

1. Considered 5-22, 1968 1571-3
2. Name of Applicant NEAL Mc BETH
3. Post Office Address STROMSBERG, NEB.
4. Amount of water claimed 2.28
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in SPINK county
about 2N 2E miles of HITCHCOCK
8. Proof of Publication Received ~~10~~ ✓
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No.

1571-3

Water Division No.

3

JAMES 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 Neal McBeth
Postoffice address Stromsburg, Nebraska

1571-3

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

In a telephone conversation with Mr. McBeth, he indicated he wanted his irrigation questionnaires and all other correspondence sent to his renter.

RENTER:

Harold Harms
Hitchcock, SD 57348

5-21-81

Genny

(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 Neal McBeth Irrigation Project No.1
3. Amount of water claimed 2.28 cubic feet per second
4. Source of water supply Well
5. Location of point of diversion 1320' West and 1320' North of S.E. Cprner, 23, 114, 63
On _____ bank _____ County.
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? Overhead(a) Number of acres to be irrigated 160 acres.(b) Legal subdivisions to be irrigated S.E. 1/4 Sect 23, 114, 63

(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 1143-3

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-Feet CAPACITY

(c)* Head gate: Width.....feet; height feet;
 Material
 (d) Canal: Total length: miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 5.....years.
 11. Time required for complete application of water to the proposed beneficial use 1..... years.
 12. Choice of newspaper for publication of notice of intention to appropriate
 The Daily Plainsman, Huron, S. Dak.

STATE OF SOUTH DAKOTA
 County of Beadle } ss.

I, NEAL McBERTH, 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.

