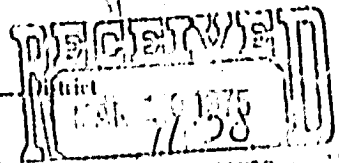


Water Right Number 2230-3

1. Considered MAY 21, 1975
2. Name of Applicant CARL A. HAGENBUCH
3. Post Office Address DAVIS
4. Amount of Water claimed 2.28
5. Source of Water supply GROUND WATER 80' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in TURNER County
about 4E, IN miles of HURLEY
8. Proof of Publication Received 5-13-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 2730-3
 Map No. 1624-3 Water Division No. 3 VERMILLION RIVER
 (Blanks to be Filled by the Engineer for the W. R. C.)


APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant— J. Roger Hagenbuch
 Davis, SD 57021, State SD Dist. 52021
 Postoffice address —
 If a corporation show date and place of incorporation —
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work Carl C. Hagenbuch #1
4. Amount of water claimed (cubic feet per second) 4.5 2.28 MAXIMUM ALLOWABLE
5. Source of water supply well
6. Location of point of diversion Approximate center of the
NE 4 20-98-52
 County Turner
7. Annual period or periods during which water is to be used May 1 - Nov. 75
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 160

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.
NE 4 NE 4 20-98-52	40		
NW 4 NE 4 20-98-52	40		
SW 4 NE 4 20-98-52	40		
SE 4 NE 4 20-98-52	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system one years. Additional time required to complete application of water to the proposed beneficial use two years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication: Hurley Leader, Hurley, S.D.
57036
12. Principal Features of the Proposed Water Supply System.

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

Elec. Pump

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

Portable alum. pipe - mainline and
flexible hose to sprinkler.

C. Works proposed to apply water to beneficial use.

Big Sun SprinklerEstimated Total Cost \$ 20,000.00
 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 Turner
 I, Carl C. 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 Carl C. HagenbuchSubscribed and sworn to before me this 27 day of February, 1975

Notary Public (or other qualified officer)

My commission expires 10-2-1977

WATER RIGHT APPLICATION APPROVAL

J. ROGERThe Water Resources Commission hereby approves Water Right Application No. 2230-3CARL A. HAGENBUCHDAVIS

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57021

(State)

With the following modifications:

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 MARCH 10, 19 75
 Date of return to applicant for correction, amendments or changes required MARCH 10, 19 75
 Date of receipt of corrected application MARCH 18, 19 75
 Approved MAY 22, 19 75, Recorded in Book 13 Page 279

WATER RIGHT PERMIT NO. 2230-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2230-3 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 MARCH 10, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22, 19 75
3. The whole of said work is to be completed on or before MAY 22, 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22, 19 78
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 2.28 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 use, 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 22, 19 78; said water to be used during the following described annual period: MAY 1 TO NOVEMBER 15

Witness my hand this 28TH day of MAY, 19 75

WATER RESOURCES COMMISSION

By:

Vern W. Butler
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 3, 19 78

Water License Issued FEBRUARY 3, 19 78

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 24" concrete, Depth 150' - 80'
- (2) Casing, Type concrete (wood, concrete, steel, etc) Diameter 18" Thickness 2
- (3) Perforated Screen, Type concrete, Diameter 18", Length 3d
- (4) Gravel Pack, Thickness 6", Length of gravel pack 80' 30'

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 NO LOG AVAILABLE.
WATER BEARING SANDS AND GRAVEL.

Depth to top of water bearing material 10" - 20"

Depth to bottom of water bearing material 150 +

Thickness of water bearing material 150 +

Depth to water (ground surface to water level) 10'

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

On same owner's property — rds. On property owned by others 100 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.

N/A

Carla Haggenbach
Signature of Applicant

March 11, 1975

Mr. J. Roger Hagenbuch
Hurley, S.D. 57036

Dear Mr. Hagenbuch:

The water analysis which you submitted here about ten days ago has been completed. The original copy of the report of analysis is enclosed herewith for your use and keeping. I am also enclosing a copy of Extension Circular 551 with the approximate quality of this water for irrigation purposes designated by an encircled red cross on the outside back cover. Please read this circular and use the information which applies to your land.

Although the water is medium in salinity, there should be no difficulty with chemically-caused dispersion or salt accumulation in your soils with this quality water.

I wish you success in your irrigation venture.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:MRB

Enclosures

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

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: _____

3/12/75

WATER RIGHT APPLICATION NO. 1

NAME: J. Roger Hagenbuch

ADDRESS: Harley, S. Dkt. 57036

COUNTY: Turner

LEGAL DESCRIPTION

WELL LOCATION: NE 1/4 20-08-52 (Approx. center)

SITE TO BE IRRIGATED: NE 1/4 20-08-52

WATER QUALITY

TEST WELL SAMPLE: 95-123

SALINITY: EC = 669 micromhos/cm (med)

SODIUM: Sodium Adsorption Ratio = 0.23 (low)

LAND CAPABILITY FOR IRRIGATION

Slope on all 1% or less.

PERCENTAGE OF SLOPE: Mostly Capability Class IIw3 (approx. 100 ac.) and IIIs3 (approx. 40 ac.) Balance IIs3. IIw3- Deep, clayey,

PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: limey, poorly drained soils on bottom lands. IIs3-Moderately deep, well drained soils on nearly level land with 20-40 inches of loamy material over sand and gravel. IIIs3-Shallow soils with 10-20" of dark, loamy material over sand and gravel on nearly level slopes.

TYPE OF IRRIGATION

GRAVITY: _____

SPRINKLER TYPE: Big Gun

CROPS TO BE IRRIGATED

Corn, alfalfa, and soybeans

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. Pezek, District Conservationist, SCS, Parker, S. Dak. 57013

and:

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

Carl Hagenbach

Subscribed and sworn before me this

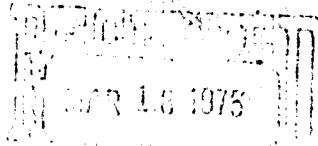
27 day of Feb. 1975.

W. J. Sattely

Notary Public

(Title)

My commission expires 10-2-1982



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

Submitted by: J. Roger Hagenbuch
Address: Hurley, SD 57036

Date Rec'd: February 28, 1975
Sample No. 75-123
Identification Well-
NE 1, Sec. 20, T 98N, R 52W

WATER ANALYSIS

Calcium (Ca)	100	ppm*	5.00	me/l**
Magnesium (Mg)	41	ppm	3.36	me/l
Sodium (Na)	11	ppm	0.47	me/l
Potassium (K)	6	ppm	0.16	me/l
Sulfate (SO ₄)	151	ppm	3.14	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	8	ppm	0.22	me/l
Bicarbonate (HCO ₃)	298	ppm	4.88	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	244	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	669	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.23			
Sodium	5.22	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.32			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 8.99 me/l
Total anions 8.24 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. 75-123

Amount Enclosed \$

Signed

WATER LICENSE NO. 2230-3

(1) WHEREAS, On the 10th day of March A. D. 19 75

Carl A. Hagenbuch

made Water Right Application No. 2230-3 for a permit to use 2.28 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 28th day of May A. D. 19 75

Permit No. 2230-3, with a date of priority of March 10, 1975

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 22nd day of May A. D. 19 76 and for the application to beneficial use of said water on or before the 22nd day of May A. D. 19 78

and, WHEREAS, on the 26th day of August, 1976, the Permit was transferred to J. Roger Hagenbuch,

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 1.95 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 a 136 acre circle in the NE1/4, Section 20, T98N, R52W

(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
J. Roger Hagenbuch

confirm to _____ of _____
_____ of _____
_____ 2230-3 _____ March 10, 1975

the holder _____ and owner _____ of said permit No. _____ a water right, dating from _____
_____ 1.95 _____ cubic feet per second of the waters
_____ to use of _____
ground water

of _____
Turner
in the County of _____ and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at _____
a point 1245'W & 1245'S of the NE corner, Section 20, T98N, R52W

_____ a 136 acre circle in the NE $\frac{1}{4}$, Section 20, T98N, R52W
and conduct to and upon _____

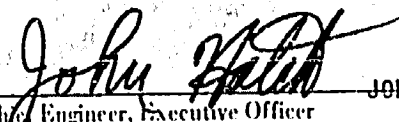
_____ Irrigation
for the purpose of _____

2230-3
Subject to any limitations listed in Water Right Permit No. _____ and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of February _____ A. D.
seventy-eight
Nineteen Hundred and _____

WATER RIGHTS COMMISSION

By:


John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 2230-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That J. Roger Hagerbuch

_____ the holder _____ of
Permit No. 2230-3, issued upon Application No. 2230-3, bearing date of priority of March 10,
1975 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
ground water County of Turner, State of South Dakota at _____
a place 1245'W and 1245'S of the NE corner, Section 20, T98N, R52W
_____, 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 2.23 cu. ft. per second of water.

Date February 3, 1973

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

No. 2230-3Publish first publication, on or before May 8, 19 75**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 1, 19 75Notice is hereby given that Carl A. 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 use2.28 cubic feet of water per second of time from the ground water through theC. Hagenbuch #1, the point of diversion of which is to be located in the _____SW 1/4 NE 1/4of Section 20, Twp. 98N, Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:NE 1/4, Section 20, T98N, R52W

This application No. 2230-3 will be considered by the Water Rights Commission at its office at Pierre upon the 21st day of May, 19 75, at 2:30 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

**BURTON F. JONES
Water Rights Specialist**

BFJ/bw

cc: Carl A. Hagenbuch, Davis, S.D. 57021

No. 2230-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Turner) ss.

I, James E. Wipf 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
County of Turner and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

April 24, 1975

May 1, 1975

James E. Wipf
(Signature)
Editor & Publis
(Title)

No. 2230-3
NOTICE INTENT TO
APPROPRIATE WATER

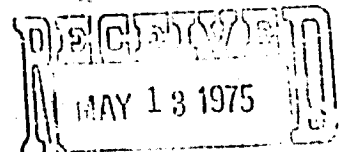
May 1, 1975
(Date Signed)

*Order of Public
Notice
from Co*

Pierre, South Dakota 57501
Notice is hereby given that
Carl A. Hagenbuch whose post
office address is, Davis, South
Dakota, has made an applica-
tion in accordance with the pro-
visions of the water laws of
South Dakota for a permit to ap-
propriate for beneficial use 2.28
cubic feet of water per second
of time from ground water
through the O. Hagenbuch #1
th point of diversion of which
is to be located in the SW 1/4 NE
1/4 of Section 20, Twp. 98N,
R. 52W. Said water to be us-
ed for the purpose of providing
irrigation on the following de-
scribed land.

NE 1/4, Section 20, T98N, R.
52W.
This application No. 2230-3 will
be considered by the Water
Rights Commission at its Office
at Pierre upon the 21st day of
May, 1975, at 2:30 P.M. All inter-
ested persons may appear and be
heard.

By: WATER RIGHTS COMM.
Burton F. Jones,
Water Rights Specialist
Publ. — April 24 & May 1, 1975.



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

NOTICE OF TRANSFER OF WATER PERMIT

TO: **WATER RIGHTS COMMISSION**State Office Building No. 2
Pierre, South Dakota 57501Date 1-13-1977

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

N.E. 1/4 of Sec. 20 T8S 52N
Township 48 North, Range 52 West of 57th &
P.M. Turner County South Dakota
 formerly owned by Carl A. Hagenbuch

has been transferred to Roger Hagenbuch and
Joyce C. Hagenbuch

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No.
2230-3 as provided for in Section 61.0127 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 Turner)

I, Roger Hagenbuch 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.

Roger Hagenbuch
 (Signed)

Subscribed and sworn to before me this 13th day of January, 19 77

M. J. Hammond
 (Notary Public)

M. J. HAMMOND
 Notary Public in and for the State of South Dakota
 My Comm. Expires Dec. 31, 1982



2730-3

Roger Thompson by H. Thompson

2731-77

Well 133 ft. 20 ft. to water

Max. capacity: 2500, Pumping 1000 gpm

C.P. Pericles. " " 135 Ac.

Motor 2 E. Motor # K6267 XH3A

HP 700 RPM 1770

Per # DA 7421145

Pump-Pericles - Ser # G106120

Model 6500 Ser # 46-6K8

Well 75' N 94° E of CP

Permit No. 2230-3Water 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 J. Roger
Hagenbuch of Davis, South Dakota 57021 holder
 of Permit No. 2230-3, hearing date of priority of March 10, 1975
 authorizing the diversion of 2.28 cu. ft. per second of the waters of Ground
 for Irrigation purposes, in TURNER 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 - General Electric, Model 5K 6267 X H 3A
 Serial # DH J421145, 100 H.P.

Pump - Peerless, Serial # 46-6118, Model 6500
 Pumping 1000 gpm.

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

8" dia Aluminum Pipe.

C. Works used to apply water to beneficial use.

Pringle Center Pivot.

The system is in the following condition: Excellent

The point of diversion is located 1245 ft West and 1245 ft South of the
NE Corner of section 20, T98N R52W.

The works are capable of diverting and conveying to the place of use 2.23
 cu. 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: All in section 20 T98N R52W
NW 1/4 NE 1/4 - 34.0 Ac. NE 1/4 NE 1/4 - 34.0 Ac. SW 1/4 NE 1/4 - 34.0 Ac.
SE 1/4 NE 1/4 - 34.0 Ac.

comprising a total of 136 acres of land.

Well data:

Depth 133 ftDepth to water 20 ft.Capacity - 2500 gpmPumping - 1000 gpm

Date June 28, 1977
J. Roy J. McNaugh
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6297

PIERRE, January 5, 1978

RECEIVED OF J. Roger Hagenbuch, Hurley, SD 57036

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. (2230-3) _____	1	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. (2230-3) _____		
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	12	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH

54



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

February 10, 1978

J. Roger Hagenbuch
Davis, SD 57021

Dear Mr. Hagenbuch:

Enclosed herewith are, Water License No. 2230-3,
Certificate of Construction, and Receipt No. 4 6297-, in the
amount of \$ 12.00 for the fee which you have paid.

Water License No. 2230-3 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 con-
tinuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
WATER RIGHTS COMMISSION

JH/gy

encl

NOTE: Your pump capacity is 2.23cfs (1001 gpm) and based upon
the average actually irrigated you are entitled to only divert
1.95cfs (875 gpm). Any diversion in excess of 1.05 cfs would be
a violation of your Water Right.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

January 15, 1990

2230-3

Gilbert Hagenbuch
RR #1 Box 17
Davis, SD 57021

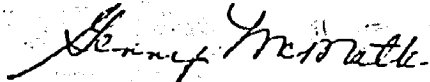
Dear Mr. Hagenbuch:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 2230-3. The water right is currently listed in the name of J. Roger Hagenbuch. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50.

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,



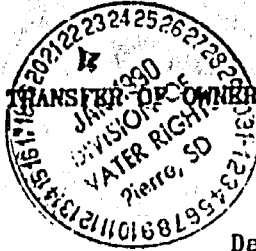
GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 2230-3

TO: Chief Engineer
Water Rights Division, DWNR
523 East Capitol
Pierre, SD 57501-3181



Date: 1-19-90

I/We request that Water Permit/Right No. 2230-3

formerly owned by: J Roger Hagenbuch, Hurley, SD

be transferred to: (name & address) Gilbert Hagenbuch, RR #1 Box 17, Davis, SD 57021

(telephone No.) 239 5361

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

136 acres - NE 1/4 Section 20, T98N, R52W

I/We understand that the validity of Water Permit/Right No. 2230-3 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 TURNER)

I/We Gilbert Hagenbuch 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.

Gilbert Hagenbuch
(Signed)

Subscribed and sworn to before me this 19 day of January, 19 90.

Rita C. Temple
(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 water 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
South Dakota Department of Water and Natural Resources

412045

Pierre, January 22, 1990

RECEIVED OF Gilbert Hagenbuch, RR 1, Box 17, 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 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 <u>Water Right No. 2220-3</u>	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 Chas Hagen
Chief Engineer

2230-3

**Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3101

January 31, 1990

Gilbert Hagenbuch
RR #1 Box 17
Davis, SD 57021-9703

Dear Mr. Hagenbuch:

Enclosed is Receipt No. 412045 in the amount of \$2.50 which you paid for transfer of Water Right No. 2230-3.

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

Sincerely,

Marie R. Arthur

MARIE R. ARTHUR
Secretary
Water Rights Division
(605) 773-3352

enclosure



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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 2, 1992

2230-3

Dale Strasser
Attorney at Law
Box 428
Freeman, SD 57029

Dear Mr. Strasser:

Enclosed is a "Notice of Transfer" form for use in filing an ownership change on Water Right No. 2230-3. The water right is currently listed in the name of Gilbert Hagenbuch.

The transfer form should be completed and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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 Genny McMath at (605) 773-3352.

Sincerely,

Jaci R Konop

Jaci R Konop
Water Rights Division

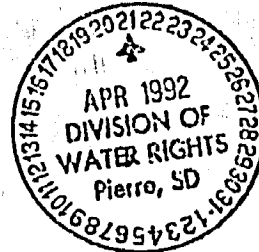
enclosure

WIEMAN LAND & AUCTION CO.

Box 135

MARION, SOUTH DAKOTA 57043

PHONE 605 648 3111



April 20, 1992

Chief Engineer
Water Rights Division, DWNR
523 East Capitol
Pierre, SD 57501-3181

Dear Sir/Madam,

Please file the enclosed and send notice to Pine Knoll that the water rights have been transferred.

Thank you.

Sincerely,
Wieman Land & Auction cCompany

Richard D. Wieman

Richard D. Wieman
Auctioneer - Broker

RDW/dh

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

No. _____

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: April 20, 1992I, We request that Water Permit/Right No. 2230-3formerly owned by: Gilbert Hagenbuchbe transferred to: (name & address) Pine Knoll, Inc., A Coporation of4504 W. 12th St., Sioux Falls, SD 57107 (telephone No.) 338-1249

Title to the following described land(s)/property has been transferred as described above:
The Northeast One Fourth (NE $\frac{1}{4}$) of Section Twenty (20), Township Ninety
Eight North (98 N.), Range Fifty Two (52), West of the 5th P.M., Turner
County, South Dakota

I/We understand that the validity of Water Permit/Right No. 2230-3 has not been deter-
mined 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
required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Turner)Don Boyd its President

I/We Pine Knoll Inc Don Boyd 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.

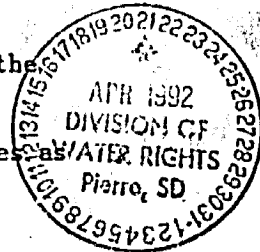
Pine Knoll Inc by Don Boyd
(Signed)

Subscribed and sworn to before me this 20 day of April, 19 92.

Richard D. Wasm
(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 water 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

South Dakota Department of Water and Natural Resources

413183

Pierre, April 21, 1992

RECEIVED OF Richard D Wieman, Line Knoll, Inc) Box 135, Marion, SD 57043

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 <u>Water Right No. 2230-3</u>	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/Emk



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 22, 1992

No. 2230-3

Pine Knoll, Inc.
4504 W. 12th St.
Sioux Falls, SD 57107

Dear Sirs:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 2230-3.

Our records now show you as the owner of Water Right No. 2230-3.

Sincerely,

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

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure

158.3

R. 52. W

9852

1245.1

Transferred
to
Yankton County

45.0

79.7

3-133

NW 1/4 NE 1/4 - 34.0 AC

NE 1/4 NE 1/4 - 34.0 AC

PROPOSED IRRIG.
WELL NO. 1

SW 1/4 NE 1/4 - 34.0 AC

SE 1/4 NE 1/4 - 34.0 AC

T. 98. N

153.8

145.9

LOCATION OF LAND TO BE IRRIGATED				
ROGER HAGENBUCH IRRIGATION PROJECT NO. 1				
LOCATION	SEC.	TWP.	RGE.	ACRES
NW 1/4 NE 1/4	20	98	52	40.0
NE 1/4 NE 1/4	20	98	52	40.0
SE 1/4 NE 1/4	20	98	52	40.0
SW 1/4 NE 1/4	20	98	52	40.0
TOTAL				160.0

(MORE OR LESS)

OWNER: CARL HAGENBUCH, DAVIS, S.D.
OPERATOR: ROGER HAGENBUCH, HURLEY, S.D.

Parker, South Dakota

98-52

MAP 15-1624.3 (APP 132230.3)



2230-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2011

NOTICE

TO: PINE KNOLL INC, DON BOYD, 4504 W 12TH ST, SIOUX FALLS, SD 57107

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaires

Our records indicate that the 2010 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2230-3, 2412-3, 2479-3, 3541-3 & 4342-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5574-3 & 6853-3 qualification:

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

The hearing will be held at **10:00 am, March 9, 2011** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5574-3 & 6853-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2230-3, 2412-3, 2479-3, 3541-3 & 4342-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link:
<http://denr.sd.gov/iq.aspx>

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

February 2, 2011

Don Boyd
Pine Knoll Inc
4504 W 12th St
Sioux Falls SD 57107

RE: Water Right or Permit Nos. 2230-3, 2412-3, 2479-3, 3541-3, 4342-3, 5574-3 & 6853-3

Dear Mr. Boyd:

I am writing to acknowledge receipt of your 2010 irrigation questionnaires.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2230-3, 2412-3, 2479-3, 3541-3, 4342-3, 5574-3 & 6853-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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