

Considered: _____

WATER PERMIT NO. 2308A-3

MAP No. Same

Name of Applicant Merritt A. Seefelt

Post Office Address RR #3, Clark

Amount of Water Claimed 0.22 cfs Total Acres no add'l

Source of Water Supply Groundwater

Water to be used for IRR County Clark

About 4 miles S of Clark

PROOF OF PUBLICATION: Received 1st 2-15-86 Not Received _____

APPLICATION: Approved 3/5/86 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 12-18-85 Fee \$50.00 Remarks add well

for land covered by #2308-3

Corrected Application Received _____ Period of Annual Use April - Nov. 1

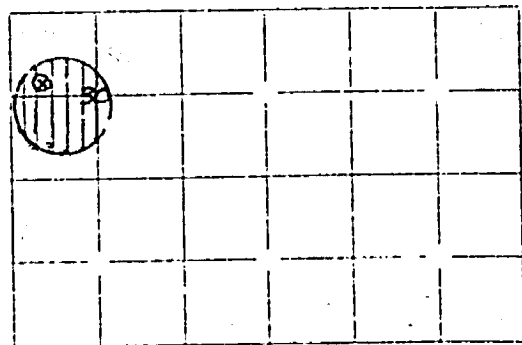
WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point SW4 ^{NW} ~~SW~~4 sec. 30 T116N-R57W

Land to be irrigated well used to irrigate ~~SW4~~

S²NW⁴, N²SW⁴, S²SW⁴ sec. 30 T116N-R57W



Well Log: Driller No log available Licensed YES _____ NO _____

Depth of Well 50 FT. REMARKS Well drilled by Empire Drilling

Type of Map Aerial Photo PREPARED BY Ron Duvall Reviewed and the Number

assigned on 12-20-85 By R. C. Larson

Mail to: Water Rights Div.
DWNRR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No. <u>2308A-3</u>	Hydrologic Unit <u>10170201</u>
Map No. <u>SO-ME</u>	Basin <u>Sioux River</u>
Newspaper <u>Clark Co. Courier Box 189, Clark (Wed)</u>	

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

New ☒ Vested Right ☐ Future Use ☐

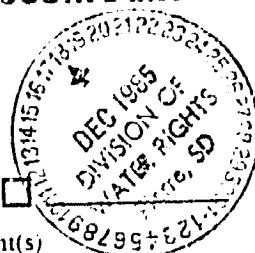
☒ Application to amend Permit No. 2308-3 with old priority date retained

☒ Change diversion point(s) ☒ Add diversion point(s) ☐ Change acreage ☐ Other ☐

☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)

☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____

☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____



1. Name of Applicant Merritt A. Seefeldt Phone No. _____

Post Office Address RR#3, Clark, South Dakota State 57225
(Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s.) .22 Total acres irrigated see 2308-3

3. Source of Water supply groundwater (VEF-AL)

4. Location of point of diversion add well #1; 460 ft N and 1650 ft W; well #2 400 ft N and 2100 ft W; well #3: 720 ft N and 2280 ft W; well #4: 2540 ft S and 1320 ft W; all from center of Section 30-T16N-R57W County Clark

5. Counties where water will be used Clark

6. Annual period during which water is to be used April 1 - November 1

7. 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.
SEE ACREAGE COVERED BY	
2308-3	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

An additional well was constructed to provide an adequate water supply to operate a center pivot. Total diversions under this application and permit No. 2308-3 should not exceed the maximum diversion allowed by SDCL 46-5-6.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA
County of Clark

I, Merritt A. Seefeldt Jr the applicant, certify that I have read the foregoing application, 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 Merritt A. Seefeldt Jr

Subscribed and sworn to before me this 11th day of December 19 85

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 2308A-3
Merritt A. Seefeldt RR #3, Clark
(Applicant) (Post Office Address)
SD 57225 With the following qualifications
(State) (Zip Code)

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

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application December 18, 1985
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____. Approved March 5, 1986.

The Water Management Board hereby approves this Water Permit No. 2308A-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is see Permit No. 2308-3 June 26, 1975.
2. One-fifth of the work is to be completed on or before _____, 19____.
3. The whole of said work is to be completed ~~on or before~~ _____, 19____.
4. The time limit for proof of beneficial use of water is _____, 19____.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed .22 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. For irrigation purposes said appropriation must be limited to not more than 2 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~~ Apr 1 - Nov 1, 19____; said water to be used during the following described annual period: _____.

WATER MANAGEMENT BOARD
 By: John H. Hald
Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
APR 21 1986, 19____

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 30" Depth 50 ft
- b) Casing Type fiberglass Diameter 16 in Thickness
- c) Screen Type fiberglass Diameter 16 in Thickness
- d) Gravel Pack Thickness 7" Length of Gravel Pack 50'
- e) Depth to Top of Water Bearing Material 18'
- f) Depth of Water (ground surface to water level) 12'
- g) Distance to nearest existing domestic well:
- On applicants property On property owned by others 2600'

2. Dugout Information Estimates

- a) Surface Dimensions Depth
- b) Depth to water (ground surface to water level)

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard

c) Crest Width

Crest Length

d) Height

e) Outlet Dimensions:
Pipe diameter

Spillway width

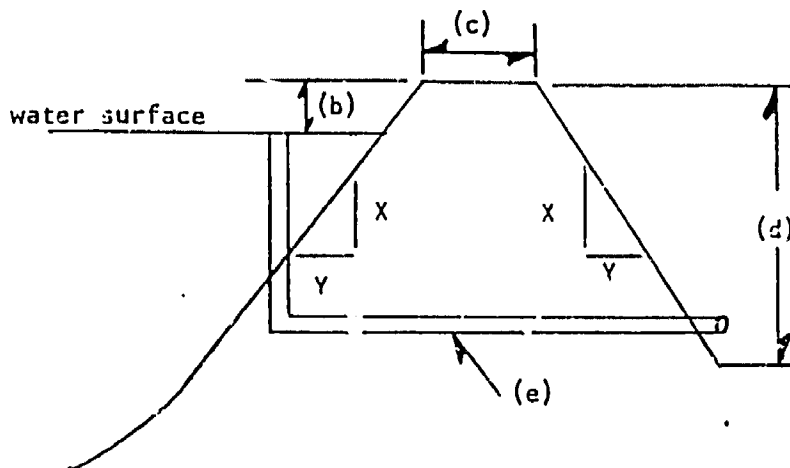
f) X & Y Slope
Upstream

Downstream

Surface Area of Impoundment

Storage acre feet

Drainage area above dam



Signature of Applicant _____

REPORT ON APPLICATION NO. 2308A-3

MERRITT A. SHEFFERT

January 13, 1986

Application No. 2308A-3 is to amend Water Permit No. 2308-3 by adding one well located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, T116N, R57W in Clark County. The pumping capacity of the added well is 0.22 cfs. Water Permit Application No. 2308A-3 will not authorize any increase in the diversion rate allowed by Water Permit No. 2308-3.

Aquifer: Vermillion East Fork-Antelope Lake

The Vermillion East Fork-Antelope Lake aquifer is a glacial deposit consisting of fine to coarse sand and gravel. The surface area of the aquifer in Clark County is 31,400 acres with 77,400 acre feet of recoverable water (Hedges, 1983). The aquifer is unconfined, under water table conditions, and is recharged by infiltration of precipitation and possible seepage from Antelope Lake at a rate of 3 inches per year (Hedges, 1983). Discharges from the aquifer occur as evapotranspiration, possible seepage into Antelope Lake, and pumping from wells for irrigation. Average annual use for this aquifer is 504 acre feet which equals 0.18 inches drawdown over the entire aquifer (Hedges, 1983).

There are four observation wells in the vicinity of the applicant's well. Records show that water levels decrease in summer months, but are adequately recharged in winter and spring months. Records from the last four years show that water levels have remained steady and in the case of observation well CK-78N, the water level has risen 1.80 feet (Water Rights Division files, 1983).

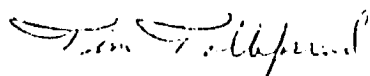
Review of Existing Permits

There are three existing water permits in the area of the applicant's well. They are as follows: No. 765-3, No. 4384-3, No. 3897-3

Water Permit No. 765-3 uses surface water from a slough. Permit No. 4384-3 is Clark Rural Water System and is $\frac{1}{4}$ mile from the applicant's well. Permit No. 3897-3 uses groundwater to irrigate 156 acres.

Conclusions

1. Permit Application No. 2308A-3 requests 0.22 cfs from one existing well in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, T116N, R57W.
2. The aquifer is under water table conditions.
3. Observation well measurements indicate that withdrawals from the aquifer do not exceed discharges.
4. Well interference should not be a problem.



TIM TOLLEFSRUD
Natural Resources Engineer

Application No. 2308A-2
January 13, 1986
Page 2

References

- Hedges, L.S. et al. 1982. Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. DWR, US Army Corps of Engineers Contract DACW 45-80-C-0185. p. 30.
- Hedges, L.S. et.al. 1983. Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa. DWR, US Army Corps of Engineers Contract DACW 45-80-C-0185. pp. 18, 27.
- Division of Water Rights. 1986. Observation Well Files, DWR, Pierre SD.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 2308A-3, Merritt A Seefeldt

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources, concerning Water Permit Application No. 2308A-3, Merritt A Seefeldt, RR 3, Box 200, Clark SD.

The Chief Engineer is recommending APPROVAL of Application No. 2308A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
Water Rights Division
January 14, 1986

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

OWNERS NAME: M. H. A. Co. L.P. OWNERS ADDRESS: _____

COUNTY LAND LOCATED IN: _____ PHONE: _____

TENANT'S NAME AND ADDRESS: _____

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION: _____

Depth: _____

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location: _____

Legal Description	Acres	Legal Description	Acres
<u>(L + 7) 1/2 Sec. 10, T. 14 N., R. 10 W., S. 1/2</u>	<u>1.5</u>	<u>Sec. 10, T. 14 N., R. 10 W., S. 1/2</u>	<u>1.5</u>

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 75

LEGAL DESCRIPTION: Sec. 10, T. 14 N., R. 10 W., S. 1/2

IN WHAT NAME: M. H. A. Co. L.P.

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify)

6. CROPS TO BE IRRIGATED: Corn, Alfalfa, Wheat

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 95-1042 10. ADJUSTED (SAR): 0.33

8. SALINITY (EC X 10⁶): 300 11. PERCENT SODIUM: 6.77

9. SODIUM (SAR): 0.11

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 10:45 a.m./p.m., on 10/14, 1985, at the following location: Sec. 10, T. 14 N., R. 10 W., S. 1/2

by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

18 DAY OF October, 1985.

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

Approved with
Conditional soil/water permits will be recorded by
the Department of Agriculture, with the County Register
of Deeds.

IMPORTANT
Action by the Department of Agriculture or the
State Conservation Commission is not the final ac-
tion on any application. In all cases a WATER
RIGHT must be obtained from the Board of Water
Management, Foss Building, Pierre.

Approved with Requirments

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

DATE OF APPLICATION: October 1985

APPROVAL DESCRIPTION: Portions of QN/A 20 & QN/A 20-235-07

LOCAL REQUIREMENTS:

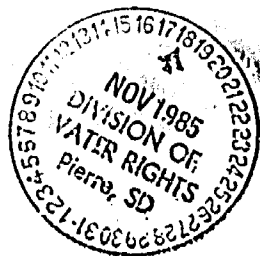
The areas of (5A) Soda soils is a depressional soil which is subject to wetness and ponding. Under irrigation this area would be excessively wet and may remain ponded resulting in poor crop yields and the possible movement of salt toward the surface. To address this problem a form of artificial drain will be necessary i.e. tile drainage or leaving this area in grass or alfalfa. There is also the option if your pivot is electric of using automatic sprinkler shutoff or advancing the pivot through this area without applying water.

The marsh area shall be eliminated from the project by positioning the pivot to avoid this area and avoiding the use of an automatic shutoff on the end gun.

RECOMMENDATIONS:

The majority of the soils of the project have good irrigation potential and would benefit from the use of a form of conservation tillage. The crop residue left in the field would result in the improvement of the soils ability to hold moisture as well as address the hazards of wind erosion.

Also in areas of small pot hole soil there are indications that the use of a soil ripper has improved the water intake and an easy way of addressing the small headache areas.



SIGNATURE

DATE

WATER RIGHTS DIVISION
(605) 773-3352

August 27, 1985

Herritt A. Seefeldt
Route #3
Clark, South Dakota 57225

Dear Mr. Seefeldt:

I am contacting you regarding our telephone conversation on July 30, 1985. I have located records which indicate that our office had information regarding the existence of a fourth well. Therefore, the same procedure will be followed that should have been completed when the fourth well was found.

Enclosed is a permit application to amend Permit No. 2308-3. The amendment will provide for the additional diversion point and will have the same priority date as Permit No. 2308-3 unless well interference is a problem. The application fee for an amendment for an additional diversion is \$50.00.

I have also found that well #4 has not had soil and water compatibility approval. Enclosed is a copy of the soil and water form for Permit No. 2308-3 which lists lot 5 as the diversion point. I have enclosed a WI-1 form which must be completed to obtain soil and water compatibility approval. Contact the Division of Conservation if you have questions about the WI-1 form (773-3259).

Please answer any questions which have not been completed and correct any errors. The forms must then be notarized and returned with the \$50.00 fee for an amendment. Thank you for your time and consideration.

Sincerely,

Ron Duvall
Natural Resources Engineer

RD:ms
Enc.



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

APR 21 1986

Herritt A. Seefeldt
RR 3, Box 200
Clark, South Dakota 57225

Dear Sir:

Enclosed herewith is your Water Permit No. 2308A-3 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 2308A-3.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 410261

December 18, 1905

Pierre, _____

Herritt A Seefeldt, RR 3, Box 200, Clark SD 57225

RECEIVED OF

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 _____	50	00
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 _____		
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	50	00

By

Chief Engineer

JOHN HATCH

45

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Clark

I, David Moritz hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Clark County Courier

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

State _____ of South Dakota

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

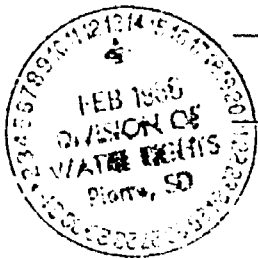
January 22, 1986

January 29, 1986

(Signature)

(Title)

(Date Signed)



Cost of Printing: 93 lines

2 times

\$38.50

WNR-808-7/79
Proof of Publication

NOTICE OF HEARING
on Application No. 2308A-3 to
Appropriate Water and to Amend
Water Permit No. 2308-3

Notice is hereby given that Merritt A. Seefeldt whose mailing address is RR 3, Clark, South Dakota has made an application for a permit to amend water permit No. 2308-3 by adding one well located in the SW1/4NW1/4 Section 30, T116N-R57W. The pumping capacity of the added well is 22 cubic feet per second and is used to irrigate 259.9 acres of land authorized by water permit No. 2308-3. Water Permit Application No. 2308A-3 does not authorize any increase in the 2.66 cubic feet per second diversion rate authorized by Water Permit No. 2308-3.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 2308A-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Joe Foss Building, Room 213, 523 E. Capitol, Pierre, South Dakota on March 5, 1986 at 10:00 a.m. The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-25, must file a written petition with BOTH the applicant and the Chief Engineer by February 21, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre, SD (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 21, 1986.

No. 2308A-3

Instruction to Newspaper - Publish first publication of the following Notice on or before January 22, 1986 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2308A-3 to Appropriate Water
and ~~to Amend Water Permit~~ ~~on Water Right~~ No. 2308-3

Notice is hereby given that Herritt A. Seefeldt whose mailing address is RR 3, Clark, South Dakota has made an application for a permit

to amend water permit No. 2308-3 by adding one well located in the SW1/4, Section 30, T16N-R57W. The pumping capacity of the added well is 0.22 cubic feet per second and is used to irrigate 259.9 acres of land authorized by water permit No. 2308-3. Water Permit Application No. 2308A-3 does not authorize any increase in the 2.66 cubic feet per second diversion rate authorized by Water Permit No. 2308-3.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2308A-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Joe Foss Building, Room 213, 523 E. Capitol, Pierre, South Dakota on March 5 19 86 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 21, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-24; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 21, 1986.

State of South Dakota
Water License No. 2308A-3

(1) Herritt A. Seefeldt
of RR#3, Clark, South Dakota 57225
made Application No. 2308A-3, December 18, 1985 for a water permit to appropriate
0.22 cubic feet per second of water from groundwater (one well),
Clark County, South Dakota for Irrigation purposes.
Permit No. 2308A-3, with a priority date of June 26, 1975
was approved March 5, 1986 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ and for the application to beneficial use of said
water ~~on or before~~ completed.

Water Permit No. 2308A-3 was approved for an additional point of diversion on Permit
No. 2308-3 with the old priority date retained. The applicable portions of Permit
No. 2308-3 are now being incorporated into this Water License No. 2308A-3.

and

(2) It is certified that the application 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 2.66 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are: #1. 460'N and 1650'W; #2, 400'N
and 2100'W; #3. 720'N and 2280'W; #4. 2540'S and 1320'W; all from Center of Section 30,
T116N-R57W.

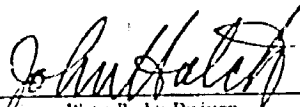
and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T116N-R57W

Section 30	SW $\frac{1}{4}$ NW $\frac{1}{4}$	13.8 Acres (Lot 5)
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	25.4 Acres (Lot 4)
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.1 Acres (Lot 3)
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	32.0 Acres (Lot 6)
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 Acres
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	27.4 Acres (Lot 7)
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.5 Acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	20.0 Acres
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	30.5 Acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	11.9 Acres
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	19.3 Acres
	TOTAL	259.9 ACRES

(4) Pursuant to §46-5-30.1 Herritt A. Seefeldt
of RR 3, Clark, South Dakota
the holder(s) and/or owner(s) of Water Permit No. 2308A-3 is issued a license to appropriate water, the right to use 2.66 cubic feet per second of water from groundwater (4 wells) with a priority date of June 26, 1975 from the location specified in (2) of this license. The water 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. 2308A-3 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

NOV 14 1985

2308A-3
Permit No. 2308-3.

Big Sioux Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DMCNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Merritt A. Seefeldt and Sons holder of Permit No. 2308-3, bearing the priority of June 26 1975 authorizing the diversion of 5.84 cu. ft. per second of the waters of groundwater (VEF - AL) for irrigation purposes, in Clark County.

I have to report on the conditions of the same as follows:

#1 Submersible unit "440"

A. Works used to divert the water;

#2 motor: General Electric pump: Western Land Roller
S.V. JMT929320
1750 rpm, 50hp.

#3 motor: U.S. Electrical, 25hp. pump: Western Land Roller
I.D. R-2983-02-073
R2106579 NRR

#4 motor: U.S. Electrical pump: Valley
I.D. E2340182-731
40 hp. S.V. 10MHE3A2B
14-2466

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

Pipeline: size. 6in 6in 8in 8in 2in
type - Aluminum PVC Aluminum PVC Black Plastic
length - 3360ft 1780ft 130ft 1850ft 460ft

C. Works used to apply water to beneficial use:

center pivots:	make -	Valley	Towable Valley	Towable Valley
(3)	# of towers -	9	3	3
	length -	1412ft	662ft	662ft
	pressure -	low	low	low
	nozzles -	Nelson	Spinner	crinkled
	PSI -	50	30	30
	GPM -	800	400	400

Can operate the large pivot and one small pivot at the same time

The system is in the following condition good

The point of diversion is located ①: 260ft N and 1650ft W; ②: 400ft N and 2100ft W; ③: 720ft N and 2280ft W; ④: 2540ft S and 1320ft W; all from center of sec. 30 - T116N-R57W

The works are capable of diverting and conveying to the place of use 2.66

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:

(Lot 5)	Acres	(Lot 7)	Acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 30	13.8	NE $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 30	40.0
(Lot 4)		NE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 30	30.5
SE $\frac{1}{4}$ NW $\frac{1}{4}$ "	25.4	SW $\frac{1}{4}$ SW $\frac{1}{4}$ "	27.4
(Lot 3)		SW $\frac{1}{4}$ SE $\frac{1}{4}$ "	11.9
SW $\frac{1}{4}$ NE $\frac{1}{4}$ "	3.1	SE $\frac{1}{4}$ SW $\frac{1}{4}$ "	36.5
(Lot 6)		SE $\frac{1}{4}$ SE $\frac{1}{4}$ "	19.3
NW $\frac{1}{4}$ SW $\frac{1}{4}$ "	32.0	NW $\frac{1}{4}$ SE $\frac{1}{4}$ "	20.0

comprising a total of 259.9 acres of land and the license should be issued for 2.66 cfs

Applicable permit qualifications have been complied with ✓ Yes — No

Exceptions to compliance are: — Date Nov. 1, 1984

Permit No. 2308-3 will be incorporated into this Water License No. 2308A-3.

Ron Duvall
(Signature)

LICENSE FOR PERMIT NUMBER 2308-3

1. Legal location of wells: ①: 460 FT N and 1650 FT W; ②: 400 FT N and 2100 FT W;
③: 720 FT N and 2280 FT W; ④: 2540 FT S and 1320 FT W; all from center of sec 30-T116N-R57W
dams & structures: _____

2. Well Information: Well Drilling Firm Empire, wells 1-3; Peckham, 4
- | No. of wells | 1 | 2 | 3 | 4 | Depth | 1 | 2 | 3 | 4 |
|--------------------|---|------------|------------|------------|----------------------------|-------------------------|-----------------|-------------------|----------------|
| Casing a) diameter | <u>16"</u> | <u>16"</u> | <u>16"</u> | <u>16"</u> | Screen a) type | <u>Fiberglass</u> | <u>concrete</u> | <u>Fiberglass</u> | <u>Johnson</u> |
| b) length | <u>10'</u> | <u>20'</u> | <u>10'</u> | <u>65'</u> | b) length | <u>40'</u> | <u>40'</u> | <u>40'</u> | <u>15'</u> |
| c) type | <u>all Fiberglass except #2 is concrete</u> | | | | Static Water Level | _____ | | | |
| Pump a) make | _____ | | | | Motor a) make | <u>submersible unit</u> | | | |
| b) model | _____ | | | | #1 b) model no. | <u>"440"</u> | | | |
| c) size | _____ | | | | c) horsepower rating | _____ | | | |
| d) capacity | _____ GPM | | | | d) motor efficiency rating | _____ | | | |
| e) turbine pump | _____ | | | | | _____ | | | |
| no. of stages | _____ | | | | | _____ | | | |
- #3-#4 on back

3. Distribution lines:
- | | 6 in | 6 in | 8 in | 8 in | 2 in |
|------------------|-----------------|-----------------|-----------------|-----------------|----------------------|
| a) size of lines | <u>6 in</u> | <u>6 in</u> | <u>8 in</u> | <u>8 in</u> | <u>2 in</u> |
| b) type | <u>Aluminum</u> | <u>PVC</u> | <u>Aluminum</u> | <u>PVC</u> | <u>Black plastic</u> |
| c) length | <u>3360 Ft.</u> | <u>1780 Ft.</u> | <u>130 Ft.</u> | <u>1850 Ft.</u> | <u>460 Ft.</u> |

4. Dam information:
- | | | | |
|----------------------------------|-------|--------------------------|-------|
| a) height to crest | _____ | i) Outlet tubes: | _____ |
| b) height to spillway | _____ | 1) diameter | _____ |
| c) crest width | _____ | 2) type | _____ |
| d) crest length | _____ | 3) valued (i/H) | _____ |
| e) spillway length | _____ | 4) valve type | _____ |
| f) spillway width | _____ | 5) location on structure | _____ |
| g) approx. storage | _____ | | _____ |
| h) Distribution lines or canals: | | | |
| 1) size | _____ | | |
| 2) type | _____ | | |
| 3) length | _____ | | |

5. System Type: a) sideroll:
- | | | | |
|---------------------------------------|------------|---------------------------------------|------------|
| 1) length | _____ feet | b) towline: | _____ feet |
| 2) diameter of pipe | _____ | 2) make, model & number of sprinklers | _____ |
| 3) make, model & number of sprinklers | _____ | 3) spacing of sprinklers | _____ |
| 4) spacing of sprinklers | _____ | 4) nozzle size | _____ |
| 5) nozzle size | _____ | | |

(2) 5. ^{identical} System type: c) center pivot
Valley (both towers) 1) make Valley
3 2) number of towers 9
 3) distance between towers _____
662 ft 4) overall length 1412 ft
yes 5) End gun (Y/N) _____
low 6) high or low pressure low
senninger (full circle) 7) make & size of nozzles _____
Rainbird (half circle) nelson
30 8) PSI reading while system is running 50
400 9) GPM 800

Can operate the large pivot and one small pivot at the same time.

g) Gun
 1) make _____
 2) serial number _____
 3) nozzle size _____
 4) capacity (GPM) _____
 5) PSI _____
 6) hose size _____
 7) hose length _____

d) Gate Pipe
 1) length _____
 2) diameter _____
 3) spacing of gates _____

e) Siphons
 1) number _____
 2) size _____

f) Portable boom
 1) make _____
 2) serial number _____
 3) nozzle size _____
 4) capacity (GPM) _____
 5) PSI _____

h) Hydromatic
 1) make _____
 2) model _____
 3) serial number _____
 4) length _____
 5) nozzle size _____
 6) spacing _____
 7) PSI _____
 8) capacity (GPM) _____

YES	NO	Check Items
<u>/</u>	_____	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
<u>/</u>	_____	2. Special Qualifications to permit being abided by.
<u>/</u>	_____	3. All Structures, wells and lands on map.

REMARKS: #2 motor: General Electric pump: Western Land Roller
 S.N. JM1929320
 1750rpm, 50hp.