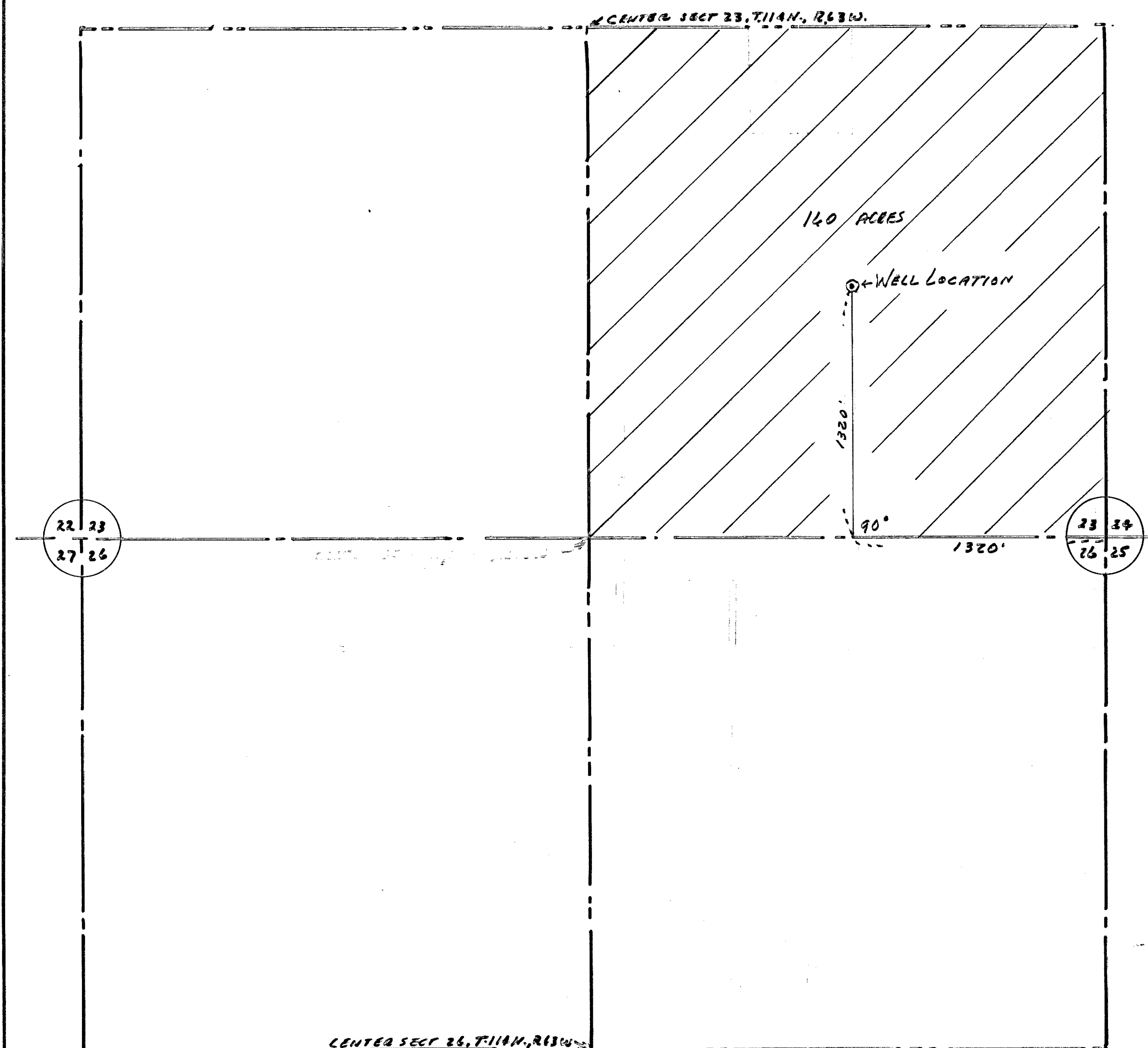
Signed Neal McBerth

Subscribed and sworn to before me this 22nd day of April 1968

Charles Neukirch
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device

Commission Expires July 29, 1972



AREAS BY LEGAL SUBDIVISION
140 ACRES S.E. 1/4, SECTION 23, T114N, R63W, 5TH PM

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE) SS
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF NEAL Mc BETH,
SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON APRIL 29, 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 20TH DAY OF APRIL 1968

Harlan W. Meyer

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE) SS REGISTERED LAND SURVEYOR #495

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20TH DAY
OF APRIL 1968

Carroll Johnson

NOTARY PUBLIC

MY COMMISSION EXPIRES MARCH 10, 1972



SCALE 1" = 400'

NEAL Mc BETH IRRIGATION PROJECT NO 1
SHOWS AREA TO BE IRRIGATED & DIVERSION WELL
FOR PERMIT TO APPROPRIATE WATER

OWNER

NEAL Mc BETH

SURVEYOR

HARLAN W. MEYER
APRIL 1968

MAP NO 1143-3 (APPEND 1571-3)

Remarks by State Water Resources Commission:

.... The irrigation well 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.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MAY 27, 1968

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock A m. upon the 24TH day of APRIL, 1968

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 1571-3

Date of first receipt of application APRIL 24, 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 24, 1968

Approved MAY 22, 1968, Recorded in Book 10 Page 200

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 2.28 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 27TH THRU OCTOBER
Witness my hand this 27TH day of MAY, 1968

State Water Resources Commission

By:

Joe G. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 19, 1974

Water License issued JUNE 19, 1974

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 32, Depth 66
Type of casing Steel
(wood, concrete, steel, etc.)
Size of casing 16, Thickness of casing 1/4
Length of casing 66. If collection gallery, length, size and depth of
gallery _____

(b) Screens

Type of perforated screen Johnson Irrigator
Size of perforated screen 16 36
(diameter) (length)
Thickness of gravel pack 8, length of gravel pack 66

(c) Water Bearing Materials

Distance to water 30 Character of water bearing materials _____
0-2 top soil
2-17 Yellow Till
17-30 Fine sand mixed with clay
30-66 medium and coarse gravel

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 Neal McBeth
Name
Stromsberg, Nebraska
Address

(g) Distance to nearest existing wells

On same owner's property 80 rods On property owned by others 120 rods

Form 15.

Permit No. 1571-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Neal McBeth

the holder _____ of
Permit No. 1571-3, issued upon Application No. 1571-3, bearing date of priority of April 28,
1968 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
ground water County of Spink, State of South Dakota at _____
a point in the center of the SE 1/4, Section 23, T114N, R63W

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 2.11 cu. ft. per second of water.

Date June 19, 1974

By: [Signature]
WATER RIGHTS COMMISSION

DONALD DRISCOLL, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1571-3

(1) WHEREAS, On the 24th day of April A. D. 19 68
Neal McBeth

made Water Right Application No. 1571-3 for a permit to use 2.28 cubic feet per second of the waters
of ground water

County of Spink, State of South Dakota for irrigation
purposes; and

(2) WHEREAS, On the 27th day of May A. D. 19 68

Permit No. 1571-3, with a date of priority of April 24, 1968
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 22nd day of May A. D. 19 73 and for the
application to beneficial use of said water on or before the 22nd day of May A. D. 19 74

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 2.11 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 160 acres in the SE $\frac{1}{4}$, Section 25, T11 $\frac{1}{2}$ N, R63W

(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 Neal McBeth

_____ of Stromsburg, Nebraska
the holder _____ and owner _____ of said permit No. 1571-3 a water right, dating from April 24, 1958
_____ to use of 2.11 cubic feet per second of the waters
of groundwater
in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point in the Center of the SE $\frac{1}{4}$, Section 23, T114N,
R63W

and conduct to and upon the SE $\frac{1}{4}$, Section 23, T114N, R63W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1571-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 12th day of June A. D.
Nineteen Hundred and Seventy-four

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

on or before
(First Publication) April 29, 1968

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 24, 1968

Notice is hereby given that ~~Neal McBeth~~ whose postoffice address is ~~Stromsburg, Nebraska~~ ~~xxxx~~ has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from ~~the~~ ground water through the ~~McBeth Irrigation Project #1~~ the point of diversion of which is to be located on the ~~bank of said stream~~ ~~xxxx~~ in the Center ~~xx~~ of the SE ~~xx~~ of Section 23 Twp. 114N Range 63W. Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$, Section 23, T114N, R63W

~~xxxx~~

~~xxxxxx~~

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: Neal McBeth
Stromsburg, Nebr.

State Water Resources Commission

By:

(Chief Engineer, Executive Office)

BURTON F. JONES
Water Rights Specialist

PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE

I, Annette C. Lusk
being duly sworn on oath, say that THE DAILY PLAINSMAN
is a daily paper published at Huron, Beadle County, South
Dakota, and that said newspaper has a bonafide circulation
of at least 250 copies daily; that said newspaper has been
published within said county for fifty-two consecutive weeks
immediately prior to this date; that said newspaper is printed
in whole or in part, in an office maintained at said place of
publication; that I am publisher

_____ of said newspaper
and know the facts herein stated. The annexed notice headed
Appropriation of Water

was published for 11 successive weeks once each
week, the same day each week, in said newspaper, and not in
any supplement of the said newspaper, the first publication on
the 29 day of April, 1968, and the last
publication on the 20 day of May, 1968.
That the full amount of the fee charged for publishing the
same, to-wit:

Twenty one and 80/100 Dollars insures to the benefit of
the publisher of said newspaper; that no agreement or under-
standing for the division thereof has been made with any
other person, and that no part thereof has been agreed to be
paid to any person whomsoever.

Subscribed and sworn to before me this 29 day of
April, 1968.

Notary Public, South Dakota

My term expires 9-21-75

AFFIDAVIT OF AGENT OR ATTORNEY

STATE OF SOUTH DAKOTA,
COUNTY OF _____

I, _____
being duly sworn on oath, say that I am the authorized attor-
ney for the party foreclosing the mortgage described in the
annexed notice; that no agreement or understanding for any
division of the fees therefore has been made with any person
whomsoever, and that no part thereof has been refunded or
rebated by the party publishing this notice.

Subscribed and sworn to before me this _____ day of
_____, 19____.

APPROPRIATION OF WATER
Office of State Water Resources Commission
Pierre, S. Dak. April 26, 1968
Notice is hereby given that Neal McBeth, whose postoffice address is Stormburg, Nebraska, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.23 cubic feet of water per second of time from ground water through the McBeth Irrigation Project No. 315, the intent of diversion of which is to the Section 23, Township 11N, Range 6W, of the Center of the SMN, of providing irrigation on the purpose of described land, viz. 800 acres, in Section 23, Township 11N, Range 6W, of the State Water Resources Commission. This application will be taken up by the State Water Resources Commission 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 State 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
cc: Neal McBeth Specialist
Stormburg, Nebr.
No. 163 (adv.)
P. P. 4-22-68 41:07 I. P. 5448

RECEIVED
MAY 21 1968
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

This is the Water Rights Commission data sheet for recording 1973 irrigation estimates. Please fill out and return at once, even if you plan to irrigate after September.

Water Right No. *1571-3

County Spink

Name of Irrigator Neal McBeth

Source of Water _____

Month	Estimated No. of Days Pumped	Average No. of Hrs. Pumped Per Day	Average Pumping Rate (G.P.M.)	Acres of Crop Irrigated and Proportion of Water used		
				Crop	Acres	Estimated Proportion of Water for each Crop
May						
June						
July						
August						
Sept.						

Type of Pump Power _____
(Electric, gasoline, diesel, propane, or other) (or gravity diversion from stream or Reservoir)

Method of Applying Water _____ (Hand-moved sprinklers, towlines, portable booms, gun type, center pivot sprinkler system, gated pipe, siphons, other)

If you did not irrigate in 1973, so indicate _____

REMARKS: (This space is provided in case you wish to make additional comments).

*This farm is cash rented to
Harold Harms, Hitchcock, S. DAKOTA.
I have no record at all.*

Please send this completed data sheet to:

WATER RIGHTS COMMISSION
State Office Building #2
Pierre, South Dakota 57501

Permit No. 1571-3
 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 NEAL
MR BETH of STROMSBURG, NEBRASKA holder
 of Permit No. 1571-3, bearing date of priority of APRIL 24, 1968
 authorizing the diversion of 2.28 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:

70' DEEP WELL WITH 16" STEEL CASING. LAYNE-BOWLER
8" PUMP POWERED BY MINNEAPOLIS MOINE 60 HP
INDUSTRIAL ENGINE - FROTHING

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

1800' OF 8" MAINLINE

C. Works used to apply water to beneficial use.

3. 1/4 MILE 4" TOWLINES WITH RAINBIRD #30
NOZZLES 9/32

The system is in the following condition: GOOD

The point of diversion is located IN THE CENTER OF THE SE⁴
SECTION 23, T114N, R63W

The works are capable of diverting and conveying to the place of use 2.11

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:

SE⁴ SECTION 23, T114N, R63W

comprising a total of 160 acres of land.

Date MAY 28, 1974

Dustin Jones
 (Signature)

WATER RIGHT SPECIALIST
 WATER RIGHTS COMMISSION

Division of Water Rights (605) 773-3352

1571-3

March 5, 1981

Harold Harms
Hitchcock, SD 57343

Dear Mr. Harms:

Enclosed please find our 1980 Irrigation Questionnaire. The form was originally sent to Mr. McBeth, but he returned it indicating you would have the records concerning the permit since you rented it.

Please complete the data sheet and return it to this office. If exact figures are not known, estimations will be fine.

If you have any questions, please contact this office.

Sincerely,

Genny Young
Staff Assistant

gy

encl



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol

Pierre, South Dakota 57501-3181

WATER RIGHTS DIVISION
(605) 773-3352

1571-3
1600-3

April 28, 1987

Neal McBeth
Rural Route 1, Queen Valley
52 Victoria View
Apache Junction, Arizona 85220

Dear Mr. McBeth:

The purpose of this letter is to inquire about the status of your Water Right Nos. 1571-3 and 1600-3. Mr. Harold Harms, Hitchcock, South Dakota has notified our office that he did not farm the land in 1986 and no longer owns the land.

I contacted the Assessor's Office in Spink County to find out who now owns the land. They indicated the land under Water Right No. 1571-3 is still listed in your name and the land under Water Right No. 1600-3 is listed under Thelma and Robert McBeth.

Do you have another renter or manager that will be farming this land for you? The yearly irrigation questionnaires need to be sent to whoever will be irrigating the land. If you no longer intend to have the land irrigated, we would need to know this too.

Please contact our office as to your intentions concerning these water rights. Thank you for your assistance in this matter.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:m:

**South Dakota Department of
Water & Natural Resources**

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

March 23, 1987

HAROLD HARMS
RR #1 BOX 148
HITCHCOCK, SD 57348

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

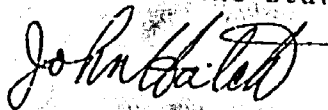
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 1600-3, 1571-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm. May 6, 1987 in Room 216. Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit(s). 1600-3, 1571-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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



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

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

South Dakota
Department of
Water & Natural Resources

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

April 29, 1987

1571-3
1600-3

Harold Harms
RR #1 Box 148
Hitchcock, SD 57348

Dear Mr. Harms:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Right Nos. 1571-3 and 1600-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

John Hatch

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

1571-3
1600-3

Gentlemen,

Mr. Allen Gotzke
now rents the land
owned by Neal McBeth,
and Robert & Thelma McBeth.

This man will be
farming & irrigating these
two farms for four
more years at least.

Neal McBeth

RR# 5
Stromsburg NE 68666



SOUTH DAKOTA
Department of
Water & Natural Resources

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

October 5, 1990

1571-3
1600-3

Allen Gatzke
RR #1 Box 147
Hitchcock, SD 57348

Dear Mr. Gatzke:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right No. 1571-3 and Vested Water Right Claim No. 1600-3. They are currently listed in the name of Neal McBeth.

The transfer forms should be checked over for accuracy and signed by the new owner 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.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

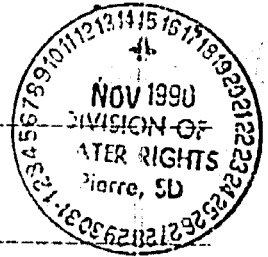
enclosures

NOTICE OF TRANSFER OF OWNERSHIP

No. 1571-3

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

Date: 11-15-90



I/We request that Water Permit/Right No. 1571-3

formerly owned by: Neal McBeth

be transferred to: (name & address) Allen & Bobbie Gatzke, RRI, Box 147
Hitchcock, SD 57348 (telephone No.) 266-2711

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

SE 1/4 Section 23, T114N, R63W

I/We understand that the validity of Water Permit/Right No. 1571-3 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 Spink)

I/We Allen Gatzke 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.

Allen Gatzke
(Signed)

Subscribed and sworn to before me this 13th day of November, 1990.

Linda Simpson
(Notary Public)

My Comm Exp 8-8-93

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.



**Department of
Water & Natural Resources**

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

November 16, 1990

1571-3
1600-3

Allen Gatzke
RR #1 Box 147
Hitchcock, SD 57348

Dear Mr. Gatzke:

Your "Notice of Transfer of Ownership" forms have been received for Water Right No. 1571-3 and Vested Water Right Claim No. 1600-3. The forms were completed properly, however, can not be filed without the appropriate filing fees.

Please remit a total of \$5.00 (\$2.50 for each transfer) as soon as possible. Water Right No. 1571-3 and Vested Water Right Claim No. 1600-3 will be transferred from Neal McBeth to Allen & Bobbie Gatzke, upon receipt of the filing fees.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, November 20, 1990

412480

RECEIVED OF Allen Gatzke, RR#1 Box 1474 Hitchcock, SD 57343

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 Right No. 1571-3 _____

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

By

Chief Engineer



DEPARTMENT OF WATER & NATURAL RESOURCES

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

1571-3
1500-3

GREAT FACES. GREAT PLACES.

January 17, 1991

Allen Gatzke
RR #1 Box 147
Hitchcock, SD 57348

COPY

Dear Mr. Gatzke:

Enclosed are Receipt Nos. 412430 and 412431 in the amount of \$2.50 each which you paid for transfer of Water Right No. 1571-3 and Vested Water Right Claim No. 1600-3.

Our records now reflect "ALLEN & BOBBIE GATZKE" as the owner of this Water Right.

Sincerely,

MARIE R. ARTHUR
Secretary
Water Rights Division
(605) 773-3352

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 28, 2024

1571-3, 1600-3, 3603-3
5123-3, 5149-3, 5162-3
5163-3, 5897-3, 6338-3
6338A-3, 6340-3, 6592-3,
7292A-3, 7292B-3

Jeffrey Gatzke
39334 187th St
Hitchcock SD 57348

Dear Mr. Gatzke:

This letter is intended to follow up on a recent telephone conversation between yourself and Eric Gronlund, Chief Engineer of the Water Rights Program, where you requested to have all water rights/permits currently held by Allen or Bobbie Gatzke, transferred to Gatzke Acres, with the exception of Water Right No. 6339A-3.

Please find enclosed, Notice of Transfer of Ownership forms for Water Right Nos. 1571-3, 3603-3, 5123-3, 5149-3, 5162-3, 5163-3, 5897-3, 6338-3, 6338A-3, 6340-3, 6592-3, 7292A-3, 7292B-3, and Vested Water Right No. 1600-3.

There is a fee of \$50.00 for each transfer, totaling \$700.00 for the transfer of all 14 licenses.

Please review each transfer form, verify that the contact information is listed correctly, complete the highlighted portions, and return the forms with the appropriate fees in the prepaid envelope.

Checks should be made payable to "SD Water Rights". You may also submit payment over the phone by calling out Fiscal Office at (605) 773-5559.

If you have any questions or concerns while reviewing the "Notice of Transfer of Ownership" forms, please contact me via telephone or email.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

11571-3

RECEIVED

SEP 03 2024

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 1571-3

Date: Aug 30, 2024

I/We request that Water Right/Permit No. 1571-3 formerly owned by:
Allen/Bobbie Gatzke - Hitchcock SD be transferred to:

New Owner Name: Gatzke Acres (c/o Jeffrey Gatzke)
Address: 39334 187th St mobile: (605) 354-9006
City, State, Zip Hitchcock SD 57348 email: jeffrey@gatzkefarms.net

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

160 acres - SE 1/4 Section 23, T114N, R63W

☒ I understand that the validity of Water Right/Permit No. 1571-3 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, Jeffery Gatzke, 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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

PAID

SEP 03 2024

Ck# 188de

Rec't#

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date September 4th 2024

RECEIVED OF Gatzke Acres LTD C/O Jeffery Gatzke 39334 187th St Hitchcock SD 57348

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>5162-3 3603-3 5149-3 5163-3 7292A-3 7292B-3 1571-3 1600-3 5897-3 6338-3 6340-3 6592-3 6338A-3 5123-3</u>	<u>\$700.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$700.00</u>

By Eric Jonellend
Chief Engineer

SK



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 4, 2024

5171-3, 1600-3, 3603-3
5123-3, 5149-3, 5162-3
5163-3, 5897-3, 6338-3
6338A-3, 6340-3, 6592-3
7292A-3 & 7292B-3

Gatzke Acres
c/o Jeffery Gatzke
39334 187th St
Hitchcock SD 57348

Dear Mr. Gatzke:

I have received your "Notice of Transfer of Ownership" forms and the required fees for Water Right Nos. 5171-3, 1600-3, 3603-3, 5123-3, 5149-3, 5162-3, 5163-3, 5897-3, 6338-3, 6338A-3, 6340-3, 6592-3, 7292A-3 & 7292B-3. Enclosed is a receipt of payment for your records.

The above-listed water rights, previously owned by Allen & Bobbie Gatzke are now listed under Gatzke Acres. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the water rights, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the rights will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosure