

2480B-3
COPY

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 11, 1995

2480-3

Roger Chase
Coldwell Bankers
1640 Dakota South
Huron, SD 57350

Dear Mr. Chase:

Enclosed, as we discussed, is a partially completed "Notice of Transfer" of ownership form for use in filing an ownership change on Water Right No. 2480-3. The water right is currently listed in the name of Dalmer Polly.

It is my understanding that the land in Section 26, T110N, R61W has been or is in the process of being sold and the land in Section 35 is still owned by Dalmer Polly. The water right will be divided and reissued as Water Right No. 2480A-3, Dalmer Polly and Water Right No. 2480B-3, 'new owner'.

The enclosed form should be reviewed for accuracy and then signed by the "new owner" in the presence of a notary public. A \$2.50 filing fee is required for filing an ownership change. Once the completed form and filing fee are received in our office, the water right will be divided and reissued as described above.

I have included a copy of the water right and highlighted the areas to be covered under each water right once the transfer is completed. If I have misunderstood and further changes need to be made, make the necessary changes and return the copy to me. If you have any questions, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 2480B-3

Date: 1-17-95

I/We request that Water Right No. 2480B-3

formerly owned by: Dalmer Polly

be transferred to: (name & address) Claire and Beverly J. Thomas

Beadle County, South Dakota

(Telephone No) 605-352-8182

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

SW 1/4 and S 1/2 NW 1/4 Section 26, T110N, R61W - 175 acres

I/We understand that the validity of Water Right No. 2480B-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Beadle)

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

Claire Thomas Beverly J. Thomas
(Signed)

Subscribed and sworn to before me this 17th day of January 19 95.

Keith Montgomery
(Notary Public)
KEITH MONTGOMERY

My commission expires on 7-31-2001.

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

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

RECEIPT

Division of Water Rights

414380

South Dakota Department of Environment and Natural Resources

Pierre, _____ January 27, 1995

RECEIVED OF Keith Montgomery, Montgomery & Ward Realtors (for Beverly J Thomas), 1544
the following amount in fees for services rendered as provided for by law: Dakota South, Huron, SD 57350

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 2480B-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

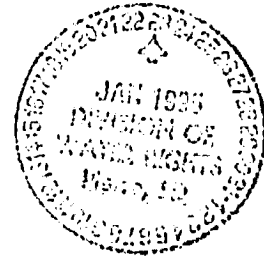
(Any Other Work Provided by Law)	Total	2 50

By John W. Hatcher
Chief Engineer



Phones 352-3332 — 352-3333
P.O. BOX 828 • 1544 DAKOTA S.
HURON, SOUTH DAKOTA 57350
FAX #352-6651

January 19, 1995



Genny McMath
Water Rights Division
523 East Capitol
Pierre, SD 57501-3181

Dear Genny,

Enclosed you will find the \$2.50 filing fee required for filing an ownership change between Dalmer Poily and Claire and Beverly J. Thomas.

If I can be of further assistance, please call me.

Best regards,

Keith Montgomery

KEITH MONTGOMERY

KM/rr

Enc.

**DIVISION OF WATER RIGHT NO. 2480-3
INTO WATER RIGHT NOS. 2480A-3 AND 2480B-3**

On January 23, 1995, portions of Water Right No. 2480-3 were transferred to Claire and Beverly J Thomas. To reflect separate ownership, Water License No. 2480-3 has been divided and reissued as follows:

No. 2480A-3 - Dalmer Polly - authorizing diversion of 1.55 cfs from well #2 to irrigate 132 acres located in the SW 1/4 Section 35, T110N, R61W.

No. 2480B-3 - Claire and Beverly J Thomas - authorizing diversion of 1.67 cfs from well #1 to irrigate 175 acres in the SW 1/4 and S 1/2 NW 1/4 Section 26, T110N, R61W.

Both Water Right No. 2480A-3 and 2480B-3 will retain a December 16, 1975 priority date.

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2480B-3
(DIVISION OF NO. 2480-3 INTO 2480A-3 & 2480B-3)

(1) Dalmer Polly of Cavour, SD 57324 was issued Water License No. 2480-3, November 2, 1987 for a water right to appropriate 3.22 cubic feet of water per second (cfs) from groundwater (two wells), Beadle County, South Dakota for irrigation purposes. Water License No. 2480-3, with a priority date of December 16, 1975 was issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

On January 23, 1995, portions of Water Right No. 2480-3 were transferred to Claire and Beverly J Thomas. To reflect separate ownership, Water License No. 2480-3 is being divided and reissued as follows:

No. 2480A-3 - Dalmer Polly - authorizing diversion of 1.55 cfs from well #2 to irrigate 132 acres located in the SW 1/4 Section 35, T110N, R61W.

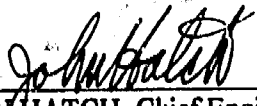
No. 2480B-3 - Claire and Beverly J Thomas - authorizing diversion of 1.67 cfs from well #1 to irrigate 175 acres in the SW 1/4 and S 1/2 NW 1/4 Section 26, T110N, R61W.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is 1400'E and 100'N of the SW corner of the NW 1/4 Section 26, T110N, R61W (SE 1/4 NW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land in Section 26, T110N, R61W

NW 1/4 SW 1/4	34 acres	SW 1/4 NW 1/4	32 acres
NE 1/4 SW 1/4	35 acres	SE 1/4 NW 1/4	32 acres
SW 1/4 SW 1/4	7 acres		
SE 1/4 SW 1/4	35 acres	TOTAL	175 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Claire and Beverly J Thomas of RR #3 Box 111, Huron, SD 57350 the holders and/or owners of Water Right No. 2480B-3 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from groundwater (one well) with a priority date of December 16, 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. 2480-3 and subject to South Dakota State Law.


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

SEP 6 1995
date



2480B-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

Dalmer Polly
RR #1 Box 187
Cavour, SD 57324-9212

Claire and Beverly J Thomas
RR #3 Box 111
Huron, SD 57350

Dear Mr. Polly and Mr. & Mrs. Thomas:

Enclosed are your reissued Water Licenses. Water License No. 2480-3 was divided and reissued to reflect separate ownership.

On January 23, 1995, portions of Water Right No. 2480-3 were transferred to Claire and Beverly J Thomas. Water License No. 2480-3 has been divided and reissued as follows:

No. 2480A-3 - Dalmer Polly - authorizing diversion of 1.55 cfs from well #2 to irrigate 132 acres located in the SW 1/4 Section 35, T110N, R61W.

No. 2480B-3 - Claire and Beverly J Thomas - authorizing diversion of 1.67 cfs from well #1 to irrigate 175 acres in the SW 1/4 and S 1/2 NW 1/4 Section 26, T110N, R61W.

As long as you use the water beneficially, as stated in Water License No. 2480A-3 and No. 2480B-3, SD Water Laws provide that you have a continuing right to the use of the water.

If you have any questions concerning the transfer or reissued licenses, please contact us.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

enclosure



2480B-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2011

NOTICE

TO: CLAIRE & BEVERLY THOMAS, 20902 405TH AVE, HURON, SD 57350

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2480B-3. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2480B-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 2480B-3 in accordance with applicable provisions of SDCL 46-1-12;
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 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

2480B-3

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Track & Confirm

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Label/Receipt Number: **2303 2160 0000 0802 0706**Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 10:43 am on January 24, 2011 in HURON, SD 57350. The item was signed for by B THOMAS.

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Detailed Results:

- Delivered, January 24, 2011, 10:43 am, HURON, SD 57350
- Out for Delivery, January 24, 2011, 7:31 am, HURON, SD 57350
- Sorting Complete, January 24, 2011, 7:21 am, HURON, SD 57350
- Arrival at Post Office, January 24, 2011, 5:32 am, HURON, SD 57350

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FOIA

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2303 2160 0000 0802 0706

CLAIRE & BEVERLY THOMAS
20902 405TH AVE
HURON SD 57350

Waiver of Signature ☐ YES ☐ NOPostmark
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**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 26, 2011

2480B-3

Claire & Beverly Thomas
20902 405th Ave
Huron SD 57350

Dear Mr. & Mrs. Thomas:

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

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 2480B-3. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 21, 2025

2480B-3

Claire & Beverly Thomas
20902 405th Ave
Huron SD 57350

Dear Ms. Thomas:

The Water Rights Program is in receipt of the 2025 Irrigation Questionnaires you submitted for Water Right No. 2480B-3, authorizing irrigation of 175 acres in portions of the W ½ Section 26, T110N, R61W, Beadle County, South Dakota.

On this year's questionnaire you reported that use of the irrigation systems had been abandoned.

Please contact me via email or by calling my direct line (605) 910-5187 to discuss cancellation of Water Right No. 2480B-3.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us