

Date: April 20, 1977



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

NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ 18-98N-52W

formerly owned by LeRoy Getting

has been transferred to Dennis Ihnen, Hurley

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 1348-3 as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water
Permit" in its appropriate file at the Office of Water Rights Commission 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 Section 61.0159 of the 1960 Supplement to the South
Dakota Code of 1939..

STATE OF SOUTH DAKOTA)
) SS.
County of Turner)

I, Dennis Ihnen being first duly sworn on my oath despose
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.

Dennis Ihnen
(Signed)

Subscribed and sworn to before me this 25 day of April

19 77.

M. J. Sommerbold
(Notary Public)

M. J. SOMMERBOLD
Notary Public, STATE OF SOUTH DAKOTA
My Commission Expires February 11, 1982

Permit No. 1348-3Water Division 3 Vermillion River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

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

I have this day made a thorough examination of the water use system constructed by Dennis Thuen
 of Hurley, S. Dak. 57036 holder
 of Permit No. 1348-3, bearing date of priority of JANUARY 16 1967
 authorizing the diversion of 1.0 cu. ft. per second of the waters of Ground
 for Irrigation purposes, in Turner County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

Pump - Western Hand Roller - 6" pump with 3-10" Boats
Motor - Weaver 40 HP Electric Motor.

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

C. Works used to apply water to beneficial use.

7 Tower Valley Irrigator
Gifford Hill CP. (One pivot in operation at a time)

The system is in the following condition: Good.The point of diversion is located 910 ft S of N $\frac{1}{4}$ corner, Section 18, T98N, R52WThe works are capable of diverting and conveying to the place of use 1.11cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: N $\frac{1}{2}$ NE $\frac{1}{4}$ & N $\frac{1}{2}$ NE $\frac{1}{4}$
Section 18, T98N, R52W

comprising a total of 80 acres of land.

Well data.

Depth - 39 ftDate May 31, 1971

LeRoy M. Hennigh
 (Signature)

WOODS
FULLER
SHULTZ &
SMITH P.C.

LAWYERS
EST. 1887

300 South Phillips Avenue
Suite 300
Post Office Box 5027
Sioux Falls, South Dakota
57117-5027

Telephone (605) 336-3890
Telecopier (605) 339-3357

www.wfss.com

Merle A. Johnson
Richard O. Gregerson
William Taylor
William P. Fuller
Gary P. Thimsen
Bradley C. Grossenburg
James M. Wiederrich
Comet H. Haraldson
J.G. Shultz
Roger W. Damgaard
Frederick M. Entwistle
David C. Kroon
Mark J. Welter
James E. Moore
Kristine Kreiter O'Connell
Elizabeth A. Lewis
Tim R. Shattuck
Melanie L. Carpenter
Susan M. Sabers
William G. Beck
Daniel J. Harmelink
Jennifer L. Wollman
Lisa Marshik Prostrullo
Christopher J. Lent
Jeffrey J. Koerselman
Gregory S. Starnes
Erin C. Snyders
Patrick J. DeWall
Jeffrey L. Bratkiewicz

Francis M. Smith, of
Counsel

Melvin T. Woods
(1899-1983)

Howell L. Fuller
(1909-1981)

John B. Shultz
(1912-1975)

April 9, 2003

Christine K. Lillo, CLAS
clillo@wfss.com

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

RE: Transfer of Ownership / Ihnens to Cooperative Credit Company

To Whom it May Concern:

Enclosed for filing with your office on behalf of attorney Roger Damgaard are
Notices of Transfer of Ownership for Permit Nos. 3903-3, 1348-3, 4152-3, 456-3,
and 510-3 together with our firm check in the amount of \$12.50.

Thank you.

Very truly yours,

WOODS, FULLER, SHULTZ & SMITH P.C.

Christine K. Lillo, CLAS
Paralegal

Enclosure

cc: Cooperative Credit Company

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 11, 20 03

RECEIVED OF Woods Fuller Shultz & Smith PC, PO Box 5027, Sioux Falls SD 57117-5027

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>1348-3</u>		2 50
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.

