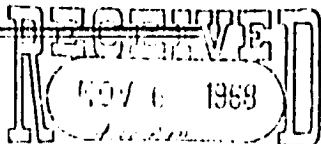


1. Considered 1-22, 19 69 1647-3
2. Name of Applicant JEROME & PAUL JACOB
3. Post Office Address PIERRE
4. Amount of water claimed 1.69
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 118.75
7. Water to be diverted and used in HUGHES county
about 20 E. 65 miles of PIERRE
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:



No. 1647-3
 Water Division No. 3 MISSOURI RIVER District
 (Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMMISSION
 PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

Jerome and Paul Jacobs

1. Name of applicant _____
 Postoffice address Route 3, Pierre _____, County Hughes, State South Dakota

I. If a corporation _____

(a) Name of same _____

(b) Date and place of incorporation _____

(c) Amount of capital stock _____

(d) Amount paid in _____

(e) Names and addresses of directors _____

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

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

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

Contract and direct labor

(b) Cash on hand, \$ adequate

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Jacobs Irrigation Project

3. Amount of water claimed 1.69 cubic feet per second

4. Source of water supply Missouri River

5. Location of point of diversion between two points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2,
T109N, R76W _____ or _____ bank Hughes County.

6. Annual period or periods during which water is to be used April thru November

7. To be used for:

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

(a) Number of acres to be irrigated 118.75 acres.

(b) Legal subdivisions to be irrigated Lot 2, 40 acres, SE $\frac{1}{4}$ NW $\frac{1}{4}$, 28.75 acres
Lot 3, 40 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres all in

(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.)

Sec. 2, T109N, R76W

(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 1182-3

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.)
Pumping plant and 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; slope at back face material used in construction
(b) Reservoir: Capacity when filled acre feet. Surface area at highwater mark acres.

Table with 3 columns: DEPTH AT OUTLET- FEET, SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES, ACRE- FEET CAPACITY. It contains 8 empty rows for data entry.

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

Table with 5 columns: LOCATION BELOW HEADGATE, DEPTH, BOTTOM WIDTH, WIDTH AT WATER-LINE, GRADE PER MILE. It contains 6 rows for data entry.

(Give dimensions where reductions in size are made.)

10. Time required for completion of work five years.
11. Time required for complete application of water to the proposed beneficial use four years.
12. Choice of newspaper for publication of notice of intention to appropriate Capital Journal, Pierre, S.D.

STATE OF SOUTH DAKOTA
County of Hughes

I, Jerome Jacobs, 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.

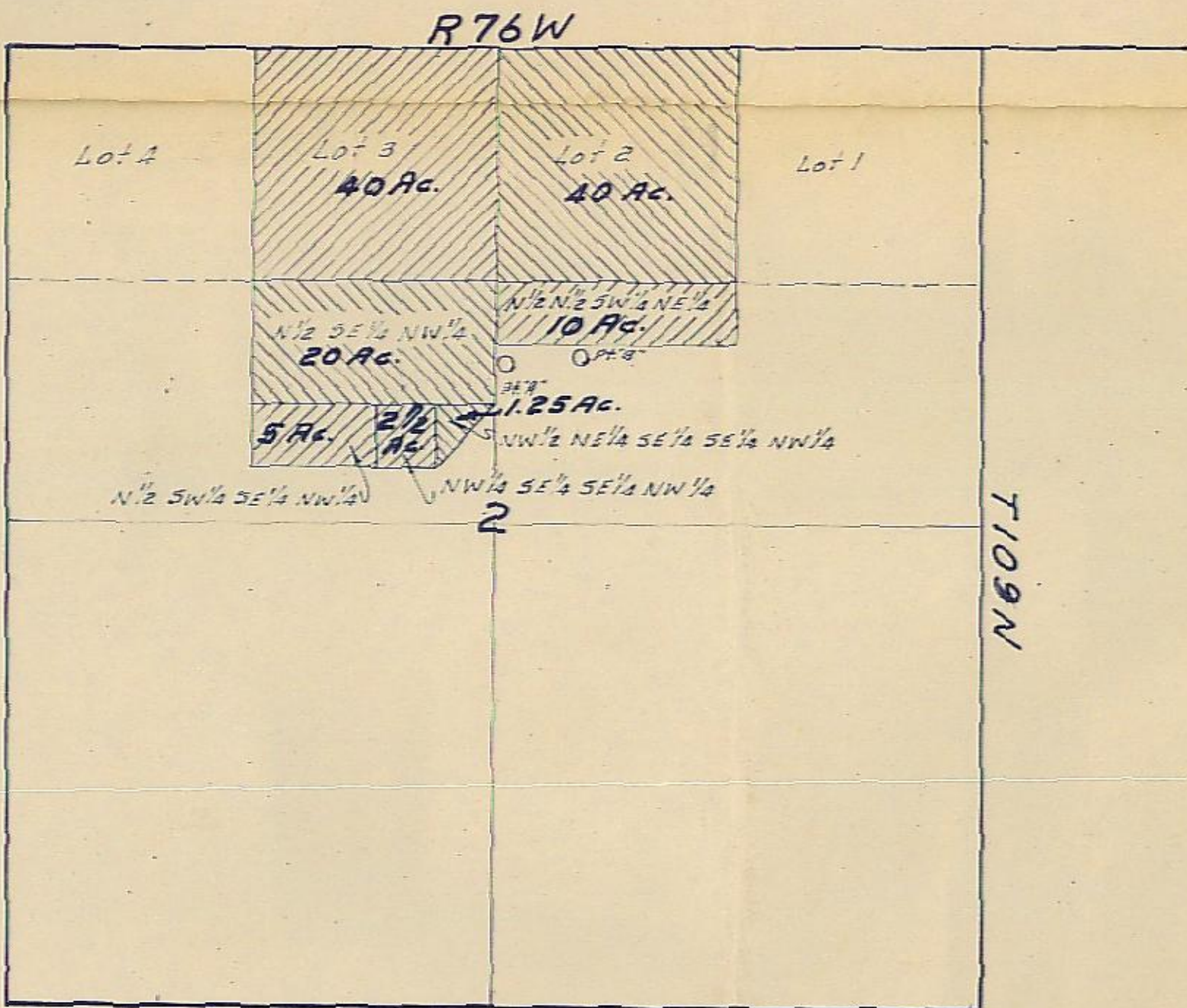
Signed Jerome Jacobs
6th day of November 1968

Subscribed and sworn to before me this 6th day of November 1968

Notary Public (or other qualified officer.)
Notary Public Commission

*Each diversion must have a headgate or measuring device.

IRRIGATION PLAT OF PART OF SEC. 2-T109 N-R76W-HUGHES CO. SOUTH DAKOTA



NOTE: POINT OF DIVERSION-NORTH BANK OF MISSOURI RIVER BETWEEN POINTS "A" & "B"

Scale: 1 inch = 800 ft.

OWNER:

SURVEYORS CERTIFICATE

STATE OF SOUTH DAKOTA
SS

COUNTY OF HUGHES

I, MAYNARD C. SOMMER, REGISTERED LAND SURVEYOR FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF JEROME C. JACOBS, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED, WITHIN HIS OWNERSHIP BOUNDARIES ON THIS DAY OF _____ 1968, FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION THEREOF.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____ 1968.

REGISTERED LAND SURVEYOR

STATE OF SOUTH DAKOTA
SS

COUNTY OF HUGHES

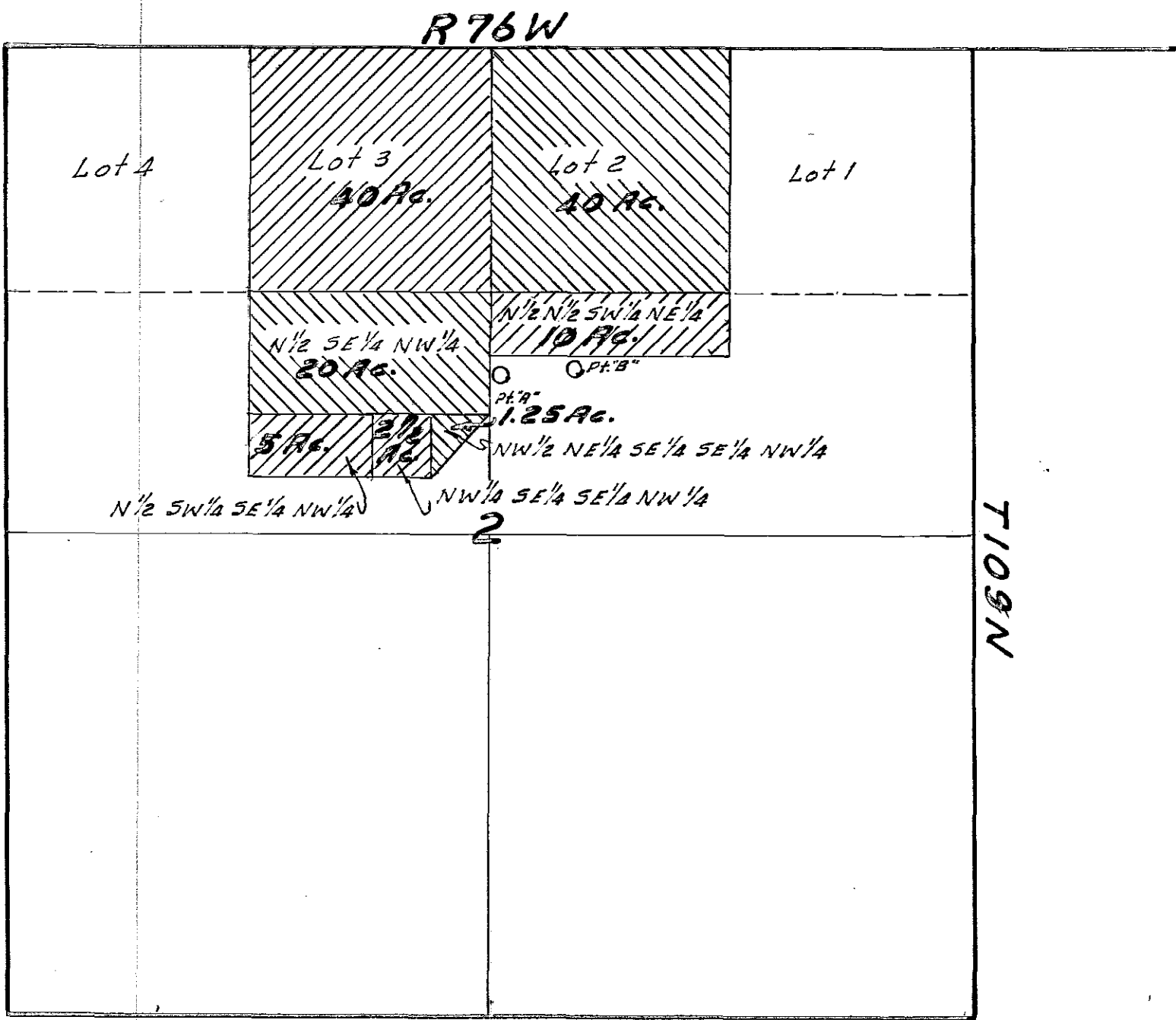
ON THIS _____ DAY OF _____ 1968, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE STATE OF SOUTH DAKOTA, PERSONALLY APPEARED MAYNARD C. SOMMER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYORS CERTIFICATE, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME, FOR THE PURPOSE THEREIN CONTAINED.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ 1968.

MY COMMISSION EXPIRES:

NOTARY PUBLIC

IRRIGATION PLAT OF PART OF SEC. 2-T109 N-R76W-HUGHES CO. SOUTH DAKOTA



NOTE: POINT OF DIVERSION-NORTH BANK OF MISSOURI RIVER BETWEEN POINTS "A" & "B"

Scale: 1 inch = 800 ft.

OWNER:

SURVEYORS CERTIFICATE

STATE OF SOUTH DAKOTA
SS

COUNTY OF HUGHES

I, MAYNARD C. SOMMER, REGISTERED LAND SURVEYOR FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF JEROME C. JACOBS, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED, WITHIN HIS OWNERSHIP BOUNDARIES ON THIS DAY OF 1968, FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION THEREOF.

WITNESS MY HAND AND SEAL THIS 9th DAY OF December 1968.

Maynard C. Sommer
REGISTERED LAND SURVEYOR

STATE OF SOUTH DAKOTA
SS

COUNTY OF HUGHES

ON THIS 9th DAY OF December 1968, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE STATE OF SOUTH DAKOTA, PERSONALLY APPEARED MAYNARD C. SOMMER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYORS CERTIFICATE, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME, FOR THE PURPOSE THEREIN CONTAINED.

WITNESS MY HAND AND OFFICIAL SEAL THIS 9th DAY OF December 1968.

MY COMMISSION EXPIRES: January 19, 1975

R. B. Schmitt
NOTARY PUBLIC

MAP NO. 1182-3 (APPL. NO. 1647-3)

STATE OF SOUTH DAKOTA }
County of HUGHES } ss.

Pierre, South Dakota, FEBRUARY 3, 1969

This is to certify that the foregoing application was received by the Commission at 4:00 o'clock
P.m. upon the 6TH day of NOVEMBER, 1968

State Water Resources Commission
By: [Signature]
Chief Engineer, Executive Officer

Number of permit 1647-3

Date of first receipt of application NOVEMBER 6, 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 NOVEMBER 6, 1968

Approved JANUARY 22, 1969 Recorded in Book 10 Page 314

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

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 22, 1971

2nd. The whole of said work is to be completed on or before JANUARY 22, 1974

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is JANUARY 22, 1978

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

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

6th. The amount of the appropriation herein granted shall not exceed 1.69 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before JANUARY 22, 1978; said water to be used during the following described annual period:

APRIL THRU NOVEMBER
3RD

Witness my hand this FEBRUARY, 1969

State Water Resources Commission

By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued JULY 20, 1973

Water License Issued JULY 20, 1973

Form 15.

