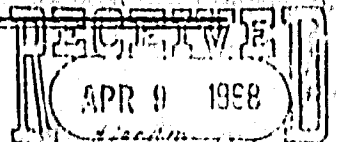


1552-3

1. Considered 5-22, 1968
2. Name of Applicant GUY BARR
3. Post Office Address YORK, NEB.
4. Amount of water claimed 9.88
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
- Acres to be irrigated 691.7
7. Water to be diverted and used in SPINK county
about 3E 4S miles of FRANKFORT.
8. Proof of Publication Received ✓
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1552-3Water Division No. 3 JAMES RIVER District
(Blanks to be filled by the Engineer for the W. R. O.)STATE WATER RESOURCES COM.
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 Guy Barr Dennis Lane
Postoffice address RT 2 York, County _____, State Nebraska

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 Guy Barr Irrigation project #1
3. Amount of water claimed 6.00 Marionum for 69.7 acres cubic feet per sec
4. Source of water supply 2 wells - one being diverted to creek + water picked up down stream
5. Location of point of diversion WELL NO. 1, 200' N, 540' W of S.E. corner Sect 38, 116, 62
WELL NO. 2, 1320' S, 550' W of N.E. corner Sect 38, 116, 62 on bank SPINK County, map
6. Annual period or periods during which water is to be used April thru Oct
7. To be used for:

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

- (a) Number of acres to be irrigated
- 69.7
- acres.

- (b) Legal subdivisions to be irrigated
- SEE Back sheet

(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 1127-3

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 bottomfeet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face
 material used in construction

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	Surface Area at Each Depth at Outlet—Acres	Feet	Acres-Feet Capacity

(c) Head gate: Width.....feet; heightfeet;
 Material

(d) Canal: Total lengthmiles.

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 work5.....years.

11. Time required for complete application of water to the proposed beneficial use1.....years.

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

The Daily Plainsman, Huron S.D.