#3 motor: U.S. Electrical, 25hp. pump: Western Land Roller
 ID. R-2983-02-073
 R2106579 NRR

#4 motor: U.S. Electrical pump: Valley
 ID. E2340182-731 S.N. 10M1HE3A28
 40hp. 14-2466



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

January 17, 1985

Peckham Well Company
Box 243
Clark SD 57225

Dear Sir:

Enclosed is an irrigation well location. The Water Rights Division does not have a copy of this well log. Please send a copy of the well log for our records. Enclosed is a postage prepaid envelope for your use. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Ron Duvall".

RON DUVALL
Water Resources Engineer

RD:ks

enclosures

PECKHAM WELL CO.

CONTRACTORS-DRILLERS
P.O. BOX 243
CLARK, SOUTH DAKOTA 57225
Jan 25, 1985

Dear Sir,

Find enclosed our drilling log of Merritt Seefeldt
irrigation well SW $\frac{1}{4}$ SW $\frac{1}{4}$ 30-116-57.

0-2' top soil
2'-9' yellow clay
9'-19'- gravel-course-circulation loss
19'-21' sand-gravel- some clay
21'-35' sand gravel
35'-45' sand-gravel-very loose- some clay seams
45'-51' course sand
51'-80' blue clay

Peckham Well Co.
Clark, S.Dak.





United States Department of the Interior

GEOLOGICAL SURVEY

Water Resources Division
Room 317, Federal Building
200 Fourth Street SW
Huron, South Dakota 57350-2469
November 21, 1986



James Bodman
Dept. of Water and Natural Resources
Division of Water Rights
Joe Foss Building
Pierre, SD 57501

Dear Jim:

I called Allen Kretzschmar, the new owner of Empire Drilling, (phone 532-3108), and he sent me these logs of test holes.

The sketched locations of these holes are poor, but I have an assumed location for 2 of them (#1, #2). I have them near 2 irrigation wells that I field-located. Frankly, I have no locations for any other test holes or wells in that section, but I assume they are south of the 2 irrigation wells.

Sincerely,

Louis J. Hamilton
Hydrologist

IRRIGATION DRILLING CO., INC.

BCDB
(see below)

Ph. 352-4587

(domestic, irrigation, industrial, other)

Remarks: _____

1 Mile

Write Additional Times and Readings on Back of Page

hr.	min.	ft.	in.
-----	------	-----	-----

[illegible]

(3) 1161157W BC BT
(4) 1161157W CB ?

Ph. 352-4597

Location of Well: _____ 1/4. NW 1/4, Section 30, Township 11N, Range 5E
Well to be drilled for: Meritt See Fellt Clark, S. W.
(Name) (Address)
Clark S. Dak.
(County) (State)
Date well drilling started 8-8-76 finished _____

Purpose of well Irrigation Test hole
(domestic, irrigation, industrial, other)

hr.	min.	ft.	in.	RECOVERY
-----	------	-----	-----	----------

[illegible]

IRRIGATION DRILLING CO., INC.

P. O. Box 1252

Huron, South Dakota 57350

Ph. 352-4587

DRILLING REPORT

Location of Well: _____ 1/4, NE 1/4, Section 30, Township 116, Range 57

Well to be drilled for: Merit Seep Lit Clark's ret'
(Name) (Address)

Clark

(County)

Clark Kent
(Address)

(Address)

S. Belg

Date well drilling started 8-8-76 finished _____

Purpose of well Irrigation Test hole
(domestic, irrigation, industrial, other)

Depth _____ ft. Casing Diameter _____ inches

Slot Size _____ Screen Size _____

Screen Depth: From _____ ft. to _____ ft.

Remarks: _____

NORTH

1			
•			

1 Mile

REPORT OF FINAL PUMPING TEST
Write Additional Times and Readings on Back of Page

Date _____

Elapsed Time From Start of Pumping		Water Level		Discharge
O r.	O min.	ft.	in.	(Static)
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	RECOVERY

[illegible]

IRRIGATION DRILLING CO., INC.

P. O. Box 1252

Huron, South Dakota 57350

Ph. 352-4587

DRILLING REPORT

Location of Well: 170 1/4, 300 1/4, Section 10, Township 170, Range 11

Well to be drilled for: Merrill (Name) 2574107 (Address) Clare
Clark (County) S. Dakota (State)

Date well drilling started Oct 6 12 finished _____

Purpose of well Test well for irrigation
(domestic, irrigation, industrial, other)

Depth _____ ft. Casing Diameter _____ inches

Slot Size _____ Screen Size _____

Screen Depth: From _____ ft. to _____ ft.

Remarks:			
----------	--	--	--

1 Mile

REPORT OF FINAL PUMPING TEST

Write Additional Times and Readings on Back of Page

Date _____

Elapsed Time From Start of Pumping	Water Level	Discharge
---------------------------------------	-------------	-----------

O hr.	O min.	ft	in.	(Static)
-------	--------	----	-----	----------

hr.	min.	ft.	in.	GPM
-----	------	-----	-----	-----

hr.	min.	ft.	in.	GPM
-----	------	-----	-----	-----

hr.	min.	ft.	in.	GPM
-----	------	-----	-----	-----

hr.	min.	ft.	in.
-----	------	-----	-----

Formation: Clay, Silt, Sand,
Gravel, Color, Hard or Soft, etc.

Depth (ft.)

From	To
------	----

Formation (Continued)

Depth (ft.)

From	To
------	----

4. goal

Gravel

2/10/20

5 | 72

2 | 55

55 | 60

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

440400

Pierre, April 28, 1956

RECEIVED OF Merritt A. Seefeldt & Sons, RR 3, Box ²⁰²~~201~~, Clark, SD 57220

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

Fee for Application for Permit No. <u>2308A-3</u> 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. <u>2308A-3</u> _____	50	00
Fee for Filing Transfer Form _____		
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	50 00

By John Hatch
Chief Engineer JOHN HATCH/mis



Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 2308A-3

2308-3

Department of Water & Natural Resources

NOV 14 1983

Herritt A. Seefeldt
RR 3, Box 202
Clark, South Dakota 57225

Dear Mr. Seefeldt:

Enclosed herewith is, Water License No. 2308A-3. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

Enclosures

Applicable portions of Permit No. 2308-3 have been incorporated into this permit No. 2308A-3.

WNR-817 3/83

Transmittal of Water License

(# 2308A-3)
2533-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Merritt Seefeldt
RR 3, Box 202
Clark, SD 57225

Dear Mr. Seefeldt:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

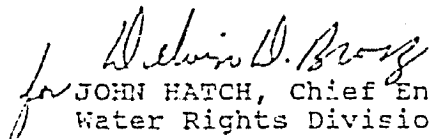


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

764780
77 044
79 064

NOT TO SCALE





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 16, 2007

2308A-3
5633-3

Merritt Seefeldt
42645 180th St
Clark SD 57225

Dear Mr. Seefeldt:

I am writing in follow-up to our phone conversation today concerning Water Right Nos. 5633-3 and 2308A-3. The water rights are currently listed in your name. In order to have them changed to "Merritt Seefeldt and Sons", a "Notice of Transfer of Ownership" will need to be filed for each one.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

I have included copies of the water rights in the event you do not have them. 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

RECEIVED

AUG 13 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2308A-3

Date: _____

I/We request that Water Right No. 2308A-3

formerly owned by: Merritt A Seefeldt

be transferred to: (name & address) Merritt Seefeldt & Sons, 42645 180th St, Clark SD 57225

Telephone No. (605) 532 - 3385

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

259.9 acres - S ½ NW ¼, SW ¼ NE ¼, SW ¼ and SE ¼ Section 30, T116N, R57W

I/We understand that the validity of Water Right No. 2308A-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 Merritt Seefeldt & Sons, the new owner, certify that the above information is true and correct.

Merritt Seefeldt & Sons
by Marshall Seefeldt
(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 8/13, 2007

RECEIVED OF Merrit A Seefeldt & Sons RR 3 Box 200 Clark SD 57225

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

Fee for Application for Permit No. _____ and to put water to beneficial use	_____ to Appropriate Water, to construct	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 _____	2308A-3		
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.

03121

By

Harold Carlisle
Chief Engineer

[Signature]



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 14, 2007

2308A-3
5633-3

Merritt Seefeldt & Sons
42645 180th St
Clark SD 57225

Dear Sirs:

I am writing to acknowledge receipt of the ownership changes you filed for Water Right Nos. 2308A-3 and 5633-3. The transfers have been completed. The water rights formerly listed in the name of "Merritt Seefeldt" are now listed as being held by "Merritt Seefeldt and Sons".

Enclosed are your Receipt Nos. 03121 and 03122 in the amounts of \$2.50 each. You may keep these for your records.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures