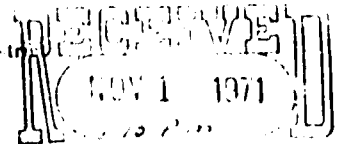


Water Right Number 1905-3

1. Considered JANUARY 19, 1972
2. Name of Applicant HELEN & KIM BYRUM
3. Post Office Address PIERRE
4. Amount of water claimed 1.66
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 116
7. Water to be diverted and used in HUGHES County
about 18E 5S Miles of PIERRE
8. Proof of Publication Received 1-15-72
Not received
9. Application Approved
Subject to
Not approved
Action deferred

19. Remarks:

No. 1905-3Map No. 1348-3 Water Division No. 3 MISSOURI RIVER District 1
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES DEPT.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Helenthim Byron
 Postoffice address 863 Pierre State SD
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract to Direct Labor
3. Name of diversion work Centr Tag tow Irrigation Project
4. Amount of water claimed (cubic feet per second) 1.66
5. Source of water supply MISSOURI RIVER
~~XXXXXXXXXXXXXXXXXXXX~~ 3840' S + 1000' E of
6. Location of point of diversion 3840' S + 1000' E of NW Corner Sec. 3 - T162N
R76W - 5th Pm
North Bank County Hughes
7. Annual period or periods during which water is to be used April 1st To Nov 1st
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 116

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>W 1/2 - NW 1/4 - Sec 3 - T162N - R76W</u>	<u>80</u>		
<u>NW 1/4 - SW 1/4 - Sec 3 - T162N - R76W</u>	<u>36</u>		
	<u>116</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Capital Journal
12. Principal Features of the Proposed Water Supply System

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

Centrifugal Pump

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

Abutment Pipe

C. Works proposed to apply water to beneficial use:

Gated PipeEstimated Total Cost \$6000⁰⁰Attachments: 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 HughesI, Roger H. Eastwood 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 Roger H. EastwoodSubscribed and sworn to before me this 12th day of November 19 71John H. Eastwood
Notary Public (or other qualified officer)John H. Eastwood

WATER RIGHT APPLICATION APPROVAL

ROGER G. TAGGEM

The Water Resources Commission hereby approves Water Right Application No. 1905-3~~HELEN & KIM BYRUM~~

(Applicant)

Route 3 PIERRE

(Post Office Address)

SOUTH DAKOTA

(State)

With the following modifications:

Date of first receipt of application NOVEMBER 12, 19 71Date of return to applicant for correction, amendments or changes required ---, 19 ---Date of receipt of corrected application ---, 19 ---Approved JANUARY 19, 19 72, Recorded in Book 12 Page 56WATER RIGHT PERMIT NO. 1905-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1905-3 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 NOVEMBER 12, 19 71
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 19, 19 73
3. The whole of said work is to be completed on or before JANUARY 19, 19 75
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 19, 19 77
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 1.66 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 3 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 JANUARY 19, 19 77; said water to be used during the following described annual period: APRIL 1 TO NOVEMBER 1

