

2534.3

1. Considered 3-17, 1976
2. Name of Applicant EDWARD IMSLAND
3. Post Office Address CONDE
4. Amount of water claimed 1.0
5. Source of water supply SPRING FED DAM (5.3 AC. FT)
6. Water to be used for IRRIGATION
- Acres to be irrigated 70
7. Water to be diverted and used in CLARK & DAY county
about 6E miles of CONDE
8. Proof of Publication Received 3-22-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Map No. 1905.3 Water Division No. 3 JAMES RIVER District
 (Blanks to be Filled by the Engineer for the W. H. C.)


APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Edward Insland
 Postoffice address RR #2 Conde, State South Dakota
 If a corporation show date and place of incorporation
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & direct labor
3. Name of diversion work ----- INSLAND #1
4. Amount of water claimed (cubic feet per second) 1.0 cubic ft. per second
5. Source of water supply Spring & dam
6. Location of point of diversion 60 rods west and 2 rods south of Northeast corner of Section 5
Township 119 Range 59
 County Clark & DAY
7. Annual period or periods during which water is to be used May 1 to Nov. 1
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use Total number of acres to be irrigated 70 Ac.

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 SE 1 - 32 - 120 - 59	9.0	SW 1/4 SE 1 - 32 - 120 - 59	10.5
NE 1/4 SW 1 - 32 - 120 - 59	1.0	NW 1/4 NE 1 - 5 - 119 - 59	2.0
NE 1/4 SE 1 - 32 - 120 - 59	5.7	NE 1/4 NW 1 - 5 - 119 - 59	9.0
SE 1/4 SE 1 - 32 - 120 - 59			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Clark County Courier, Clark, S. Dak. 57225
12. Principal Features of the Proposed Water Supply System.

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

Dam & Pumping plant

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

Pipelining

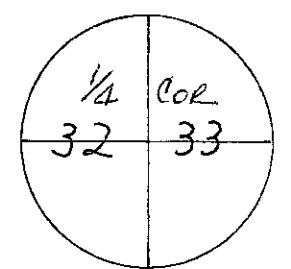
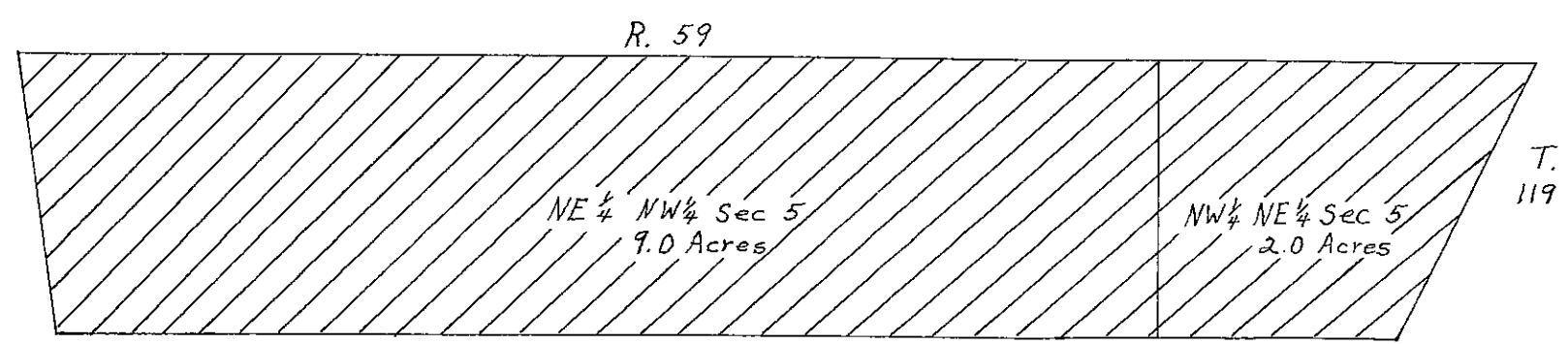
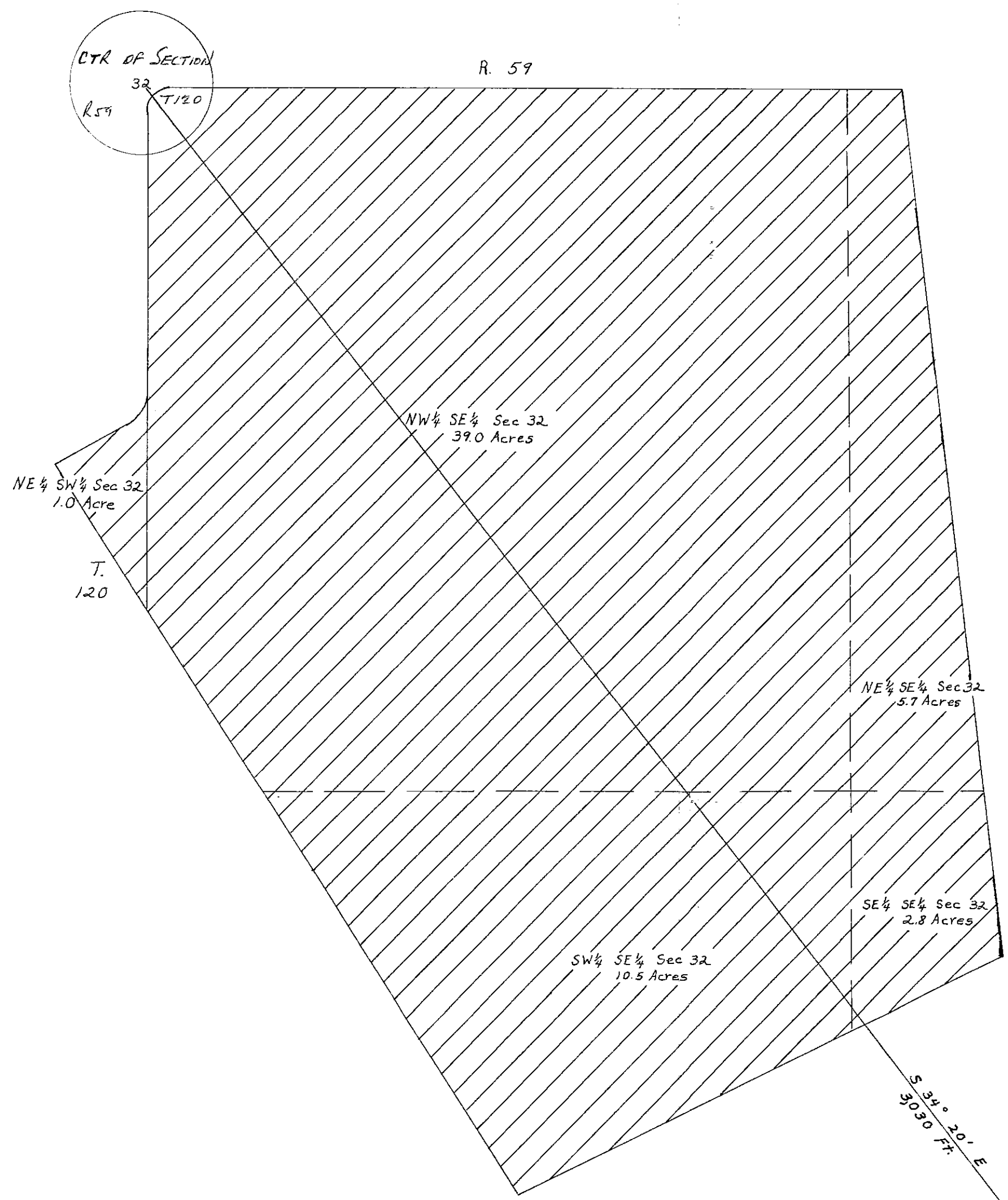
C. Works proposed to apply water to beneficial use.