000748

By

Douglas E. Schuch

Chief Engineer

gm

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

APR 11 2003

WATER RIGHTS
PROGRAM

Water Right/Permit No. 1348-3

Dated: February 26, 2003

We request that Water Right/Permit No. 1348-3 formerly owned by:
Dennis Ihnen be transferred to:

New Owner Name: Cooperative Credit Company
Address: 128 Third Street N.W., P.O. Box 80
City, State, Zip: Sioux Center, Iowa 51250-0080 Telephone No.: (800) 681-1975

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

The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Eighteen (18), Township Ninety-Eight (98) North, Range Fifty-Two (52) West of the 5th P.M., Turner County, South Dakota.

☒ We understand that the validity of Water Right/Permit No. 1348-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

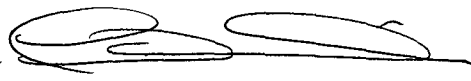
You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

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

Cooperative Credit Company, the new owner, certifies that the above information is true and correct.

COOPERATIVE CREDIT COMPANY

By



Its

CRU

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 15, 2003

Lee Van Veldhuizen
Cooperative Credit Company
PO Box 80
Sioux Center IA 51250-0080

RE: Water Right Nos. 456-3, 510-3, 1348-3, 3903-3 and 4152-3

Dear Mr. Van Veldhuizen:

I am writing to acknowledge receipt of the transfer of ownership forms and filing fees for Water Right Nos. 456-3, 510-3, 1348-3, 3903-3 and 4152-3. The ownership changes have been completed. The water rights, formerly held by Dennis and Mary Kay Ihnen, are now listed in the name of "Cooperative Credit Company".

Each year in October, we mail irrigation questionnaires to irrigators in South Dakota requesting information on the amount of water diverted that specific year. Enclosed is a sample copy of the form. The actual forms that need to be completed and returned to our program will be sent to you next fall.

Receipt Nos. 000747, 000478, 000749, 000750 and 000751, in the amounts of \$2.50 each, are being forwarded by copy of this letter to Woods, Fuller, Shultz and Smith, PC in Sioux Falls, SD.

I have also included copies of the water rights in the event you need them. 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

c: Christine K Lillo, Paralegal w/Woods, Fuller, Shultz & Smith PC

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 1348-3

Dated: January 7, 2004

We request that Water Right/Permit No. 1348-3 formerly owned by:
Cooperative Credit Company be transferred to:

New Owner Name: Darrin R. Ihnen and Rebecca A. Ihnen,
as joint tenants with right of survivorship
Address: 28065 459th Avenue
City, State, Zip: Hurley, SD 57036

Telephone No.: (605) 238-5544

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OCT - 4 2004
WATER RIGHTS
PROGRAM

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

The Northwest Quarter of the Northeast Quarter (NW¹/₄ NE¹/₄) of Section Eighteen
(18), Township Ninety-Eight (98) North, Range Fifty-Two (52) West of the 5th
P.M., Turner County, South Dakota.

☒ We understand that the validity of Water Right/Permit No. 1348-3 has not been
determined by this transfer action. If I have any questions on validity, I understand that only the
Water Management Board has the authority to determine if a water right/permit is valid (see note
below.)

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

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

Darrin R. Ihnen and Rebecca A. Ihnen, the new owners, certify that the above
information is true and correct.

Darrin R. Ihnen
Darrin R. Ihnen

Rebecca A. Ihnen
Rebecca A. Ihnen

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 4, 20 04

RECEIVED OF Woods, Buller, Shultz & Smith PC, PO Box 5027, Sioux Falls SD 57117-5027

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>1348-3</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.

001172

By

Darland Eide

Chief Engineer

gr

WOODS
FULLER
SHULTZ &
SMITH P.C.

LAWYERS
EST. 1887

300 South Phillips Avenue
Suite 300
Post Office Box 5027
Sioux Falls, South Dakota
57117-5027

Telephone (605) 336-3890
Telecopier (605) 339-3357

www.wfss.com

Merle A. Johnson
Richard O. Gregerson
William Taylor
William P. Fuller
Gary P. Thimsen
Bradley C. Grossenburg
James M. Wiederrich
Comet H. Haraldson
J.G. Shultz
Roger W. Damgaard
Frederick M. Entwistle
David C. Kroon
James E. Moore
Kristine Kreiter O'Connell
Elizabeth A. Lewis
Tim R. Shattuck
Melanie L. Carpenter
Susan M. Sabers
William G. Beck
Daniel J. Harmelink
Jennifer L. Wollman
Lisa Marshik Prostrullo
Christopher J. Lent
Gregory S. Starnes
Jeffrey L. Bratkiewicz
Carey A. Miller
Mary A. Akkerman
Mary Ellen Dirksen
J. Vincent Jones
Cheri S. Raymond

Melvin T. Woods
(1899-1983)
Howell L. Fuller
(1909-1981)
John B. Shultz
(1912-1975)
Francis M. Smith
(1910-2004)

November 10, 2004

Christine K. Lillo, CLAS
clillo@wfss.com

Ms. Genny McMath
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RE: Transfer of Ownership Permit No. 1348-3

Dear Genny:

As we discussed, enclosed is a revised Notice of Transfer of Ownership for Permit No. 1348-3. The legal description has been revised to include the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$.

