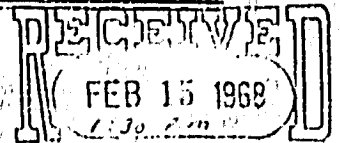


1515-3

1. Considered 3-20, 1968
2. Name of Applicant BILL ARCH
3. Post Office Address HAROLD
4. Amount of water claimed 18.6
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- acres to be irrigated 1302.5
7. Water to be diverted and used in HUGHES county
about 24E 16S miles _____ of PIERRE.
8. Proof of Publication Received ✓
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

No. 1515-3Water Division No. 3 MISSOURI RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, 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 BILL ARCH
Postoffice address HARROLD, County HUGHES, State S. DAK.

I. If a corporation

- (a) Name of same _____
(b) Date and place of incorporation _____
(c) Amount of capital stock _____
(d) Amount paid in _____
(e) Names and addresses of directors _____

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

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

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

- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work ARCH #2
3. Amount of water claimed 18.12 cubic feet per second
4. Source of water supply MISSOURI RIVER
5. Location of point of diversion SEE ATTACHMENT
_____ on LEFT bank HUGHES County.
6. Annual period or periods during which water is to be used APRIL THRU OCTOBER
7. To be used for:

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

- (a) Number of acres to be irrigated
- 1302.5
- 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 No 1100-3

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.)

PUMP, PIPE & SPRINKLER SYSTEM

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

feet; 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; height

Material

(d) Canal: Total length

miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work

years.

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

years.

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

CAPITAL JOURNAL, PIERRE, S. DAK.

STATE OF SOUTH DAKOTA

County of

HUGHES

I, B. J. A. R. E. L. L., 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

William A. R. E. L. L.