Sprinkler Irrigation system

Estimated Total Cost \$ 10,000
 Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Clark)I, Edward Insland the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Edward InslandSubscribed and sworn to before me this 5th day of December 1975
Margaret M. Liden
 Notary Public (or other qualified officer)



R 59 T 120

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NW 1/4 SE 1/4	32	120	59	39.0
NE 1/4 SW 1/4	32	120	59	1.0
NE 1/4 SE 1/4	32	120	59	5.7
SE 1/4 SE 1/4	32	120	59	2.8
SW 1/4 SE 1/4	32	120	59	10.5
NW 1/4 NE 1/4	5	119	59	2.0
NE 1/4 NW 1/4	5	119	59	9.0
TOTAL				70.0

LAND TO BE IRRIGATED

PUMP SITE

Scale 1" = 200'

NOTICE

This Map has been prepared by Franklin L. Fite, who is the District Conservationist of the Clark Conservation District, Clark, South Dakota, 57225 of land which is currently owned by Edward Imsland of Conde, South Dakota.

I, Emiel E. Belzer a Registered Professional Engineer of the State of South Dakota, whose Register Number is 1392, have on this date, February 5th, 1976, reviewed this map and other documents as have been submitted by Edward Imsland of Conde, South Dakota.

I find the map to represent the land desired to be irrigated, under the Permit which is now being applied for, together with all documents as are requested by the State Of South Dakota.

Signed:

Dated: February 5th, 1976.

De Smet, South Dakota, 57231.

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2534-3
EDWARD ISLAND R.R.#2, CONDE
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57434 With the following modifications:
 (State)

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK WATERING, MUST BE BY-PASSED.

APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF 5.3 ACRE FEET OF WATER

Date of first receipt of application FEBRUARY 9 1976
 Date of return to applicant for correction, amendments or changes required — 19—
 Date of receipt of corrected application — 19—
 Approved MARCH 17 1976 Recorded in Book 14 Page 317

WATER RIGHT PERMIT NO. 2534-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2534-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 9 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 17 1978
3. The whole of said work is to be completed on or before MARCH 17 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 17 1981
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 1.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system; nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is

actually and beneficially applied for irrigation on or before MARCH 17 1981; said water to be used during the following described annual period: MAY 1 TO NOVEMBER 1

Witness my hand this 22ND day of MARCH 1976

WATER RIGHTS COMMISSION

By:

John H. H. H.
 Chief Engineer, Executive Officer

Certificate of Construction Issued — 19—

Water License Issued — 19—

Form 2A Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen,
Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Sand & coarse gravel

Depth to top of water bearing material On surface

Depth to bottom of water bearing material 30 feet

Thickness of water bearing material 30 ft

Depth to water (ground surface to water level) Water comes to surface

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

On same owner's property none rds. On property owned by others 80 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Dam Height = 10'
Maximum Water Depth = 6'
Surface Area = 2.2 Ac.
Storage Capacity = 5.3 Ac. Ft.

Edward Lindland
Signature of Applicant

December 30, 1975

Mr. Edward Inisland
Conde, SD 57434

Dear Mr. Inisland:

I am returning herewith your original copy of the report of analysis on sample 75-1122. This is your copy to keep. I am also enclosing the receipt for your payment of this analysis. I am enclosing additionally irrigation circular #654 which has to do with water and soil chemical properties and the inferences of these properties for suitability for irrigation. On the outside back cover of this circular, you will see a water quality chart. The red cross near the bottom of the chart indicates the approximate quality of your sample for irrigation purposes. It is in the high salinity, low sodium category.

This characterization means that the water is low in its relative sodium content or its ability to cause exchange of calcium for sodium in the water, and thus cause the deterioration of soil structure. This is favorable and very fortunate. The other characteristic of the water, its total salt load, is high, which is not so good. However, with the soils which you have on the land you intend to irrigate, the internal permeability is generally satisfactory for the use of waters of this salinity level providing the waters are used judiciously. By this, I mean that the water should be used in relatively large amounts but as infrequently as possible. A conductivity of 1476 micromhos means that there are approximately 1100 parts of salt carried in each million parts of water by weight. In other words, the water is approximately 1/10 of 1% salt. A salt load such as this adds significantly to the total salt in the root zone of crops if one uses small, frequent irrigations and allows the ~~water to be evaporated~~ water to be evaporated or used by the plants out of the surface soil almost exclusively. If, however, you add very substantial amounts of water and use it infrequently (2 to 3 times per season and no more), the salt load is distributed throughout the root zone and there is a much better chance that effective natural precipitation will keep the salt moving down and out of the root zone. You may occasionally have to irrigate heavily in the late fall just before freeze, or in the early spring before May and June rainfall peak. Such irrigation will increase the chances for natural leaching.

You should take every precaution you can to irrigate to the full extent needed to completely refill the soil rooting depth of the crop every time you irrigate. This may take 3 inches or even 5 inches at certain times. You should also be careful to irrigate as infrequently as possible. Never use light 1 inch or 1 1/2 inch applications of water unless it is simply to get germination and emergence of a crop.