STATE OF SOUTH DAKOTA

County of

BEAUFORT

I, GUY J. BAER

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

Guy J. Baer

Subscribed and sworn to before me this

8th

day of

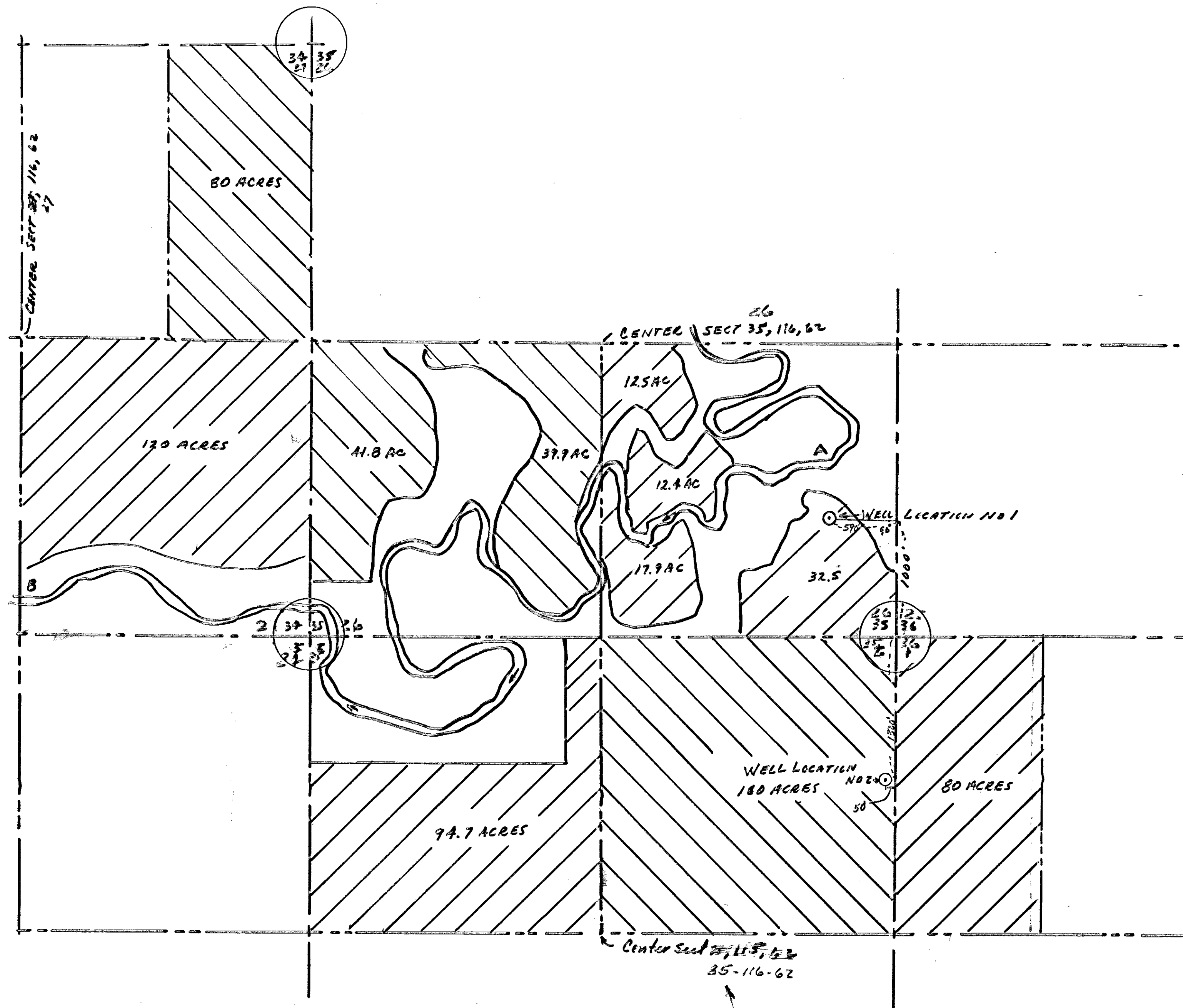
April

1906

Carroll Johnson

Notary Public (for other qualified officer.)

*Each diversion must have a headgate or measuring device.



AREAS BY LEGAL SUBDIVISION			
AREA	SECTION	TOWNSHIP	RANGE
80.0 AC.	ENE 1/4-37-27	116 N	62 W
120.0	SE 1/4-34-27	116 N	62 W
81.7	SW 1/4-35-26		
75.3	SE 1/4-35-26		
94.7	NW 1/4-2-35		
160.0	NE 1/4-2-35		
80.0	W 1/2-NW 1/4-36		
691.7 ACRES TOTAL			

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 GUY BARR,
SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON APR 1, 1968 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 1ST DAY OF APRIL 1968.

Harlan W. Meyer
REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE)
SUBSCRIBED AND SHOWN TO BEFORE ME THIS 1ST DAY
OF APRIL 1968

Cerene Johnson
NOTARY PUBLIC

MY COMMISSION EXPIRES MARCH 10, 1972

NOTE: WATER WILL BE DIVERTED INTO CREEK AT POINT
A & REDIVERTED TO LAND ANYWHERE ALONG OWNERSHIP
BOUNDARIES BETWEEN POINT A AND POINT B.

GUY BARR IRRIGATION PROJECT NO 1
SHOWS AREA TO BE IRRIGATED, DIVERSION POINTS FROM WELLS
AND CREEK - FOR PERMIT TO APPROPRIATE WATER

GUY BARR	OWNER
HARLAN W. MEYER	SURVEYOR
	APRIL '68

Remarks by State Water Resources Commission:

UNDER THIS PERMIT, A MAXIMUM OF 3 SEC. MAY BE DIVERTED FROM ANY WELL,

The irrigation wells approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

LOW FLOWS OF THE CREEK AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING STOCKWATER, MUST BE BY PASS.

STATE OF SOUTH DAKOTA

County of HUGHES ss.

Pierre, South Dakota, JUNE 10, 1968

This is to certify that the foregoing application was received by the Commission at 4:00 o'clock

P.m. upon the 9TH day of APRIL, 1968

State Water Resources Commission

By:

Durton L. Jones
for Chief Engineer, Executive Officer

Number of permit 1552-3

Date of first receipt of application APRIL 9, 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 APRIL 9, 1968

Approved MAY 22, 1968 Recorded in Book 10 Page 212

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

NOVEMBER 22, 1970

2nd. The whole of said work is to be completed on or before MAY 22, 1973

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

MAY 22, 1974

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 6.00 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before MAY 22, 1974; said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 10TH day of APRIL, 1968

State Water Resources Commission

By:

John L. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Remarks by the Applicant:

Area Sect. Town. W. Rg. N.

LEGAL SUBDIVISION 80.0 AC E 1/4 NE 1/4 37 27 116 62

17.0 AC PART OF SE 1/4 37 27 116 62

81.7 AC PART OF SW 1/4 37 26 116 62

75.3 AC PART OF SE 1/4 37 26 116 62

94.7 AC PART OF NW 1/4 37 25 116 - 62

160.0 AC NE 1/4 - 37 25 116 - 62

80.0 AC W 1/2 - NW 1/4 - 37 25 116 - 62

Form 2A -- Wells (Supplement to Form 2)

0. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30" Depth

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

Size of casing 16" Thickness of casing 2.19

Length of casing 20' Screen If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Johnson

Size of perforated screen
(diameter) (length)

Thickness of gravel pack 8", length of gravel pack

(c) Water Bearing Materials

Distance to water Character of water bearing materials

TEST HOLE 28086 gravel - WELL NO 2

TEST HOLE #4 30-65 gravel - WELL NO 1

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump , size

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

Horsepower Name of Motor

(e) Complete well

Capacity at drawdown of Estimated cost

(f) Owner of land upon which well is located

RT 2 York Neb.
Name Address

(g) Distance to nearest existing well

WELL #2 - 1 1/2 miles 1 1/4 mile
On same owner's property rods. On property owned by other rods

WELL #1 7 miles 1 mile

on or before
(First Publication April 25, 1968.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 10, 1968

Notice is hereby given that Guy Barr whose postoffice address is York, Nebraska ~~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 9.08 cubic feet of water per second of time from ~~the~~ ground water through the Barr Irrigation Project #1, the point of diversion of which is to be located on the at points in SE 1/4, NE 1/4, Section 2, T115N, R62W, and ~~at points in SE 1/4, NE 1/4, Section 2, T115N, R62W, and~~ SE 1/4 of the SE 1/4 of Section 35 Twp. 116N Range 62W. Said water to be used for the purpose of providing irrigation of the following described land:

N 1/4, Section 1, N 1/4, Section 2, T115N, R62W, E 1/4, N 1/4, SE 1/4, Section 34, N 1/4, Section 35, T116N, R62W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 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.

cc: Guy Barr, York, Nebr.

State Water Resources Commission

By:

State Water Resources Commission

B. J. JONES
Water Rights Specialist

Permit No. 1552-3
 Water Division 3 JAMES 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 RONALD E. JOHNSON of FRANKFORT holder of Permit No. 1552-3, bearing date of priority of APRIL 9, 1968 authorizing the diversion of 6.0 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in SPINK 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:

83' DEEP WELL WITH 16" STEEL CASING
WESTERN LAND ROLLER 8" PUMP, POWERED BY
CHEVROLET 6' CYL MOTOR - PROPANE
(SIMILAR WELL LOCATED ABOUT 300' SE OF THIS WELL, BUT NO PUMP)

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

330' OF 8" PIPE TO E PIVOT
1470' OF 8" LINE TO W PIVOT

C. Works used to apply water to beneficial use.

13 TOWER VALLEY SELF PROPELLED SPRINKLER
SYSTEM

The system is in the following condition: GOOD

The point of diversion is located 1100'S & 365' W OF THE NE CORNER,
SECTION 35, T116N, R62W

The works are capable of diverting and conveying to the place of use 2.0
 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: SECTION 36
TWO 131 ACRE CIRCLES IN THE W²NW⁴, NE⁴ AND E²NW⁴,
SECTION 35, T116N, R62W, WITH SOME OVERLAP OF
CIRCLES

comprising a total of 238 acres of land.

Date APRIL 4, 1973
Burton J. Jones
 (Signature)
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

Form 20.

1552-3

J. _____

NOTICE OF TRANSFER OF WATER PERMIT

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

Date April 4, 1973

This is to notify you that title to the lands described as follows:
Portions of E $\frac{1}{2}$, Section 27, W $\frac{1}{2}$ Section 26, N $\frac{1}{2}$ Section 35 and W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 36,
T11bN, R62W, described in Water Permit No. 1552-3

formerly owned by Guy Barr, York, Nebraska

has been transferred to Ronald E. Johnson, Frankfort, South Dakota

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No.
1552-3 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 Resources Commission as evidence of the change of ownership.

A fee of one dollar 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 Hughes)

I, Ronald E. Johnson 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.

