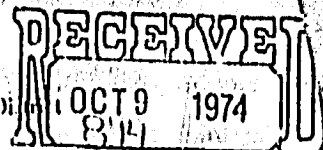


2121-3

1. Considered NOVEMBER 13, 1974
2. Name of Applicant MEARL HAGSETH
3. Post Office Address BRUCE
4. Amount of water claimed 2.40
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 172
7. Water to be diverted and used in BROOKINGS County
about 6 miles N of BRUCE
8. Proof of Publication Received 11-8-74
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Map No. 1524-3 Water Division No. 3 BIG SIOUX RIVER
(Blocks to be Filled by the Engineer for the W. R. C.)



STATE WATER RIGHTS COM
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Merle Hagseth
Postoffice address Brookings 572-20 State S. Dak.
If a corporation show date and place of incorporation N.A.
2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of others
3. Name of diversion work Hagseth Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.4
5. Source of water supply well
6. Location of point of diversion 460' N 91° W of SE corner of Section 12 - T12 N - R10 E
County Brookings
7. Annual period or periods during which water is to be used April through September
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 172

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>N 1/4 Sec 12 - T12 N - R10 E</u>	<u>3.7</u>	<u>N 1/4 Sec 13 - T12 N - R10 E</u>	<u>2.9</u>
<u>S 1/4 Sec 12 - T12 N - R10 E</u>	<u>3.7</u>	<u>S 1/4 Sec 13 - T12 N - R10 E</u>	<u>3.7</u>
<u>SE 1/4 Sec 12 - T12 N - R10 E</u>	<u>3.7</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 Brookings Register
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. turbine pump with electric motor

B. Works proposed to transport water to place of use. closed conduit - aluminum pipe

C. Works proposed to apply water to beneficial use. 2. Pump hose pull irrigation machine with Big Gun

Estimated Total Cost \$125,000

Attachments: 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 Brookings

I, Merle Hagseth, 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 Merle Hagseth
Subscribed and sworn to before me this 12th day of OCTOBER, 1974

EIDON EICHMY
Notary Public, Brookings Co., S. Dak.
My Commission Expires August 25, 1977

Eidon Eichmy
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2127-3
MEARL HAGSETH BRUCE
 (Applicant) (Post Office Address)

SOUTH DAKOTA 57220 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 OCTOBER 9, 19 74.

Date of return to applicant for correction, amendments or changes required _____, 19 _____.

Date of receipt of corrected application OCTOBER 24, 19 74.

Approved NOVEMBER 13, 19 74, Recorded in Book 13 Page 111

WATER RIGHT PERMIT NO. 2127-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2127-3 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 OCTOBER 9, 19 74.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13, 19 76.
3. The whole of said work is to be completed on or before NOVEMBER 13, 19 77.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13, 19 79.
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 2.4 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 NOVEMBER 13, 19 79; said water to be used during the following described annual period: APRIL THRU SEPTEMBER

Witness my hand this 19TH day of NOVEMBER, 19 74

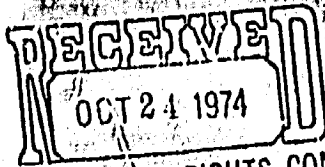
WATER RIGHTS COMMISSION

By:

Donald Driscoll
 Chief Engineer, Executive Officer

Certificate of Construction Issued January 22, 19 79

Water License Issued January 22, 19 79



October 16, 1974

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Mr. Merl Hagsath
Bruce, SD 57220

Dear Mr. Hagsath:

Enclosed please find a report of analysis of the water sample submitted here about two weeks ago. Also, there is enclosed a receipt for your payment and a copy of Extension Circular 654. Please look this over carefully. Your sample is designated by a red encircled cross in the quality diagram on the back cover. This indicates that the sample is medium to high in total salinity but very low in sodium. Thus, there should be no problem in irrigating the soils which you have designated for irrigation in the area.

There is, however, considerable areas of soils of very high slope. That is, the Buse soil has 9-18% slope and certain parts of the Vienna have 5-8% slope. You should be careful not to use water application rates that exceed the intake rates of these soils. And, I would guess that the lowest intake on any of them is about .35" per hour. Thus, the nozzle should be so sized as not to apply more than .35" of water per hours.

A further recommendation is that you keep this steeply sloping land, such as the Buse soils mapped as B₂ in the 1959 Brookings County Soil Survey Report, in alfalfa or other permanent cover. The reason is, of course, that the already thin top soil on these soils will be eroded away and the land will be much poorer in productivity after this occurs.

A copy of this letter and copies of the water analysis and the WI-1 form are being sent to the State Conservation Commission.

Sincerely yours,

Lawrence O. Fine

Lawrence O. Fine
Water Quality Lab

LOF:111

Enclosures

CC: State Conservation Commission
Al Ahó, Brookings County Agent
Darral Fahl

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 Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: Allys S. J. J.
10/22/24

Disapproved: _____

NAME: Maarl Hagseth
ADDRESS: Bruee South Dakota 57220
COUNTY: Br Brakings

LEGAL DESCRIPTION

1. WELL LOCATION: 466' N 41° W of SE corner of Sec 12 - 112-57
2. AREA TO BE IRRIGATED: E 1/2 of SE 1/4 & SW 1/4 of SE 1/4 Sec 12 & E 1/2 of NE 1/4 Sec 13

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (Indicate Type): Travelling Gun
4. CROPS TO BE IRRIGATED: Corn & Alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Buse soils; 9-18% (mapped as B1 in 1959 soil survey report)
Vienna (V2 on map) 5-8%; Vb: 3-4%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Loams and clay loams in
Buse and Vienna soils; silty clay loams in Limerick soil

WATER QUALITY (To Be Completed by Commission)

7. SAMPLE NO: 74-813
8. SALINITY: 936 micromhos/cm (Med-High)
9. SODIUM: SA R = 0.76 (Low)

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

Enviro Bulletin #468 Soil Survey Brookings County
and:

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

X Meowl Haggett

Subscribed and sworn before me this

17th day of OCTOBER 1974.

Eldon Eichmy

ELDON EICHMY
Notary Public, Brookings Co., S. Dak.
My Commission Expires August 25, 1977

X
(Title)

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

Submitted by: Hearl Hagseth Date Rec'd October 2, 1974
 Address: Brice, SD 57220 Sample No. 74-813
 Identification Well #40
NE 1/4, Sec. 13, T 112N, R 51W

WATER ANALYSIS

Calcium (Ca)	100	ppm*	5.00	me/l**
Magnesium (Mg)	43	ppm	3.53	me/l
Sodium (Na)	36	ppm	1.57	me/l
Potassium (K)	4	ppm	0.10	me/l
Sulfate (SO ₄)	100	ppm	2.08	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.34	me/l
Bicarbonate (HCO ₃)	478	ppm	7.86	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	392	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	936	microhmhos per cm at 25° C.		
Sodium Adsorption Ratio	0.76			
Sodium	15.39	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.71			
Others:				

*ppm=parts per million
 **me/l=milliequivalents per liter

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

COMMENTS: Total cations 10.20 me/l
 Total anions 10.26 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample no. 74-813

Amount Enclosed \$

Signed

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 22, Depth 35' to 50'
 (2) Casing, Type Steel (wood, concrete, steel, etc.) Diameter 12" Thickness 1/2"
 (3) Perforated Screen.
 Type Johnson (In-gate), Diameter 12", Length 10' to 20'
 (4) Gravel Pack, Thickness 3 1/2", Length of gravel pack 25 to 40'

E. Dugout Information or Estimates.

- (1) Surface dimensions 10 ft, Depth N/A

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 No test done. No water, no water well shown
Coarse material

Depth to top of water bearing material 3'
 Depth to bottom of water bearing material Unknown
 Thickness of water bearing material Some
 Depth to water (ground surface to water level) 8'

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

On same owner's property 16 rds. On property owned by others 160 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.

M. Earl Hagroth
 Signature of Applicant

Permit No. 2127-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Hearl Hagseth

_____ the holder _____ of
Permit No. 2127-3, issued upon Application No. 2127-3, bearing date of priority of October 9,
1974 authorizing the diversion of 2.4 cu. ft. per second of the waters of _____
groundwater (one well) County of Brookings, State of South Dakota at _____
615 feet south and 220 feet west of the NE corner of Section 13-T112N-R51W

_____, 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 1.34 cu. ft. per second of water.

Date January 22, 1979



JOHN HATCH, Chief Engineer
Water Rights Commission

WATER LICENSE NO. ²¹²⁷⁻³.....

(1) WHEREAS, On the 9th day of October, A. D. 1974
Hearl Hagseth

made Water Right Application No. 2127-3 for a permit to use 2.4 cubic feet per second of the waters of groundwater (one well)

County of Brookings, State of South Dakota, for Irrigation

(2) WHEREAS, On the 13th day of November, A. D. 1974
 Permit No. 2127-3, with a date of priority of _____

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 13th day of November, A. D. 1977 and for the application to beneficial use of said water on or before the 13th day of November, A. D. 1979

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 1.34 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 T112N R51W;

Section 12 NE $\frac{1}{4}$ SE $\frac{1}{4}$	29 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	31 acres

Section 13 NE $\frac{1}{4}$ NE $\frac{1}{4}$	29 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	37 acres

TOTAL 126

(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 Mearl Hagseth

_____ of Bruce, South Dakota
the holder _____ and owner _____ of said permit No. 2127-3 a water right, dating from October 9, 1974
_____ to use of 1.34 cubic feet per second of the waters
of groundwater (one well)

in the County of Brookings and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at 615 feet South and 220 feet West of the NE corner of
Section 13-T112n R51W

and conduct to and upon portions of land in Sections 12 and 13-T112n-R51W more fully described on
the face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2127-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 22nd day of January A. D.
Nineteen Hundred and Seventy-nine

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer, JOHN HATCH

2127-3

Publish first publication, on or before October 21, 19 74

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 24, 19 74

Notice is hereby given that Mearl Hagseth
whose post office address is Bruce, 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
2.4 cubic feet of water per second of time from the ground water through the
Hagseth Irrigation Project #1, the point of diversion of which is to be located in the _____

NE 1/4 NE 1/4

of Section 13, Twp. 112N, Range 51W. Said water to be used for the purpose
of providing irrigation on the following described land:

NE 1/4 SE 1/4, S 1/4 SE 1/4, Section 12; E 1/4 NE 1/4, Section 13, T112N, R51W

This application No. 2127-3 will be considered by the Water Resources Commission at the Embassy Room #1 at the Downtown
Holiday Inn at Sioux Falls, S.D. November 13th at 2:30 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc: Mearl Hagseth, Bruce, S.D. 57226

No. 2127-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brookings) ss.

I, James M. McLellan Jr. hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Brookings Daily Register

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 Brookings

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

Oct. 30, 1974

Nov. 6, 1974

James M. McLellan Jr.
(Signature)

General Manager
(Title)

Nov 7, 1974
(Date Signed)

No. 87—Oct. 30, Nov. 6
NOTICE
INTENT TO APPROPRIATE WATER
October 24, 1974
Pierre, South Dakota 57501

Notice is hereby given that Earl Hagseth whose post office address is Bruce, 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 2.4 cubic feet of water per second of time from ground water through the Hagseth Irrigation Project No. 1, the point of diversion of which is to be located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Twp. 112N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 12; E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13, T112N, R51W

This application No. 2127-3 will be considered by the Water Resources Commission at the Embassy Room no. 1 at the Downtown Holiday Inn at Sioux Falls, S.D. upon the 13th day of November, 1974, at 2:30 P.M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION
By: BURTON F. JONES
Water Rights Specialist

RECEIVED
NOV 8 1974

STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

N2 4 6713

PIERRE, January 19, 1970

RECEIVED OF Harri H. H. Brown SD 57220
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>2127-3</u>	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. <u>2127-3</u>		
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: John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

2127-3 Mead Wagon

6-13-22. Ross - Hun - Mead

660 ft 4 1/2" Lipillb Rose

Wellsco Inc. Model P 200

Ser # C C 11289

Ed. 1.4" dia pipe

Motor - GE - 50 HP, 1150 RPM

Model JK 238 x 1501 B

Ser # DNJ 421377

Pump National, Model N 260-6

Ser # 571-896

Well 31 ft deep 17 ft to water

Pumping 600 gpm

6" dia. alum pipe 130-30 ft

Length - set 4000 ft

Permit No. 2127-3Water Division 3 Big Sioux 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 Merle Hagser
 of Bruce, South Dakota, 57220 holder
 of Permit No. 2127-3, bearing date of priority of October 9, 1974
 authorizing the diversion of 2.4 cu. ft. per second of the waters of one well
 for Irrigation purposes, in Brookings 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 G E, Model 5K623S XM501B, Ser# DNJ427377
 50 HP - 1750 RPM
 Pump- National, Model N260-6, Ser# 577-876.
 Pumping 600 gpm

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

6" dia. Aluminum Pipe, 4000 ft
 660 ft 4 1/2" Dia Flexible Hose

C. Works used to apply water to beneficial use.

Boss Gun with Nelson Gun Model P-200, Ser# CC11287
 Nozzle size est 1/4" Rwy.

The system is in the following condition: Good.The point of diversion is located 615 ft south and 270 ft west of the NE
Corner of section 13, T112N R57W.The works are capable of diverting and conveying to the place of use 1.34cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: In section 12, T112N R57W
NE 1/4 SE 1/4 - 29 Ac. SE 1/4 SE 1/4 - 31 Ac.
In section 13, T112N R57W, NE 1/4 NE 1/4 - 29 Ac.
SE 1/4 NE 1/4 - 37 Ac.

comprising a total of 126. acres of land.

Well depth 31 ft.
 to water 17 ft.
 Pumping 600 gpm.

Date December 21, 1978
LeRoy J. McNamee
 (Signature)



Department of Water & Natural Resources

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

January 29, 1988

NEARL HAGSETH
BRUCE, SD 57220

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

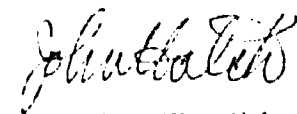
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 2127-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given 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 9:00 am, March 2, 1988 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). 2127-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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


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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

February 5, 1988

2127-3

Merl Hagseth
Bruce SD 57220

Dear Mr. Hagseth:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 2127-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

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

2127-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

October 11, 1995

2127-3

Shirley Hagseth
1350 Trail Ridge Circle
Brookings, SD 57006

Dear Mrs. Hagseth:

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right No. 2127-3. The water right is currently listed in the name of Mearl Hagseth.

Please review the form for accuracy and make any necessary changes. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

Thank you for taking the time to visit with me regarding ownership of the water right. If you have any questions about your water right or filing of the ownership change, please contact me.

Sincerely,

Genny McMath

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 2127-3

Date: Oct 18-95

I We request that Water Right No. 2127-3

formerly owned by: Mearl Hagseth

be transferred to: (name & address) Shirley Hagseth, 1350 Trail Ridge Circle, Brookings, SD 57006

Telephone No. (505) 692-1602

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

126 acres - E 1/2 SE 1/4 Section 12 and E 1/2 NE 1/4 Section 13, T112N, R51W

I We understand that the validity of Water Right No. 2127-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Brookings)

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

Shirley Hagseth
(Signed)

Subscribed and sworn to before me this 18th day of October, 19 95.

[Signature]
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a 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

Division of Water Rights

414650

South Dakota Department of Environment and Natural Resources

Pierre, October 19, 19 95

RECEIVED OF Shirley Hagseth, 1350 Trail Ridge Circle, Brookings, SD 57006

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 2127-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

John Hatch

2127-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

November 3, 1995

No. 2127-3

Shirley Hagseth
1350 Trail Ridge Circle
Brookings, SD 57006

Dear Ms. Hagseth:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 2127-3.
Our records now show you as the owner of Water Right No. 2127-3.

Sincerely,

A handwritten signature in cursive script that reads 'Cheryl F. Frost'.

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure

2127-3

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Shirley Hagseth

ADDRESS: 1350 Trail Ridge Rd, Brookings, SD 57006

COUNTY: Brookings

DATE: September 10, 1997

TELEPHONE: 605 692-1602

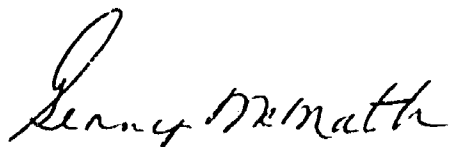
RE: status of irrigation

COMMENTS:

I called and spoke with Mrs. Hagseth concerning any irrigation being done under Water Right No. 2127-3. She stated the land has not been irrigated in the last few years because they have had enough moisture to grow a crop without irrigating. She has changed renters (Rolland Janssen rented the land in 1997) and the renter did not irrigate in 1997 either. She said he planted a crop, but did not need to irrigate.

She also mentioned that the renter did not seem to have much interest in irrigating the land and wondered what she should do if they decided to abandon the well. I told her that the well needed to either be capped/sealed to prevent contamination of the water supply or it should be plugged. I explained legal excuse to her and she said that with the wet conditions they have had over the past few years, they would most definitely have legal excuse.

Mrs. Hagseth said she would contact us if she made a decision to abandon the well and the water right.



Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 28, 2000

2127-3

Joe Ebbers
46243 189th St
Castlewood, SD 57223

Dear Mr. Ebbers:

On January 27th, Keith Ebbers called and requested a transfer of ownership form be sent to you for use in changing ownership on Water Right No. 2127-3.

Enclosed is a "Notice of Transfer of Ownership" form for use in filing the change. Please complete the form as needed and have it signed in the presence of a notary public. Upon completion, please return it to our office with a required filing fee of \$2.50. The check or money order may be made payable to the "Water Rights Program".

I am also enclosing a copy of the water right. You may keep this for your records. If I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosures

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Joe Ebbers, RR #2 Box 77, Castlewood, SD 57223

DATE: April 18, 2000

TELEPHONE: 605 873-2111 (work #)

RE: Transfer of Water Right No. 2127-3

Mr. Ebbers called in regard to the "Notice of Transfer of Ownership" form he submitted in March to transfer part of the land in No. 2127-3 to his name. He wondered what the status of the transfer was. I told him that I was currently waiting to hear from the owner of the adjacent land so the transfers could be done at the same time. The water right will be divided into two because of separate ownership.

Mr. Ebbers said he purchased, the well, system and the land in Section 13. The remaining land (Section 12) is owned by Ron Foster. Mr. Foster's land does not include the well. He said that Mr. Foster will have to drill a new well if he wants to irrigate the land in Section 12.

Mr. Ebbers wanted to know if he could go ahead and irrigate the land. I told him yes, as long as the water right was not lost due to abandonment or forfeiture. I explained legal excuse to him and the fact that the land needed to be irrigated at least once every three years to maintain the water right. He said as far as he knew, it had been wet enough that irrigation was not required.

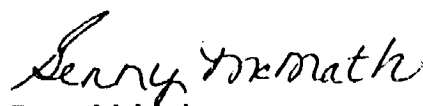
The water right will be divided as follows:

No. 2127A-3: E ½ NE ¼ Section 13, T112N, R51W (66 acres and 0.70 cfs) to Joe Ebbers
No. 2127B-3: E ½ SE ¼ Section 12, T112N, R51W (60 acres and 0.64 cfs) to Ron Foster

Since only one well is authorized, the well will be listed on both water rights. Mr. Foster will either have to drill a new well if he intends to irrigate or work out an access agreement with Mr. Ebbers.

I told Mr. Ebbers that he would need to obtain a water permit for the additional diversion rate he would need to operate his system. The investigation report says the well & big gun produce 600 gpm.

Mr. Ebbers said to go ahead and send him the paperwork and we could get started with the application process.


Genny McMath
Environmental Scientist

File No. 2127-3
& 2127B-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Ron Foster, 46571 196th Ave, Estelline, SD 57234

DATE: April 19, 2000

TELEPHONE: 605 873-2245

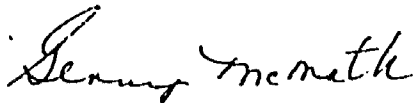
RE: status of transfer

COMMENTS:

I phoned Mr. Foster to see if he had the transfer materials I sent to him for transferring portions of No. 2127-3 to his name. He said he gave them to his son. Since we spoke last, he has sold the land to his son. His son will be submitting the ownership change and filing fee.

I asked Mr. Foster about use of the well and he says they have an agreement worked out with Mr. Ebbers to use the well. This seems to be contrary to what Mr. Ebbers told me.

I spoke with Eric Gronlund about the possibility of a new application for the Fosters and he indicated we would go ahead and divide the water right up between the two owners and then in the cover letter to Mr. Foster, let him know that having a water right for use of the well does not grant him access rights. Use of the well will be contingent upon him working out an agreement with Mr. Ebbers.



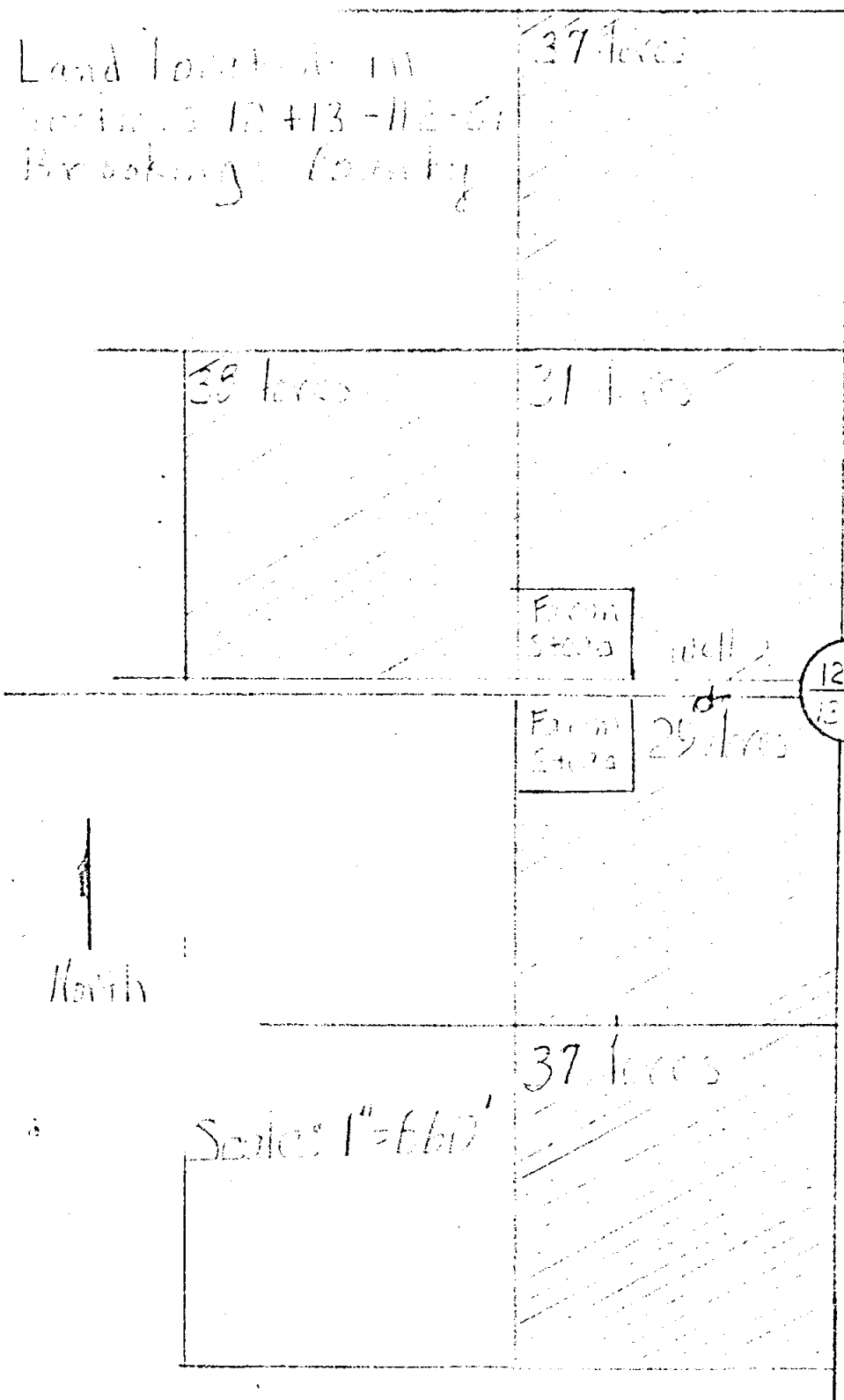
Genny McMath
Environmental Scientist

DIVISION OF NO. 2127-3 INTO NOS. 2127A-3 AND 2127B-3

Transfers were received which effectively transferred Water Right No. 2127-3 to two new owners. The water right has been divided and reissued as follows:

No. 2127A-3 Joe Ebberts, RR #2 Box 77, Castlewood, authorizing diversion of 0.70 cfs from a well located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T112N, R51W to irrigate 66 acres in the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 13, T112N, R51W.

No. 2127B-3 Roger Krein, PO Box 194, Estelline, SD 57234, authorizing diversion of 0.64 cfs from a well located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T112N, R51W to irrigate 60 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 12, T112N, R51W.



Merl Hugseth

Irrigation Project #1
Bruce South Dakota
Brookings County

Land Description Acres Irrigated

NE 1/4 of SE 1/4 Sec 12-112-51 37
SW 1/4 of SE 1/4 Sec 12 38
SE 1/4 of SE 1/4 Sec 12 31

NE 1/4 of NE 1/4 Sec 13-112-51 29
SE 1/4 of NE 1/4 Sec 13 39

Total Acres 172

Well location
460' N 91° W of
SE corner Sec 12-112-51

Outland

Water Cont. 2.4 cfs
Cross ditch maintains irrigation

Surveyor's Certificate

I, John L. Winick, do hereby certify
that this map identifies a correctly
accurate record of the land of

Merl Hugseth
Bruce South Dakota
Drawn by J. L. Winick
John L. Winick
E. L. Winick
E. L. Winick

MAP NO 1524.3 APPL NO 21273