

Water Right Number 2051-3

1. Considered 5-15, 19 74
2. Name of Applicant GILBERT HAGENBUCH
3. Post Office Address DAVIS
4. Amount of water claimed 1.29
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 158.00
7. Water to be diverted and used in TURNER County
about 3W Miles of DAVIS
8. Proof of Publication
Received 4.21.74
Not received
9. Application
Approved
Subject to
Not approved
Action deferred
10. Remarks:

No. 2051-3Map No. 1457-3 Water Division No. 3 VERMILLION RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Albert Hagenbuch - RR-Box 17
Post-office address 1457-3 State S. D.
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) by contract of others
3. Name of diversion work HAGENBUCH #1
4. Amount of water claimed (cubic feet per second) 1.29
5. Source of water supply well
6. Location of point of diversion 8 1/2' 31' 08' 52' 116' E & 395' S OF THE
W 1/4 CORNER, SECTION 31, T98N, R52W
County turner
7. Annual period or periods during which water is to be used July 22 - August
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 158

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.
8 1/2' 31' 08' 52'	29	8 1/2' 31' 08' 52'	29
8 1/2' 31' 08' 52'	33		
8 1/2' 31' 08' 52'	41		
8 1/2' 31' 08' 52'	20		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication valley
12. Principal Features of the Proposed Water Supply System.

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

well

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

6 inch pipe

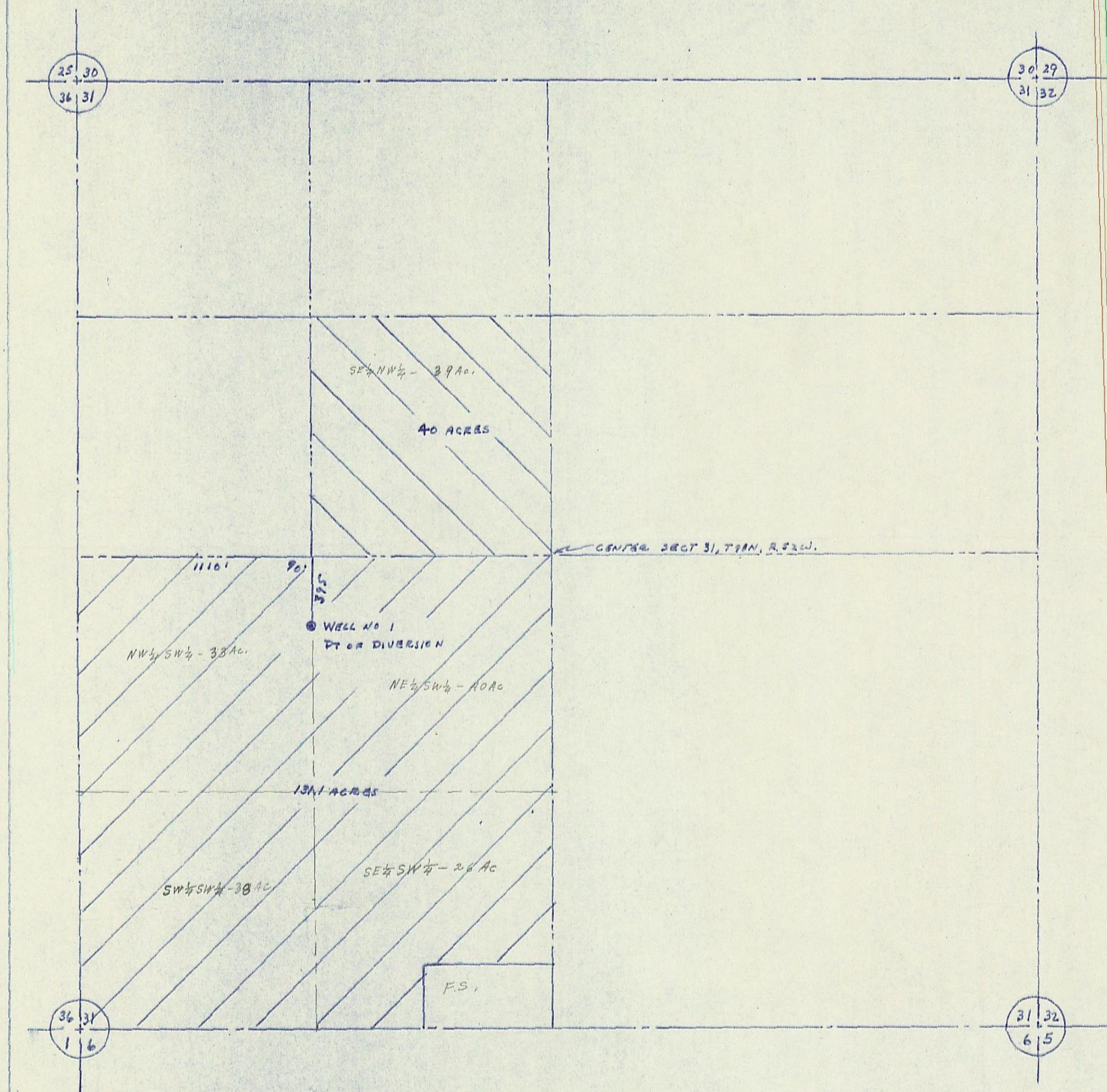
C. Works proposed to apply water to beneficial use.