Ronald E. Johnson
(Signed)

Suscribed and sworn to before me this 4th day of April, 1973

(Notary Public)
Betty Westlund, Technical Assistant
Water Resources Commission

RECEIPT

WATER RIGHTS COMMISSION

No 4 7198

State of South Dakota

PIERRE, January 7, 1930

RECEIVED OF Dennis L. Lau, Frankfort, SD 57440

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 transfer of water right No. 1552-3	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 *[Signature]*
Chief Engineer, Executive Officer
JOHN HATCH (sy)

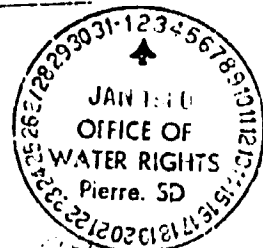
FORM 20

NO. 1552-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 31 Dec 1929



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

W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 36; N $\frac{1}{2}$ Sec. 2; S $\frac{1}{2}$ Sec. 26; N $\frac{1}{2}$ Sec. 35; T116N, R62W

formerly owned by Guy Barr, York Nebraska

has been transferred to Dennis Lau, Frankfort, SD 57440

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

Water Right Permit No. 1552-3 as provided for in SDCL 46-5-12 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 the Board of Water Management 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 Spink) ss.

I, Dennis J. Lau 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.

Dennis J. Lau
(Signed)

Subscribed and sworn to before me this 31 Day of December, 1929.

Delores Hamilton
(Notary Public)
Register of Deeds Spink Co

4714-3
2235-3
1552-3

October 24, 1983

George W. Cluts, President
Security State Bank
P.O. Box 405
Doland, South Dakota 57436

RE: Water Permits for Dennis Lau

Dear Mr. Cluts:

Enclosed are three irrigation questionnaires pertaining to Water Permit Nos. 4714-3, 2235-3 and 1552-3 held by Dennis Lau. Please complete the data sheets and return them to this office. If accurate records were not kept, estimations will be satisfactory. The questionnaires must reach our office before November 11, 1983 to avoid suspension of Permit No. 4714-3.

The following is a listing of the lands covered by each permit.

4714-3	160 acres	NW $\frac{1}{4}$ Section 2, T115N, R62W
2235-3	132 acres	S $\frac{1}{2}$ Section 35, T116N, R62W
1552-3	238 acres	E $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ Section 35 W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 36, T116N, R62W

The permits are being microfilmed at present, and when they are returned, copies will be forwarded to you.

If you have any questions, please advise.

Sincerely,

Genny McMath
Water Rights Specialist

GM:ms
Enc.

1552-3

Water Rights Division
605 773-3352

November 2, 1983

George W. Cluts, President
Security State Bank
PO Box 405
Doland SD 57436

Dear Mr. Cluts:

Enclosed as you requested, are copies of Water Permits No. 1552-3, 2235-3 and 4714-3 listed in the name of Dennis Lau. If you have any questions concerning these permits, contact our office.

Sincerely,

GENNY MCMAH
Natural Resources Analyst

GM:ks

enclosures

South Dakota
Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
Water Rights Division
605 773-3352

March 15, 1984

1552-3
2233-3
4714-3

George W Cluts
Security State Bank
Doland SD 57436

RE: Submission of 1983 Irrigation Questionnaire

Dear Mr. Cluts:

Enclosed are the 1983 Irrigation Questionnaires for Water Permits listed in the name of Dennis Lau of Frankfort. The land formerly owned by Mr. Lau is either in the process of being sold or has been sold through your bank to Gary Wipf of Frankfort.

As you can see from the cover letters attached to the questionnaires, submission of the yearly irrigation questionnaire has become very important, and in the last couple of years has become mandatory.

Please have the data sheets completed by the party who irrigated in 1983. The forms should be returned to this office upon completion. Your assistance in this matter will be appreciated.

If you have any questions, please contact us.

Sincerely,

GERRY MCNATH
Natural Resources Analyst

GM:ks

enclosures

4/28/84 - called Mr. Cluts - he did not realize
he was to send data sheets back -
he gave information to me over the
phone. *Genny*
Equal Opportunity Employer

**South Dakota Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Resources Engineer
605 773-3352

March 7, 1984

N O T I C E

Dear Sir:

The Water Management Board has directed that all owners of Water Permits not in compliance with the requirement:

"All irrigation Permit owners.....shall submit the Irrigation Questionnaire mailed to them each year by the Chief Engineer."

be notified of this requirement.

Our records show we have not received the 1983 Irrigation Questionnaire for your Permit. The questionnaire was requested:

- 1) November, 1983 initial request
- 2) December, 1983 followup request

Owners of Water Permits not in compliance with the annual Irrigation Questionnaire requirement are being given until April 2, 1984 to submit the 1983 questionnaire. The Board will consider disciplinary action April 25, 1984 including amending those permits for which the 1983 questionnaire has not been received by April 2 with the following qualification:

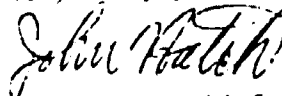
"This Permit amended April 25, 1984 is subject to the Irrigation Questionnaire being submitted each year."

Amendment of a Permit will mean that a Permit can be suspended for up to one year for continued violation of the Irrigation Questionnaire requirement.

The hearing before the Water Management Board April 25, 1984 will be at 10:45 am, Room 216, Joe Foss Building, Pierre SD. The amendment may be made pursuant to SDCL 46-1-14.

Enclosed is an additional questionnaire. Please advise if you have any questions, or you do not believe our records are correct.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

enclosure

Equal Opportunity Employer



Department of Water & Natural Resources

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

July 20, 1988

2235A-3

Gary Wipf
RR #1 Box 59
Frankfort, SD 57440

Dear Mr. Wipf:

The inspection of the water use systems developed under Water Permit Nos. 1552-3, 2235-3 and 2235A-3, has been completed. The final water right document, the water license can now be issued.

Since the systems constructed under the above permits are operated as one system, a water license will be issued under No. 2235A-3, with the applicable portions of Permit Nos. 1552-3 and 2235-3 incorporated into the license. Before the license is issued, Nos 1552-3 and 2235-3, currently listed under Dennis Lau, should be transferred to your name.

I am enclosing two partially completed 'Notice of Transfer' forms. Please complete the forms by signing them in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$5.00). 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.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. South Dakota Water Law 46-5-30.1 states that a permit holder may not divert water until the license fee has been paid.

Upon receipt of the transfer forms and filing fees (total of \$55.00), the water license will be ready for issuance. If you have any questions, please contact us.

Sincerely,

Genny McMath

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NO. 1552-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 8-29-88

This is to notify you that the title to the lands described as follows:
W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 36, NE $\frac{1}{4}$ & E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35, T116N, R62W

formerly owned by Dennis Lau

has been transferred to Gary Wipf, RR 1, Box 59, Frankfort SD 57440

(please include complete mailing address)

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

Water Right Permit No. 1552-3 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 Spink) ss.

I, Gary Wipf 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.

Gary Wipf
(Signed)

Subscribed and sworn to before me this 29 Day of August, 1988.

Kirk Carr
(Notary Public)

KIRK CARR, NOTARY PUBLIC
MY COMMISSION EXPIRES NOV 12, 1988

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, October 1, 1950

RECEIVED OF Earl Wipf, RR 1, Box 59, Frankfort, SD 57440

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>permit No. 1552-3</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 (ES)

 **Department of
Water & Natural Resources**

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

1552-3
2235-3

September 1, 1988

Gary Wipf
RR #1 Box 59
Frankfort, SD 57440

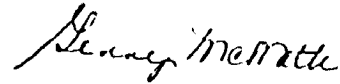
Dear Mr. Wipf:

Enclosed are Receipt Nos. 411384 and 411385 in the amount of \$2.50 each which you paid for the transfer of Water Permit Nos. 1552-3 and 2235-3. The permits are now listed in your name.

The water license for Permit No. 2235A-3 will be forwarded to you along with your receipt for \$50.00 at a later date. You have complied with all of the provisions for obtaining a water license and the intervening time between the inspection, your payment of the fee, and the date the license is actually issued has no bearing on your water right.

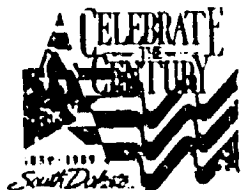
If you have any questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst

enclosure





Department of Water & Natural Resources

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

SEP 14 1989

Gary D. Wipf
RR #1, Box 59
Frankfort, SD 57440

Dear Mr. Wipf:

Enclosed is Water License No. 2235A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 411386 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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. 2235A-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. If you have any questions, please contact our office.

Very truly yours,

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

enclosures.

Note: The applicable portions of Water Permit Nos. 2235-3 and 1552-3 were incorporated into Water License No. 2235A-3.