Mr. Imoland
December 30, 1975
Page 2

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

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

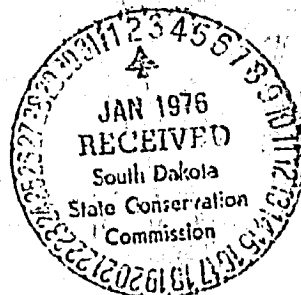
LOF:ckb

Enclosure

ccc State Conservation Commission

D. Pahl

George Schanck, County Extension Agent



STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE OF

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: *[Signature]*

Disapproved: _____

NAME: Edward Inland
ADDRESS: Conda, South Dakota
COUNTY: Clark, South Dakota

LEGAL DESCRIPTION

1. Dam
2. WELL LOCATION: WELL-5-119-59 - Clark County, S. Dak.
3. AREA TO BE IRRIGATED: 70 Acres WELL-32-120-59 Day County
WELL-32-120-59 Day County
WELL-5-119-59 Clark County

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Wench type
4. CROPS TO BE IRRIGATED: Corn- Alfalfa - Hay

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0 to 2%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Poinsett silt loam-Deen, well drained
soils with loamy surfaces, silty clay surfaces, silty clay loam or clay loam subsoils, and
silt loam substrate underlain by calcareous loamy material below 3 1/2 to 6 ft. or more. moderately
permeable. Intake family 0.5 from irrigation guide for South Dakota

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-1122
8. SALINITY: EC = 1476 u mhos/cm (Aug 4)
9. SODIUM: SAR = 4.07 (low)

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and;
the land capability for irrigation information has been acquired from
Soil Conservation Service, Clark, S. Dak.

and:

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

Edward Inland

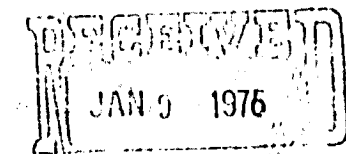
Subscribed and sworn before me this

5th day of December 1975.

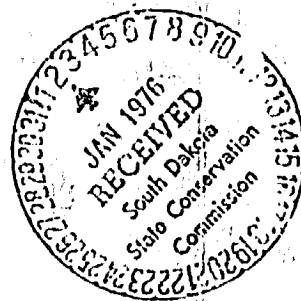
Margie McLean

Notary Public

(Title)



STATE WATER BOARD
PERRIS, SOUTH DAKOTA



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

Submitted by: Chari, Imel nd
 Address: Woods, SD 57434

Date Rec'd: Dec 10, 1975
 Sample No. 75-1122
 Identification Dom
NA, Dec. 5, 119H, 159

WATER ANALYSIS

Calcium (Ca)	150	ppm*	7.50	me/l**
Magnesium (Mg)	100	ppm	5.20	me/l
Sodium (Na)	59	ppm	3.00	me/l
Potassium (K)	8	ppm	0.22	me/l
Sulfate (SO ₄)	580	ppm	12.06	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.22	me/l
Bicarbonate (HCO ₃)	464	ppm	7.60	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	380	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1476	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.07			
Sodium	15.85	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.60			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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



COMMENTS: Total cations 18.92 me/l
 Total anions 19.38 me/l

This water is only fair; its suitability for long time irrigation will depend on internal drainage characteristics of the soils on which it is used. L. O. Fine

By: Shirley Hittan

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

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

Submitted by: Edward Imbriola

Date Rec'd December 10, 1975

Address Conde, SD 57434

Sample No. 75-1122

Identification LP

NEA, sec. 1, T 119N, R 59W

WATER ANALYSIS

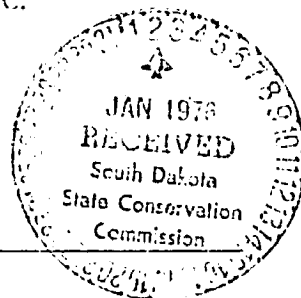
Calcium (Ca)	150	ppm*	7.50	me/l**
Magnesium (Mg)	100	ppm	5.00	me/l
Sodium (Na)	69	ppm	3.00	me/l
Potassium (K)	8	ppm	0.22	me/l
Sulfate (SO ₄)	580	ppm	12.06	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	8	ppm	0.22	me/l
Bicarbonate (HCO ₃)	464	ppm	7.60	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	250	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1476	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.07			
Sodium	15.85	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.60			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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



COMMENTS: Total cations 18.92 me/l
 Total anions 19.36 me/l

By: Shirley McGinn

Service Performed	Amount Due
Irrigation analysis	16.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-1122

Amount Enclosed \$

Signed

No. 2534-3Publish first publication, on or before March 4, 19 76NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 13, 19 76

Notice is hereby given that Edward Imaland
whose post office address is Conde, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
1.0 cubic feet of water per second of time from the a spring fed dam through the
Imaland #1, the point of diversion of which is to be located in the _____

NE $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 5, Twp. 119N, Range 59W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, T120N, R59W; NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5,
T119N, R59W

This application No. 2534-3 will be considered by the Water Rights' Commission at their office at
Pierre upon the 17th day of March, 19 76, at 1:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights SpecialistBFJ/bw
cc:

Edward Imaland, R.R. #2, Conde, S.D. 57434

No. 2534-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clark) ss.

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 _____

City _____ of Clark

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

March 4, 1976

March 11, 1976

David Moritz
(Signature)

Co-Publisher
(Title)

3/13/76
(Date Signed)

NOTICE INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

February 13, 1976

Notice is hereby given that
Edward Imslund whose post
office address is Conde, South
Dakota, has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 1.0 cubic feet of
water per second of time from a
spring fed dam through the
Imslund No. 1, the point of
diversion of which is to be located
in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5,
Twp. 119N, Range 59W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land: SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section
32, T120N, R59W; NE $\frac{1}{4}$ NW $\frac{1}{4}$
and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5,
T119N, R59W.

This application No. 2534-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 17th day of
March, 1976, at 1:00 P.M. All
interested persons may appear
and be heard.

WATER RESOURCES
COMMISSION

By: Burton F. Jones
List



Permit No. 2534-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water us. system constructed by EDWARD
IMSLAND of CONDE holder
of Permit No. 2534-3, bearing date of priority of FEBRUARY 9, 1976
authorizing the diversion of 1.0 cu. ft. per second of the waters of STORAGE DAM (SPRING FSD)
for IRRIGATION purposes, in CLARK & DAY County.

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

The Water Use System consists of,

A. Works used to divert the water:

SMALL STORAGE DAM APPROX 10' HIGH AND ABOUT 3 SURFACE
ACRES - ABOUT 8 ACRES FOOT OF STORAGE
BERKELEY PTO PUMP UTZBB JERMOON WITH 6" INTAKE
AND 6" DISCHARGE - POWERED BY MINNEAPOLIS MOBILE
50HP PROPANE ENGINE

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

ABOUT 3/4 MILE 6" ALUMINUM MAINLINE

C. Works used to apply water to beneficial use.

AG RAIN TRAVELLING SPRINKLER WITH NELSON MODEL P200
BIG GUN WITH 1.3" ORIFICE

The system is in the following condition: GOODThe point of diversion is located 60 RODS W & 2 RODS S OF THE NE CORNER,
SECTION 5, T119N, R59W (DB)The works are capable of diverting and conveying to the place of use 1.33 (600 GPM)
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:

SECTION 22, T120N, R59W		SECTION 5, T119N, R59W	
NW 1/4	38 ACRES	NW 1/4 NE 1/4	2
NE 1/4 NE 1/4	5 "	NE 1/4 NW 1/4	9
SW 1/4 SE 1/4	10 "		
SE 1/4 SE 1/4	3 "		

comprising a total of 67 acres of land. .96 CFS.

Date AUGUST 18, 1987
[Signature]
(Signature)



Department of Water & Natural Resources

Jon Foas Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

October 28, 1982

Edward Imsland
RR 2, Box 25
Conde SD 57434

Dear Mr. Imsland:

Enclosed herewith are, Water License No. 2534-3 and Certificate of Construction.

Water License No. 2534-3 is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ka

enclosures

NOTE: Your pump capacity is 1.33 cfs (600 gpm) and based upon the acreage actually irrigated, you are entitled to divert 0.96 cfs. (430 gpm). Any diversion in excess of 0.96 would be in violation of your water right.

WNR-817-7/79

Transmittal of Water License

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2534-3

(1) WHEREAS, On the 9th day of February A. D. 1976
Edward Island, RR #2, Box 25, Conde SD

made Water Right Application No. 2534-3 for a permit to use 1.00 cubic feet per second of the waters of a spring fed dam
County of Clark & Day, State of South Dakota, for Irrigation

(2) WHEREAS, On the 17th day of March A. D. 1976
Permit No. 2534-3, with a date of priority of February 9, 1976

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 17th day of March A. D. 1981 and for the application to beneficial use of said water on or before the 17th day of March A. D. 1981

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 0.96 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate the following lands:

Section 32, T120N, R59W				Section 5, T119N, R59W			
NW $\frac{1}{4}$	SE $\frac{1}{4}$	38	acres DB	NW $\frac{1}{4}$	NE $\frac{1}{4}$	2	acres AB
NE $\frac{1}{4}$	SE $\frac{1}{4}$	5	" DA	NE $\frac{1}{4}$	NW $\frac{1}{4}$	9	" BA
SW $\frac{1}{4}$	SE $\frac{1}{4}$	10	" DC				
SE $\frac{1}{4}$	SE $\frac{1}{4}$	3	" DD				
TOTAL 67 acres							

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Edward Imsland

_____ of Conde, South Dakota
the holder _____ and owner _____ of said permit No. 2534-3 a water right, dating from February 9, 1976
_____ to use of 0.96 cubic feet per second of the waters
of a spring fed draw

in the County of Clark & Day and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 60 rods west and 2 rods south of
the NE corner, Section 5, T119N, R59W (DB)

and conducted to and upon portions of lands in Section 32, T120N, R59W and
Section 5, T119N, R59W more fully described on the face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2534-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 28th day of October A. D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:



Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 2534-3

Water Diversion No. 3 James River Water District
10160006

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Edward Insland

_____ the holder _____ of
Permit No. 2534-3, issued upon Application No. 2534-3, bearing date of priority of February 9,
1976 authorizing the diversion of 0.96 cu. ft. per second of the waters of _____
a spring fed dam County of Clark & Day, State of South Dakota at _____
a point 60 rods west and 2 rods south of the NE corner, Section 5,
T119N, R59W (DB)
_____, for Irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.33 (600 gpm) cu. ft. per second of water.

Date October 28, 1982

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8998

PIERRE, October 26, 19 82

RECEIVED OF Edward Imsland, RR 2, Box 25, Conde SD 57434

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. 2534-3) 7534-3)	50	00
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

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

Water Rights Division
605 773-3352

November 21, 1985

2534-3

Barry Insland
RR #2, Box 26
Conde SD 57434

Dear Mr. Insland:

Enclosed is the 1985 Irrigation questionnaire pertaining to Water Right No. 2534-3. Edward Insland returned the data sheet to our office indicating the change of ownership.

Please complete the questionnaire as accurately as possible and return it to our office by December 20, 1985. A postage-paid envelope is enclosed. For your information, I have included the cover letter which accompanied the questionnaire when mailed to Edward Insland.

Also enclosed is a partially completed "Notice of Transfer". Please check over, date, sign before a notary public and return the form to this office with a \$2.50 filing fee. Upon receipt of the transfer form and filing fee in our office, Water Right No. 2534-3 will be transferred to your name.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact our office.

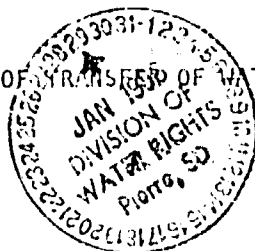
Sincerely,

GERRY MCWATH
Natural Resources Analyst

GJ:ks

enclosures

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Jan 28 1986

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

67 acres - SE $\frac{1}{4}$ Section 32, T120N, R59W

NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T110N, R59W

formerly owned by Edward Imsland

has been transferred to Barry Imsland, RR 2, Box 26, Conde SD 57434

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2534-3 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 Div. 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)
) ss.
County of DAY)

I, BARRY IMSLAND 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.

Barry Imsland
(Signed)

Subscribed and sworn to before me this 28 Day of Jan, 1986.

Bruce Herman
(Notary Public)

BRUCE HERMAN, Notary Public
My Commission Expires Dec. 30, 1990

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

No 410307

Pierre, January 29, 1926

RECEIVED OF Barry Insland RR#2, Box 26, Conde, SD 57434

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years. _____		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 2534-3 _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	2	50

By John H. H. H.
Chief Engineer JOHN H. H. H.