sprinklerEstimated Total Cost \$15,000.00Attachments: 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 turnerI, Albert Hagenbuch, 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 Albert HagenbuchSubscribed and sworn to before me this 11 day of Feb. 19 74

Notary Public (or other qualified officer)



STATE OF SOUTH DAKOTA
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 GILBERT HAGENBUCK,
SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE
IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON
FEB 27, 1974. APPLICATION FOR APPROPRIATIVE WATER RIGHT
HAS BEEN MADE AND THIS MAP IS A TRUE REPRESENTATION
OF THE SAME.
WITNESS MY HAND AND SEAL THIS 27TH DAY OF FEB 1974.

Harlan W. Meyer
REGISTERED L.S. IN 415



SCALE 1" = 400'

AREA TO BE IRRIGATED
LEGAL SUBDIVISION

40 ACRES SE 1/4, NW 1/4, SECT 31, T98N, R52W
131.1 ACRES SW 1/4, SECTION 31, T98N, R52W
171.1 ACRES TOTAL

GILBERT HAGENBUCK IRRIGATION PROJECT #1
SHOWS AREA TO BE IRRIGATED & WELL DIVERSION POINT LOCATION
FOR PERMIT TO APPROPRIATE WATER

OWNER
SURVEYOR

GILBERT HAGENBUCK
HARLAN W. MEYER

MAR 74

MAP NO 1457-3 (APPL NO 2051-3)

WATER RIGHT APPLICATION APPROVAL

The Water ^{Rights} Commission hereby approves Water Right Application No. 2051-3
GILBERT HAGENBUCH DAVIS — R.R. Box 17
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57021 With the following modifications
 (State)

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

Date of first receipt of application FEBRUARY 12 19 74
 Date of return to applicant for correction, amendments or changes required FEBRUARY 20 19 74
 Date of receipt of corrected application MARCH 11 19 74
 Approved MAY 15 19 74 Recorded in Book 13 Page 1

WATER RIGHT PERMIT NO. 2051-3

The Water ^{Rights} Commission hereby grants and issues this Water Right Permit No. 2051-3 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 FEBRUARY 12 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 15 19 75
3. The whole of said work is to be completed on or before MAY 15 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 15 19 76
5. The water appropriated shall be used for the purpose 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 1.29 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 MAY 15 19 76 said water to be used during the following described annual period: JULY & AUGUST

Witness my hand this 17TH day of MAY 19 74

WATER RIGHTS COMMISSION

By:

Donald Driscoll
 Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 13 19 77

Water License Issued SEPTEMBER 13 19 77

2. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 32 in., Depth 55 ft.
- (2) Casing, Type concrete Diameter 16 in. Thickness 2 in.
(wood, concrete, steel, etc)
- (3) Perforated Screen,
Type concrete, Diameter 16 in., Length 30 ft.
- (4) Gravel Pack, Thickness 5 in., Length of gravel pack 55 ft.

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials sand and gravel

Depth to top of water bearing material 21 ft.

Depth to bottom of water bearing material 55 ft.

Thickness of water bearing material 53 ft.

Depth to water (ground surface to water level) 2 ft.

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 157 rds. On property owned by others 155 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Albert Ziegenfuss
Signature of Applicant

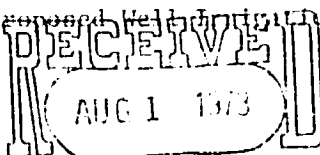
IRRIGATION & DRILLING COMPANY

Ph. 352-4587

10-11-1964

Conservation
Commission
Form WI #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well for Irrigation Only)



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

FOR COMMISSION USE ONLY

Irrigation System: FA

Water Quality: Fair

Soils Capability: good

Approved: 7/21/73

Disapproved: 7/21/73

NAME: Gilbert A. Hagenbuch

ADDRESS: Davis, S. Dak. 57021

COUNTY: Turner

LEGAL DESCRIPTION

1. WELL LOCATION: Ne $\frac{1}{4}$ SW $\frac{1}{4}$ 31-98-52
2. AREA TO BE IRRIGATED: SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ 31-98-52

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Hinzman Traveling
4. CROPS TO BE IRRIGATED: Corn, Beans and Alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: One (1) average
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Approximately 160 acres consists of moderately deep, well drained soils with 20-40 inches of loamy material over sand and gravel on nearly level (0-2%) upland slopes. Capability Class IIIs3, and about 40 acres is deep, nearly level, 0-2% sandy soils that have a high water table. Capability Class IIIw4.

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 73-368
8. SALINITY: EC = 775 micromhos/cm
9. SODIUM: SAR = 1.26; Sodium = 25% of cations

I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and: the land capability for irrigation information has been acquired from

J. W. Rezek, District Conservationist, Soil Conservation Service, Parker, S.Dak.

and:

J. W. Rezek, DC

that the legal description for the location of the well and land to be irrigated is true and correct.

L. Albert A. Kays, Clerk.

Subscribed and sworn before me this

25 day of July 1973.

L. J. Miller

Notary Public

(Title)

MY COMMISSION EXPIRES
JAN. 18, 1975 - SEE L. EARLIER

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Gilbert Hagenbuch
Address: Javis, South Dakota
57021

Date Rec'd June 7, 1973
Sample No. 73-368
Identification _____

WATER ANALYSIS

Calcium (Ca)	80	ppm*	4.00	me/l**
Magnesium (Mg)	36	ppm	2.95	me/l
Sodium (Na)	54	ppm	2.35	me/l
Potassium (K)	4	ppm	0.10	me/l
Sulfate (SO ₄)	120	ppm	2.50	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3.8	ppm	0.10	me/l
Bicarbonate (HCO ₃)	407	ppm	6.68	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)	350	ppm	20	g.p.g.***
Alkalinity (Methyl Orange)	334	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	773	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.26			
Sodium	25.06	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	6.78			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 9.40 me/l
Total anions 9.28 me/l

By: Shirley Fittan

Service Performed

Amount Due

Irrigation Analysis

\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 73-368

Amount Enclosed \$ _____

Signed _____

July 27, 1973

Gilbert Hagenbuch
Davis, South Dakota 57021

Dear Mr. Hagenbuch;

The WI-1 you submitted has been received. I am sending it, a copy of the water analysis and of this letter to the State Conservation Commission this date. You received a copy of the analysis with my letter of June 8.

The water is satisfactory for the soils as indicated on the WI-1. Although it is moderately high in salinity (EC-773), there should be little chance of salt build-up in soils with good drainage as indicated.

I am enclosing Extension Circular 654 for your use. The quality of your water is indicated by the blue encircled cross at the bottom center of the quality diagram on the back cover of the circular.

Sincerely yours,

Lawrence O. Pine

Lawrence O. Pine, In Charge
Water Quality Lab

DF:lb

encl

cc: State Conservation Commission
Merlin Pietz, County Agent
Darrel Pahl



Permit No. 2051-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Gilbert Eagenbush

_____ the holder _____ of
Permit No. 2051-3, issued upon Application No. 2051-3, hearing date of priority of February 12,
1974 authorizing the diversion of 1.29 cu. ft. per second of the waters of _____
ground water County of Turner, State of South Dakota at _____
1115'E & 355'N of the W 1/4 corner, Section 31, T18N, R52E
_____, for irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.33 cu. ft. per second of water.

Date September 13, 1977

By:

WATER RIGHTS COMMISSION

John Hatch

JOHN HATCH, Chief Engineer

WATER LICENSE NO. . . . 2051-3

(1) WHEREAS, On the 12th day of February A. D. 1974
Gilbert Hagenbush

made Water Right Application No. 2051-3 for a permit to use 1.29 cubic feet per second of the waters
of ground water

County of Turner, State of South Dakota, for irrigation
purposes and

(2) WHEREAS, On the 15th day of May A. D. 1974
Permit No. 2051-3, with a date of priority of February 12, 1974

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 15th day of May A. D. 1975 and for the
application to beneficial use of said water on or before the 15th day of May A. D. 1976

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 1.29 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 31, T98N, R52W

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 39 acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 33 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 38 acres

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 26 acres

TOTAL 176 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 Gilbert Rugenbush

_____ of Davis

the holder _____ and owner _____ of said permit No. 2051-3 a water right, dating from February 12, 1971

_____ to use of 1.29 cubic feet per second of the waters of ground water

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at _____

1116'E & 395'S of the W $\frac{1}{2}$ corner, Section 31, T98N, R52W

and conduct to and upon portions of Section 31, T98N, R52W,
described on the face of this License

to the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2051-3 and subject to the laws of the State of South Dakota.

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

this 13th day of September A. D.

Nineteen Hundred and seventy-seven

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Publish first publication, on or before May 2, 1974NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 4, 1974Notice is hereby given that Gilbert Hagenbuchwhose post office address is Davis, 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 use1.29 cubic feet of water per second of time from the ground water through the Hagenbuch #1, the point of diversion of which is to be located in the _____NE 1/4 SW 1/4of Section 31, Twp. 98N, Range 52W. Said water to be used for the purpose of providing irrigation of ~~the~~ ^{portions of} the following described land:
SW 1/4 and SE 1/4, NW 1/4, Section 31, T98N, R52WThis application No. 2051-3 will be considered by the Water ~~Resources~~ ^{Rights} Commission at their office at Pierre upon the 15th day of May, 1974, at 2:30 P. M. All interested persons may appear and be heard.~~WATER RESOURCES COMMISSION~~
WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BPJ/lw

cc: Gilbert Hagenbuch; Davis, S.D. 57021

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Turner) ss.

I, James E. Elliff hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Hurley Leader

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 Hurley of
County of Turner and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

April 11, 1974

April 18, 1974

James E. Elliff
(Signature)

Owner
(Title)

4-19-74
(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, S. Dak. 57501

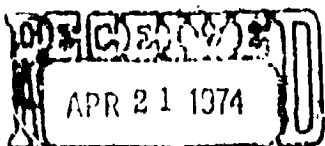
April 4, 1974

Notice is hereby given that Gilbert Hagenbuch whose post office address is Davis, 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 1.29 cubic feet of water per second of time from ground water through the Hagenbuch No. 1, the point of diversion of which is to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Twp. 98N, Range 52W. Said water to be used for the purpose of providing irrigation portions of the following described land:

SW $\frac{1}{4}$ and SE $\frac{1}{4}$, NW $\frac{1}{4}$,
Section 31, T98N, R52W.
This application No. 2051-3 will be considered by the Water Rights Commission at their office at Pierre upon the 15th day of May, 1974, at 2:30 P.M. All interested persons may appear and be heard.

-WATER RIGHTS COMMISSION
By: Burton F. Jones, Water Rights Specialist
Gilbert Hagenbuch,
Davis, S. D. 57021
Publish: Apr 11 & 18, 1974.

I, James E. Elliff, a notary public for Turner County, State of S.D. hereby certify that James E. Elliff did on this date sign the above



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

James E. Elliff
Notary Public
my Commission Expires 7-31-80

7-15-76 10:00 AM, 10:00 AM, 10:00 AM

"Please refer to CP." 3

Boyle - 10/10/1910

600,000 1000000

George Washington

7 books - 10c.

Wt. from Lab. 10000

11-10-1957

6' 11" 650 ft - 1000

3	1
20	1
11	1

[illegible]

Permit No. 2051-3Water Division 3 Vermillion River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Gilbert
Hagenbach of Davis, S. Dak. 57021 holder
of Permit No. 2051-3, bearing date of priority of February 12, 1974
authorizing the diversion of 1.29 cu. ft. per second of the waters of Well
for Irrigation purposes, in Tanner 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:

Pump- Western Hand Roller - Size 10 c - 7 Bowls.
Tractor Power Take-off.

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

Aluminum Pipe - 2250 ft. 6" dia.
Flexible hose - 660 ft - 4 + inches dia.

C. Works used to apply water to beneficial use.

Rainbow Traveling Sprinkler with Nelson 200 nozzle.
1.5" dia Ring - 600 rpm.

The system is in the following condition: Good.

The point of diversion is located 1116 ft East and 395 ft South of the
W 1/4 Corner, Section 31, T98N R52W

The works are capable of diverting and conveying to the place of use 1.33cu. 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. 31, T98N R52W

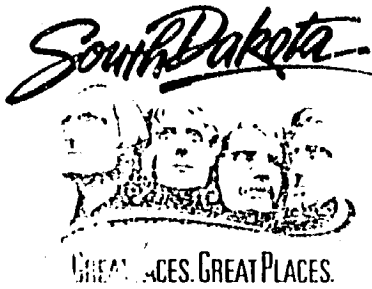
SE 1/4 NW 1/4 - 39 Ac., NW 1/4 SW 1/4 - 33 Ac., NE 1/4 SW 1/4 - 40 Ac.,
SW 1/4 SW 1/4 - 38 Ac., SE 1/4 SW 1/4 - 26 Ac.

comprising a total of 176 acres of land.

Well data

Depth 50 ft.Depth to water 8 ft.Casing 15" dia. Concrete.Capacity Est 1100 gpm

Date July 28, 1976
Leroy J. McLaughlin
(Signature)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 13, 1991

2051-3
2230-3

Gilbert Hagenbuch
RR 1 Box 17
Davis, SD 57021

Dear Mr. Hagenbuch:

Enclosed are your 1991 irrigation questionnaires pertaining to Water Right Nos. 2051-3 and 2230-3. In order to comply with Water Management Board Rules and before the questionnaires can be of any use, they must be completed in more detail (which would include days pumped, average hours per day, average pump rate, crop and acres).

I have included the legal description for each water right on the appropriate form. Please complete the questionnaires and return them to our office prior to December 20, 1991.

If you need assistance, please call me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

File No. 2051-3

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Gilbert Hagenbuch

ADDRESS: RR #1 Box 17, Davis, SD 57021

COUNTY: Turner

DATE: October 1, 1992

TELEPHONE:

RE: Acreage being deleted from Water License No. 2051-3

COMMENTS:

Water Right No. 2051-3 authorizes irrigation of the following land:

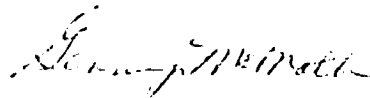
NW 1/4 SW 1/4	33 acres	(Sec 31, T98N, R52W)
NE 1/4 SW 1/4	40 "	
SW 1/4 SW 1/4	38 "	
SE 1/4 SW 1/4	26 "	

SE 1/4 NW 1/4	39 "	-----this portion was sold to
Total	176 acres	David Kost

Water License No. 2051-3 should be reissued for irrigation of 137 acres in the SW 1/4 Section 31, T98N, R52W. The SE 1/4 NW 1/4 will be deleted from the license. The remaining portions of the original license will not be altered.

Mr. Kost obtained Water Permit No. 5290-3 to authorize irrigation of the SE 1/4 NW 1/4 Section 31 from an existing well permitted under Water Right No. 2200-3.

Water License No. 5290-3 incorporated the applicable portions of Water Right No. 2200-3. No. 5290-3 now authorizes irrigation of 117 acres (via center pivot) in the NW 1/4 Section 31.



Genny McMath
Natural Resources Analyst

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 2051-3

(1) Gilbert Hagenbuch of RR 1, Box 17, Davis, SD 57021 was issued Water License No. 2051-3, September 13, 1977 for a water right to appropriate 1.29 cubic feet of water per second from groundwater (one well), Turner County, South Dakota for irrigation purposes. Permit No. 2051-3 with a priority date of February 12, 1974 was issued to the applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

The original license described irrigation of 176 acres in the SW 1/4 and SE 1/4 NW 1/4 Section 31, T98N, R52W. The land in the SE 1/4 NW 1/4 was sold and is no longer part of irrigation system licensed under No. 2051-3.

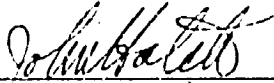
Water License No. 2051-3 is being reissued to delete the land in the SE 1/4 NW 1/4 Section 31. The remaining portions of the original license will not be altered by the reissuance of the license.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.29 cubic feet of water per second for beneficial use. The location of the diversion point is: 1116'E and 395'S of the W 1/4 corner Section 31, T98N, R52W.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T98N, R52W Section 31	NW 1/4 SW 1/4	33 Acres
	NE 1/4 SW 1/4	40 Acres
	SW 1/4 SW 1/4	38 Acres
	SE 1/4 SW 1/4	26 Acres
	Total-----	137 Acres

(4) Pursuant to Section 46-5-30.1 Gilbert Hagenbuch of RR 1, Box 17, Davis, SD 57021 the holder(s) and/or owner(s) of Water Right No. 2051-3 is issued a license to appropriate water, the right to use 1.29 cubic feet of water per second from groundwater (one well) with a priority date of February 12, 1974 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 2051-3 and subject to South Dakota State Law.


NOV 24 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



2051-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 24 1992

2051-3

Gilbert Hagenbuch
RR 1, Box 17
Davis, SD 57021

Dear Mr. Hagenbuch:

Enclosed is your Reissued Water License No. 2051-3. The license has been reissued to delete the portion of land you sold to David Kost. The remaining portions of the original license were not altered by reissuance of this License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2051-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

enclosures

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

2051-3
GILBERT HAGENBUCH
45836 US HWY 18
DAVIS SD 57021 6505

I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
 - 2. ☐ Restricted Delivery
- Consult postmaster for fee.

4a. Article Number

P 378 081 352

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☒ Certified
- ☐ Insured
- ☐ COD

7. Date of Delivery

2-5-97

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

Gilbert Hagenbuch

6. Signature: (Addressee or Agent)

X Gilbert Hagenbuch

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
 523 EAST CAPITOL
 PIERRE, SOUTH DAKOTA 57501-3181
NOTICE
TO: GILBERT HAGENBUCH, 45836 US HWY 18, DAVIS, SD 57021 6505

FROM: Ron Duvall, Natural Resources Engineer
 for John Hatch, Chief Engineer
 Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 2051-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2051-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1997

2051-3

Gilbert Hagenbuch
45836 US Hwy 18
Davis, SD 57021-6505

Dear Mr. Hagenbuch:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 4, 2003

2051-3

Paul Hagenbuch
102 Broadway
Vermillion SD 57069

Dear Mr. Hagenbuch:

I am writing in regard to ownership of Water Right No. 2051-3. A notation was made on the 2003 irrigation questionnaire that the water right should be listed in your name.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

In the event you do not have one, I am enclosing a copy of the water right. You may keep this 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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2051-3

Date: 12/8/03

I/We request that Water Right No. 2051-3

formerly owned by: Gilbert Hagenbuch

be transferred to: (name & address) PAUL Hagenbuch
102 Broadway
Vermillion SD 57069 Telephone No. 605-624-3718

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

176 acres in the SE 1/4 NW 1/4 and SW 1/4 Section 31, T98N, R52W

I/We understand that the validity of Water Right No. 2051-3 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 Paul Hagenbuch, the new owner, certify that the above information is true and correct.

RECEIVED
DEC 15 2003
WATER RIGHTS
PROGRAM

Paul Hagenbuch
(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 December 15, 20 03

RECEIVED OF Paul Hagenbuch, 102 Broadway, Vermillion SD 57069

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>2051-3</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.

000969

By

Darland Ebele
Chief Engineer *gm*



2051-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 15, 2003

2051-3

Paul Hagenbuch
102 Broadway
Vermillion SD 57069

Dear Mr. Hagenbuch:

I am writing to acknowledge receipt of the ownership change and the filing fee you submitted for transferring Water Right No. 2051-3. The transfer has been completed. The water right formerly held by Gilbert Hagenbuch is now listed in your name.

Enclosed is your Receipt No. 000969 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this 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

enclosure

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

Water Right/Permit No. 2051-3Date: 2-1-07I/We request that Water Right/Permit No. 2051-3 formerly owned by:Paul Hagenbuch

be transferred to:

New Owner Name: L & L Feeders, Inc., c/o Richard LounsberyAddress: 28681 459th AvenueCity, State, Zip Davis SD 57021 Telephone No. (605) 238-5682

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

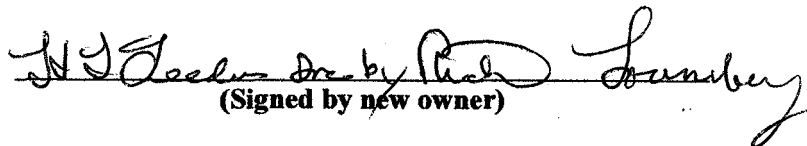
THE SOUTHWEST QUARTER (SW 1/4), EXCEPT HAGENBUCH'S ADDITION IN THE
SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 SE 1/4), SECTION 31,
TOWNSHIP 98 NORTH, RANGE 52, WEST OF THE 5TH P.M., TURNER COUNTY, SOUTH
DAKOTA.

☒ I understand that the validity of Water Right/Permit No. 2051-3 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, L & L Feeders, Inc, by Richard Lounsbery, Pres., 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 FEB 5, 20 07

RECEIVED OF L & L Feeders, Inc., 28681 459th Ave, Davis SD 57021

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>Water Right No. 2051-3</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.

02923

By Garland Erbele
Chief Engineer (KS)



February 5, 2007

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

2051-3

Richard Lounsbery
L & L Feeders Inc
28681 459th Ave
Davis SD 57021

Dear Mr. Lounsbery:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for changing ownership on Water Right No. 2051-3. The transfer has been completed. The water right formerly held by Paul Hagenbuch is now listed in the name of L & L Feeders Inc.

Enclosed is your Receipt No. 02923 in the amount of \$2.50. You may keep this 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

enclosure