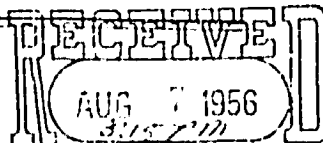


1. Considered Nov. 13, 1956
2. Name of Applicant Burnette and Elmer Quam # 234-3
3. Post Office Address Box 111, S. Dak.
4. Amount of water claimed 4 1/2 cfs
5. Source of water supply Ground water
6. Water to be used for Irrigation
7. Acres to be irrigated 160
Water to be diverted and used in Union County about
3 miles SE of Union
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved ✓
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

10. Remarks:

No. 234-3Water Division No. 3 Big Sioux River District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
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 Burnett, James) & Elmer James
 Postoffice address Elletts Point, County Union, State S. Dak.

I. If a corporation

- (a) Name of same _____
 (b) Date and place of incorporation _____
 (c) Amount of capital stock _____
 (d) Amount paid in _____
 (e) Names and addresses of directors _____

Not a corporation

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

direct labor

- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work

3. Amount of water claimed zero S. P. M. cubic feet per second approx 4.54. Source of water supply under ground well5. Location of point of diversion SE 1/4 of the SE 1/4 Sec 20 T. 12 N. R. 20 W.

_____ On _____ bank _____ County.

6. Annual period or periods during which water is to be used

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- Gravity

(a) Number of acres to be irrigated 160 acres.(b) Legal subdivisions to be irrigated SE 1/4 Sec 20 T. 12 N. R. 20 W.

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, milking, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use _____
 Name any of the above uses claimed

(b) Amount of power to be generated _____ horse power

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

On same owner's property _____ rods. On property owned by others 700 rods

Map No. 184-3

8. Estimated cost of work:

(a) Head Gates, \$----- (b) Pumping plant, \$-----
 (c) Flumling, \$----- (d) Canal-earth, \$----- Rock, \$-----
 (e) Other structures ----- \$----- Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

(a) Dam: Height-----feet; length at bottom-----feet; length at top-----feet; thickness at bottom-----feet; thickness at top-----feet; slope at front water face-----; slope at back face-----
 material used in construction-----
 (b) Reservoir: Capacity when filled-----acre feet. Surface area at highwater mark-----acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width-----feet; height-----feet;
 Material-----
 (d) Canal: Total length-----miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work-----years.
 11. Time required for complete application of water to the proposed beneficial use-----years.
 12. Choice of newspaper for publication of notice of intention to appropriate Elk Point S.D.
Leader Courier

STATE OF SOUTH DAKOTA

County of Union } ss.

I, Burnett Quinn & Oliver Quinn, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Burnett Quinn & Oliver Quinn
Edward E. Quinn
 Notary Public (or other qualified officer.)