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

January 30, 1986

Barry Imsland
RR#2, Box 26
Conde, SD 57434

Dear Mr. Imsland:

Enclosed is receipt No. 10307 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 2534-3.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.



25 H-2

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

HARRY IMSLAND
RR #2 BOX 26
CONDE SD 57434

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 2534-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2534-3 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 before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



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

February 12, 1992

2534-3

Barry Imsland
RR #2 Box 26
Conde, SD 57434

Dear Mr. Imsland:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Right No. 2534-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BARRY IMSLAND
RR #2 BOX 26
CONDE, SD 57434

4a. Article Number

P906-5576-20

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

NOV 29 - 92

5. Signature (Addressee)

Barry Imiland

6. Signature (Agent)

Joe Bergman

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, November 1990 • U.S. GPO: 1991-207-003

DOMESTIC RETURN RECEIPT



2534-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

BARRY IMSLAND
RR #2 BOX 26
CONDE SD 57434

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 2534-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2534-3 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 April 1, 1994, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

8534-3

BARRY IMSLAND
RR #2 BOX 26
CONDE SD 57434

5. Signature (Addressee)

6. Signature (Agent)

Barry Imiland

PS Form 3811, December 1991

U.S.G.P.O. : 1992-307-530

I also wish to receive the following services (for an extra fee):

1. ☒ Addressee's Address2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P837692451

4b. Service Type

☐ Registered ☐ Insured☒ Certified ☐ COD☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2/18/94

8. Addressee's Address (Only if requested and fee is paid)

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

8534-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 1994

NOTICE

TO: BARRY IMSLAND
RR #2 BOX 26
CONDE, SD 57434

FROM: Ron Duvall, Natural Resources Engineer IV
For John Hatch, Chief Engineer,
Water Rights Division
(605) 773-3352

SUBJECT: April 6, 1994 Water Management Board Meeting --
Irrigation Questionnaire Violation(s)
RE: 2534-3

A handwritten signature, likely of Ron Duvall, is written in ink to the right of the "FROM:" line.

On February 16, 1994, a notice was sent to you concerning submission of the 1993 irrigation questionnaire(s). The time and location of the April 6th hearing have been changed.

The hearing is now scheduled as follows:

9:30 a.m., April 6, 1994, in the Conference Room of
the Floyd Matthew Training Center, Joe Foss Building,
523 E Capitol, Pierre, SD.

All other provisions of the February 16th notice still apply. If the questionnaire(s) are received in this office prior to April 1, 1994, your name will be deleted from the agenda.

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

CERTIFICATION

I hereby certify that on March 9, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 9, 1994, regarding April 6, 1994, Water Management Board Meeting -- Irrigation Questionnaire Violation(s) on the following Water Rights/Permits and addresses as stated below:

- 2709-3: Alex A./Ann L. Falk, 1301 N. 4th St., Aberdeen, SD 57401.
 2763-3 & 4281-3: Alfred LaCroix, Jr., RR 1, Box 350, Jefferson, SD 57038.
 5238-3 & 2520-3: B. Deloris Jensen, RR 2, Box 107, Beresford, SD 57004-9578.
 2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
 1677A-3: Burnett Quam, RR 1, Box 222, Elk Point, SD 57025.
 1814-3: Caroline & Garry S. Kerkvliet, RFD 2, Box 145, Castlewood, SD 57223.
 4773-3 & 1880-3: City of Brookings, Theodore Kryger, F.O., P.O. Box 270, Brookings, SD 57006-0270.
 180-3 & 291-3: Craig Flyger, RR 1, Box 22, Parker, SD 57053.
 1076-2, 1236-2 & 2167-2: Dale Heese, HCR 88, Box 36, Millboro, SD 57580-7417.
 1488-2: Dan Donelan, HCR 33, Box 23, Mission Ridge, SD 57532.
 417-1A & 417-1B: Darrell C. Anderson, 1700 Kings Rd., Rapid City, SD 57702.
 540-2: Darrell E. Heldman, Box 402, Edgemont, SD 57735.
 1503-2: Dave Hemmingson, HCR 3, Box 11, Philip, SD 57567.
 792-1: David L. & Mary Lou Mollman, HC 63, Box 62, Ludlow, SD 57755.
 4093-3: Dell Rapids Golf & Rec Assoc, Mike Solem, Box 165, Dell Rapids, SD 57022.
 2394-3 & 2395-3: Dennis Jones, RR 1, Box 55, Bath, SD 57427.
 1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
 1556-3: Ed & Dale Fawcett, Inc., Box 3D, Ree Heights, SD 57371.
 1555-3: Ed & Dale Fawcett, Inc., HCR 64, Box 155, Miller, SD 57362.
 2622-3: Evelyn Bernard, RR 1, Box 35, Jefferson, SD 57038.
 526-2: Fred & Dan McFarland, P.O. Box 2110, Rapid City, SD 57709.
 1390A-1: Fred W. Carlson, 716 10th Ave., Belle Fourche, SD 57717.
 3026-3: G. Waldner, Hillcrest Colony, Box 17, Garden City, SD 57236.
 1291-3 & 2474-3: Gary Hanson, Operator, RR 2, Box 224, Elk Point, SD 57025.
 407-2, 408-2 & 409-2: Gerrit DeJong, HCR 81, Box 50, Kennebec, SD 57544-9503.
 4209-3: Harold Nelson & Son, RR 2, Box 156, Yankton, SD 57078.
 5315-3: Hillcrest Golf/Country Club, T. Cihak, President, 2206 Mulberry, Yankton, SD 57078.
 2595-3 & 4379-3: James B. Zell, Rt 1, Box 350, Cavour, SD 57324.
 4687-3A & 4687-3B: James L. Sutton, Box 33, Onida, SD 57564.
 5203-3: Jeffery O. & Sally J. Nelson, RR 2, Box 2080, Brandon, SD 57005-9606.
 475-2 & 1114-2: John Pitkin, Rex Ranch, Box 92, Nenzel, SD 69219.
 961-3, 1050-3, 1120-3 & 1223-3: Kevin Dettler, HC 71, Box 29, Doland, SD 57436.