Witness my hand this 20TH day of JANUARY, 19 72

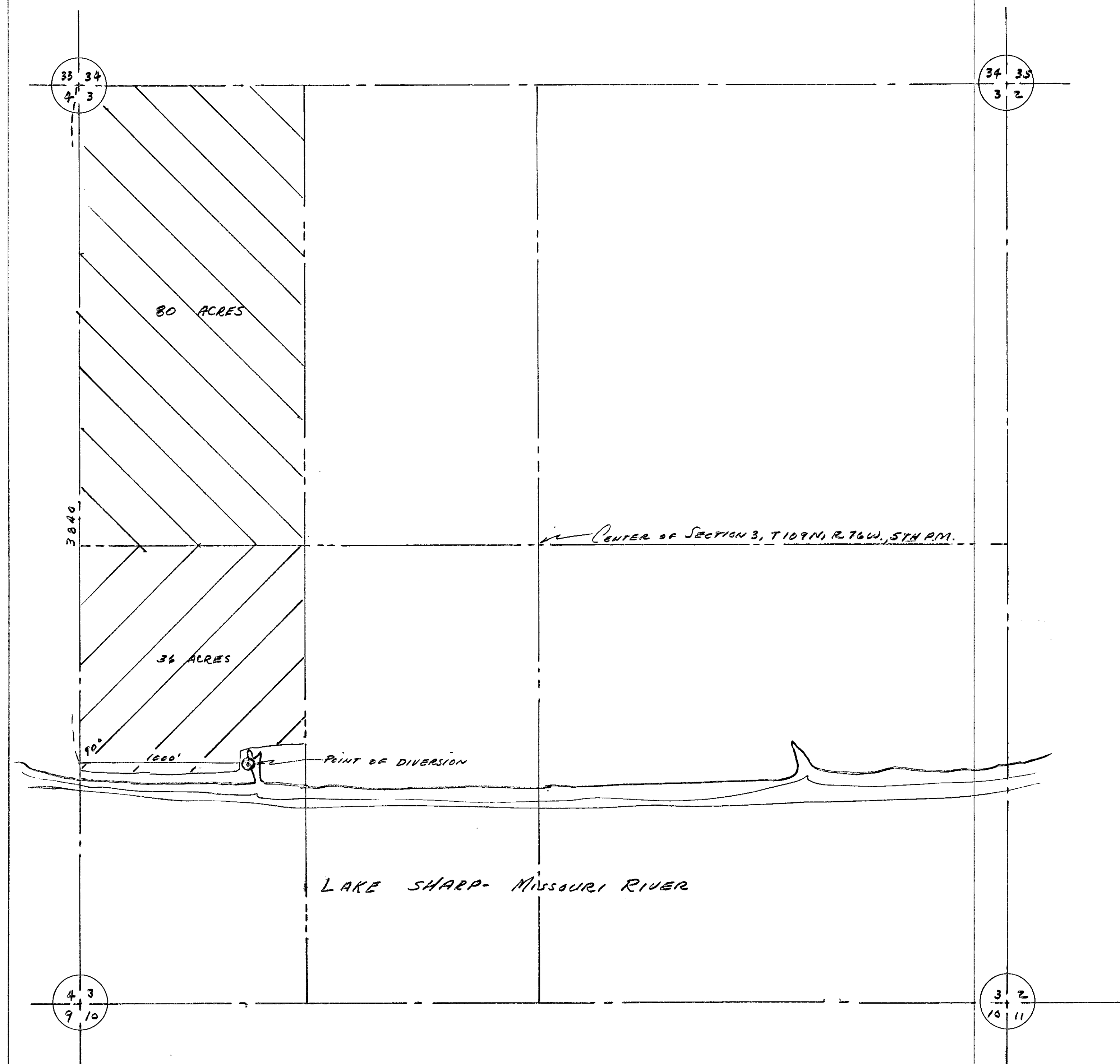
WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____



AREA BY LEGAL SUBDIVISION
 80 ACRES: NW 1/4 - NW 1/4, SECTION 3, T.109N., R.76W., 5TH PM.
 36 ACRES: NW 1/4 - SW 1/4, SECTION 3, T.109N., R.76W., 5TH PM.
 116 ACRES TOTAL

SURVEYOR'S CERTIFICATE
 STATE OF SOUTH DAKOTA) SS
 COUNTY OF MINNEHAHA)
 I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
 IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
 CERTIFY THAT AT THE REQUEST OF HELEN AND KIM BYRUM
 SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
 WITHIN ITS OWNERSHIP BOUNDARIES ON OCT 25, 1971 FOR WHICH
 APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
 THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
 WITNESS MY HAND AND SEAL THIS 25TH DAY OF OCT. 1971

Harlan W. Meyer
 REGISTERED LAND SURVEYOR # 475

HELEN AND KIM BYRUM IRRIGATION PROJECT NO 1
 SHOWS AREA TO BE IRRIGATED & DIVERSION POINT WHERE
 WATER WILL BE DIVERTED - FOR PERMIT TO APPROPRIATE
 WATER

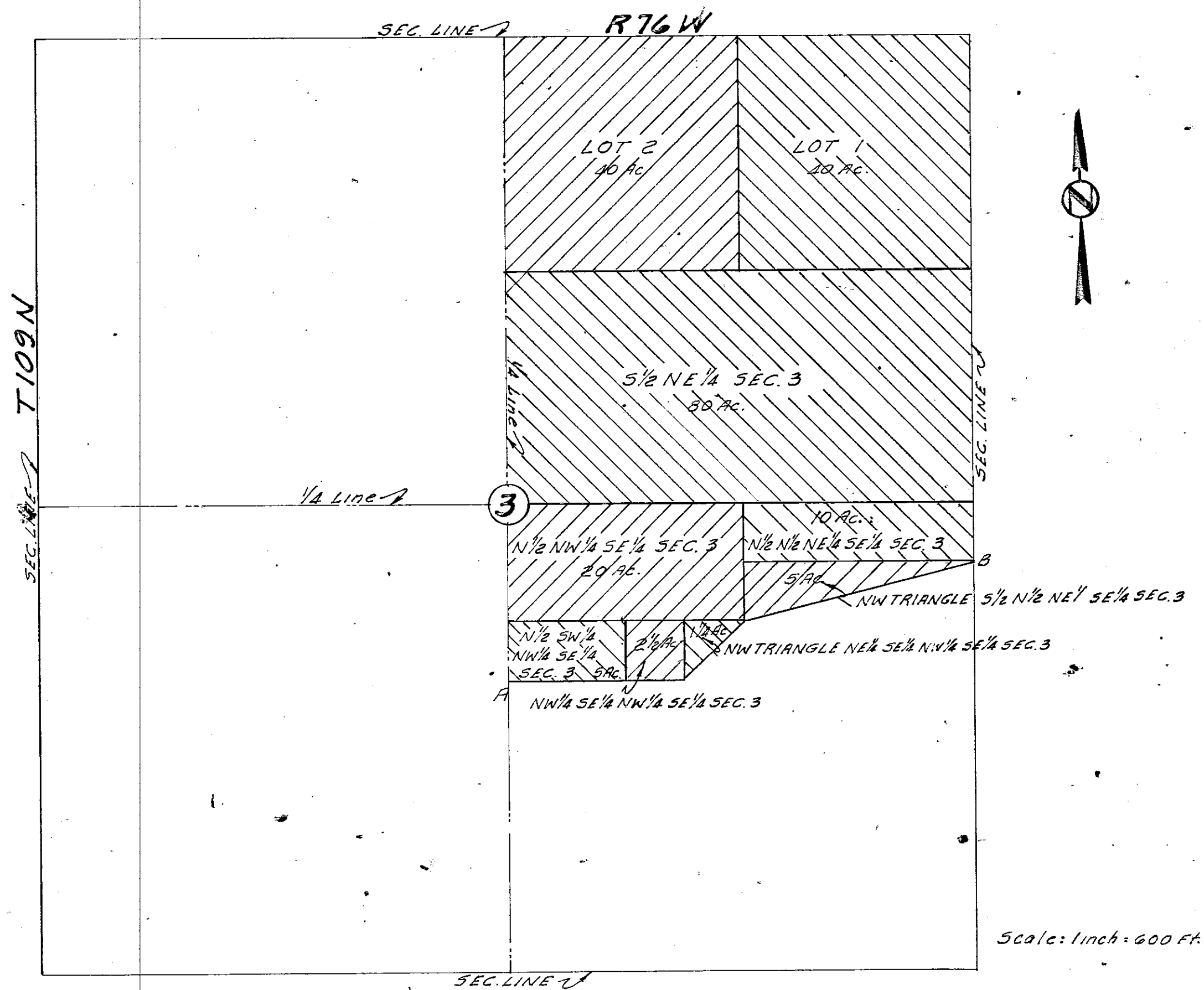
OWNER
 SURVEYOR

HELEN AND KIM BYRUM
 HARLAN W. MEYER

PLAT SHOWING AREA & DIVERSION POINTS WHERE WATERS WILL BE
DIVERTED FOR PERMIT TO APPROPRIATE WATER.

GEORGE A.	SCHMITT
MAYNARD C.	SOMMER

OWNER
SURVEYOR



SURVEYORS CERTIFICATE

STATE OF SOUTH DAKOTA
COUNTY OF HUGHES

I, MAYNARD C. SOMMER, REGISTERED LAND SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY, THAT AT THE REQUEST OF GEORGE A. SCHMITT, SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDRIES ON
FOR WHICH APPLICATION MAP IS A TRUE REPRESENTATION THEREOF
WITNESS MY HAND AND SEAL THIS 16TH DAY OF JUNE 1967.

Maynard H. Sommers
REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA
COUNTY OF HUGHES 55

ON THIS DAY OF BEFORE ME THE UNDERSIGNED NOTARY
PUBLIC IN AND FOR SAID COUNTY AND STATE, 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.
WITNESS MY HAND AND SEAL THIS 16TH DAY OF June 1967.

MY COMMISSION EXPIRES: April 26, 1968

Lawrence E. Meyer
NOTARY PUBLIC

Permit No. 1905-3

Water Diversion No. 3 Missouri River Water District

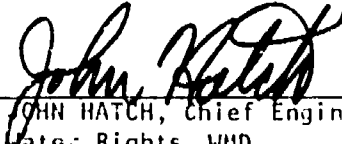
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Roger G. Tegtow

_____ the holder _____ of
Permit No. 1905-3, issued upon Application No. 1905-3, bearing date of priority of November 12,
1971 authorizing the diversion of 1.66 cu. ft. per second of the waters of _____
the Missouri River County of Hughes, State of South Dakota at _____
a point 1350 feet south and 60 feet east of the 1/4 corner of Section 3,
T109N, R76W
_____ for irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found to be satisfactory
condition for diverting and conveying to the place of intended use 2.0 cu. ft. per second of water.

Date June 9, 1980


JOHN HATCH, Chief Engineer
Water Rights, WMD

WATER LICENSE NO. 1905-3

(1) WHEREAS, On the 12th day of November A. D. 19 71
Roger G. Tagtown

made Water Right Application No. 1905-3 for a permit to use 1.6c 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 19th day of January A. D. 19 72
 Permit No. 1905-3 with a date of priority of November 12, 1971

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 19th day of January A. D. 19 75 and for the application to beneficial use of said water on or before the 19th day of January A. D. 19 77

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 1.2 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.

to irrigate the following lands all in Section 3, T109N, R76W

NW 1/4 NW 1/4 28

SW 1/4 NW 1/4 28

NW 1/4 SW 1/4 28

TOTAL 84 acres

* The pump used on this license is also used for Permit No. 2044-3

(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 Roger G. Tagtow

_____ of Pierre SD

the holder _____ and owner _____ of said permit No. 1905-3 a water right, dating from November 12, 1971

_____ to use of 1.2 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 a point 1350 feet south and 50 feet east of the

W₄, corner of Section 3, T109N, R76W

and conducted to and upon portions of land all in Section 3, T109N, R76W, more fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1905-3 and subject to the laws of the State of South Dakota.

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

this 9th day of June A. D.

Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer, JOHN HATCH

Permit No. 1905-3Water Division 3 Missouri River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Royer G. Tagtow of Route 3, Pierre, South Dakota 57501 holder of Permit No. 1905-3, bearing date of priority of November 12, 1971, authorizing the diversion of 1.66 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:

Motor - Marathon - 50 HP - 1765 RPM
Pump - Cornell Model - HRBR 1450-4, Ser # E1821, 12 1/2"

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

One Mile 10" Aluminum Pipe
600 ft 6" Gated Pipe

C. Works used to apply water to beneficial use.

Gated PipeThe system is in the following condition: Good

The point of diversion is located 1350 ft S + 60 ft E of the NW 1/4 Cor of Sec. 3, T109N R76W.

The works are capable of diverting and conveying to the place of use 2.0cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Sec. 3, T109N R76W

NW 1/4 NW 1/4 - 28 Ac., SW 1/4 NW 1/4 - 28 Ac., NW 1/4 SW 1/4 - 28 Ac.

comprising a total of 84 acres of land.

84 ÷ 10 = 1.2 cfs.
increase for 1.2 cfs.

Note: The pump used on this permit is also
 used for permit # 2044-3

Date May 17, 1979

L Roy G. McLaughlin
 (Signature)

No.

~~1905-3~~

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

June 10, 1980

Roger G. Tagtow
Route 3
Pierre SD 57501

Dear Mr. Tagtow:

Enclosed herewith are, Water License No. 1905-3 and Certificate of Construction.

Water License No. 1905-3 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, WMD

JH: RIV

enclosures

PLEASE NOTE: If the land covered by this license or any of your land covered by a water permit has been sold we would appreciate your informing this office. At that time, the transfer forms can be completed if necessary.

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7449

PIERRE, April 14, 1920

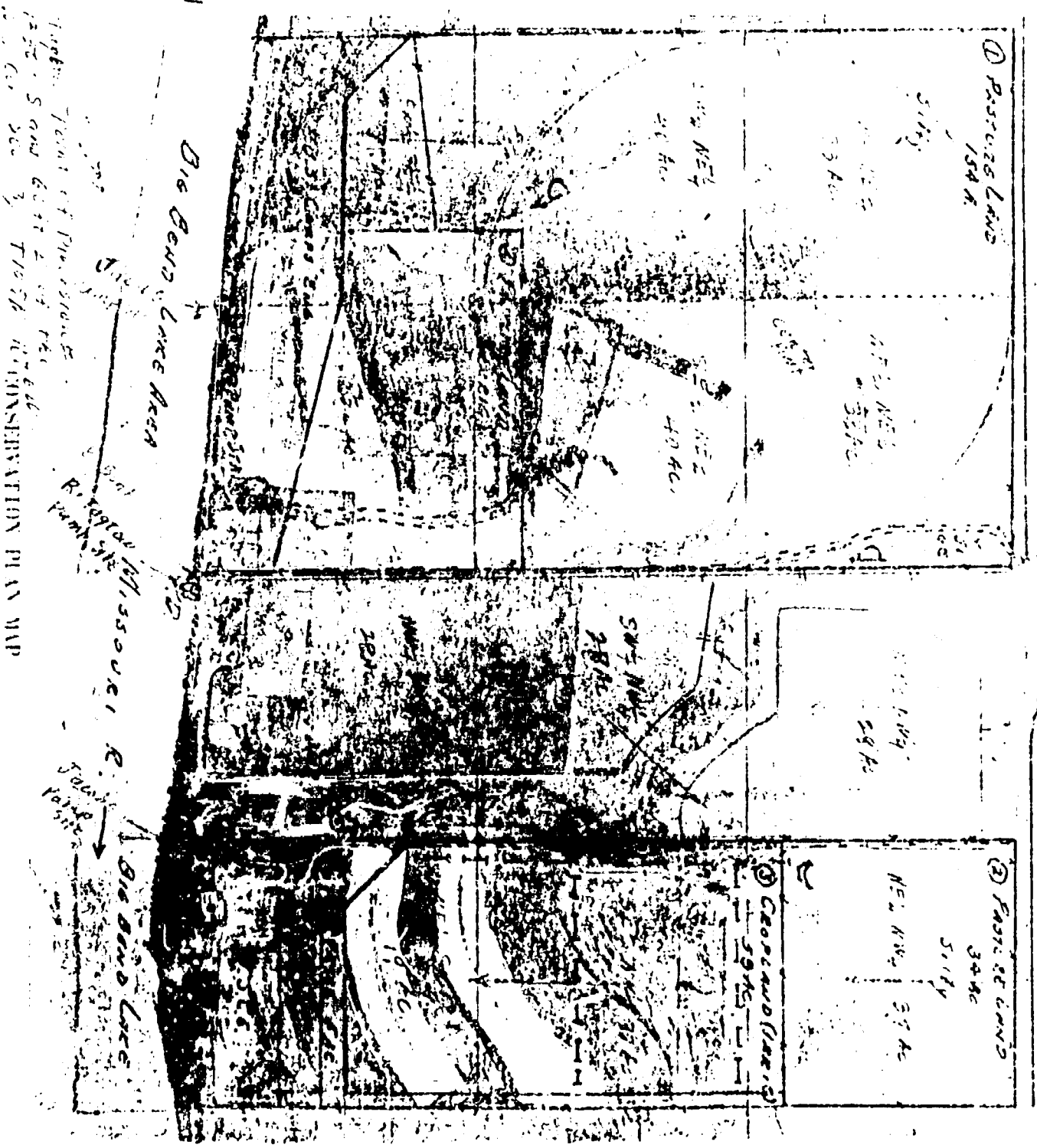
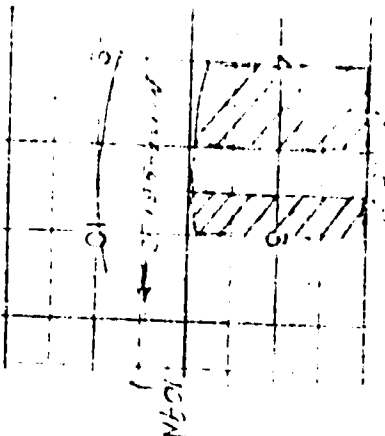
RECEIVED OF Roger Taglow, RR 1; Banner, WY 82802

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. <u>1905-3</u>		
Fee for inspecting Beneficial Use, and Issuing Water License No. <u>1905-3</u>	50.	00
Fee for Issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	50.	00

WATER RIGHTS COMMISSION

By (Signature)
Chief Engineer, Executive Officer
JOHN HATCH, JR.



No. 1905-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: **WATER RIGHTS COMMISSION**
 State Office Building No. 2
 Pierre, South Dakota 57501

Date MARCH 27, 1974

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

W2 NW4 & NW4 SW4, SECTION 3, T109N, R76Wformerly owned by HELEN & KIM BYRUM, RTE 3, PIERRE, S.D.has been transferred to ROGER G. TAGTOW, RTE 3, PIERRE, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1905-3 as provided for in Section 6.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of ~~Water Resources Commission~~ as evidence of the change of ownership.

WATER RIGHTS COMMISSION
 A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

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

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.

SEE ATTACHED LETTER
 (Signed)

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

 (Notary Public)

March 26, 1974

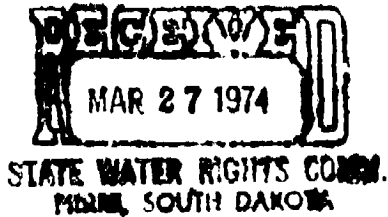
Helen and Kim Byrum
Route 3
Pierre, S. Dak. 57501

Water Rights Commission
State Office Building No. 2
Pierre, S. Dak. 57501

Gentlemen:

Will you please change the name on water permit No. 1905-3 from
Helen and Kim Byrum to Roger G. Taglio.

Enclosed is the \$1.00 transfer fee.



Sincerely,
Kim Byrum
Helen Byrum
Helen Byrum
Kim Byrum

1905-3Publish first publication, or, or before December 23, 19 71NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 15, 19 71Notice is hereby given that Helen and Kim Byrumwhose post office 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 use1.66 cubic feet of water per second of time from the Missouri River through the Tagtow Irrigation Project, the point of diversion of which is to be located in the _____NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Twp. 109N, Range 76W. Said water to be used for the purpose of providing irrigation on the following described land:W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, T109N, R76WThis application No. 1905-3 will be considered by the Water Resources Commission at their office at Pierre upon the 19th day of January, 19 72, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Roger Tagtow, Rte. #3, Pierre, S.D. 57501

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1905-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hughes) ss.

I, John H. Hinkle hereby

certify that the annexed printed copy of Notice of Intent 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
four dates:

November 22, 1971;

November 29, 1971;

December 6, 1971;

December 13, 1971.

John H. Hinkle
(Signature)

Business Manager
(Title)

December 13, 1971
(Date Signed)

No. 276 - 41 dly - Nov 22, 29
Dec. 6-13

No. 1905-3
NOTICE
INTENT TO APPROPRIATE

WATER
Pierre, South Dakota 57501
November 15, 1971

Notice is hereby given that
Helen and Kim Byrum whose
post office address is Pierre,
South Dakota, has made an ap-
plication in accordance with the
provisions of the water laws of
South Dakota for a permit to ap-
propriate for beneficial use 1.66
cubic feet of water per second of
time from the Missouri River
through the Tagtow Irrigation
Project, the point of diversion of
which is to be located in the
NW 1/4 SW 1/4 of Section 13, T109N,
R76W, S14E, Range 76W, S14E, T109N,
to be used for the purpose of
providing irrigation on the follow-
ing described land: NW 1/4 NW 1/4
and NW 1/4 SW 1/4, Section 3, T109N,
R76W, S14E.

This application No. 1905-3 will
be considered by the Water Re-
sources Commission at their of-
fice at Pierre upon the 19th day
of January, 1972, at 2:00 P.M.
All interested persons may ap-
pear and be heard.

WATER RESOURCES
COMMISSION

By: BURTON F. JONES,
Water Rights Specialist

RECEIVED
DEC 15 1971

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1905-3

April 3, 1984

Kaltn Garber
RR#3
Pierre, South Dakota 57501

Dear Mr. Garber:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

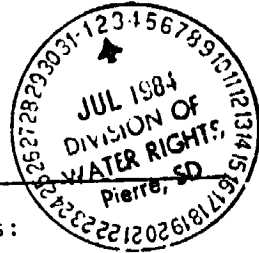
Genny McMath
Natural Resources Specialist

GM:ms
Enc.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____



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

84 - Acres W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, T109N, R76W

formerly owned by Roger Tagtow

has been transferred to Keith Garber, RR#3, Pierre, SD 57501

(please include complete mailing address)

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

Water Right Permit No. 1905-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

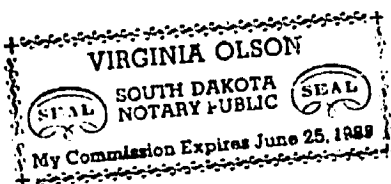
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Hughes) ss.

I, Keith Garber 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.

Keith E. Garber
(Signed)

Subscribed and sworn to before me this 2nd Day of July, 1984.



Virginia Olson
(Notary Public)

RECEIPT

Division of Water Rights

No 4 9698

South Dakota Department of Water and Natural Resources

Pierre, July 2, 1984

RECEIVED OF Keith Garber, RR3, Pierre SD 57501

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form No. 1905-3 _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer
JOHN HATCH



Department of Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

July 2, 1984

11

Keith Garber
RR #3
Pierre SD 57501

Dear Mr. Garber:

Enclosed is receipt No. 4 9698 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1905-3.

Our records now show you as the owner of this Water Right.

Sincerely,

KAREN SCHLAAR
Administrative Aide

enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3552

No. 1905-3

September 25, 1986

Gary Jackson
Farmers Home Administration
Box 279 Federal Building
Pierre, South Dakota 57501

Dear Mr. Jackson:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Genny McMath
Natural Resources Analyst

NOTE: This water right is all I could find for Keith Garber. If there are more permits or other legal descriptions you would like me to check, please give me a call.



Department of Water & Natural Resources

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

March 23, 1987

KEITH GARBER
RR 3
PIERRE, SD 57501

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 1905-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s). 1905-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3552

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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 15, 1987

1905-3

Keith Garber
407 N Evans
Pierre, SD 57501

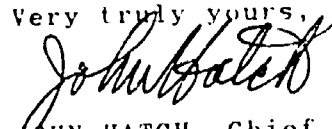
Dear Mr. Garber:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 1905-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

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

If you have any questions, please contact us.

Very truly yours,



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

1905-3

WOODS, FULLER, SHULTZ & SMITH P.C.

LAWYERS

310 SOUTH FIRST AVENUE

SIOUX FALLS, SOUTH DAKOTA 57102

336-3990

AREA CODE 605

TELECOPIER

605-339-3357

MELVIN T. WOODS (1899-1983)
HOWELL L. FULLER (1909-1981)
JOHN B. SHULTZ (1912-1978)

FRANCIS M. SMITH
MERLE A. JOHNSON
ARLO D. SOMMERVOLD
RICHARD O. GREGERSON
JOHN E. SIMKO
WILLIAM G. TAYLOR
WILLIAM P. FULLER
STUART L. TIEDE
GARY P. THIMSEN
BRADLEY C. GROSSENBURG
JAMES H. WIEDERRICH
COMET H. HAKALDSON
RICHARD J. CORCORAN
J.G. SHULTZ
PIERCE F. McDOWELL III
ROGER W. DAMGAARD
BARBARA ANDERSON LEWIS
FREDERICK M. ENTWISTLE
VINCENT A. PURTELL
LEOT FLYNN

May 4, 1988



Mr. John Hatch
Department of Water and
Natural Resources
523 East Capitol Street
Pierre, South Dakota 57501

Re: Notice of Transfer of Water Permit

Dear Mr. Hatch:

Enclosed is a Notice of Transfer of Water Permit 1905-3. The water permit, previously held by Keith and Sonja Garber, applies to the West Half of the West Half of Section 3, Township 109 North, Range 76 West of the Fifth Principal Meridian in Hughes County.

Please file the Notice of Transfer of Water Permit, send me a copy with your file stamp endorsed, and send me the original receipt. Our check for \$2.50 is enclosed to cover the filing fees.

Thank you for your assistance in this matter.

Very truly yours,

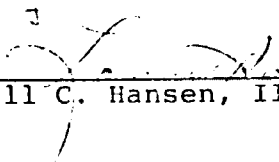
WOODS, FULLER, SHULTZ & SMITH P.C.

Bill Taylor
William Taylor

Enclosures

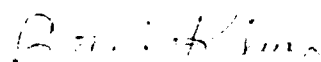
ing is that of owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Dated this 27th day of July, 1988.



Lowell C. Hansen, II

Subscribed and sworn to before me
this 27th day of July, 1988.



Notary Public - South Dakota

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, May 6, 1922, 1922

RECEIVED OF Woods, Fuller, Sultz & Smith P.C., 310 S. First Avenue, Sioux Falls, SD
the following amount in fees for services rendered as provided for by law: 57102
FOR: Lowell C. Hansen, II

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____

Fee for Filing Transfer Form 1905-3

2 50

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

JOHN HATCH

(MS)

1905-3



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

May 5, 1988

William Taylor
Woods, Fuller, Shultz & Smith P.C.
310 South First Avenue
Sioux Falls, South Dakota 57102

RE: Transfer of Water Permit No. 1905-3

Dear Mr. Taylor:

Enclosed is receipt No. 411239 in the amount of \$2.50 which you paid for transfer of Water Right No. 1905-3.

Our records now show Lowell C. Hansen, II as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.



April 20, 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

1905-3
2432-3A
2709-3
3728-3

Mark Joens
Fischer, Rounds & Associates
PO Box 218
Pierre, SD 57501-0218

Dear Mr. Joens:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right No. 1905-3 and Water Permit Nos. 2432-3A, 2709-3 and 3728-3. They are currently listed in the name of Lowell C Hansen, II (formerly Big Bend Ranch, Inc).

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$10.00).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF WATER PERMIT

Division of Water Rights, Department of Water and Natural
Resources, Foss Building, Pierre, South Dakota 57501

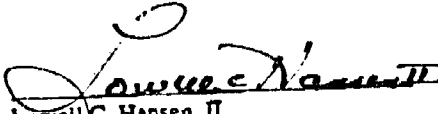
RE: Water Permit No. 1905-3

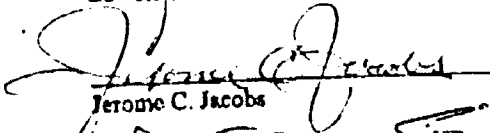
This is to notify you, as provided for in SDCL 46-5-32 and SDCL 46-5-33, that the land described as the West Half of the West Half of Section 3, Township 109 North, Range 76 West of the Fifth Principal Meridian in Hughes County, South Dakota, formerly owned by Lowell C. Hansen, II, has been transferred to Jerome C. Jacobs, 109 River Place Drive, Pierre, South Dakota 57501, Jeffrey J. Jacobs, 790 N. Pajaro, Litchfield Park, AZ 85340, together with any rights to the beneficial use of water thereon, as evidenced by Water Right Permit No. 1905-3A.

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

A fee of \$2.50 is hereto attached to cover filing fees as required by SDCL 46-2-13

Dated this 17th day of May, 2002.


Lowell C. Hansen, II


Jerome C. Jacobs


Jeffrey J. Jacobs

RECEIVED
JUN 17 2002
WATER RIGHTS
PROGRAM

STATE OF SOUTH DAKOTA)
:SS
COUNTY OF MINNEHAHA)

On this the 17 day of March, 2002, before me personally appeared Lowell C. Hansen, II, known to me to be the person who is described in, and who executed the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Therese L. Luss
Notary Public - South Dakota

My Commission Expires:
(seal) 11-23-05

STATE OF SOUTH DAKOTA)
:SS
COUNTY OF HUGHES)

On this the 28th day of MAY, 2002, before me personally appeared Jerome C. Jacobs, known to me to be the person who is described in, and who executed the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Kevin Murphy
Notary Public - South Dakota

My Commission Expires May 1, 2008
(seal)

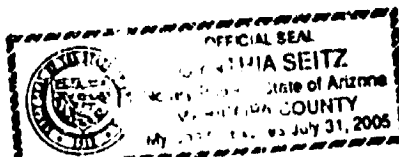
STATE OF ARIZONA)
:SS
COUNTY OF MARICOPA)

On this the 10th day of JUNE, 2002, before me personally appeared Jeffrey J Jacobs, known to me to be the person who is described in, and who executed the winin instrument and acknowled to me that he executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Cynthia Seitz
Notary Public

My Commission Expires: 7-31-05
(seal)



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 417182

Pierre, June 17, 20 02

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 _____

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 1905-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

Darland Erbe



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 18, 2002

1905-3

Jerome C Jacobs
109 River Place Dr
Pierre, SD 57501

Jeffrey J Jacobs
790 N Pajaro
Litchfield Park, AZ 85340

Dear Sirs:

Thank you for following up on the ownership change for Water Right No. 1905-3. The transfer has been completed. The water right formerly listed in the name of Lowell C Hansen, II is now listed in both your names.

Receipt No. 417182 in the amount of \$2.50 is being forwarded to Jerome. If I can answer any questions for you, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure

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. 1905-3

Date: 1/24/2005

I/We request that Water Right/Permit No. 1905-3 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:

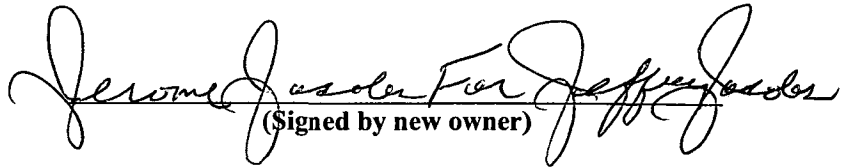
W1/2 NW1/4, NW1/4SW1/4, SEC 3-109N-76W

☒ I understand that the validity of Water Right/Permit No. 1905-3 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 Bluff 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	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>1905-3</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

By

Garland Erbe
Chief Engineer



1905-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

Appl. # 1905-3

See also Appl. # 4429-3



1905-3
**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 May 8, 20 06

RECEIVED OF Ass Kickin Ranch LLC, 700 N Bullard Ave, Goodyear AZ 85338

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>1905-3</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

0245

By David L. Ebel
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1905-3

Date: 5-2-06

I/We request that Water Right No. 1905-3

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:

84 acres - W 1/2 NW 1/4, NW 1/4 SW 1/4 Section 3, T109N, R76W

I/We understand that the validity of Water Right No. 1905-3 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
PROGRAM



**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

1905-3

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>1905-3</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

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

MAY 13 2021

WATER RIGHTS
PROGRAM

Water Right/Permit No. 1905-3

Date: 05/10/21

I/We request that Water Right/Permit No. 1905-3 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. 1905-3 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.

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.



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

1905-3



**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

1905-3

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

*REMAILED 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. 1905-3Date: 3/6/25I/We request that Water Permit/Right No. 1905-3formerly 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:

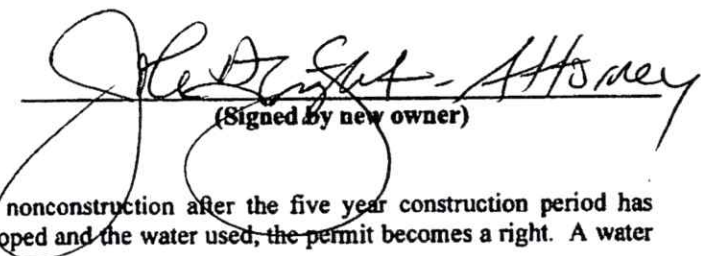
84.0 acres located within the W 1/2 NW 1/4, NW 1/4 SW 1/4; all in Section 3, T109N, R76W

I/We understand that the validity of Water Permit/Right No. 1905-3 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 J. Gronlund

Chief Engineer