Permit No. 1647-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Jerome and Paul Jacobs

_____ the holder _____ of
Permit No. 1647-3, issued upon Application No. 1647-3, bearing date of priority of November 6,
1968 authorizing the diversion of 1.69 cu. ft. per second of the waters of _____
the Missouri River County of Hughes, State of South Dakota at _____
between two points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, T109N, R76W

_____, for irrigation

_____ purposes, has ve complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.60 cu. ft. per second of water.

Date July 20, 1973

By:

~~WATER RIGHTS COMMISSION~~
WATER RIGHTS COMMISSION

DONALD DRISCOLL, Chief Engineer

WATER LICENSE NO. 1647-3

(1) WHEREAS, On the 6th day of November A. D. 19 68
Jerome and Paul Jacobs

made Water Right Application No. 1647-3 for a permit to use 1.69 cubic feet per second of the waters of the Missouri River

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

(2) WHEREAS, On the 3rd day of February A. D. 19 69
 Permit No. 1647-3, with a date of priority of November 6, 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 January A. D. 19 74, and for the application to beneficial use of said water on or before the 22nd day of January A. D. 19 78

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.69 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following land in Section 2, T109N, R76W

Lot 2 40.00 acres

Lot 3 40.00 acres

SE 1/4 NW 1/4 28.75 acres

SW 1/4 NE 1/4 10.00 acres

Total 118.75 Acres

(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 Jerome and Paul Jacobs

_____ of Pierre, S.D.

the holder B and owner A of said permit No. 1647-3 a water right, dating from November 6, 1968

_____ to use of 1.69 cubic feet per second of the waters of the Missouri River

in the County of Hughes and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at between two points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, T109N, R76W

and conduct to and upon portions of Section 2, T109N, R76W, more fully described on the face of this Licence

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1647-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 20th day of July A. D.

Nineteen Hundred and Seventy-three

WATER RIGHTS COMMISSION
~~WATER RESOURCES COMMISSION~~

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

on or before
(First Publication December 26, 1968.)

APPROPRIATION OF WATER

Office of State Water Resources Commission

Pierre, S. Dak., December 11, 1968

Notice is hereby given that Jerome and Paul Jacobs whose post-office address is Pierre 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 1.69 cubic feet of water per second of time from the Missouri River through the Jacobs Irrigation Project, the point of diversion of which is to be located on the left bank of said stream between two points in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2 Twp. 109N Range 76W Said water to be used for the purpose of providing irrigation of the following described land:

Lots 2 and 3, SW $\frac{1}{4}$ and NE $\frac{1}{4}$, Section 2, T109N, R76W

~~XXXXXX~~ ~~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 January, 1969, 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:

Chief Engineer, Executive Officer

~~XXXXXXXXXXXXXXXXXXXX~~
Burton F. Jones
Water Rights Specialist

cc: Jerome Jacobs, Pierre, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County HUGHES } ss.

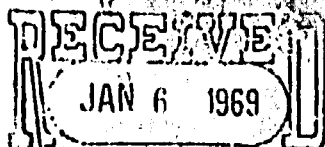
J. H. HIPPLE being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the DAILY CAPITAL JOURNAL a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the CITY of PIERRE County of HUGHES and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Dec. 13-20-27, and Jan. 3, 1968-69

In each and every issue of the full number thereof, the first publication being made on the 13 day of Dec. 1968 and the last publication on the Jan. 3 day of Jan. 1969 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 3 day of Jan. A. D. 1969



Notary Commission of
Sarah Gordon
Expires March 25, 1974

Notary Public HUGHES County, S. D.

No. 944-41 dly., Dec. 13-20-27
Jan. 3

No. 1647-3

APPROPRIATION OF WATER
Office of State Water Resources
Commission

Pierre, South Dakota

December 11, 1968

Notice is hereby given that Jerome and Paul Jacobs whose postoffice address is Pierre, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.69 cubic feet of water per second of time from the Missouri River through the Jacobs Irrigation Project, the point of diversion of which is to be located on the left bank of said stream between two points in the SW 1/4 of the NE 1/4 of Section 2, Twp. 109N, Range 76W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

Lots 2 and 3, SE 1/4, NW 1/4 and SW 1/4, NE 1/4, Section 2, T 109N, R 76W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of January, 1969, at 2:00 P.M. All interested persons may appear and be heard, and 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

STATE WATER RESOURCES COMMISSION

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

ON BIG HEND DAM, LAKE SHARPE PROJECT, SOUTH DAKOTA No. DACW 5-2-39-6060

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 Paul Jacobs, Java, South Dakota

hereinafter designated as the grantee, for a period ^{conterminous with State Water Permit} ~~not exceeding~~ No. 1617-3, ~~(1000000) years from the date hereof~~, an easement for a right of way for the installation, operation and maintenance of a portable irrigation water pipeline and a 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" map entitled Big Bend Dam, Lake Sharpe, Segment "C" attached hereto and made a part hereof, and described as follows:

A strip of land 66 feet wide in the SW¹/₄ of Section 2, Township 109 North, Range 76 West of the Fifth Principal Meridian, Hughes County, South Dakota, said strip of land lying 33 feet on each side of the following described centerline; beginning at the Northwest corner of the SW¹/₄ of said SW¹/₄; thence South 45° 00' East to the shoreline of Lake Sharpe, containing 1.00 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, 7410 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 government activities, and the grantee shall hold the United States harmless from any and all such claims.

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

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

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

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

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

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

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

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

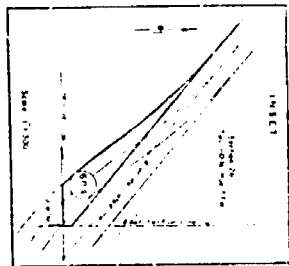
17. That this easement and right of way for a water pipeline and pumping plant is granted for the exercise of water rights granted by the State of South Dakota. It is understood and agreed that no right to use water from the reservoir is created by this grant. It is further understood by the grantee 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.