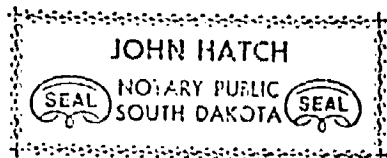
4524-3 & 4524-3A: Leon Lengkeek, 1605 Buffalo TR, Brookings, SD 57006.
 4443-3: Lonnie H. Nelson, RR 2, Box 156, Yankton, SD 57078.
 5010-3: Loren & Joyce Forrest, RR 1, Box 213, Laverne, MN 56156.
 156-3, 157-3, 164-3 & 1878-3: Marene Flyger, Box 362, Hurley, SD 57036.
 2242-3: Mark Quam, RR 2, Box 456, Elk Point, SD 57025.
 1523-2 & 1525-2: May & Sons, Inc., HC 53, Box 21, Interior, SD 57750.
 3550-3: Melvin A. Schmidt, Rt 2, Box 127, Parker, SD 57053.
 1714-2 & 2063-2, 400-2 & 401-2: Melvin E. Brassfield, Box 24, Caputa, SD 57725.
 5353-3: Michael A. Koslowski, RR 1, Box 44, Waubay, SD 57273.
 4910A-3: Michael L. Kreber, RR 1, Box 89, Tabor, SD 57063.
 2120-2: Mick Zink, HC 88, Box 51, Wewela, SD 57578.
 5205-3: Oahe Shores Golf Association, Dennis Moser, P.O. Box 174, Pollock, SD 57648.
 1684-3 & 2742-3: Paul Daly, P.O. Box 379, Ft. Thompson, SD 57339-0379.
 5736-3: Robert Streeter, 2645 Country VW, Monroe, WI 53566.
 235-3: Russell Doolittle, RR 1, Box 53, Wolsay, SD 57384.
 1264-3A: Steffen Brothers, Inc., HCR 37, Box 132, Pierre, SD 57501-9514.
 424-1: Steve Smeenk, Rt 1, Box 134, Newell, SD 57760.
 399-2: Thomas & Robin Jagow, HC 56, Box 39, Buffalo Gap, SD 57722.
 5225-3: Town of Pollock, Lila Renner, F.O., P.O. Box 57, Pollock, SD 57648-0057.
 925-1: Warren N. Golliher, RR 1, Box 237D, Spearfish, SD 57783.
 897-2: Wilbert & Judith Ohlmann, HCR 69, Box 663, Midland, SD 57552.
 1402A-2: William & James O'Kief, HC 68, Box 32, Wood Lake, NE 69221.
 4646A-3: William A. Stoddard, 821 S. Walts Ave., Sioux Falls, SD 57104.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1994.



John Hatch
 Notary Public
 JOHN HATCH, Notary Public
 My Commission Expires
 April 1, 2001



2534-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 25, 1994

2534-3

Barry Insland
RR #2 Box 26
Conde, SD 57434

Dear Mr. Insland:

I am writing to acknowledge receipt of your 1993 Irrigation questionnaire. You may disregard the February 16, 1994, Notice of Violation of the Requirement to Submit the 1993 Irrigation Questionnaire.

The questionnaire 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 Division
(605) 773-3352



January 30, 1996

2534-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: BARRY IMSLAND, RR #2 BOX 26, CONDE, SD 57434

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2534-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am, March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 2534-3 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 1, 1996 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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BARRY IMSLAND
RR #2 BOX 26
CONDE SD 57434

4a. Article Number

2 348 318 859

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

2-2-96

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *Barry Imshand*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 7, 1996

NOTICE OF AMENDMENT OF WATER PERMIT

TO: BARRY IMSLAND, RR #2 BOX 26, CONDE, SD 57434

**FROM: John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352**

SUBJECT: Amendment to Water Permit No. 2534-3

Pursuant to the provisions of the notice dated January 30, 1996, and following the hearing March 6, 1996, the Water Management Board has amended Water Permit No. 2534-3 to add the following qualification:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your Water Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on March 7, 1996, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 7, 1996, regarding Notice of Amendment of Water Permit Nos. 1280-2, 1335-3, 2097-3, 136-1, 2453-3, 768A-1, 2534-3, 3255-3, 550-3, 910-2 and 3466-3, addressed as stated below:

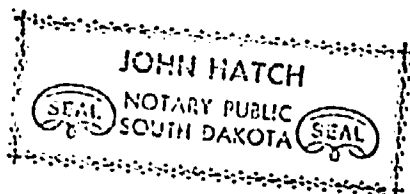
- 1280-2: Odie Dale Bowen, Box 407, Philip, SD 57567.
 1335-3: John M. Casey, RR 1, Box 262, Mitchell, SD 57301.
 2097-3: Keven L. Christensen, RR 2, Box 220, Bruce, SD 57220.
 136-1: Cinch Buckle Ranch, RR 2, Box 2660, Belle Fourche, SD 57717.
 2453-3: Percy Coleman, Box 103, Springfield, SD 57062.
 768A-1: Arlene Cox, HC 73, Box 2291, Deadwood, SD 57732.
 2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
 3255-3: Terry/Peggy Reynolds, HC 75, Box 33, Hitchcock, SD 57348.
 550-3: Brad Schnabel, RR 4, Box 268, Huron, SD 57350-8915.
 910-2: Frank W. Schooler, HCR 7, Box 18, Reliance, SD 57569.
 3466-3: I A Schwan, P.O. Box 97, Hitchcock, SD 57348-0097.

Cheryl F. Frost
 Cheryl F. Frost
 Secretary

STATE OF SOUTH DAKOTA)
)
 COUNTY OF HUGHES)

SS

Sworn to, before me, this 8th day of March, 1996



John Hatch
 Notary Public

JOHN HATCH, Notary Public
 My Commission Expires
 April 1, 2001



23543

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 1999

NOTICE

TO: BARRY IMSLAND, RR 2 BOX 26, CONDE, SD 57434
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2354-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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) 2354-3 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 2354-3 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 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.

2354-3

Is your RETURN ADDRESS completed on the reverse side?

SENDER: * Complete Items 1 and/or 2 for additional services. * Complete Items 3, 4a, and 4b. * Print your name and address on the reverse of this form so that we can return this card to you. * Attach this form to the front of the mailpiece, or on the back if space does not permit. * Write "Return Receipt Requested" on the mailpiece below the article number. * The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: BARRY IMSLAND RR 2 BOX 26 CONDE SD 57434		4a. Article Number 2 119 141 574	
5. Received By: (Print Name)		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD	
6. Signature: (Addressee or Agent) X Barry Imiland		7. Date of Delivery 1-25-98	
PS Form 3811, December 1994		8. Addressee's Address (Only if requested and fee is paid)	

102595-97-B-0179 Domestic Return Receipt

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 1999

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHT

TO: BARRY IMSLAND, RR 2 BOX 26, CONDE, SD 57434

FROM: John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352 *John Hatch*

SUBJECT: One Year Suspension of Water Right No. 2534-3

Pursuant to the provisions of the notice dated January 22, 1999, and following the hearing March 3, 1999, the Water Management Board has ordered:

That Water Right No. 2534-3 be suspended until December 31, 1999, for failure to submit the 1998 irrigation questionnaire.

Suspension of a water permit or right means water may not be pumped during the 1999 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension, you will need to submit the 1998 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 5, 1999 in Pierre, SD. The letter should include your reasons for not completing the 1998 irrigation questionnaire.

Please contact Genny McMath (605) 773-3352, if you have any questions.

2354-3

CERTIFICATION

I hereby certify that on March 5, 1999, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 5, 1999, regarding Amendments, One Year and Three Year Suspensions of Water Rights/Permits shown below, addressed as stated below:

The following are Amendments to Water Rights:

W.R. #402-1: Calvin/Jana Meyers, HC 69, Box 22, Belle Fourche, SD 57717-9302.
W.R. #100-3: Harold Weismantel, 1425 15th Ave. SE Apt. 223, Aberdeen, SD 57401-7780.
W.R. #'s 398-3, 962-3, 1203-3 & 1923-3: Monte Neitzel, 1102 S. Main, Redfield, SD 57469.
W.R. #1231-3: Lynn Christopherson, Mgr., P.O. Box 217, Howard, SD 57349-0217.
W.R. #2943-3: Irvin Rogers, 13575 383rd Ave., Aberdeen, SD 57401.
W.R. #3026-3: George Waldner, Hillicrest Colony, Box 17, Garden City, SD 57236.

The following are One Year Suspensions of Water Rights/Permits:

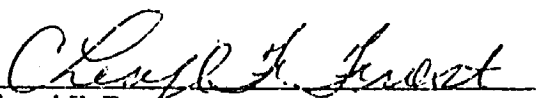
W.R. #418-1: Dennis Lien, RR 1, Box 8B, Vale, SD 57788.
W.R. #1222A-1 & W.P. #1524-1: John Ismay, DVM, P.O. Box 396, Sturgis, SD 57785-0396.
W.R. #954-2: Kimberly Kaye Sealine, 24300 173rd Ave., Caputa, SD 57725.
W.R. #849-3: Florence Demers, RR 2, Box 248, Elk Point, SD 57025-9757.
W.R. #1172-3: Jesse Wright, 10 Bittersweet Ln., Atkinson, NH 03811.
W.R. #2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
W.R. #3255-3: Terry/Peggy Reynolds, HC 75, Box 33, Hitchcock, SD 57348.

The following are Three Year Suspensions of Water Rights:

W.R. #1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
W.R. #1280-2: Odie Dale Bowen, Box 407, Philip, SD 57567.

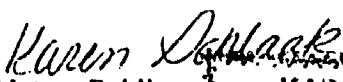
Amendment of Water Right No. 1192-1B and One Year Suspension of Water Right No. 1201-1:

George W. Jenter, 748 Park Sturgis, SD 57785.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 8th day of March, 1999


Notary Public
KAREN SCHLAAK, Notary Public
My Commission Expires

KAREN SCHLAAK
NOTARY PUBLIC
SOUTH DAKOTA

SEAL NOTARY PUBLIC SEAL
SOUTH DAKOTA

2000 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
Please fill out and return before December 1, 2000

2534-3
BARRY IMSLAND
RR 2 BOX 26
CONDE SD 57434

CHANGES TO ADDRESS LABEL, IF ANY:

Telephone No. 605-332-5881

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

1. Is the system constructed? *yes ☐ no ☐

*Type of system used (check all that apply):

center pivots ☐ towlines ☐ big gun ☐

flood ☐ sprinklers ☐ other ☐

2. Did you irrigate in 2000? *yes ☐ **no ☐

*If yes, number of acres irrigated

**If no, list reason(s) in comment section:

3. Source of water:

4. Is land enrolled in CRP? *yes ☐ no ☐

*If yes, through what year?

5. Did you apply chemicals or fertilizer through the system in 2000? *yes ☐ no ☐

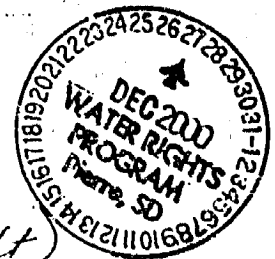
* If yes, a separate chemigation form is NOT needed.

Comment Section:

Sold System

Last irrigated in 1991 - (small) Lee Storage dam (8 a/c)

Office use only



The portion of the form for reporting acres irrigated is on the back of this page. Listed below are two examples of how to complete the form:

EXAMPLE 1: In June & July, 130 acres were irrigated using a pivot system (70 acres of corn & 60 acres of alfalfa). The pump rate of the pivot is 800 gallons per minute and you pumped 8 days (@ 24 hours per day) on the corn and 22 days on the alfalfa:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY					
	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: In June, 40 acres of alfalfa were irrigated (using gated pipe @ 3000 gpm) for 5 days - 24 hours per day; 60 acres of beans were irrigated (using big gun @ 380 gpm) for 10 days at 24 hours per day:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

For ease in calculating water use, please specify if actual irrigation hours or kilowatt hours are being reported. For kilowatt hours, include depth to water & system pressure in comment section.

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Barry Imsland, RR 2 Box 26, Conde, SD 57434

DATE: February 8, 2001

TELEPHONE: 605 382-5881

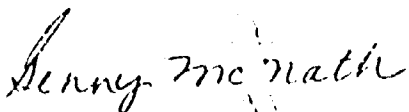
RE: use of water under Water Right No. 2534-3

COMMENTS:

Mr. Imsland returned his 2000 irrigation questionnaire with a notation that he had sold his irrigation system. I reviewed his past irrigation questionnaires and found he had not irrigated since 1991. His water right authorizes diversion of water from a spring fed dam for irrigation purposes.

I called and visited with Mr. Imsland about the water right. He said he sold his irrigation system (big gun) a couple years ago and no longer intended to irrigate. I asked if he was in a flooded area and he said that was part of the reason he sold his system because he never needed it anyway. I explained legal excuse to him and said he could maintain his water right if that was the reason he did not irrigate. He said no, he was out of the irrigation business and no longer intended to irrigate at all.

I asked him about the small dam, he replied that he does not pump water out of the dam. He uses it for livestock watering only. The dam is supplied by springs. I explained that we could reissue his water license for domestic use and eliminate the irrigation portion from his water right. He was agreeable to that and requested that we go ahead and do that.


Genny McMath
Environmental Scientist

Licensing of Irrigation Water Right for Stock Watering

NAME: Barry Imsland,

ADDRESSE: RR 2 Box 26, Conde, SD 57434

DATE: February 8, 2001 **COUNTY:** Clark **TELEPHONE:** 605 382-5881

AUTHORITY

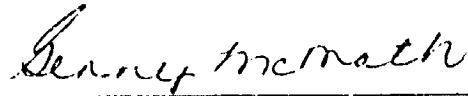
Pursuant to SDCL 46-5-31.1, if permitted irrigation use from a storage dam is abandoned or forfeited but the storage dam is used for stock watering, stock watering may be added to the license or permit upon the request of the permit or license holder.

REQUEST

On February 8, 2001, Mr. Imsland indicated over the phone that he was no longer interested in irrigating. He requested that his water right be modified to delete the irrigation portion and allow him use of the dam for stock watering purposes.

RECOMMENDED ACTION

Based on the above request, it is recommended that the water license be issued for stock watering.



Genny McMath, Environmental Scientist
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-31.1 that:

This addition of stock watering does not impair existing water rights and no diversion of water will be made from the stock dam. Licensing of the water permit for stock watering may occur without application or publication pursuant to SDCL 46-2A-4.



Garland Erbele, Chief Engineer
Water Rights Program

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 2534-3

(1) Edward Imsland was issued Water License No. 2534-3, October 28, 1982 for a water right to divert 0.96 cubic feet of water per second from a spring fed dam, in Clark County, South Dakota for irrigation purposes. Water License No. 2534-3, with a priority date of February 9, 1976 was issued to the permit holder 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 29, 1986, Water Right No. 2534-3 was transferred to Barry Imsland.

On February 8, 2001, the water right holder indicated his irrigation system had been sold and irrigation use from the storage dam had been abandoned. Pursuant to SDCL 46-5-31.1, stock watering may be added as a water use to the license provided no diversion is made from the dam. The Chief Engineer makes a finding that the addition of stock watering does not impair existing water rights and no diversion of water will be made from the stock dam.

The original water license is being reissued to delete the irrigation portion and authorize use of water for domestic stock watering purposes only.

(2) It is certified that the water right holder 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 store 8 acre feet of water for beneficial use. The location of the spring fed dam is 990'W and 33'S of the NE corner of Section 5, T119N, R59W (NE 1/4 NE 1/4).

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for domestic livestock watering purposes.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Barry Imsland, RR #2 Box 26, Conde, SD 57434 the holder and/or owner of Water Right No. 2534-3 is issued a license to appropriate water, the right to store 8 acre feet of water from a spring fed dam with a priority date of February 9, 1976 from the location specified in (2) of this license, for the purpose of livestock watering. This license is subject to any limitations or qualifications listed in Water Right No. 2534-3 and subject to South Dakota State Law.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 15 2001

date





FEB 15 2001

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

2534-3

Barry Imsland
RR 2 Box 26
Conde, SD 57424

Dear Mr. Imsland:

Enclosed is your Reissued Water License No. 2534-3.

The original water license authorized diversion of water from a spring fed dam to irrigate 67 acres. It is our understanding that you have abandoned irrigation use from the dam but still store water for livestock watering purposes. The license has been reissued to delete the irrigation portion from the license and authorize storage of water in the dam for livestock watering purposes.

Since your use of water from the dam is for domestic purposes, you will no longer be required to submit an annual irrigation questionnaire. If you have any questions concerning the enclosed license, please contact Genny McMath at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

enclosure

NOT TO SCALE

Island land (2534-3) is in orange
Blue area is a different water right

PUMP SITE

11.4

64.8

279-133L

4.4

21.5

15.4

51.2

7.4

14.3

17.1

6" BURIED PVC

1750'

6.4

77.5

PUMP STATION

#2

#1

10.5

56.0

119-59

43.6

68.4

17.4

89.0

279-133L

NOT TO SCALE

Amended
See ~~Map~~
253A-3
600GPM

120-59

11.9

2-61B

70.6

61.7

31.2

19.1

7.0

32

89.5

8.6

47.6

Y

120-59

GRANDALL



**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

2534-3

Janette Imsland
15393 Crandall Ave
Conde SD 57434

Dear Ms. Imsland:

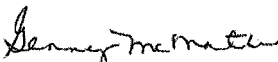
I am contacting you in regard to ownership of land described in Water Right No. 2534-3. The water right, listed in the name of Barry Imsland, authorizes impoundment of eight acre feet of water in a storage dam for livestock watering purposes. Enclosed is a copy for your review.

The last correspondence we mailed out concerning the water right was returned to us by the post office. It is my understanding from visiting with the Clark County Register of Deeds that you would be the person to contact concerning the water right.

If you own the land, and if the storage dam still exists, the water right should be transferred to your name. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you do not own the land, please let us know who we should be contacting concerning the water right. Thank you in advance for your help.

Sincerely,


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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2534-3

Date: 7-22-07

I/We request that Water Right No. 2534-3

formerly owned by: Barry Imsland

be transferred to: (name & address) Janette Imsland
185 3rd St NW
Conde SD 57434 Telephone No. 605-382-5881

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

Location of storage dam - NE ¼ NE ¼ Section 5, T119N, R59W

I/We understand that the validity of Water Right No. 2534-3 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 Janette Imsland, the new owner, certify that the above information is true and correct.

Janette Imsland
(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 7/24, 20 07

RECEIVED OF JANETTE IMSLAND 185 3RD ST NW CONDE SD 57434

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 _____ 2534-3		
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.

03101

By

Garland Enbush

Chief Engineer



**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 25, 2007

2534-3

Janette Imsland
185 3rd St NW
Conde SD 57434

Dear Ms. Imsland:

I am writing to acknowledge receipt of the ownership change you filed for Water Right No. 2534-3. The transfer has been completed. The water right, formerly held by Barry Imsland is now listed in your name.

Enclosed is your Receipt No. 03101 in the amount of \$2.50. You may keep this for your records.

Sincerely,

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

enclosures