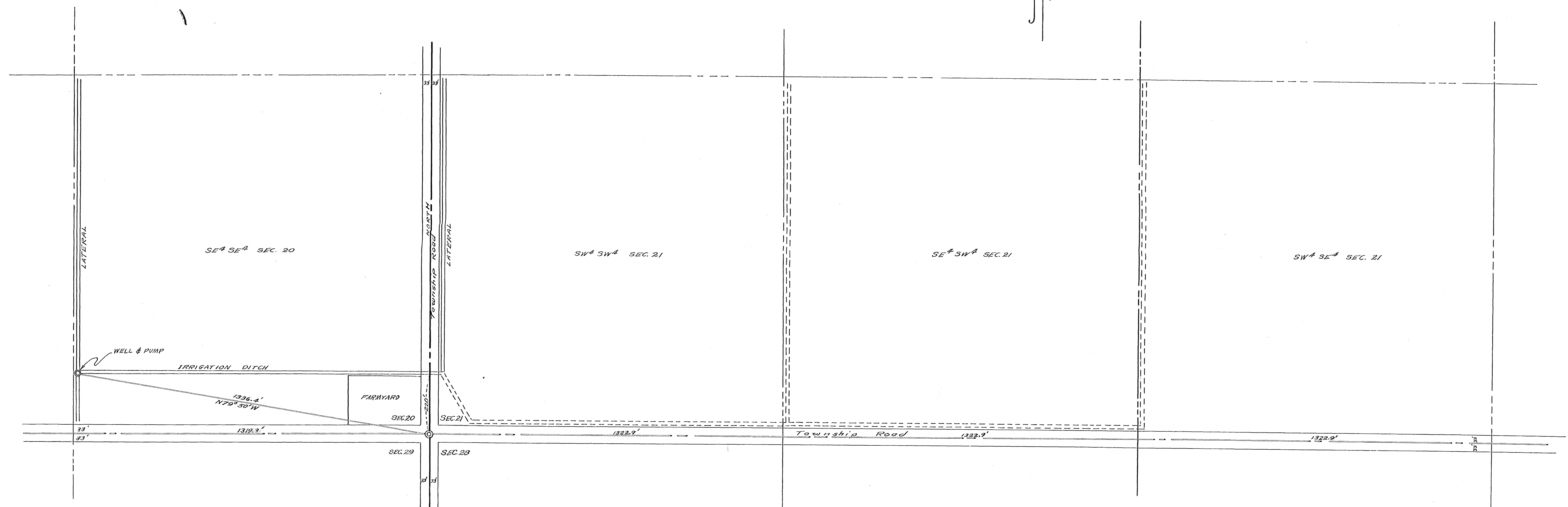
Subscribed and sworn to before me this 10 day of August 1956

*Each diversion must have a headgate or measuring device.

PLAT
SHOWING

IRRIGATION WELL AND PUMP IN THE SE¹SE⁴ SECTION
20, T90N-R48W, OF THE 5TH P.M. AND IRRIGATION
DITCH LAYOUT IN THE SE¹SE⁴ SECTION 20, SW⁴SW⁴
SECTION 21, SE¹SW⁴ SECTION 21, SW⁴SE¹ SECTION 21,
ALL IN T90N-R48W OF THE 5TH P.M.

SCALE 1" = 200'



SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA } S.S.
COUNTY OF UNION

I, ROBERT M. WHYTE, A REGISTERED LAND SURVEYOR,
DO HEREBY CERTIFY THAT, AT THE REQUEST OF THE
OWNER, THE SURVEY SHOWN ABOVE WAS MADE UNDER
MY DIRECTION AND SUPERVISION AND IS IN ALL RESPECTS
TRUE AND CORRECT.

Robert M. Whyte
REGISTERED LAND SURVEYOR

ON THIS THE 2nd DAY OF August, 1956, BEFORE
ME, EDWARD EKREN, THE UNDERSIGNED
OFFICER PERSONALLY APPEARED ROBERT M. WHYTE
KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE
PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN
INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED
THE SAME FOR THE PURPOSES THEREIN CONTAINED, IN
WITNESS WHEREOF I HERETO SET MY HAND AND
OFFICIAL SEAL.

Edward Ekren
NOTARY PUBLIC

LEGEND

BEARING LINE _____
SECTION LINE _____
1/4 SECTION LINE _____
1/16 SECTION LINE _____
IRRIGATION DITCH _____
PROPOSED DITCHES _____

OWNER'S CERTIFICATE

STATE OF SOUTH DAKOTA } S.S.
COUNTY OF UNION

I, *Edmund Quisenberry* AND *Benjamin Quisenberry*, THE
OWNER'S OF THE SE¹SE⁴ SECTION 20, SW⁴SW⁴ THE SE¹SW⁴
AND THE SW⁴SE¹ OF SECTION 21 ALL IN T90N-R48W OF
THE 5TH P.M. DO HEREBY CERTIFY THAT THE SURVEY
SHOWN ON THE PLAT ABOVE WAS MADE AT OUR REQUEST
AND THAT WE DO HEREBY JOIN IN AND APPROVE SAID
SURVEY AND PLAT.

Edmund Quisenberry
OWNER
Benjamin Quisenberry
OWNER

ON THIS THE 6th DAY OF August, 1956, BEFORE
ME, *Edward Ekren*, THE UNDERSIGNED OFFICER
PERSONALLY APPEARED *Edmund Quisenberry* AND
Benjamin Quisenberry KNOWN TO ME OR SATISFAC-
TORILY PROVEN TO BE THE PERSONS, WHOSE NAME
SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOW-
LEDGED THAT HE EXECUTED THE SAME FOR PURP-
POSES THEREIN CONTAINED, IN WITNESS WHEREOF I
HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Edward Ekren
NOTARY PUBLIC

Map No. 184-3
(Appl. No. 234-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Blaine } ss.

Pierre, South Dakota, September 19, 1956

This is to certify that the foregoing application was received by the Commission at 3:15 o'clock
P.m. upon the 7 day of August, 1956

State Water Resources Commission

By:

J. W. Brinner

Chief Engineer, Executive Officer

Number of permit 234-3

Date of first receipt of application August 7, 1956

Date of return to applicant for correction, amendments or changes required as follows: August 13, 1956

Date of receipt of corrected application September 13, 1956

Date from which applicant may claim right August 7, 1956

Approved November 14, 1956, Recorded in Book 3, Section 2 Page 21

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

November 14, 1957

2nd. The whole of said work is to be completed on or before November 14, 1958

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

November 14, 1960

4th. The water appropriated shall be used for the purpose of irrigation

5th. 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.

6th. 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 system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 14, 1960; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 31 day of December, 1956

State Water Resources Commission

By:

J. W. Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 34", Depth 94' ft 6"
 Type of casing concrete
 (wood, concrete, steel, etc.)
 Size of casing 18", Thickness of casing 2 1/2 inch
 Length of casing 62 1/2 ft. If collection gallery, length, size and depth of gallery: _____

(b) Screens

Type of perforated screen Greenmont. Precast Concrete
 Size of perforated screen 18" (diameter), 32 ft. (length)
 Thickness of gravel pack 7 1/4 inch, length of gravel pack 94 ft 6 inch.

(c) Water Bearing Materials

Distance to water 10 ft. Character of water bearing materials sand & gravel

Thickness of water bearing material 31 ft 6 inch

(d) Pump and Motor

Type of pump Turbine deep well pump. Centrifugal
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump Berkeley, size 10 inch
 Kind of motor gasoline
 (gasoline, electric, diesel, etc.)
 Horsepower _____, Name of Motor International (M) tractor

(e) Complete well

Capacity 2000 G.P.M. drawdown of 15 ft. Estimated cost 2270.⁰⁰

(f) Owner of land upon which well is located Burnett Quam + Elmer Quam
Elk Point S.D. Dak.
 Name Address

(g) Distance to nearest existing wells

On same owner's property 1 rods. On property owned by others 400 rods

Permit No. 234-3
Water Division No. 3 Big Sioux River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Burnett Quam and Elmer Quam
of Elk Point, County of Union, and State of South Dakota,
the holder E of Permit No. 234-3, issued upon Application
No. 234-3, bearing date of priority of August 7, 1956, authorizing the diversion of
2.28 cu. ft. per second of the waters of ground water
County of Union, State of South Dakota, at 1336.4 feet N 79°
50'W of the SE Cor., Sec. 20, T 90 N, R 48 W
for irrigation
purposes, have fully 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 2.28 cu. ft.
per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,
to-wit: SE 1/4 Sec. 20, T 90 N, R 48 W - - - - 40 acres
S 1/2 SW 1/4, Sec. 21, T 90 N, R 48 W - - - - 80 acres
SW 1/4 Sec. 21, T 90 N, R 48 W - - - - 40 acres
Total 160 acres

Witness my hand this 30th day of September A. D. 1957

State Water Resources Commission
By: J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 234-3

WHEREAS, On the 7th day of August A. D. 1956
Burnett Quam and Elmer Quam
 of Elk Point County of Union and State of
South Dakota duly made application (No. 234-3) to us for a permit to use 2.28
 cubic feet per second of the waters of ground water
 County of Union, State of South Dakota, for irrigation
 purposes, and

WHEREAS, On the 31st day of December A. D. 1956
 Permit No. 234-3 was issued to said applicant E. for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 14th day of
November A. D. 1958 and for the application to beneficial use of said
 water on or before the 14th day of November A. D. 1960
 and,

WHEREAS, On the 30th day of July A. D. 1957
 the holder B of said permit duly made proof of the completion of adequate works for the diversion of 2.28
 cubic feet per second of said waters, as evidenced by our Certificate No. 234-3
dated September 30, 1957 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 2.28 cubic feet per second of water, with date of
 priority of August 7, 1957 and,

WHEREAS, On the 30th day of July A. D. 1957
 proof was duly made of the application to beneficial use of 2.28 cubic feet per second of said water;
on 160 acres located in the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 20; S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.
21, all in T 90 N, R 48 W.

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 Burnett Quam and Elmer Quam
of Elk Point, South Dakota the holder S. and owner R. of said permit No. 234-3
a water right, dating from August 7, 1956 to the use of 2.28
cubic feet per second of the waters of ground water
in the County of Union and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at 1336.4 feet, N 79° 50' W of
the SE Cor., Sec. 20, T 90 N, R 48 W
and conducted to and upon SE 1/4 Sec. 20; S 1/4 SW 1/4 and SW 1/4 SE 1/4 Sec. 21; all in
T 90 N, R 48 W

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 30th day of September A. D. Nineteen
Hundred and Fifty-seven

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

(First Publication before October 12, 1956)

APPROPRIATION OF WATER

Office of State Water Resources Commission.

Pierre, S. Dak., -----September 19-----, 1956.

Notice is hereby given that Burnett Quan and Elmer Quan whose postoffice address is Elk Point, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.5 cubic feet of water per second of time from ~~the~~ ground water through the gravity irrigation system, the point of diversion of which is to be located ~~on the~~ bank of said stream in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20 Twp. 90N Range 48W. Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 20; S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T 90N, R 48W

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 13th day of November, 1956, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

cc: W. J. Ryan, Publisher

The Leader-Courier

PROOF OF PUBLICATION

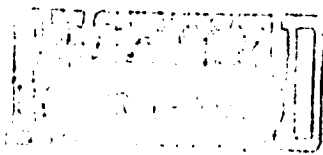
STATE OF SOUTH DAKOTA }
County Union } ss.Wm. J. Ryanbeing duly
sworn, deposes and says the annexed printed copy of Notice
of Intention to Appropriate Water was taken from the _____Leader Courier a newspaper which
during the whole itre of publication of said notice herein
after stated, has been and is printed and published in the
_____ City _____ of Elk Point _____ County of_____ Union _____ and State of South Dakota;
that the said notice was published in said newspaper on the
following dates:____ September 27, 1956 _________ October 4, 1956 _________ October 11, 1956 _________ October 18, 1956 _____in each and every issue of the full number thereof, the first
publication being made on the 27th day of September
1956 and the last publication on the 18th day of____ October _____ 1956, upon which days or times
of publication aforesaid the newspaper was regularly pub-
lished, and that during the whole time of said publication he
was Manager ~~the printer~~ and publisher of
the said newspaper.Wm. J. RyanSubscribed and sworn to before me this 19 day of October A. D. 1956John A. Anderson
Notary Public Union County, S. D.

APPROPRIATION OF WATER

Office of State Water Re-
sources Commission, Pierre, S.
Dak., September 19, 1956.Notice is hereby given that
Burnett Quam and Elmer Quam,
whose postoffice address is Elk
Point, S. Dak., have made an
application in accordance with
the provisions of the water laws
of South Dakota for a permit
to appropriate for beneficial use
4.5 cubic feet of water per sec-
ond of time from ground water
through the gravity irrigation
system, the point of diversion
of which is to be located in the
SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20,
Twp. 90N, Range 48W. Said wa-
ter to be used for the purpose
of providing irrigation on the
following described land:SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; S $\frac{1}{2}$ SW
 $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21,
T 90N, R 48W.This application will be tak-
en up by the State Water Re-
sources Commission at their
office at Pierre for considera-
tion upon the 13th day of Nov-
ember, 1956, at 2:00 P.M. All
interested persons may appear
and be heard.Appropriate action will be
taken by the Water Resources
Commission after suitable time
has elapsed for the considera-
tion of any or all information
presented.State Water Resources
CommissionBy: J. W. Grimes,
Chief Engineer, Execu-
tive Officer.

(Pub. Sept. 27, Oct. 4-11-18)

RECEIVED
OCT 21 1956STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 234-3Water Division No. 3 Big Sioux River Water District

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Elk Point, So. Dak.(Date) March 30 - 1957

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 23 day of July 1957, at Elk Point County of Lincoln State of South Dakota, before _____ (Examining Engineer or Officer) proof will be submitted of the application to beneficial use of 2.28 cubic feet per second of the waters of underground well in accordance with the terms and conditions of Permit No. 234-3 heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are Burnett Quana, Elk Point, S. Dak.
- The use to which said water has been applied is Irrigating crops
- The amount applied to beneficial use is 2.28 max allowed
- The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) SE⁴ SE⁴ Section 20, SW⁴ SW⁴ The SE⁴ SW⁴ and the SW⁴ SE⁴ of Section 21
- The name of the canal or ditch or other work by which said water is conducted to such place of use is _____
- The right to take the water from such works is based upon permit No. _____
- The source of supply from which such water is diverted is _____
- The date of priority which said user is prepared to establish is _____

(Sign) Burnett Quana
Elk Point, S. Dak.

Permit No. 234-3Water Division No. 3 By Sioux Falls Water District

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.)

Elk Point S. D.

(Date)

March 30 - 1957

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 2.23 max allowable cu. ft. per second of the waters of the state from well through the Gravity System for Irrigation purposes

_____ In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Bernett & Sons
Elk Point, S. D.
2. The postoffice address of such person or the place of business of such corporation is Elk Point,
County of Union State of S. D.
3. The number of such permit is 234-3 and the date set for the completion of such work is _____
4. Said water to be used for Irrigation purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plan accompanying the application for such permit, is 2.28 cubic feet per second.

6. The amount of land for which said water is available is 160 acres,
particularly described as follows: SE⁴ Section 20 SW⁴ SW⁴ The SE⁴ SW⁴
on the SW⁴ SE⁴ of Section 21

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

Bernett & Sons
Elk Point, S. D.

Permit No. 234-3Water Division No. 3 Big Sioux
River Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your ~~BOOK~~ of authorization ~~XXXX~~
on July 30, 1957~~XXXX~~, I have ~~XXXX~~ made a thorough examination of the diversion works constructed by BurnettQuam and Elmer Quamof Elk PointUnion County, South Dakota, holder of Permit No. 234-3, issuedupon Application No. 234-3, bearing date of priority of August 7, 1956, authorizing thediversion of 2.28 cu. ft. per second of the waters of ground water for irrigation

purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 1942 Farmall-M; Berkley Pump, Serial #609345,
BM #2103, Model 8-B; and sufficient ditches of an adequate capacity
to irrigate the fieldand the system is in the following condition: very goodThe point of diversion is located 1336.4 feet, N 79° 50' W of the SE Cor.,Sec. 20, T 90 N, R 48 WThe works are capable of diverting and conveying to the place of use 2.28 cu. ft. per second of water,
which is to be used for irrigationThe legal subdivisions to be irrigated are: SE 1/4 SE 1/4, Sec. 20; S 1/4 SW 1/4 and SW 1/4 SE 1/4 Sec.1, all in T 90 N, R 48 Wcomprising a total of 160 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 26th day of August, A. D. 1957.

—SEAL—

Les Wyborny
Examining Engineer.
Water Rights Engineer

WATER RIGHTS DIVISION

(605) 773-3352

March 25, 1982

Lynn Mollet
Route #1, Box 267
Jefferson, South Dakota 57038

Dear Mr. Mollet:

This letter is in reference to Water Right No. 234-3 listed in the name of Burnett & Elmer Quam. The water right covers portions of land in Sections 20 and 21, T-90N, R-48W. The land had been sold years ago, but a transfer had never been filed with this office.

On March 22, 1982 I talked with Louie DeSmet, Union County Extension Agent, concerning this matter. He indicated the land had been sold to Ivan Mollet, now deceased, and that you should be contacted concerning the transfer.

It is very important that ownership records be kept current. If you now own the land covered under this Water Right, please check over, date, sign and have the enclosed "Notice of Transfer" notarized before returning it to our office with a \$2.50 filing fee. The Water Right can then be transferred to your name. If you do not own the land, please notify this office as to who we should contact concerning the transfer; or simply forward the transfer form the correct party.

Your attention in this matter would be greatly appreciated. If you have any questions please contact this office or you may wish to visit with Louie DeSmet at the Extension Office.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

Water Rights Division
605 773-3352

July 14, 1982

234-3

Lynn Mollett
Rt 1, Box 267
Jefferson SD 57038

Dear Mr. Mollett:

On March 25, 1982 notice was sent to you concerning the transfer of Water Permit No. 234-3 in the name of Burnett & Elmer Quam which covers Irrigation of 160 acres in portions of Sections 20 & 21, T90N, R48W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.60. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current.

If you have any questions, please contact us.

Sincerely,

BENNY YOUNG
Water Rights Specialist

GY:ks

enclosure

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8902

PIERRE, July 20, 1982

RECEIVED OF Ivan Mollet, Route #1, Box 427, Jefferson, South Dakota 57038
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.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing <u>Transfer of WRR</u>	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (65)

No. _____

234-3



Department of Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

July 21, 1982

Mr. & Mrs. Ivan E. Hollet
Route #1, Box 427
Jefferson, South Dakota 57038

Dear Mr. & Mrs. Hollet:

Enclosed is receipt No. 4 8902 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 234-3.

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

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

WNR-821-7/79

Receipt & Notice of Filing of Transfer of Water Right

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 7-16-82

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

160 acres - SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, all in T90N, R48W

formerly owned by Burnett & Elmer Quam

has been transferred to Marion E. Mellett
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 234-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Lincoln) ss.

Marion E. Mellett 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.

Marion E. Mellett
(Signed)

Subscribed and sworn to before me this 16 Day of July, 1982.

James E. Mellett
(Notary Public)

Observations during the Field Inspection on July 30, 1957 of the Burnett and Elmer Guam Project relative to Application #234-3.

Mr. Elmer Guam accompanied me on the inspection and was very cooperative in answering question and assisting me in completing the inspection. He took leave of a County Commissioner's meeting which he was attending as a member in order to go with me.

The project consisted of 150+ acres in 10-52 acre fields of corn, beans, alfalfa, oats and wheat. The well was located about 6 ± rods north of the SW corner of the SE½ SE½, Sec 20, T.90N, R.48W. The locations of the lands and well are shown on the print of map #184-3.

The system, which is a gravity system, was not in operation at the time of the inspection but there was definite evidence that it had been irrigated this season.

The well was approximately 95 feet deep with the static water level at 16 feet. There was a 12 foot drawdown when checked at 1200-1400 gpm. *I was told that*

The equipment consisted of a 1942 Farmall-H for power rated at 30-35 Hp. The pump was a Berkley Pump, serial #5609345, RM. No. 2103, Model S-B, impeller dia. 7 1/4 in. x 9 in, a flared 10 inch outlet and an estimated maximum capacity of 1800-2000 gpm at 1750 rpm. It was set in a concrete base.

The equipment was in very good condition.

There was no measuring device and Mr. Guam was told that he must install an acceptable one, a number of acceptable ones were described for him, and notify us in writing as to the description and capacity of the device installed. He was told that we would hold up issuing the Water License pending receipt of this written notification.

There were approximately 1 1/2 miles of laterals of adequate capacity.

The system was capable of conveying the amount of water granted on the permit to the place of use and the only factor holding up completion of the W/R in this case is the installation of an acceptable measuring device.

August 26, 1957

Les Wyborny
Water Rights Engineer

Mr. Guam said that we could get sufficient information with what equipment he had at this time for measuring water but would hold up completion of this water right on this account.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3121

February 9, 1990

IVAN E. MOLLET
RT 1 BOX 427
JEFFERSON, SD 57038

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 234-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire 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 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City 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). 234-3 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.

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

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

 **Department of
Water & Natural Resources**

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

February 16, 1990

234-2

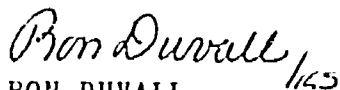
Ivan Mollett
RR 1, Box 427
Jefferson SD 57038

Dear Mr. Mollett:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 234-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,



RON DUVALL
Natural Resources Engineer
Water Rights Division



234-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: IVAN E MOLLET, 33139 484TH AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 234-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 234-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

234-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

IVAN E MOLLET
33139 484TH AVE
JEFFERSON SD 57038

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) Lynn Mollet B. Date of Delivery 1/17/02
- C. Signature Lynn Mollet ☐ Agent ☐ Addressee
- X ☒ Is delivery address different from item 1? ☒ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☒ Express Mail ☐ Return Receipt for Merchandise
- ☐ Registered ☐ Insured Mail ☐ E.O.D. ☐ P.O.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. 7001 2510 0004 4797 4913



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3112
www.state.sd.us/denr

January 17, 2002

234-3
3365-3

Ivan and Lynn Mollet
33139 484th Ave
Jefferson, SD 57038

Dear Sirs:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 234-3 and 3365-3.

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,

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

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
JUN 16 2005
WATER RIGHTS
PROGRAM

No. 234-3

Date: 6-8-05

I/We request that Water Right No. 234-3

formerly owned by: Ivan Mollet

be transferred to: (name & address) Lynn R Mollet, 33139 484th Ave, Jefferson SD 57038

Telephone No. 605 966-5680

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

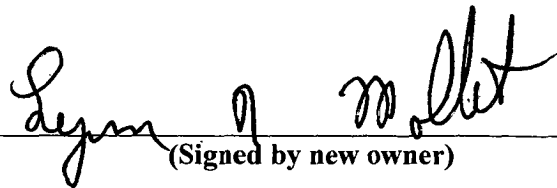
160 acres – SE ¼ SE ¼ Sec 20, S ½ SW ¼, SW ¼ SE ¼ Sec 21; all T90N-R48W

I/We understand that the validity of Water Right/Permit No. 234-3 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 Lynn R. Mollet, the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date June 16, 20 05

RECEIVED OF Lynn Mollet, 33139 484th Avenue, Jefferson SD 57038

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>234-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

001835

By

Darland Erbe

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 2005

234-3

Lynn R Mollet
33139 484th Ave
Jefferson SD 57038

Dear Mr. Mollet:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for changing ownership on Water Right No. 234-3. The transfer has been completed. The water right formerly listed in the name of Ivan Mollet is now listed in your name.

Enclosed is your Receipt No. 001885 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

234-3



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 24, 2014

NOTICE

TO: LYNN MOLLET, 33139 484TH AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaires

Our records indicate that the 2013 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 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) 234-3 & 3365-3 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) 6630-3 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** 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) 6630-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 234-3 & 3365-3 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 3, 2014**, 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.

234-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2014

234-3
3365-3
6630-3

Lynn Mollet
33139 484th Ave
Jefferson SD 57038

Dear Mr. Mollet:

I am writing to acknowledge receipt of your 2013 irrigation questionnaires.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right Nos. 234-3 & 3365-3 and Water Permit No. 6630-3. 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 cursive script that reads "Genny McMath".

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

234-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: LYNN MOLLET, 33139 484TH AVE, JEFFERSON, SD 57038
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 234-3 & 3365-3 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) 6630-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** 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) 6630-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 234-3 & 3365-3 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 questionnaires are received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: <https://danr.sd.gov/iq> using this password: ABMTQM**

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.

234-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 25, 2022

234-3
3365-3
6630-3

Lynn Mollet
33139 484th Ave
Jefferson SD 57038

Dear Ms. Mollet:

I am writing to acknowledge receipt of the information for your 2021 irrigation questionnaires. I completed forms for you based on our phone conversation yesterday.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 234-3, 3365-3 and 6630-3. 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,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us