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

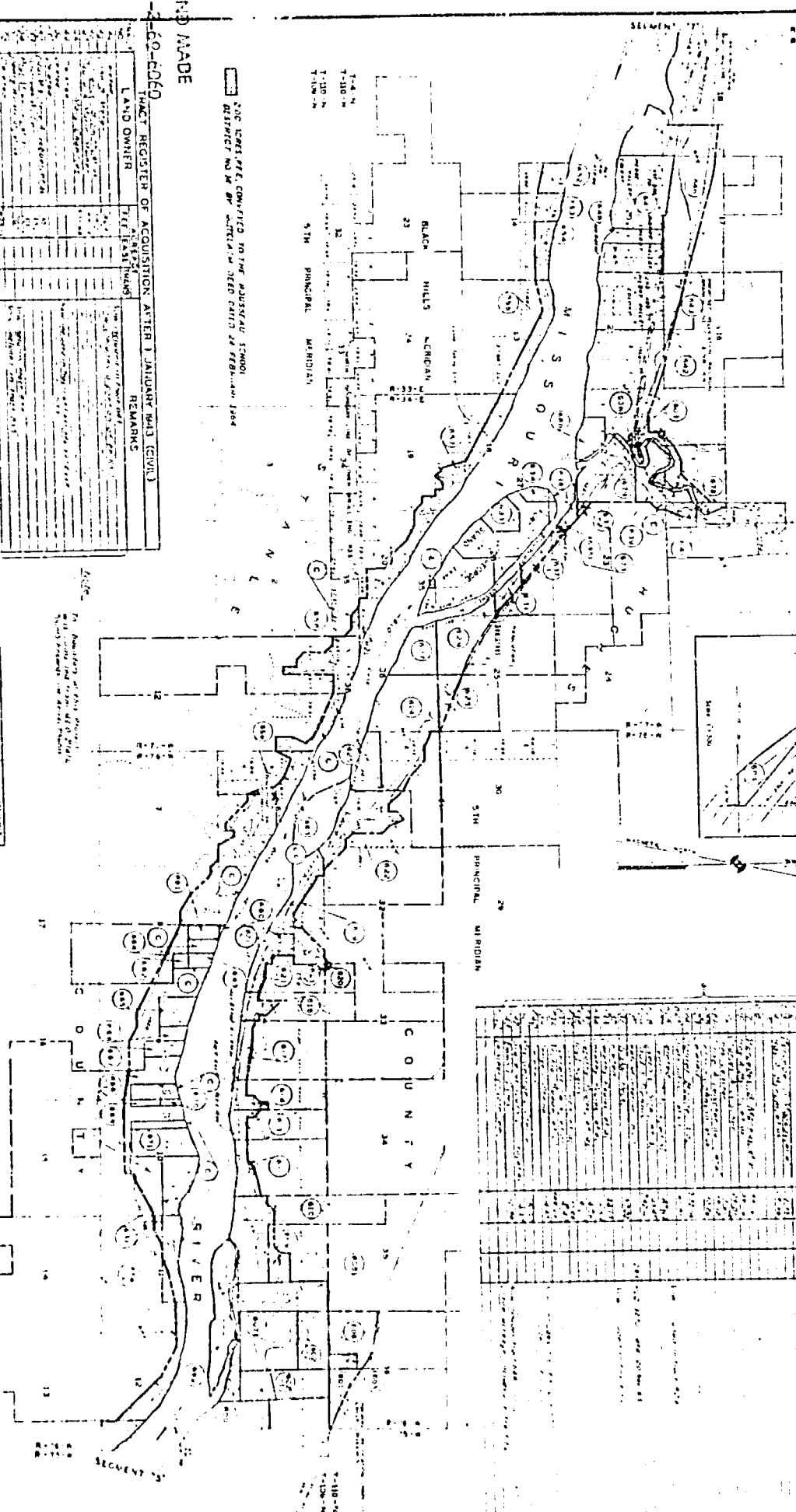
This easement is not subject to Title 10, United States Code, Section 2302.

IN WITNESS WHEREOF I have hereunto set my hand this 14th
day of May 1964.

/s/ L. Y. LAMON
Acting Chief, Real Estate Division
Omaha District, Corps of Engineers



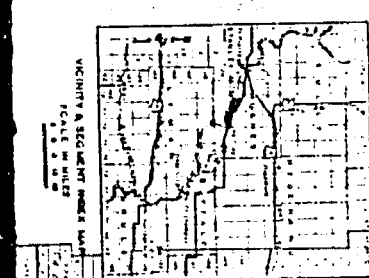
TRACT	LAND OWNER	ACQUISITION DATE	REMARKS
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...
11	...	...	...
12	...	...	...
13	...	...	...
14	...	...	...
15	...	...	...
16	...	...	...
17	...	...	...
18	...	...	...
19	...	...	...
20	...	...	...
21	...	...	...
22	...	...	...
23	...	...	...
24	...	...	...
25	...	...	...
26	...	...	...
27	...	...	...
28	...	...	...
29	...	...	...
30	...	...	...
31	...	...	...
32	...	...	...
33	...	...	...
34	...	...	...
35	...	...	...
36	...	...	...
37	...	...	...
38	...	...	...
39	...	...	...
40	...	...	...
41	...	...	...
42	...	...	...
43	...	...	...
44	...	...	...
45	...	...	...
46	...	...	...
47	...	...	...
48	...	...	...
49	...	...	...
50	...	...	...



NOTES: 1. THIS MAP IS COMPILED TO THE NATIONAL STANDARD DISTRICT NO. 10 BY THE ARMY DISTRICT OF MISSOURI, 1944

TRACT	LAND OWNER	ACQUISITION DATE	REMARKS
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...
11	...	...	...
12	...	...	...
13	...	...	...
14	...	...	...
15	...	...	...
16	...	...	...
17	...	...	...
18	...	...	...
19	...	...	...
20	...	...	...
21	...	...	...
22	...	...	...
23	...	...	...
24	...	...	...
25	...	...	...
26	...	...	...
27	...	...	...
28	...	...	...
29	...	...	...
30	...	...	...
31	...	...	...
32	...	...	...
33	...	...	...
34	...	...	...
35	...	...	...
36	...	...	...
37	...	...	...
38	...	...	...
39	...	...	...
40	...	...	...
41	...	...	...
42	...	...	...
43	...	...	...
44	...	...	...
45	...	...	...
46	...	...	...
47	...	...	...
48	...	...	...
49	...	...	...
50	...	...	...

TRACT	LAND OWNER	ACQUISITION DATE	REMARKS
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...
11	...	...	...
12	...	...	...
13	...	...	...
14	...	...	...
15	...	...	...
16	...	...	...
17	...	...	...
18	...	...	...
19	...	...	...
20	...	...	...
21	...	...	...
22	...	...	...
23	...	...	...
24	...	...	...
25	...	...	...
26	...	...	...
27	...	...	...
28	...	...	...
29	...	...	...
30	...	...	...
31	...	...	...
32	...	...	...
33	...	...	...
34	...	...	...
35	...	...	...
36	...	...	...
37	...	...	...
38	...	...	...
39	...	...	...
40	...	...	...
41	...	...	...
42	...	...	...
43	...	...	...
44	...	...	...
45	...	...	...
46	...	...	...
47	...	...	...
48	...	...	...
49	...	...	...
50	...	...	...



TRACT	LAND OWNER	ACQUISITION DATE	REMARKS
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...
11	...	...	...
12	...	...	...
13	...	...	...
14	...	...	...
15	...	...	...
16	...	...	...
17	...	...	...
18	...	...	...
19	...	...	...
20	...	...	...
21	...	...	...
22	...	...	...
23	...	...	...
24	...	...	...
25	...	...	...
26	...	...	...
27	...	...	...
28	...	...	...
29	...	...	...
30	...	...	...
31	...	...	...
32	...	...	...
33	...	...	...
34	...	...	...
35	...	...	...
36	...	...	...
37	...	...	...
38	...	...	...
39	...	...	...
40	...	...	...
41	...	...	...
42	...	...	...
43	...	...	...
44	...	...	...
45	...	...	...
46	...	...	...
47	...	...	...
48	...	...	...
49	...	...	...
50	...	...	...

TRACT	LAND OWNER	ACQUISITION DATE	REMARKS
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...
11	...	...	...
12	...	...	...
13	...	...	...
14	...	...	...
15	...	...	...
16	...	...	...
17	...	...	...
18	...	...	...
19	...	...	...
20	...	...	...
21	...	...	...
22	...	...	...
23	...	...	...
24	...	...	...
25	...	...	...
26	...	...	...
27	...	...	...
28	...	...	...
29	...	...	...
30	...	...	...
31	...	...	...
32	...	...	...
33	...	...	...
34	...	...	...
35	...	...	...
36	...	...	...
37	...	...	...
38	...	...	...
39	...	...	...
40	...	...	...
41	...	...	...
42	...	...	...
43	...	...	...
44	...	...	...
45	...	...	...
46	...	...	...
47	...	...	...
48	...	...	...
49	...	...	...
50	...	...	...

SEGMENT 6
REMARKS
...

Permit No. 1647-3
 Water Division 3 MISSOURI RIVER Water District

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

TO: Water ~~Division~~ ^{RIGHTS} 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 Jerome and Paul Jacobs of Route #3, Pierre, S.D. holder of Permit No. 1647-3, bearing date of priority of November 6, 1968 authorizing the diversion of 1.69 cu. ft. per second of the waters of Missouri River for irrigation purposes, in Hughes 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:

C.M.P. Centrifugal pump 8", # P 3557
 354 Chrysler industrial engine

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

1800 ft. of 6 inch and 8 inch mainline (aluminum)

C. Works used to apply water to beneficial use.

4 cow line, 1/4 mile, 4 inch dia.

The system is in the following condition: excellent

The point of diversion is located between two points in the SW $\frac{1}{2}$ NE $\frac{1}{2}$, Section 2, T109N, 76W as shown on Water Right Map No. 1182-3

The works are capable of diverting and conveying to the place of use 2.6 cu. ft. per second of water which is to be used for irrigation purposes

Water has been put to beneficial use to the maximum extent as follows: all in Section 2, T109N, R76W

Lot 2	<u>40 acres</u>
Lot 3	<u>40 acres</u>
SE $\frac{1}{2}$ NW $\frac{1}{2}$	<u>28.75 acres</u>
SW $\frac{1}{2}$ NE $\frac{1}{2}$	<u>10 acres</u>

comprising a total of 118.75 acres of land.

notify Jerome

Date July 17, 1973

Donald Driscoll
 (Signature)

DONALD DRISCOLL, Chief Engineer, W.R.C.

**SOUTH DAKOTA Department of
Water & Natural Resources**

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

April 30, 1982

Jerome Jacobs
St Rt A, box 212
Pierre SD 57501

1647-3
2004-3
2085-3

Dear Mr. Jacobs:

Enclosed please find your 1981 Irrigation Questionnaires for Water Permit Nos. 1647-3, 2004-3 and 2085-3. They were previously sent to RR #3, Pierre and returned by the post office. In a telephone conversation April 28, with Mrs. Jacobs, a correct address was obtained.

Please complete and return the data sheets to this office at your earliest convenience. If you have any questions, please contact this office.

Sincerely,

GENNY YOUNG
Water Rights Specialist

GY:ks

enclosure



Department of Water & Natural Resources

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

April 12, 1985

Jerome Jacobs
419 S Fort
Pierre SD 57501

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 1647-3, 2004-3 & 2085-3. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 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 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 1647-3, 2004-3 & 2085-3 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.

Sincerely,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

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

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

June 12, 1985

Notice or Amendment to Water Permit(s)

To: Jerome Jacobs
419 S. Fort
Pierre, SD 57501

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352

John Hatch

SUBJECT: Amendment to Water Permit No(s). 2004-3, 1647-3 & 2085-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2004-3, 1647-3 & 2085-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

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

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

Attachment to Water Permit No(s). 2004-3, 1647-3 & 2085-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2004-3, 1647-3 & 2085-3 to add the following qualification:

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



Department of Water & Natural Resources

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

March 23, 1987

JEROME JACOBS
419 S FORT
PIERRE, SD 57501

NOTICE

Re: Violation of Water Permit No(s). 1647-3, 2004-3, 2085-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 1647-3, 2004-3, 2085-3. 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 permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1647-3, 2004-3, 2085-3 qualification:

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

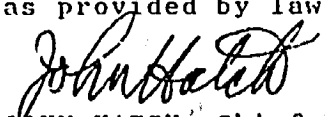
The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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. Suspend Permit No(s). 1647-3, 2004-3, 2085-3 until either the 1986 Questionnaire is submitted or for a period of up to one 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, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of Water & Natural Resources

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

May 14, 1987

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: JEROME JACOBS
119 S FORT
PIERRE, SD 57501

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352 *John Hatch*

SUBJECT: One Year Suspension Of Water Permit No(s). 2085-3,
1647-3, 2004-3 If The 1986 Irrigation Questionnaire Is
Not Received By June 1, 1987

Pursuant to the provisions of the Notice dated March 23, 1987, and following the Hearing May 6, 1987, the Water Management Board ordered:

That Water Permit No(s). 2085-3, 1647-3, 2004-3 be **SUSPENDED** until December 31, 1987 unless the required 1986 Irrigation Water Use Questionnaire is received by June 1, 1987.

Suspension of a permit means water may not be pumped during the 1987 Irrigation Season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

SOUTH DAKOTA
Department of
Water & Natural Resources

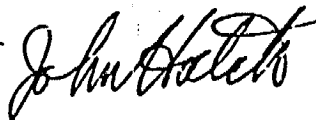
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

June 2, 1987

NOTICE

TO: Jerome Jacobs
616 N Willow
Pierre SD 57501

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352



SUBJECT: 1986 Irrigation Questionnaire

The attached notice was sent certified mail-return receipt requested. The post office has returned the certified mail-return receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you May 15 and May 20, 1987 to pick up and sign for the certified mail.

If you have any questions, please contact us.

CERTIFICATION

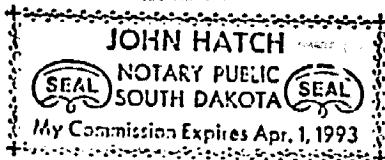
I hereby certify that on June 2, 1987 I have personally deposited with the U.S. Mail, a postage prepaid envelopes containing NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT addressed to:

Jerome Jacobs, 616 N Willow, Pierre SD 57501

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 2nd day of June, 1987.



John Hatch
Notary Public



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

1647-3
2004-3
2085-3

June 9, 1987

Jerome Jacobs
419 S. Fort Street
Pierre, South Dakota 57501

Dear Mr. Jacobs:

I am writing to confirm your June 8, 1987 telephone conversation with Genny McMath, of this office, concerning suspension of Water Permit Nos. 1647-3, 2004-3 and 2085-3. The 1986 Irrigation Questionnaires were mailed in November, 1986. Follow-up notices were mailed March 23, 1987 regarding the Irrigation Questionnaire submittal violations and the date hearings were to be held by the Water Management Board to determine any action to be taken.

The questionnaires and the follow-up notice were mailed First-Class mail. The Post Office did not return the notices to us; therefore, we believed the notice had been received. We cannot assume responsibility for what happens to the notices once they reach their destination.

The Water Management Board suspended your permits for a period of one year. You are not authorized to irrigate during the 1987 irrigation season.

If you have any questions, please contact us.

Very truly yours,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive style.

John Hatch, Chief Engineer
Water Rights Division

JH:GM:mrs



Jerome Jacobs
419 St. Fort
Pierre, S.D.
57501

John Hatch
Water Rights Division
523 E. Capitol
Pierre, S. Dak.

Dear Mr Hatch:

I would like to apply
for a hearing as soon as
possible. Let me know
when the board meets. Thank
you.

Yours truly,
Jerome Jacobs

Water Rights Division - DWR
Conversation or File Documentation

File No. 1647-3
2004-3
2085-3

NAME OF PERSON ~~XXXXXX~~ Jerome Jacobs

ADDRESS: _____ COUNTY _____

DATE: June 17, 1987 TELEPHONE _____

RE: Status of Irrigation Questionnaires

COMMENTS:

I have checked our records for irrigation questionnaires from 1982 thru 1986.

1982: No reports were filed

1983: Mr. Jacobs was telephoned by Betty Westlund; questionnaires were completed from data given by phone

1984: No reports were filed; permits amended to include qualification

1985: All questionnaires were returned marked "No irrigation"

1986: No reports were filed; permits were suspended

In June, 1987, Mr. Jacobs called and spoke with Mr. Hatch, stating Robert Hattum has always reported for him.

I have checked our records, Mr. Robert Hattum does not have an irrigation permit of his own. The questionnaires, when returned by Mr. Jacobs, did not specify that questionnaires should be sent to Mr. Hattum as the operator.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Benny McMath



Department of Water & Natural Resources

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

June 19, 1987

NOTICE

TO: Jerome Jacobs, 419 S Fort, Pierre, SD 57501

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Notice of Hearing to Consider request for
Reconsideration of Suspended Permit Nos. 1647-3,
2004-3, and 2085-3

Your request submitted June 15, 1987, is being considered as a petition for a rehearing of suspended Water Permit Nos. 1647-3, 2004-3 and 2085-3. This hearing has been scheduled for 1:30 pm, July 8, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre, SD.

As stated in the notice to you dated March 23, 1987, the hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permits, defer action or take no action. The hearing is an adversary proceeding and any party has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

cc: Harold Deering, Assistant Attorney General



Department of Water & Natural Resources

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

July 10, 1987

NOTICE

Jerome Jacobs
419 S Fort
Pierre, SD 57501

Dear Mr. Jacobs:

The Water Management Board has rescinded the one year suspension placed on your Water Permit Nos. 1647-3, 2004-3 and 2085-3. You are now authorized to irrigate during the 1987 irrigation season.

The permits were suspended at the May 6, 1987 Water Management Board meeting for non-return of your 1986 irrigation questionnaires. Non-return of your questionnaires resulted in the first violation of your permits. Future violations of your permits could result in up to a three year suspension.

The 1987 irrigation questionnaires are to be mailed around the first part of November, 1987. If you do not receive them for one reason or another, please contact us.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch". The signature is written in black ink and is positioned above the typed name.

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

1647-3

August 14, 1987

REPORT ON SUSPENDED WATER RIGHTS INSPECTION

I made an inspection of those suspended permits that were not cancelled during my first inspection trip which was in June, 1987.

I reinspected Laura Tucker's Permit No. 3814-3. Tuckers said they never developed the system and to cancel the permit. However, this office heard that Robert Sargent leased the land and pulled center pivot onto the SE 1/4 Section 14, T114N, R81W from their Permit No. 2785-3. I inspected the site and found there was no center pivot pad, therefore Permit No. 3814-3 can be cancelled.

Don Sibrasse Permit No. 3692-3, Collins Ranch Permit No. 4199-3 now owned by Perry Hoffman, and John Younberg Permit No. 790-1 can be cancelled as they were never developed. Raymond Neuhauser Permit Nos. 1388-2, 572-2 and 1263-2 owned by Ike McQuistion are not being used.

I inspected Paul Kanes Permit No. 568-1, now owned by Dennis Michael Heesacher and it is not being used. I will try to contact Heesacher personally in the near future as there is a possibility that this Permit can be cancelled.

Ronald Irelands Permit No. 332-2 is not being used this year. I have made an appointment with Mr. Ireland to re-inspect Permit No. 332-2 and Permit No. 839-2 which irrigates nearly the same land. Permit No. 332-2 from the White River and 839-2 from a dry draw.

The Water Management Board gave Jerome Jacobs permission to irrigate Permit No. 1647-3 and 2085-3. Permit No. 2004-3 is to be cancelled.



LeRoy J. Mernaugh
Natural Resources Engineer



1647-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

JEROME JACOBS
616 N WILLOW
PIERRE SD 57501

NOTICE

RE: Violation of Water Permit No(s) 1647-3 & 2085-3.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 1647-3 & 2085-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1647-3 & 2085-3 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1647-3 & 2085-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 28, 1995

1647-3
2085-3

Jerome Jacobs
109 River Place
Pierre, SD 57501

Dear Mr. Jacobs:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires. You may disregard the February 7, 1995, Notice of Violation of Water Permit Nos. 1647-3 and 2085-3.

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

If you have any questions, please contact me.

Sincerely,

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



1647-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: JEROME JACOBS, 109 RIVER PLACE, PIERRE, SD 57501

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1647-3 & 2085-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1647-3 & 2085-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1647-3 & 2085-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

SENDER COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse, so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JEROME JACOBS
109 RIVER PLACE
PIERRE SD 57501

A. Received by (Please Print Clearly) **JAN 22 2002**

B. Date of Delivery

C. Signature

X *Jerome Jacobs*

☐ Agent

☐ Addressee

D. Is delivery address different from item 1? ☒ Yes
If YES, enter delivery address below ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Optional)

7001 2510 0004 4797 4366

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2002

1647-3
2085-3

Jerome Jacobs
109 River Place
Pierre, SD 57501

Dear Mr. Jacobs:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 1647-3 and 2085-3.

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

If you have any questions, please contact me.

Sincerely,

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



1647-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 1, 2004

1647-3
1905-3
2085-3

Jerome Jacobs
109 River Place
Pierre SD 57501

Dear Mr. Jacobs:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires for Water Right Nos. 1647-3, 1905-3 and 2085-3. In order for the forms to be considered complete, the back side needs to be filled out.

Please include the number of acres, pump rate (in gallons per minute), days per month and hours per day that the system was running. The information is important to us in calculating how much water was used from a specific source.

Please complete the forms and return it to us by December 3rd. Thank you in advance for your help. If you have any questions, please contact me.

Sincerely,

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

RECEIVED

NOV 09 2004

**WATER RIGHTS
PROGRAM**

enclosures

Sorry I missed the Good Sheep

SD EForm - 0495 V1 NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 1647-3

Date: 1/24/2005

I/We request that Water Right/Permit No. 1647-3 formerly owned by:
Jerome Jacobs be transferred to:

New Owner Name: Jeffrey Jacobs

Address: 700 N Bullard Ave

City, State, Zip Goodyear AZ 85338 Telephone No. (800) 536-3131

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

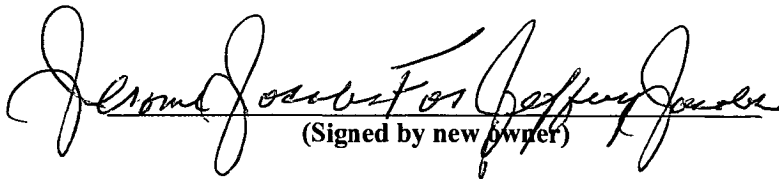
Lot 2, Lot 3, SE1/4NW1/4, SW1/4NE1/4, SEC 2-109N-76W

☒ I understand that the validity of Water Right/Permit No. 1647-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

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

I, Jeffrey Jacobs, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 24, 2005, 20__

RECEIVED OF Jerome Jacobs, 109 River Place Dr, 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 and to put water to beneficial use	250	
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>1647-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

071006

By

Garland Erbe

Chief Engineer

Lu



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2005

Jeffrey Jacobs
700 N Bullard Ave
Goodyear AZ 85338

RE: Water Right Nos. 1647-3, 1905-3, 2085-3 and 6295-3

Dear Mr. Jacobs:

I am writing in regard to the transfer of ownership of water rights held by Matt & Donna Bowen and Jerome Jacobs. Jerome stopped by the office January 24th to file the ownership changes. The transfers have been completed. The following changes were made:

- Water Right No. 6295-3 (formerly Matt & Donna Bowen) is now listed under Southwest Specialty Food Inc, % Jeffrey Jacobs;
- Water Right Nos. 1647-3, 1905-3 & 2085-3 (formerly Jerome Jacobs) are now listed in the name of Jeffrey Jacobs.

Each year in October, we mail out the annual irrigation questionnaire. Jerome requested that the annual forms be directed to his attention and he would ensure they were completed and returned to us.

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

Sincerely,

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

c: Jerome Jacobs



1647-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 28, 2006

Jeffrey Jacobs
Ass Kickin' Ranch
700 N Bullard Ave
Goodyear AZ 85338

RE: Water Permit/Right Nos. 1647-3, 1905-3, 2085-3, 6295-3 & 6579-3

Dear Mr. Jacobs:

I am contacting you in regard to the above water permits or rights listed in your name. On your 2005 irrigation questionnaires you made a notation indicating the name should be changed to "Ass Kickin' Ranch". In order to have the change made, we need to have you complete transfer forms for all of them.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership/name change. Please review the forms and make any necessary corrections. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$12.50). The check or money order for the fee can be made payable to the Water Rights Program.

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

Sincerely,

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

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Mar 6, 20 06

RECEIVED OF Ass Kickin Ranch LLC, 700 N Bullard Ave., Goodyear AZ 58338

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2 50	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1647-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

08438

By Darlene Eubank
Chief Engineer gm

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1647-3

Date: 5-2-06

I/We request that Water Right No. 1647-3

formerly owned by: Jeffrey Jacobs

be transferred to: (name & address) Ass Kickin' Ranch

700 N. Bullard Ave., Goodyear, AZ 85338

Telephone No. (623) 931-3131

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

118.75 acres – Lots 2 & 3, SE ¼ NW ¼, SW ¼ NE ¼ Section 2, T109N, R76W

I/We understand that the validity of Water Right No. 1647-3 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 Ass Kickin' Ranch, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

RECEIVED

MAY - 8 2006

WATER RIGHTS



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 9, 2006

Jeffrey Jacobs
Ass Kickin' Ranch
700 N Bullard Ave
Goodyear AZ 85338

RE: Water Permit/Right Nos. 1647-3, 1905-3, 2085-3, 6295-3 & 6579-3

Dear Mr. Jacobs:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees you submitted for transferring the above Water Permits and Rights. The transfers have been made completed. Water Right Nos. 1647-3, 1905-3, 2085-3, 6295-3 and Water Permit No. 6579-3 are now listed in the name of Ass Kickin' Ranch.

Enclosed are your Receipt Nos. 02428, 02429, 02430, 02431 and 02432 in the amounts of \$2.50 each. You may keep these for your records.

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

Sincerely,

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

enclosures

1647-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date May 13, 2021RECEIVED OF Riverview Organics LLP 12119 Stratford Dr. Ste. B Clive IA 50325

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>1647-3</u>	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	\$ <u>50.00</u>

By *Eric Gronlund*
Chief Engineer*vm*

PAID

MAY 13 2021

Ck# 05001

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

MAY 13 2021

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

WATER RIGHTS
PROGRAM

Water Right/Permit No. 1647-3

Date: 05/10/21

I/We request that Water Right/Permit No. 1647-3 formerly owned by:

Ass Kickin' Ranch LLC

be transferred to:

New Owner Name: Riverview Organics, LLLP (as agent for tenants in common)

Address: 12119 Stratford Dr, Ste B

City, State, Zip Clive IA 50325 Telephone No. 515-222-1347

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

Legal Description of the property is attached as Exhibit A to this Notice of Transfer of Ownership.

★ I understand that the validity of Water Right/Permit No. 1647-3 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, Steve Bruere, for Riverview Organics, LLLP, the new owner, certify that the above information is true and correct.



(signed by new owner)

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

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

1647-3

EXHIBIT A TO
NOTICE OF TRANSFER OF OWNERSHIP

TOWNSHIP 109 NORTH , RANGE 76 WEST OF THE 5TH P.M., HUGHES COUNTY, SOUTH DAKOTA: SECTION 2: Lots 2 and 3, N1/2N 1/2SW1/4NE1/4 and SE1/4NW1/4 less USA Take; SECTION 3: Lots 1, 2, 3 and 4, S1/2NE1/4, N1/2SE1/4 less USA Take , E1/2W1/2 less USA Take, SW1/4NW1/4 and NW1/4SW1/4 less USA Take; SECTION 4: Lots 1, 2 and 3, S1/2NE1/4, Lot 7 less USA Take and NE1/4SE1/4 less USA Take; The Northerly 330 feet of the Westerly 330 feet of Lot 6, and the Northerly 330 feet of the Easterly 330 feet of Lot 6; The N1/2SE1/4NW1/4; The 1/2SW1/4SE1/4NW1/4; The E1/2SE1/4SE1/4NW1/4; The NW1/4SE1/4SE1/4NW1/4; The Triangular portion of SW1/4SE1/4SE1/4NW1/4 bounded by the North and East sides of said SW1/4SE1/4SE1/4NW1/4 and by a diagonal line extending from the Southeast corner of said SW1/4SE1/4SE1/4NW1/4 to the Northwest corner thereof ; The Triangular portion of NE1/4SW1/4SE1/4NW1/4 bounded by the North and East sides of said NE1/4SW1/4SE1/4NW1/4 and by a diagonal line extending from the Southeast corner of said NE1/4SW1/4SE1/4NW1/4 to the Northwest corner thereof ; TOWNSHIP 110 NORTH , RANGE 76 WEST OF THE 5TH P.M., HUGHES COUNTY, SOUTH DAKOTA: SECTION 33: NE1/4 less Lot H-1 in NW1/4NE1/4 and less Lot H-2 in NE1/4NE1/4; SE1/4 and SE1/4SW1/4; SECTION 34: NW 1 /4, less highway right of way; E1 /2, lying South of highway right of way.

1647-3



OFFICE OF THE SECRETARY OF STATE

STEVEN J. BARNETT, SECRETARY OF STATE

JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **Riverview Organics LLLP**

General Information

SOS Business ID **FP201936**

Filing Type: Limited Partnership - Foreign
04/29/2021

Status: Good Standing

Duration Term: Perpetual

Registered Agent Address

C T CORPORATION SYSTEM
319 S COTEAU ST
PIERRE, SD 57501-3187

Principal Address

12119 STRATFORD DR, STE B
CLIVE, IA 50325

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

Date Filed	Filing Description	Image #
04/29/2021	Initial Filing	B0174-6271
04/29/2021	Articles of Amendment	B0174-6275



1647-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 13, 2021

Steve Bruere
Riverview Organics LLLP
12119 Stratford Dr Ste B
Clive IA 50325

RE: Water Permit/Right Nos. 7443-3, 7283-3, 4429-3, 2085-3, 1905-3, 1647-3, 1431-3

Dear Mr. Bruere:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on the above listed permits and rights.

The ownership changes have been completed. Nos. 7443-3, 7283-3, 4429-3, 2085-3, 1905-3, 1647-3, 1431-3 formerly held by Ass Kickin' Ranch LLC are now listed under Riverview Organics LLLP, as agent for tenants in common.

Each year we mail irrigators in South Dakota an irrigation questionnaire for reporting how much water they pumped during that specific crop season. The actual forms that will need to be completed and returned to us will be mailed to you in October.

The receipts for the filing fees are enclosed. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

11647-3

RECEIVED

MAR 07 2025

OFFICE OF
WATER

GREEN OVIATT LAW FIRM LLP

816 South Broadway
P.O. Box 1600
Watertown, South Dakota 57201-6600

Facsimile: 605-886-0934
TELEPHONE: 605-886-5812

Nancy L. Oviatt
John D. Knight
Timothy J. Cummings
Thomas J. Linngren

Ross H. Oviatt 1918-1991
Thomas J. Green 1936-2010

March 6, 2025

Amanda Dewell
DANR Water Rights Program
523 E Capitol Ave
Pierre, SD 57501

Dear Amanda:

Enclosed please find a check for \$300.00 to cover the fees associated with transferring water rights. Also enclosed are the six signed Notice of Transfer of Ownership forms. If you have any questions, please do not hesitate to call or email.

Sincerely,



John D. Knight
For the Firm
john@grolawfirm.com

JDK/mrk

Enclosures

*ENCLOSED SHANNON 3-7-25

RECEIVED

MAR 07 2025

OFFICE OF
WATER

PAID

MAR 07 2025

Ck# 4312

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1647-3Date: 3/6/25I/We request that Water Permit/Right No. 1647-3formerly owned by: Riverview Organics LLLP - Clive IAbe transferred to: (name & address) SEE ATTACHED

Email: _____

Telephone No. _____

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

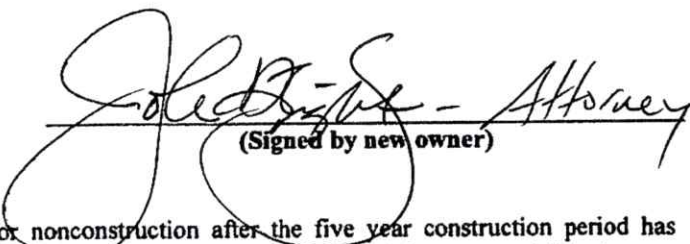
118.75 acres located within the SE ¼ NW ¼, SW ¼ NE ¼, Lot 2, Lot 3; all in Section 2, T109N, R76W

I/We understand that the validity of Water Permit/Right No. 1647-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Leknarf Associates, LLC, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

RECEIVED

MAR 07 2025

OFFICE OF
WATER

ATTACHMENT

OWNER AND LESSOR

Leknarf Associates, LLC
c/o Michael Smothers
Cushman and Wakefield
575 Maryville Centre Drive, Suite 511
St. Louis, MO 63141
Phone: 1-515-207-9214
Email: Michael.Smothers@cushwake.com

OPERATOR AND LESSEE

McDonald Farms and Organics, LLC
Richard McDonald, Manager
11811 30th St. NE
McVile, ND 58254
Phone: 1-218-779-9933
Email: mcdonaldricky@gmail.com



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 7, 2025

Nos. 1431-3, 1647-3, 1905-3
2085-3, 7443-3, and 4429-3

Leknarf Associates LLC
c/o Michael Smothers
575 Maryville Centre Dr, STE 511
St Louis, MO 63141

Dear Mr. Smothers:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" forms and the required fees you submitted for Water Right Nos. 1431-3, 1647-31905-3, 2085-3, 7443-3, and 4429-3. Enclosed is a receipt of payment for your records.

Water Right Nos. 1431-3, 1647-31905-3, 2085-3, 7443-3, and 4429-3 previously held by Riverview Organics LLLP is now listed under Leknarf Associates LLC. 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 (original copies enclosed), 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 Water Rights will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Miranda Smith
Water Rights Program
605 773-3352
Miranda.Smith@state.sd.us

cc: John Knight, Green Oviatt Law Firm LLP (email)

NOTE: The validity of Water Right Nos. 1431-3, 1647-31905-3, 2085-3, 7443-3, and 4429-3 have not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date March 7th, 2025

RECEIVED OF Green Oviatt Law Firm LLP PO Box 1600 Watertown SD 57201

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>1431-3, 1647-3, 1905-3, 2085-3, 7443-3, 4429-3</u>	<u>\$300.00</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>\$300.00</u>

By

Eric Gronlund
Chief Engineer