Subscribed and sworn to before me this

15th

day of

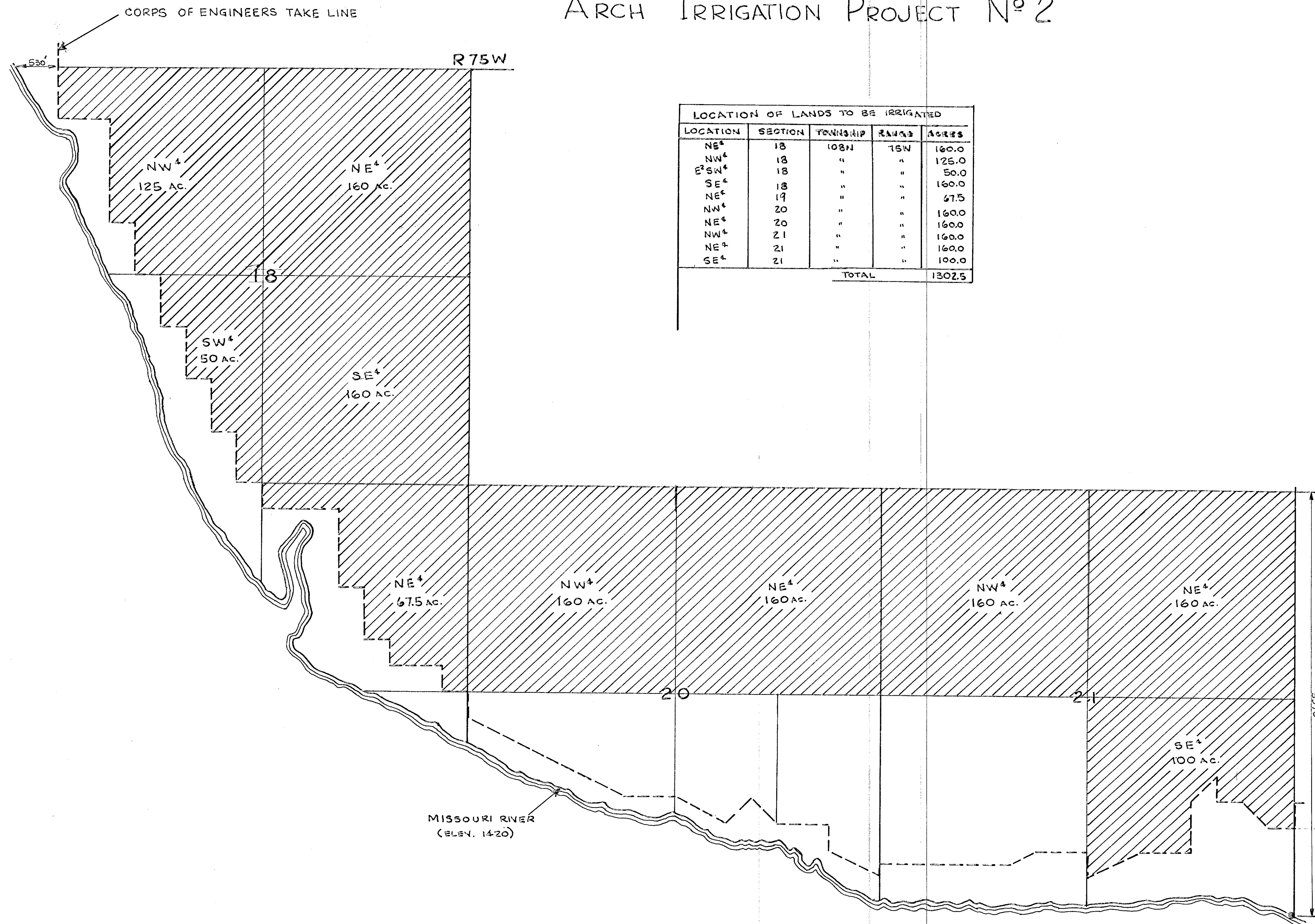
FEBRUARY1968

Notary Public (or other qualified officer.)

Notary Public
Notary Public

*Each diversion must have a headgate or measuring device.

ARCH IRRIGATION PROJECT N° 2



LOCATION OF LANDS TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NE¼	18	108N	75W	160.0
NW¼	18	"	"	125.0
E¼SW¼	18	"	"	50.0
SE¼	18	"	"	160.0
NE¼	19	"	"	67.5
NW¼	20	"	"	160.0
NE¼	20	"	"	160.0
NW¼	21	"	"	160.0
NE¼	21	"	"	160.0
SE¼	21	"	"	100.0
TOTAL				1302.5

N

SCALE
3 in = 1 mile

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MARCH 25, 1968

This is to certify that the foregoing application was received by the Commission at 1:30 o'clock
P m. upon the 15TH day of FEBRUARY, 1968

State Water Resources Commission

By:

Austin Jones
for Chief Engineer, Executive Officer

Number of permit 1515-3

Date of first receipt of application FEBRUARY 15, 1968

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 FEBRUARY 15, 1968

Approved MARCH 20, 1968, Recorded in Book 10 Page 131

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 20, 1970

2nd. The whole of said work is to be completed on or before MARCH 20, 1973

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

MARCH 20, 1977

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

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

6th. The amount of the appropriation herein granted shall not exceed 18.6 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 20, 1977; said water to be used during the following described annual period:

APRIL THRU OCTOBER
Witness my hand this 25TH day of MARCH, 1968

State Water Resources Commission

By:

J. C. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

LOCATION OF LANDS TO BE RELOCATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NE ¹	18	108N	75N	160.0
NW ¹	18	"	"	125.0
E ² SW ⁴	18	"	"	50.0
SE ⁴	18	"	"	160.0
NE ⁴	19	"	"	67.5
NW ⁴	20	"	"	160.0
NE ⁴	20	"	"	160.0
NW ⁴	21	"	"	160.0
NE ⁴	21	"	"	150.0
SE ⁴	21	"	"	100.0
TOTAL				1302.5

DIVERSION POINTS: Between a point 530 feet west of the NW corner, Section 18, and a point south 53,0 feet from the NE corner, Section 21, T108N, R75W.

on or before
(First Publication February 22, 1966)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., February 19, 1966

Notice is hereby given that William Arch whose postoffice address is Farrold 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 12.6 cubic feet of water per second of time from the Missouri River through the Arch #2, the point of diversion of which is to be located on the left bank of said stream in the between points in the NE 1/4 NE 1/4, Section 13, T108N, R76W, and SE 1/4 of the SE 1/4 of Section 21 Twp. 108N Range 75W Said water to be used for the purpose of providing irrigation on the following described land:

SW 1/4, E 1/2 SW 1/4, E 1/2, Section 17; NE 1/4, Section 19; N 1/2 Section 20; N 1/2 & SE 1/4, Section 21, T108N, R75W

~~and for~~ ~~purpose~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 23rd day of March, 1966, at 2:00 P.M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

cc: William Arch, Farrold, S.D.

Chief Engineer, Executive Officer

BURTON P. JONES

Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County HUGHES } ss.

J. H. HIPPLE being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

DAILY CAPITAL JOURNAL a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the

CITY of PIERRE County of HUGHES and State of South Dakota;

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

Feb. 22-29, Mar. 7-14-1968

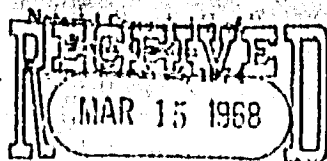
in each and every issue of the full number thereof, the first publication being made on the 29 day of Feb.

1968 and the last publication on the 14 day of

Mar. 1968, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Business Mgr. the printer and publisher of the said newspaper.

John H. Hipple

Subscribed and sworn to before me this 14 day of March A. D. 1968

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notary Public HUGHES County, S. D.

No. 575 4 dly Feb. 22-29 Mar 7-14
No. 1515-37
APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak.
February 19, 1968
Notice is hereby given that
William Arch whose postoffice
address is Harold 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 18.6 cubic feet of water
per second of time from the Missouri
River through the Arch No. 2,
the point of diversion of which
is to be located on the left bank
of said stream between points in
the NE 1/4 NE 1/4 Section 13, T108N,
R76W, and in the SE 1/4 of the
SE 1/4 of Section 21, Twp. 106N,
Range 75W. Said water to be
used for the purpose of providing
irrigation on portions of the
following described land: NW 1/4 E 1/2 SW 1/4 E 1/2 Section
16; NE 1/4 Section 19; N 1/2 Section
20; N 1/2 & SE 1/4 Section 21,
T108N, R75W.

This application will be taken
up by the State Water Resources
Commission at their office at
Pierre for consideration upon the
20th day of March, 1968, at 2:00
p.m. All interested persons may
appear and be heard.

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

State Water Resources Commission

By: Burton F. Jones
Water Rights Specialist

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

ON BIG BEID DAM, LAKE SHARPE PROJECT, SOUTH DAKOTA

Do. LAC45-2-7-602.

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
William Arch

Harold, South Dakota

coextensive with South Dakota State

hereinafter designated as the grantee, for a period ~~not exceeding~~ ^{water Permit No. 1515-9} ~~(2000)~~ years from the date hereof, an easement for a right of way for construction, operation and maintenance of a portable irrigation water pipeline and portable pumping system,

over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit "A" a map entitled Big Beid Dam and Lake Sharpe, Segment "5" attached hereto and made a part hereof, and described as follows:

A strip of land 50.00 feet in width, situated in the ~~SW1/4~~ of Section 19, T-10S-R, R-75-W of the 5th Principal Meridian, Hughes County, South Dakota; said strip of land lying 25.00 feet on the following described centerline:

Beginning at the Northwest corner of the ~~SW1/4~~ of said Section 19, thence South 25° 00' West to the shoreline of Lake Sharpe, containing 0.50 of an acre, more or less.

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of Fifty and no/100 dollars (\$ 50.00) 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, 1410 U. S. Post Office and Court house, 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 governmental 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 lands, 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 the grantee shall not discharge waste or effluent from the granted property in such manner that such discharge will contaminate streams or other bodies of water or otherwise become a public nuisance.

16. That this easement and right of way for a water pipeline and pumping plant is granted for the exercise of water rights granted by the State of South Dakota. It is understood and agreed that no right to use water from the reservoir is created by this grant. It is further understood by the grantee that the granting of this easement does not preclude the Secretary of the Interior from requiring the grantee to enter into an appropriate water service contract in consideration of such irrigation benefits as may, in the opinion of the Secretary of the Interior, be derived from the withdrawal of irrigation water from the reservoir.

17. That the grantee shall not install erosion control devices around the intake of the irrigation system, without the approval by said officer in charge.

Prior to the execution of this instrument, conditions Nos. 15, 16 and 17 were added.

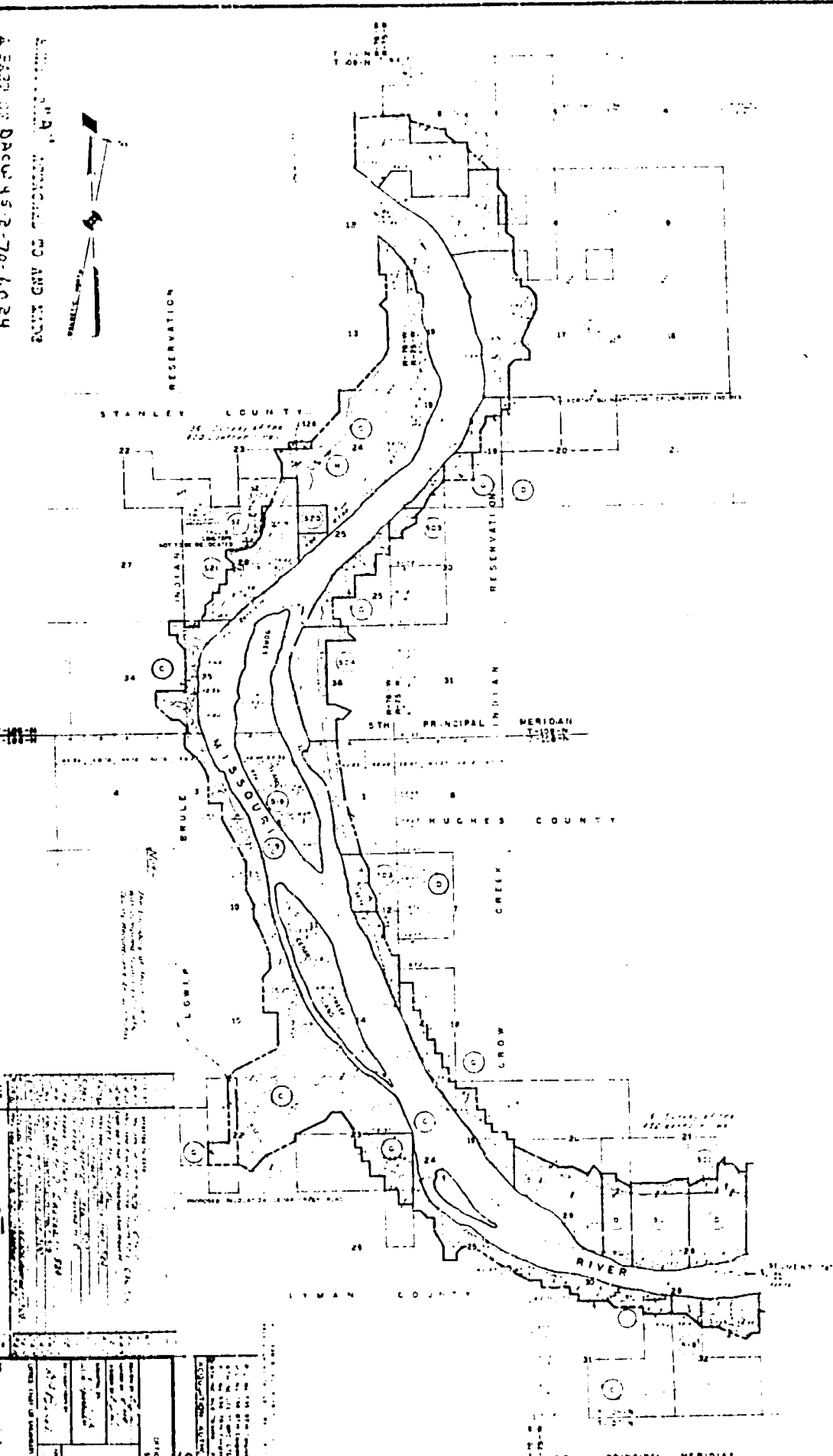
This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this 24th day of August, 1944.

L. Y. LAYTON,
Acting Chief, Real Estate Division
Graha District, Corps of Engineers

/s/ L. Y. LAYTON
Acting Chief, Real Estate Division
Graha District, Corps of Engineers

STATE INDEX

[illegible]

DECLASSIFIED
PROJECT MAP

AGENCY FILE OF THE ARMY
704. SOUTH DAKOTA
COTTON, MARCUS LAMAR & SONS
BRAND MISSOURI RIFLE
BENT - OMAHA

LOCATION OF PROJECT

22 MAY 51 ON PITHUL

TRANSPORTATION FACILITIES

11-1-54

ACQUISITION

FOCAL POINT ACTIVITY
A TIPS FILE
A TIPS WORKSHEET
A TIPS LISTS

DISPOSAL:

*OFFICE ACTIVITY DESCRIBED ON
ACRIMS FORM
ACRIMS TRANSLATION:
ACRIMS AT 0749, 1100 AND 1110
ACRIMS 1038 IN 1100 AND 1110
ACRIMS 01 AND 02;
ACRIMS 10

LEGEND

[illegible]

SEGMENT 5

MISSOURI RIVER DIVISION

REAL ESTATE
BIG BINC CANN
and
LANE SHARPI

1515-3

Water Rights Division
(605) 773-3352

SECOND NOTICE

July 30, 1981

Dale Bisson
603 N Euclid
Pierre, SD 57501

Mr. Bisson:

On March 13, 1981 notice was sent to you concerning the transfer of Water Permit No. 1515-3 in the name of Bill Arch which covers irrigation of portions of Sections 18, 19, 20 & 21 of T108N, R75W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please check over, sign, have notarized and return to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. A note in the file indicates that you only purchased a portion of the lands covered under this Permit. Please indicate on the transfer form which portions you purchased so that the permit can be split and transferred accordingly. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current.

If you have any questions, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/cy
er.cl

Water Rights Division
(605) 773-3352

THIRD NOTICE
1515-3

September 15, 1981

Dale Bisson
603 N Euclid
Pierre, SD 57501

Mr. Bisson:

On March 13, 1981 and July 30, 1981 notice was sent to you concerning the transfer of Water Permit No. 1515-3 in the name of Bill Arch which covers irrigation of portions of Sections 18, 19, 20 & 21, T108N, R75W. To date we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please check over, sign, have notarized and return to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. As stated in a previous letter to you, a note in the file indicates you only purchased portions of the land covered under this water permit. Please indicate which portions you own on the transfer form, an aerial photo with the areas delineated would be very helpful. The permit can be split and part transferred to you. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current.

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

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

If you have any questions, please advise this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/qy
encl

NOTICE OF TRANSFER OF OWNERSHIP

No. 1515-3

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

Date: _____



I/We request that Water Permit/Right No. 1515-3

formerly owned by: Bill Arch

be transferred to: (name & address) Dale Bisson

(telephone No.) _____

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

NE $\frac{1}{4}$ Section 18 and SE $\frac{1}{4}$ Section 21, T108N, R75W

I/We understand that the validity of Water Permit/Right No. 1515-3 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.

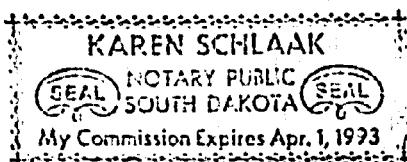
STATE OF SOUTH DAKOTA)

County of Hughes)

I/We Dale Bisson 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.

Dale Bisson
(Signed)

Subscribed and sworn to before me this 20th day of March, 1991.



Karen Schlaack
(Notary Public)

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, March 20, 1991

1515-3
412007

RECEIVED OF Dale Bissen, 1213 N Euclid, Pierre, SD 57501

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 Water Permit No. 1515-3

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 H. Hinkel

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

JUN 27 2002

WATER RIGHTS
PROGRAM

No. 1515-3

Date: _____

I/We request that Water Right/Permit No. 1515-3

formerly owned by: Dale Bisson

be transferred to: (name & address) Nachtigal Farms Inc., 520 Illinois Platte SD 57369

Telephone No. 605 337-3619

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

NE 1/4 Section 18 and W 1/2 SE 1/4 Section 21; T108N-R75W

I/We understand that the validity of Water Right/Permit No. 1515-3 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 Nachtigal Farms, the new owner, certify that the above information is true and correct.

Nachtigal Farms
(Signed by new owner)
by Day Nachtigal

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

417207

Pierre, S.D. 57369, 20 09

RECEIVED OF Nachtigal Farms Inc., 520 Illinois, Platte St 57369
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. 1515-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

2 50

Total

2 50

(Any Other Work Provided by Law)

By

Chief Engineer

Stanley S. Sells



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 27, 2002

1515-3

Nachtigal Farms Inc
%Gary Nachtigal
520 Illinois
Platte SD 57369

Dear Mr. Nachtigal:

Thank you for following up on the ownership change for Water Permit No. 1515-3. The transfer has been completed. The water permit formerly listed in the name of Dale Bisson is now listed in the name of Nachtigal Farms Inc.

Enclosed is your Receipt No. 417207 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Glenda Marks
Secretary
Water Rights Program
(605) 773-3352

enclosure

File No. 1089-3

1089A-3

1515-3

5008-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

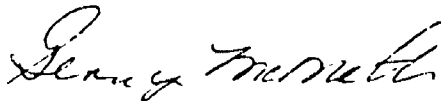
NAME & ADDRESS: Nachtigal Farms

DATE: September 17, 2002

RE: Licensing and incorporation of water permits

COMMENTS:

On September 17, 2002, Water License No. 5537-3 was issued to Nachtigal Farms. The license was based on an investigation done on June 18, 2002 by Lynn Beck. When the license was issued, the applicable portions of Water Permit Nos. 1089-3, 1089A-3, 1515-3 and 5008-3 were incorporated into the license.



Genny McMath
Environmental Scientist