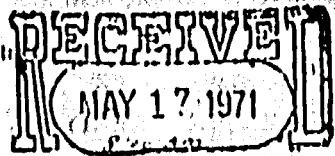


Water Right Number 1877-3

1. Considered July 14, 19 71
2. Name of Applicant Harold D. Dirksen
3. Post Office Address Raymond, S.D.
4. Amount of Water claimed 1.32
5. Source of Water supply ground water
6. Water to be used for Irrigation
- Acres to be irrigated 93.00
7. Water to be diverted and used in Spink County
about SE 5N miles 1 1/2 of Spink
8. Proof of Publication Received 1st 7-19-71
- Not Received _____
- Approved _____
- Subject to _____
- Not Approved _____
- Action Deferred _____

10. Remarks:

No. 1877-3Map No. 522-3 Water Division No. 3 JAMES RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

To Appropriately Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant _____
Postoffice address RR #2, Doland State SD 57436
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work 1.32
4. Amount of water claimed (cubic feet per second) 1.32
5. Source of water supply 110' at
6. Location of point of diversion 200' 70' W of center line
110' - 12'
County Deuel
7. Annual period or periods during which water is to be used _____
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, _____ Total number of acres to be irrigated 93

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>SW 1/4 NW 1/4 12-11-60</u>	<u>2.1</u>		
<u>NW 1/4 SW 1/4 12-11-60</u>	<u>3.1</u>		
<u>SW 1/4 SW 1/4 12-11-60</u>	<u>3.8</u>		

Attach 3 if more space is needed

10. Time required to complete construction of water supply system well at 3 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Deuel County Record - Pierre
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

From well in Deuel County

B. Works proposed to transport water to place of use.

From well in Deuel County

C. Works proposed to apply water to beneficial use.

From well in Deuel CountyEstimated Total Cost \$ 4000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of DeuelI, Donald S. Loken the applicant, certify that I have read the foregoing Application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Donald S. LokenSubscribed and sworn to before me this 13th day of May 1971My Commission expires Jan 6, 1974

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1877-3
HAROLD D. DIRKSEN RAYMOND, S. DAK. RR #2, Doland
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57436 With the following modifications:
 (State)

The Irrigation well approved under this Permit is located near domestic 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 adequate domestic wells.

Date of first receipt of application MAY 17, 19 71
 Date of return to applicant for correction, amendments or changes required 19
 Date of receipt of corrected application 19
 Approved JULY 14, 19 71, Recorded in Book 21 Page 319

WATER RIGHT PERMIT NO. 1877-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1877-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MAY 17, 19 71
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 14, 19 73
3. The whole of said work is to be completed on or before JULY 14, 19 74
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 14, 19 78
5. The water appropriated shall be used for the purpose of IRRIGATION
6. 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.
7. The amount of the appropriation herein granted shall not exceed 1.32 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 8 acre feet per acre per year and 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 JULY 14, 19 78; said water to be used during the following described annual period: SUMMER MONTHS

(fee received)

Witness my hand this 2 day of January, 19 81

WATER RESOURCES COMMISSION

By:

John W. Havelin
 (Chief Engineer, Executive Officer)

Certificate of Construction Issued 19

Water License Issued 19

No. 1877-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss

I, Norbert J. Miles hereby

certify that the annexed printed copy of 'Notice of Intent to Appropriate
Water was taken from the The Times-Record

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 Poland

County of Spink and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

June 17, 1971

June 24, 1971

July 1, 1971

July 8, 1971

Norbert J. Miles
(Signature)

Publisher of the Times-Record
(Title)

July 16, 1971
(Date Signed)

No. 1887-3

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, S. Dak 57501
June 14, 1971

Notice is hereby given that Harold D. Dirksen whose post office address is Raymond, 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 132 cubic feet of water per second of time from ground water through the Dirksen Irrigation Well, the point of diversion of which is to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, Twp. 117N, Range 60W. Said water to be used for the purpose of providing irrigation on the following described land W $\frac{1}{2}$, SW $\frac{1}{4}$ and SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 12, T117N, R60W.

This application No. 1877-3 will be considered by the Water Resources Commission at their office at Pierre upon the 14th day of July 1971 at 2:00 p. m. All interested persons may appear and be heard. Water Resources Commission
By: Burton F. Jones, Water Rights Specialist
(June 17, 24, July 1 & 8, 1971)

RECEIVED
JUL 19 1971

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

1877-3

Publish first publication, on or before June 17, 1971

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 14, 1971

Notice is hereby given that Harold D. Dirksen
whose post office address is Raymond, 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
1.32 cubic feet of water per second of time from the ground water through the
Dirksen Irrigation Well, the point of diversion of which is to be located in the _____

NE 1/4 SW 1/4

of Section 12, Twp. 117N, Range 60W. Said water to be used for the purpose
portions of
of providing irrigation on the following described land:
W 1/2 SW 1/4 and SW 1/4 NW 1/4, Section 12, T117N, R60W

This application No. 1877-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 14th day of July, 1971, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Harold Dirksen, Raymond, S.D. 57258

11-12-73 Harold Wilson

10-18-78 Engine T Hamilton Model 4708

Le # 843 p 6 cyl. Gas

Pump - Machine Land Roller

Le # 960140, Head # 6 M

4 DC H

Well located, Est. 1756, 800' High

of section - Est. 1756, 800' High

Chained Map on the



Feb 13 1979
Doland S Dak

Dear Sir

My address is no longer Raymond S Dak.
It has been changed to ~~Raymond~~, Route 2
Doland S Dak 57436.

I am thinking of selling the south 1/4
of Section 12-117-60. Can I move the two
water permits 682-3 and 1877-3 to the north
west quarter of 12-117-60 so that I can
irrigate the whole quarter. Please advise
as soon as possible.

Thank you
David Wikman

P.S. I have enclosed water data sheets

February 20, 1979

Harold D. Dirksen
Rt. #2
Doland, SD 57436

Dear Mr. Dirksen:

In reply to your letter of February 13, 1979 regarding Water Right Nos' 682-3 and 1877-3. The permits stay with the land and must be transferred to the new owners when the land is sold. The permits for the land in the SW $\frac{1}{4}$ of Section 12 can be transferred to the NW $\frac{1}{4}$ of 12, however, you will need to submit an application for transfer of lands to be irrigated.

Enclosed is a Form 20, "Notice of Transfer of Water Permit" which we have filed out for you for Permit No. 682-3, which is still in Thomas Petersons name. Please sign and have notarized and return to this office. There is a \$2.50 filing fee for the transfer.

Enclosed also is your check for \$9.00 dated July 16, 1971. This check was never cashed. The check was for an \$8.00 application fee for Permit No. 1877-3, and the one dollar was for a filing fee for a transfer of Permit No. 682-3 back in July of 1971. We never received the transfer notice therefore the check was never cashed. If you will complete Form 20 and send a current check for \$10.50 to cover the old application fee and the current transfer fee we will be up to date on our records.

Also would you obtain an aerial map from the ASCS office in Redfield for Section 12 and show the location of what you are now irrigating, what you intend to irrigate in the NW $\frac{1}{4}$ of 12, and the location of the well. Permit No. 682-3 has been licensed, Permit No. 1877-3 has not been licensed. With the aerial map we can up date the permits

Harold D. Dirksen
February 20, 1979
Page Two

and show actually what is irrigated and possibly license Permit No. 1877-3.

If you have any questions regarding the matter please feel free to contact this office.

Sincerely,

LeRoy Mernaugh
Water Resources Engineer

LM:plh

Enclosures

1. The following service is requested (check one)
☐ Show to whom and date delivered
☒ Show to whom, date, and address of delivery \$ 15c
☐ RESTRICTED DELIVERY
 Show to whom and date delivered _____
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$ _____
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Harold Dickson
RR # 2
Deland, SD 57436

3. ARTICLE DESCRIPTION:
 REGISTERED NO. _____ CERTIFIED NO. U381343 INSURED NO. _____
 (Always obtain signature of addressee or agent)

I have received the article described above
 SIGNATURE ☒ Addressee ☐ Authorized agent
Harold Dickson

4. DATE OF DELIVERY 11-1-80

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

4381343

NOV 3 1980
 CLERK'S OFFICE

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL
 911, Aug 1978

CONSUL POSTMASTER FOR FEES
 POSTAGE AND FEES
 POSTMARK OFFICE
1877-3
6-87-3
12/2/80

Harold Dickson
RR # 2
Deland, SD

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building Division of Water Rights (605) 773-3352
Pierre, South Dakota 57501

October 28, 1980

Harold Dirksen
RR #2
Doland, SD 57436

Dear Mr. Dirksen:

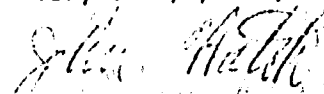
May 17, 1971, we received an application to appropriate water in the amount of 1.32 cfs from groundwater to irrigate 93 acres in the W $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12, T117N, R60W. The advertisement notice for hearing was sent June 14, 1971 with the request that the \$8.00 filing fee be received before July 14, 1971. The fee was not received until July 19, 1971. However, the application was approved, subject to the receipt of the proof of publication, by the Water Resources Commission. When the check was received it was for \$9.00, including a \$1.00 filing fee for transfer of Water Right No. 682-3 to your name.

On February 13, 1979 a letter was received from you regarding your intention of selling the S $\frac{1}{2}$ Section 12 and wanting to transfer to lands not covered under No. 682-3, in the name of Thomas Petersen, and No. 1877-3. One of our engineers wrote to you February 20, 1979 stating a new application would be necessary and at that time your \$9.00 check was returned (it was too old to cash) with the request you submit a new check for the filing fee of \$8.00 on the original application No. 1877-3 and \$2.50 fee for the transfer of No 682-3 to your name.

As of this date, we have not received the transfer fee of \$2.50 or the \$8.00 filing fee for your application No. 1877-3. Failure to keep records current can mean a delay in receiving a notice or even no receipt of a notice that pertains to the permit. In some cases, a notice from this office includes an order that failure to comply with could result in up to one year suspension of a permit or other penalty. The Statutes provide that a permit for irrigation remains with the land. If there is an ownership change; however, no such assignment (transfer) shall be binding, except upon the parties thereto, unless filed for record in this office.

Your application No. 1877-3 is not a valid permit until the fee is received. If the filing fee is not received within 60 days from the date of this letter, your application No. 1877-3 will be brought before the Water Management Board for cancellation. Please advise if you have any questions.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH/gv

Equal Opportunity Employer

IR-101-9/79

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7861

December 30, 1980

PIERRE,

Harold Dirksen, RR #2, Deland, SD 57436

RECEIVED OF

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

Fee for Application for Permit to appropriate Water No. 1877-3 (examination, processing, recording and filing)	8.00
Fee for inspecting Construction, and Issuing Cert. of Construction No.	
Fee for inspecting Beneficial Use, and Issuing Water License No.	
Fee for Issuing Location Certificate-Dry Draw, No.	
Fee for filling	
Fee for certified copy of	
Fee for Print 20' of map	
Fee for Certifying	
Fee for (any other work as provided by law)	

TOTAL

8.00

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer

Division of Water Rights

(605) 773-3352

January 2, 1981

Harold Dirksen
RR #2
Doland, SD 57436

Dear Mr. Dirksen:

Enclosed herewith is your Water Right Permit No. 1877-3 as approved by the Water Management Board authorizing you to construct your water diversion system and apply the water to beneficial use not exceeding the limits as specified in said Water Right Permit No. 1877-3.

The inspection has been made on your systems. Statutes require that we charge a \$50.00 fee for the inspection and issuance of the final papers. Please remit this amount at your earliest convenience and the water license will be sent to you. We will incorporate permit No. 682-3 and 1877-3 into one license (1877-3).

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/gy

encl

1877-78 The ...

1878-79 The ...

1879-80 The ...

1880-81 The ...

1881-82 The ...

1882-83 The ...

1883-84 The ...

1884-85 The ...

The ...

The ...

The ...

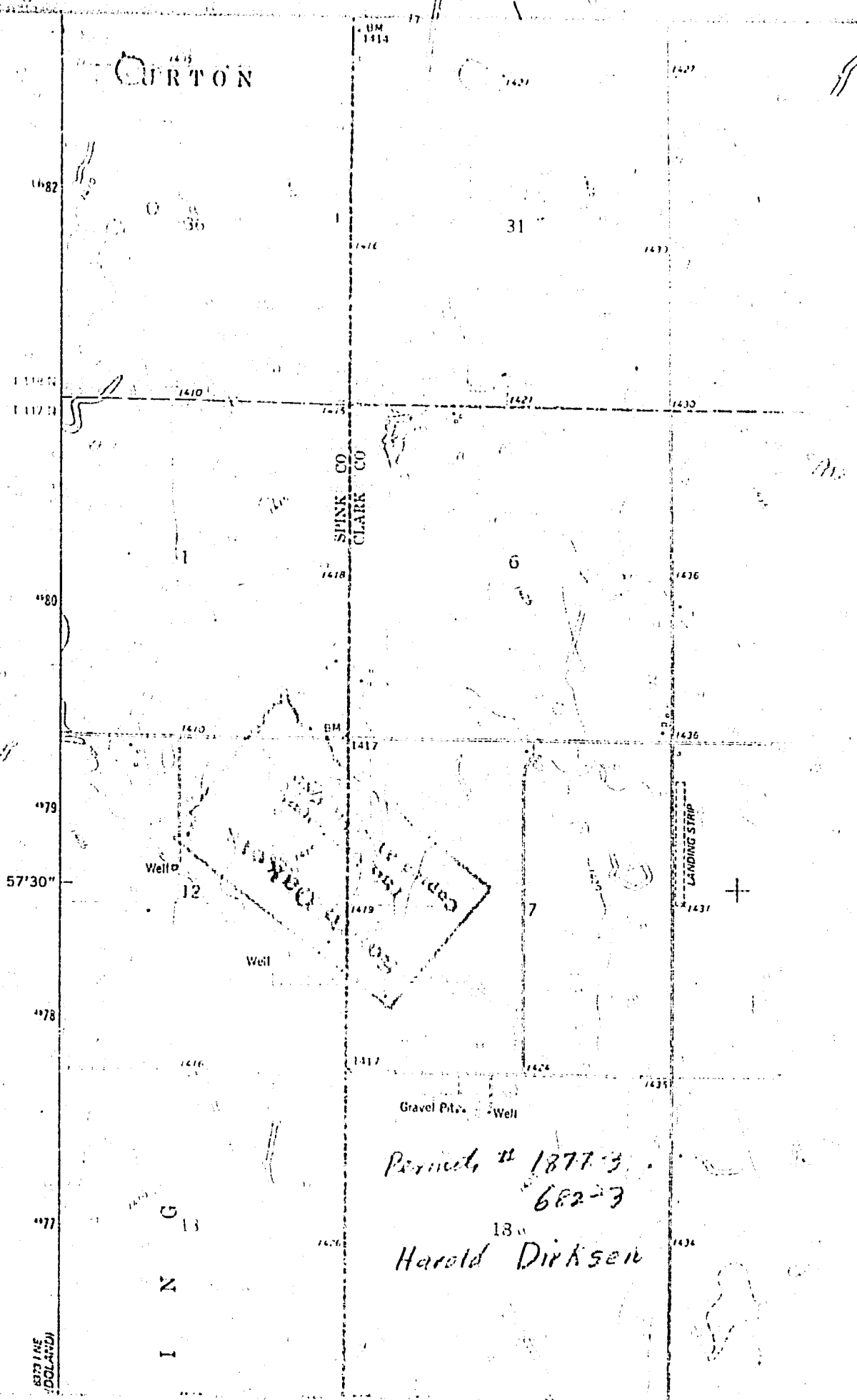
The ...

The ...

The ...

The ...

Wm. ...



Permit # 1877-3
682-3
Harold Dirksen

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

NO 4 8797

PIERRE, Apr 18, 1982

RECEIVED OF Aqua 4 Farms, Robert L. Carr, Box 409 Marshall, ND 58258
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to appropriate Water No. _____ (examination, processing, recording and filing) _____	
Fee for inspecting Construction, and issuing Cert. of Construction No. _____	
Fee for inspecting Beneficial Use, and issuing Water License No. _____	
Fee for issuing Location Certificate-Dry Draw, No. _____	2 50
Fee for filing _____ Transfer of WR#1877-3 _____	
Fee for certified copy of _____	
Fee for Print copy of map _____	
Fee for Certifying _____	
Fee for _____ (any other work as provided by law)	
TOTAL	2 50

WATER RIGHTS COMMISSION
By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH/MS

NO. 1877-3

NOTICE OF TRANSFER OF WATER PERMIT

TO. Water Rights
Foss Building
Pierre, SD 57501

Date: MARCH 31, 1982

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

PORTIONS OF THE W² SECTION 12, T117N R60W, DESCRIBED IN
PERMIT NO 1877-3

formerly owned by HAROLD DIRKSEN

has been transferred to AQUA 4 FARMS, 1083 CIRCLE DR., MARSHALL, MN 56258

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

Water Right Permit No. 1877-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

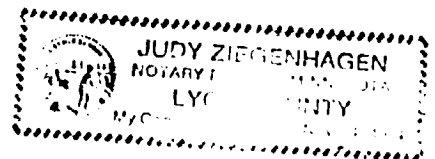
STATE OF SOUTH DAKOTA)
) ss.
County of _____)

I, _____ being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Curt Jensen
(Signed)

Subscribed and sworn to before me this 1st Day of April, 1982.

Judy Ziegenhagen
(Notary Public)



Water Rights Division
605 773-3352

February 2, 1983

602-3

1877-3

Dave Benike
RR
Raymond SD 57258

Dear Mr. Benike:

Enclosed please find our 1982 Irrigation Questionnaire pertaining to Water Right No. 682-3 and Permit No. 1877-3, listed in the name of Aqua 4 Farms.

Curt Sorum wrote to this office and indicated you were operating these systems. Below is a legal description of the land covered under these permits.

Water Right No. 682-3 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 36 acres Sec 12, T117N, R60W
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 36.5 acres Sec 12, T117N, R60W
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 21.5 acres Sec 12, T117N, R60W

Permit No. 1877-3 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 21 acres Sec 12, T117N, R60W
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 36 acres Sec 12, T117N, R60W
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 36 acres Sec 12, T117N, R60W

Please complete the forms and return them to this office. If you have not kept accurate records, estimations will be satisfactory. If you have any questions, please contact this office.

Sincerely,

GENNY YOUNG
Water Right Specialist

GY:ks

enclosure

Water Rights Division - DWR
Conversation or File Documentation

File No. 4806-3
3464-4
1877-3
582-3

NAME OF PERSON OR FILE: William Maher-Aqua 4 Farms

ADDRESS: 101 S High, Marshall, MN 56258 COUNTY

DATE: April 24, 1984 TELEPHONE Business: 507-537-1537

RE: operator and questionnaire status

COMMENTS:

Mr. Maher stated that Mr. Benike no longer operated his land, and that in

1984, Steve Thomas, Turton, SD would be operating his systems.

Mr. Maher requested the irrigation questionnaires be sent directly to
him since he may change operators in different years. He will send the
data sheets to the operator himself.

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.

4/82

NAME:

Genady McMath

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

DEC 17 1987

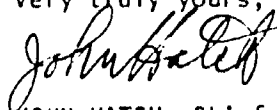
William Maher
Ague 4 Farms
101 S. High
Marshall, Minnesota 56258

Dear Mr. Maher:

Enclosed herewith is, Water License No. 4806-3. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

Notc: Applicable portions of Water Right No. 682-3 and Water Permit No. 187-3 have been incorporated into this Water License No. 4806-3.