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

Thank you.

Very truly yours,

WOODS, FULLER, SHULTZ & SMITH P.C.



Christine K. Lillo, CLAS
Certified Paralegal

Enclosures

cc: Mr. Roger Campbell

RECEIVED

NOV 12 2004

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 1348-3

Dated: January 7, 2004

We request that Water Right/Permit No. 1348-3 formerly owned by:
Cooperative Credit Company be transferred to:

New Owner Name: Darrin R. Ihnen and Rebecca A. Ihnen,
as joint tenants with right of survivorship

Address: 28065 459th Avenue

City, State, Zip: Hurley, SD 57036

Telephone No.: (605) 238-5544

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

The Northwest Quarter of the Northeast Quarter (NW¹/₄ NE¹/₄) and the Northeast Quarter of the Northwest Quarter (NE¹/₄ NW¹/₄) of Section Eighteen (18), Township Ninety-Eight (98) North, Range Fifty-Two (52) West of the 5th P.M., Turner County, South Dakota.

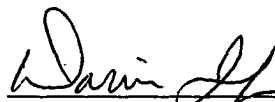
RECEIVED
NOV 12 2004
WATER RIGHTS
PROGRAM

☒ We understand that the validity of Water Right/Permit No. 1348-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

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

Darrin R. Ihnen and Rebecca A. Ihnen, the new owners, certify that the above information is true and correct.


Darrin R. Ihnen


Rebecca A. Ihnen

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

NOV 19 2004

1348-3

Darrin R & Rebecca A Ihnen
28065 459th Ave
Hurley SD 57036

Dear Mr. & Mrs. Ihnen:

The transfer of ownership of Water Right No. 1348-3 has been completed. The water right, formerly held by Cooperative Credit Company is now listed in your names. A review of the file during the transfer process found an error in the description of the irrigated acreage. The license has been reissued to correct the error. Enclosed is your Reissued Water License No. 1348-3.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1348-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled if flowing or sealed and capped so that no leaking occurs either underground or at the surface.

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

Receipt No. 001432 in the amount of \$2.50 which was paid for filing the ownership change is being forwarded to Woods, Fuller, Shultz & Smith PC with a copy of this letter. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

c: Christine K Lillo, w/Woods, Fuller, Shultz & Smith, PC

enclosure

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 1348-3

(1) Dennis Ihnen was issued Water License No. 1348-3, February 7, 1978 for a water right to divert 1.00 cubic feet of water per second from ground water (one well), Turner County, South Dakota for irrigation purposes. Water License No. 1348-3, with a priority date of January 16, 1967 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

The following ownership changes have been filed with the water right:

- April 11, 2003: Dennis Ihnen to Cooperative Credit Company
- October 4, 2004 (amended copy filed November 12, 2004): Cooperative Credit Company to Darrin R Ihnen and Rebecca A Ihnen (as joint tenants with right of survivorship)

In October, 2004, a review of the original water permit, inspection report and map found an error in the legal description of the irrigated acreage. The original water license listed the land as being in the N ½ NE ¼ Section 18, T98N, R52W. The irrigated acres are actually located as described in the original permit and map as being in the NE ¼ NW ¼ and NW ¼ NE ¼ Section 18. The water license is being reissued to correct the legal description. The remaining portions of the original license have not been altered.

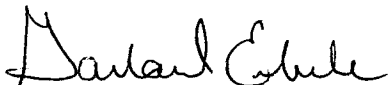
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Darrin R Ihnen and Rebecca A Ihnen, 28065 459th Ave, Hurley SD 57036 the holders and/or owners of Water Right No. 1348-3 are issued a license, bearing a priority date of January 16, 1967 to appropriate 1.00 cubic feet of water per second from ground water (one well) to irrigate 80 acres.

The diversion point is located **910 feet south of the N ¼ corner Section 18, T98N, R52W.**

The acres authorized for irrigation are as follows:

NE ¼ NW ¼ Section 18, T98N, R52W	40.00 acres
NW ¼ NE ¼ Section 18, T98N, R52W	40.00 acres
Total	80.00 acres

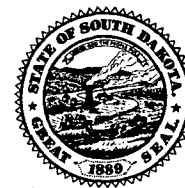
(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1348-3.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 19 2004

date





1348-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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www.state.sd.us/denr

January 26, 2007

NOTICE

TO: DARRIN R & REBECCA A IHNEN, 28065 459th AVENUE, HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 1348-3 & 3158-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 7, 2007, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1348-3 & 3158-3 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 on/or before **March 1, 2007**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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.

1348-3

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 6637

DARRIN R & REBECCA A IHNEN
28065 459th AVENUE
HURLEY SD 57036

waiver of signature ☐ YES ☐ NOPostmark
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(See Reverse)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

February 5, 2007

1348-3
3158-3

Darrin & Rebecca Ihnen
28065 459th Ave
Hurley SD 57036

Dear Mr. & Mrs. Ihnen:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 1348-3 and 3158-3.

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

January 22, 2010

NOTICE

TO: DARRIN R & REBECCA A IHNEN, 28065 459th AVENUE, HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 1348-3 & 3158-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 10, 2010**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1348-3 & 3158-3 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 on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/asp>

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.



1348-3

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- Out for Delivery or Available at PO Box, January 23, 2010, 9:18 am, HURLEY, SD 57036
- Sorting Complete, January 23, 2010, 8:48 am, HURLEY, SD 57036
- Arrival at Post Office, January 23, 2010, 8:22 am, HURLEY, SD 57036

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 8023

DARRIN R & REBECCA A IHNEN
28065 459th AVENUE
HURLEY SD 57036

Waiver of Signature ☐ YES ☐ NO

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2010

1348-3
3158-3

Darrin & Rebecca Ihnen
28065 459th Ave
Hurley SD 57036

Dear Mr. & Mrs. Ihnen:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 1348-3 and 3158-3.

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,

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: DARRIN R & REBECCA A IHNEN, 28065 459th AVENUE, HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 1348-3 & 3158-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 10, 2010**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1348-3 & 3158-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/asp>

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1348-3

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Label/Receipt Number: 2303 2160 0000 0802 8023

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 11:39 AM on January 23, 2010 in HURLEY, SD 57036. The item was signed for by K DUBBLEDEE.

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- Out for Delivery or Available at PO Box, January 23, 2010, 9:18 am, HURLEY, SD 57036
- Sorting Complete, January 23, 2010, 8:48 am, HURLEY, SD 57036
- Arrival at Post Office, January 23, 2010, 8:22 am, HURLEY, SD 57036

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 8023

DARRIN R & REBECCA A IHNEN
28065 459th AVENUE
HURLEY SD 57036

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2010

1348-3
3158-3

Darrin & Rebecca Ihnen
28065 459th Ave
Hurley SD 57036

Dear Mr. & Mrs. Ihnen:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 1348-3 and 3158-3.

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,

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

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

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 1348-3Date: 9/4/14I/We request that Water Right/Permit No. 1348-3 formerly owned by:Darrin R + Rebecca A. Ihnen

be transferred to:

New Owner Name: Jon ReinersAddress: 45805 281st StCity, State, Zip Hurley, SD 57036 Telephone No. 605-238-5320

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

NW 1/4 NE 1/4 Sec 18-98-52 and
NE 1/4 NW 1/4 Sec 18-98-52

☒ I understand that the validity of Water Right/Permit No. 1348-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

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

I, Jon Reiners, 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 9/9, 20 14

RECEIVED OF Jon Reiners 45805 281st St Hurley SD 57036

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1348-3</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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **06941**

By J. Anne Headman
Chief Engineer



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



September 9, 2014

1348-3

Jon Reiners
45805 281st St
Hurley SD 57036

Dear Mr. Reiners:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership of Water Right No. 1348-3.

The ownership change has been completed. Water Right No. 1348-3 formerly held by Darrin R and Rebecca A Ihnen is now listed in your name.

Enclosed for your records is Receipt No. 06941 in the amount of \$50 which you paid for filing the ownership change. I have also included a copy of the water right for your files.

If you have any questions, please contact me.

Sincerely,

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

enclosures