

No. 2584-3

1. Considered March 17, 19 76
2. Name of Applicant John Paulson
3. Post Office Address South Sioux City, Nebraska
4. Amount of water claimed 5.5
5. Source of water supply ground water
6. Water to be used for irrigation
Acres to be irrigated 390
7. Water to be diverted and used in Clay county
about 3 N, 8 W miles of VERMILION
8. Proof of Publication Received ~~ISI~~ 3-22-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Map No. 1866-3No. 2584-3Water Division No. 3 Vermillion River
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant John Paulson 1846 Constance Dr. Vermillion, S.D.
 Postoffice address 211 Wedgewood Drive, South Sioux City, Nebraska - 68776
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work Paulson Irrigation Project
4. Amount of water claimed (cubic feet per second) 5.5
5. Source of water supply ground water
6. Location of point of diversion Well #1, center of the SW $\frac{1}{4}$, Sec. 35; Well #2, center of the NE $\frac{1}{4}$, Sec. 34, Well #3, center of the E $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, all in T93N, R53W County Clay
7. Annual period or periods during which water is to be used April thru October
irrigation
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) _____
9. For irrigation use, Total number of acres to be irrigated 390

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NE $\frac{1}{4}$, Sec. 34	156		
SW $\frac{1}{4}$, Sec. 35	156		
E $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33	78		
All in T93N, R53W			

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 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Plain Talk, Vermillion, S.D.
12. Principal Features of the Proposed Water Supply System.

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

Wells, pumps and motors

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

C. Works proposed to apply water to beneficial use

Center pivot sprinkler systems and/or Big Gun Type

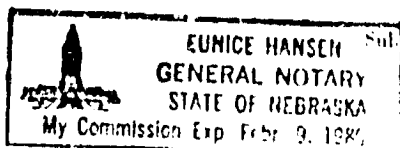
Estimated Total Cost \$ 100,000.00

Attachments: Attach Form 2A if diversion from well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of SiouxI, John Paulson 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

25 day of Feb 1926
Eunice Hansen
 Notary Public (or other qualified officer)


WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2584-3JOHN PAULSON

(Applicant)

1846 Constance Dr.
Vermillion SD 57069City,NEBRASKA 68776

With

(State)

The irrigation wells approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

THE APPLICABLE PORTIONS OF PERMITS NO 2493-3 AND NO 2494-3 HAVE BEEN INCORPORATED INTO THIS PERMIT, AND PERMITS NO 2493-3 AND NO 2494-3 ARE CANCELLED.

Date of first receipt of application FEBRUARY 27, 1976

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application _____, 19____

Approved MARCH 18, 1976, Recorded in Book 15 Page 45WATER RIGHT PERMIT NO 2584-3

The Water Rights Commission hereby grants and issues this Water Right Permit No 2584-3 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 3.6 CPS FROM DECEMBER 15, 1975
1.9 CPS FROM FEBRUARY 27, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 18, 1976
3. The whole of said work is to be completed on or before MARCH 18, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 18, 1985
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 5.5 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 18, 1985; said water to be used during the following described annual period: APRIL THEN OCTOBER

Witness my hand this 31ST day of MARCH, 1976

WATER RIGHTS COMMISSION

By

John H. Helt
Chief Engineer, Executive Officer

Certificate of Construction Issued December 22, 1981Water License Issued December 22, 1981

December 16, 1975



Mr. John Paulson
211 Wedgewood Drive
S. Sioux, ND 58776

Dear Mr. Paulson:

Enclosed please find the original copies of the report of analysis of the water samples submitted here some time ago. Also you will find enclosed a copy of extension circular 654 with a water quality diagram on the outside back cover. I have plotted the approximate quality of these two waters for irrigation purposes by means of red crosses in this chart. You will see that the two waters are almost identical in quality.

These waters are in the high salinity, low sodium category, and under such circumstances, will have considerable tendency to increase the salt of the root zone of crops, particularly if the waters are used in small, frequent applications. Center pivot salesmen tend to encourage frequent, light applications of water and this is exactly the wrong thing to do from the standpoint of the longevity of the soil. I recommend that you use this water no more than 3 times in any one growing season, and preferably one or two if you can get by with that. Each time you irrigate, you should put on no less than 3 inches, and preferably 4 or 5 inches at a time.

The Luton soil in the second application, is not suitable for irrigation and is especially hazardous with this kind of water. This soil area in section 35 should in some way be eliminated from any further consideration. If it were my land, I would recommend the development of that in section 34 first and gain some experience with this before going to the southwest quarter of section 35 and developing that. The Blencoe soils in section 34 and also in 35 will present some difficulty themselves, and the Luton soils as you are aware, are even worse. Thus, it would be my recommendation that you do not proceed at this time with any plans to develop section 35.

A copy of this letter, and the water analyses, and the WI-1 forms are being sent to the State Conservation Commission.

Sincerely yours,

L. O. Fine

L. O. Fine

Water Quality Lab

cc: State Conservation Commission, b. Pahl, Robert Schurrer, Co. Ext. Ag.
Enclosures

LOF:ckb

Conservation
Commission
Form WI 21

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 COMPLETION USE OF

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: N. J. [Signature]

Disapproved: _____

NAME: John Paulson

ADDRESS: 211 Wedgewood Drive S. Sioux, Nebraska 68776

COUNTY: Clay

LEGAL DESCRIPTION

1. WELL LOCATION: 109 rods SE of NE corner of Sec 24-02-53

2. AREA TO BE IRRIGATED: NE 1/4 24-02-53

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): winter pivot sprinkler

4. CROPS TO BE IRRIGATED: beans, corn and alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-1

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: attached sheet

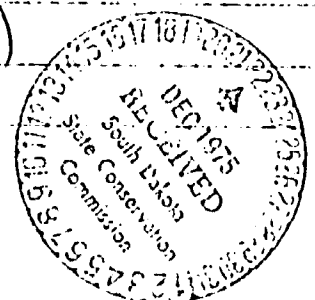
WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-1134

8. SALINITY: EC = 1629 umhos/cm (high)

9. SODIUM: SAR = 2.25 (low)

Sample #1



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.

and:

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

John Paulson

Subscribed and sworn before me this

11 day of Dec 1975.

Eunice Hansen

Notary Public

(Title)



EUNICE HANSEN
GENERAL NOTARY — State of Neb.
My Commission Expires
February 9, 1976

Soils

Volin silt loam, level, has developed in medium-textured (loams and silt loams), calcareous (limy), alluvial sediments. These sediments occur over stratified (layered), calcareous, alluvial sediments. These stratified materials are medium, moderately coarse (sandy loams), and coarse-textured (sands). The Volin soils occur on comparatively high, level Missouri River bottomland and are moderately well-drained.

Slope 1% Intake family 0.5 96 acres

Blencoe silty loam, level, has developed in moderately fine-textured (silty clay loam), alluvial (water deposited) sediments, over medium-textured (loams and silt loams), calcareous (limy), alluvial sediments. The Blencoe soils occur on the Missouri River floodplains, and are moderately well-drained to somewhat poorly drained.

Slope 0-1% Intake family 0.1 Acres 64



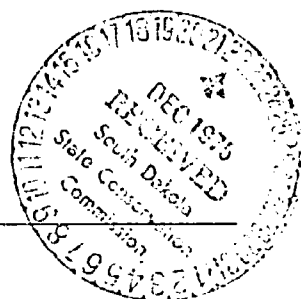
REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: John Paulsen Date Rec'd Dec. 12, 1975
 Address 211 Hedgewood Drive Sample No. 75-1154
Sioux, Nebraska 68776 Identification 11-111-
Nebr. Dec. 34, 1931, R 53W

WATER ANALYSIS

Calcium (Ca)	190	ppm*	9.90	me/l**
Magnesium (Mg)	66	ppm	6.21	me/l
Sodium (Na)	141	ppm	6.15	me/l
Potassium (K)	18	ppm	0.26	me/l
Sulfate (SO ₄)	500	ppm	10.40	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	7	ppm	0.20	me/l
Bicarbonate (HCO ₃)	600	ppm	9.84	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)	492	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1629	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	8.25			
Sodium	28.51	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.30			
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g.p.g.=grains per gallon



COMMENTS: Total cations 21.10 me/l
 Total anions 20.44 me/l

By: Shirley J. Lutton

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. 75-1154

Amount Enclosed \$

Signed

Conservation
Commission
Form WI 21

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: W. D. Dwyer

Disapproved: _____

NAME: John Paulson

ADDRESS: 211 Wedgewood Drive S. Sioux, Nebraska 68776

COUNTY: Clay

LEGAL DESCRIPTION

1. WELL LOCATION: 110 rods NE of SW corner of Sec 35-92-52
2. AREA TO BE IRRIGATED: SW 1/4 35-92-52

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): center pivot sprinkler
4. CROPS TO BE IRRIGATED: beans, corn, alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-1
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: attached sheet

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: (#2 well) 75-1135
8. SALINITY: EC = 1608 μ mhos/cm (high)
9. SOURTH: SAR = 2.33 (low)

Sample #2



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.

and:

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

John Carlson

Subscribed and sworn before me this

11 day of Dec 19 75

Eunice Hansen

Notary Public

(Title)



EUNICE HANSEN
GENERAL NOTARY — State of New Mex.
My Commission Expires
February 9, 1976

100-1-115

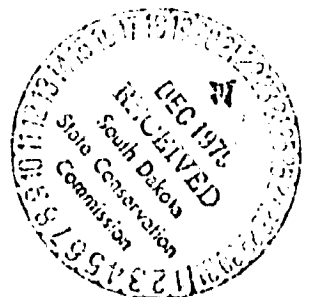
Soils

Blencoe silty loam, level, has developed in moderately fine-textured (silty clay loam), alluvial (water deposited) sediments, over medium-textured (loams and silt loams), calcareous (limy), alluvial sediments. The Blencoe soils occur on the Missouri River floodplains, and are moderately well-drained to somewhat poorly drained.

Slope C-13 Intake family C.1 Acres 100

Luton clay, level, has developed in generally noncalcareous (not limy), fine-textured (clays and silty clays), alluvial (water deposited) sediments. The Luton soils occur on the Missouri River floodplains and usually occur in large, low, somewhat swampy areas back from the natural stream levees where natural surface drainage is poor to very poor.

Slope 0-1% Intake family 0.1 or less Acres 60



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

Submitted by: John Paulsen Date Rec'd Dec 12, 1975
 Address: 211 Edgewood Drive Sample No. 75-1135
Lincoln, Nebraska 68776 Identification 2-61-
35, 4921, 1537

WATER ANALYSIS

Calcium (Ca)	170	ppm*	0.90	me/l**
Magnesium (Mg)	65	ppm	0.33	me/l
Sodium (Na)	141	ppm	0.13	me/l
Potassium (K)	18	ppm	0.16	me/l
Sulfate (SO ₄)	444	ppm	9.24	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.17	me/l
Bicarbonate (HCO ₃)	309	ppm	9.92	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)	496	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1668	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.33			
Sodium	30.1	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.33			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 20.42 me/l
 Total anions 19.33 me/l



By: William H. Hitt

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

Sample No. 75-1135

Amount Enclosed \$

Signed

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2584-3

(1) WHEREAS, On the 27th day of February A. D. 19 76

John Paulson

made Water Right Application No. 2584-3 for a permit to use 5.5 cubic feet per second of the waters of groundwater (two wells)

County of Clay, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 18th day of March A. D. 19 76

Permit No. 2584-3, with a date of priority of December 15, 1975 & February 27, 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 18th day of March A. D. 19 81 and for the application to beneficial use of said water on or before the 18th day of March A. D. 19 85

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 3.74 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 a 132 acre circle in the NE 1/4, Section 34, and a 130 acre circle
in the SW 1/4 Section 35, (portion out for building site) all in T93N, R53W

(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 John Paulson

_____ of Vermillion SD
the holder _____ and owner _____ of said permit No. 2584-3 a water right, dating from December 25, 1975 & February 27, 1976 to use of 2.74 cubic feet per second of the waters of groundwater (two wells) in the County of Clay and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Well #1 - 35'S of the center of the NE 1/4, Section 35; Well #2 - 10'W of the center of the NE 1/4, Section 34, T93N, R53W

and conducted to and upon a 132 acre circle in the NE 1/4 Section 34 and a 132 acre circle in the SW 1/4 Section 35, all in T93N, R53W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2584-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 22nd day of December A. D.
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 2584-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That John Paulson

_____ the holder _____ of
Permit No. 2584-3, issued upon Application No. 2584-3, bearing date of priority of December 15,
1975 & Feb. 27, 1976 authorizing the diversion of 5.5 cu. ft. per second of the waters of _____
groundwater (two wells) County of Clay State of South Dakota at _____
Well #1 - 35'S of the center of the NW 1/4, Section 35; Well #2 - 10'W of the
center of the NE 1/4, Section 34, T93N, R53W
_____ for irrigation

purposes, has B 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 3.77 cu. ft. per second of water

Date December 22, 1981

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 2584-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clay) ss.

I, Maryetta Bruce hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Vermillion Star

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 Vermillion of South Dakota

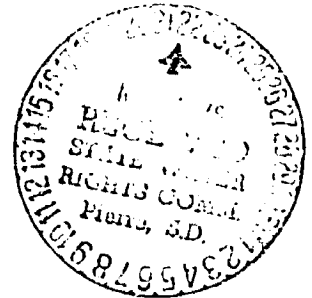
County of Clay and State of South Dakota;
that the said notice was published in said newspaper on the following
dates:

March 4, 1976
March 11, 1976

Maryetta Bruce
(Signature)

Mgr.
(Title)

March 11, 1976
(Date Signed)



Notice
Intent To
Appropriate Water

Pierre, South Dakota

March 1, 1976

Notice is hereby given that John Paulson whose post office address is South Sioux City, Nebr., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 5.5 cubic feet of water per second of time from the ground water through the Paulson Irrigation Project, the point of diversion of which is to be located in the center of the SW 1/4, Section 35; Center of the NE 1/4, Section 34 and in the Center of the E 1/2 SE 1/4 of Section 33, Twp. 93N, Range 53W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW 1/4, Sec. 35, NE 1/4 Sec. 34, E 1/2 SE 1/4 Sec. 33, all in T93N. R53W.

This application No. 2584-3 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 Jones
Water Rights Specialist

Publish March 4, 11, 1976.

Form 6 - Notice of Intent to Appropriate Water

No. 2584-2

Publish first publication, on or before March 4, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 1, 1976

Notice is hereby given that John Paulson

whose post office address is South Sioux City, Neb, 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

5.5 cubic feet of water per second of time from the ground water through the Paulson Irrigation Project, the point of diversion of which is to be located in the

center of the SW $\frac{1}{4}$ Section 35; Center of the NE $\frac{1}{4}$ Sec. 34, and in the Center of the E $\frac{1}{2}$ SE $\frac{1}{4}$

of Section 33, Twp. 93N, Range 53W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:

SW $\frac{1}{4}$ Sec. 35, NE $\frac{1}{4}$ Sec. 34, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 33, all in T93N, R53W

This application No. 2584-2 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
Water Rights Specialist

BFJ/bw

cc: John Paulson,
211 Wedgewood Drive
South Sioux City, Neb. 68775

SEE 2493-3 & 2494-3

FOR WATER QUALITY

DATA

0273293

February 23, 1976

John Paulson
211 Wedgewood Drive
South Sioux City, Nebraska 68770

Dear Mr. Paulson:

We are enclosing application forms which you should sign before a notary public, and return to this office with the required fee of \$8.00.

Upon approval, this Permit will replace Permits Nos. 2493-3 and 2494-3, and the priority for the applicable portions of those permits will be transferred to this permit,

Should you have questions, feel free to contact this office.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/bw
Encl: As stated



2493-3 & 2494-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

March 31, 1976

John Paulson
211 Wedgewood Drive
South Sioux City, Nebr. 68776

Dear Mr. Paulson:

Enclosed herewith is your Water Right Permit No. 2584-3 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 2584-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Rights Commission when you have completed the system and/or have put the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a Water Right.

P.S. You will note that Permits Nos. 2493-3 and 2494-3 have been cancelled.

Respectfully,
WATER RIGHTS COMMISSION

JOHN HATCH
Chief Engineer

JH/BFJ/bw
Encl: As stated

RECEIPT

WATER RIGHTS COMMISSION

No 4 8600

State of South Dakota

PIERRE, December 21, 1981

RECEIVED OF John Paulson, 1846 Constance Drive, Vermillion, SD 57069

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. 2584-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 2584-3		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *John Hatcher*
Chief Engineer, Executive Office.
JOHN HATCHER / 100

Permit No. 2584-3
 Water Division 3 VERMILLION RIVER Water District

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by JOHN PAULSON of 1846 CONSTANCE DR., VERMILLION, S.D. holder 3.6 FROM DECEMBER 15 1975 of Permit No. 2584-3, bearing date of priority of 1.9 FROM FEBRUARY 27 1976 authorizing the diversion of 5.5 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in CLAY 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:
 WELL #1- 100' DEEP WELL WITH 16" PLASTIC CASING-39' SLOTTED CASING
 NATIONAL 8" PUMP- POWERED BY 320B CATERPILLAR DIESEL ENGINE
 WELL #2- 105' DEEP WELL WITH 16" PLASTIC CASING-36' SLOTTED CASING
 NATIONAL 8" PUMP- POWERED BY 320B CATERPILLAR DIESEL ENGINE
- B. Works used to transport water to place of use,
 #1- 35' OF 8" ALUMINUM PIPE TO CENTER OF PIVOT
 #2- 10' OF 10" ALUMINUM PIPE TO CENTER OF PIVOT
- C. Works used to apply water to beneficial use.
 2- LOCKWOOD 10 TOWER CENTER PIVOTS WITH NELSON #200
 END GUNS. #1 PIVOT 1260' LONG, #2 PIVOT 1290' LONG

The system is in the following condition. GOOD

The point of diversion is located WELL #1- 35' S OF THE CENTER OF THE SW⁴ SECTION 35;
WELL #2- 10' W OF THE CENTER OF THE NE⁴ SECTION 34, T43N, R53W

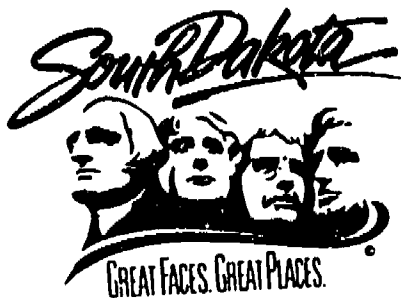
The works are capable of diverting and conveying to the place of use 3.77 (850 GPM PER PIVOT)
 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN T43N, R53W
132 ACRE CIRCLE IN THE NE⁴ SECTION 34
130 ACRE CIRCLE IN THE SW⁴ SECTION 35 (PORTION OUT FOR BUILDING SITE)

comprising a total of 26? acres of land.

NOTE CHANGE OF ADDRESS.

Date NOVEMBER 3, 1981
Dustin Jones
 (Signature)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 24, 2000

2584-3

Gary Freeburg
Box 188
Gayville, SD 57031

Dear Mr. Freeburg:

I am contacting you in regard to ownership of land described in Water Right No. 2584-3. John Paulson has notified our office that he sold the land to you and Tom Dressen.

Enclosed is a copy of Water Right No. 2584-3 for your review. Since Mr. Paulson no longer owns the land, the water right should be transferred to the new owner(s). I am enclosing a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. Please fill in the area titled "*to be transferred to (name and address)*". Upon completion, please sign the form in the presence of a notary 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.

I am also including the 2000 Irrigation Questionnaire for Water Right No. 2584-3. Please complete the form and return it by December 1st.

If you have any questions concerning completion of the transfer form or the irrigation questionnaire, please get in touch with me. Thank you in advance for your help.

Sincerely,

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

enclosures



January 11, 2001

Gary Freeburg
Box 188
Gayville, SD 57031

Dear Mr. Freeburg:

Today, I spoke with Mrs. Freeburg about the ownership change for Water Right No. 2584-3 (former John Paulson land) and the irrigation questionnaire for the year 2000. She indicated you may no longer have the forms I sent to you in October.

Since Mr. Paulson no longer owns the land, the water right should be transferred to the new owner(s). I am enclosing a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. If the water right needs to be split due to separate ownership, let me know and I can send out an additional form.

Please fill in the area titled "*to be transferred to (name and address)*". Upon completion, please sign the form in the presence of a notary 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.

I am also including the 2000 Irrigation Questionnaire for Water Right No. 2584-3. Please complete the form and return it by January 26th.

If you have any questions concerning completion of the transfer form or the irrigation questionnaire, please get in touch with me. Thank you in advance for your help.

Sincerely,

Genny McMath

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

enclosures

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

2584-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 11, 2001

2584-3

Gary Freeburg
Box 188
Gayville, SD 57031

Dear Mr. Freeburg:

On October 24, 2000 and January 11, 2001, I wrote to you concerning the ownership change for Water Right No. 2584-3 (former John Paulson land) and the irrigation questionnaire for the year 2000. To date, we have not received any of the information from you.

It is very important that ownership changes remain current. Failure to keep records current can mean a delay in receiving a notice or even no receipt of a notice that pertains to the water right. In some cases, a notice from this office includes an order which could result in up to one year suspension of a permit or other penalty if not complied with.

In the event you no longer have the original transfer form, I am enclosing an additional one. If the water right needs to be split due to separate ownership, let me know and I can modify the form and send out a corrected one. Please fill in the area titled "*to be transferred to (name and address)*". Upon completion, please sign the form in the presence of a notary 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.

I am also including the 2000 Irrigation Questionnaire for Water Right No. 2584-3. Please complete the form and return it by May 25th. Submission of the annual questionnaire is a requirement under Water Management Board Rules. If the form is not received, the matter will be scheduled before the Board for appropriate action.

If you have any questions concerning completion of the transfer form or the irrigation questionnaire, please get in touch with me. Thank you in advance for your help.

Sincerely,

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

enclosures

File No. 2584-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Clay County Assessor's Office, Vermillion, SD

DATE: June 5, 2001

TELEPHONE: 605 677-7140

RE: ownership of land described in Water Right No. 2584-3

COMMENTS:

I called the assessor to find specific ownership of the land under No. 2584-3. The water right authorizes irrigation of the NE 1/4 Section 34 and the SW 1/4 Section 35, T93N, R53W.

She confirmed the land formerly owned by John Paulson was sold to Gary & Amy Freeburg and Tom Dreeson. The land was later purchased in its entirety by Gary and Amy Freeburg. Mr. Dreeson no longer has ownership of the land.

Genny McMath

Genny McMath
Environmental Scientist

File No. 2584-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Gary Freeburg, PO Box 188, Gayville, SD 57031

DATE: June 5, 2001

TELEPHONE: 605 267-4426

RE: Water Right No. 2584-3

COMMENTS:

I called to ask Mr. Freeburg if he had included the irrigated acres under No. 2584-3 on the irrigation questionnaire he completed for 5853-3 (listed in his name). He said that he had. All the acres he irrigated were reported on the one form.

I asked him about the transfer of Water Right No. 2584-3 and he said he thought that had been done. He asked that I mail him out another form and he would take care of it right away.

Genny McMath

Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 5, 2001

2584-3

Gary Freeburg
Box 183
Gayville, SD 57031

Dear Mr. Freeburg:

Thank you for taking the time to visit with me today concerning the irrigation questionnaire and the ownership change. Enclosed as we discussed, is a partially completed "Notice of Transfer of Ownership" form.

Please fill in the area titled "*to be transferred to (name and address)*". Upon completion, please sign the form in the presence of a notary 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 have any questions, please get in touch with me. Thank you in advance for your help.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 2584-3

Date: 6-13-01

I/We request that Water Right No. 2584-3

formerly owned by: John Paulson

be transferred to: (name & address) Gary J. Freeburg 102 Iverson Street
Gayville SD 57031 Telephone No. 605-267-4426

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

262 acres in the NE 1/4 Section 34 and SW 1/4 Section 35, T93N, R53W

I/We understand that the validity of Water Right No. 2584-3 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.

STATE OF SOUTH DAKOTA)

County of Clay)

I/We Gary Freeburg 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.

Gary J. Freeburg
(Signed)

Subscribed and sworn to before me this 18 day of June, 2000.

Risa V. Supp
(Notary Public) 01/09/05

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

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 416857

Pierre, June 20, 20 01

RECEIVED OF GARY J Freeburg, 102 Iverson St., Gayville, SD 57031
the following amount in fees for services rendered as provided for by law:

(John Paulson)

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 2584-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By: Darland Ebele
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 22, 2001

2584-3

Gary Freeburg
102 Iverson St
Gayville, SD 57031

Dear Mr. Freeburg:

Thank you for following up on the ownership change for Water Right No. 2584-3. The water right, formerly held by John Paulson, is now listed in your name.

Enclosed is your Receipt No. 416857 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please get in touch with me.

Sincerely,

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

enclosure



January 16, 2002

NOTICE

2584-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

TO: GARY FREEBURG, BOX 188, GAYVILLE, SD 57031
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 5853-3, 2584-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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) 2584-3 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) 5853-3 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 13, 2002 in the Visitor Center (west side 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. 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) 5853-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2584-3 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 on/or before March 8, 2002, 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 (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.

2584-3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY											
■ 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.		<table><tr><td>A. Received by (Please Print Clearly) <u>Amy Freeburg</u></td><td>B. Date of Delivery <u>1-17-02</u></td></tr><tr><td>C. Signature <u>X</u> <u>Amy Freeburg</u></td><td>☒ Agent ☐ Addressee</td></tr><tr><td colspan="2">D. Is delivery address different from item 1? <u>No</u> If YES, enter delivery address below:</td></tr></table>		A. Received by (Please Print Clearly) <u>Amy Freeburg</u>	B. Date of Delivery <u>1-17-02</u>	C. Signature <u>X</u> <u>Amy Freeburg</u>	☒ Agent ☐ Addressee	D. Is delivery address different from item 1? <u>No</u> If YES, enter delivery address below:					
A. Received by (Please Print Clearly) <u>Amy Freeburg</u>	B. Date of Delivery <u>1-17-02</u>												
C. Signature <u>X</u> <u>Amy Freeburg</u>	☒ Agent ☐ Addressee												
D. Is delivery address different from item 1? <u>No</u> If YES, enter delivery address below:													
1. Article Addressed to: GARY FREEBURG BOX 188 GAYVILLE SD 57031		<table><tr><td colspan="2">3. Service Type</td></tr><tr><td>☒ Certified Mail</td><td>☐ Express Mail</td></tr><tr><td>☐ Registered</td><td>☐ Return Receipt for Merchandise</td></tr><tr><td>☐ Insured Mail</td><td>☐ C.O.D.</td></tr><tr><td colspan="2">4. Restricted Delivery? (Extra Fee) ☐ Yes</td></tr></table>		3. Service Type		☒ Certified Mail	☐ Express Mail	☐ Registered	☐ Return Receipt for Merchandise	☐ Insured Mail	☐ C.O.D.	4. Restricted Delivery? (Extra Fee) ☐ Yes	
3. Service Type													
☒ Certified Mail	☐ Express Mail												
☐ Registered	☐ Return Receipt for Merchandise												
☐ Insured Mail	☐ C.O.D.												
4. Restricted Delivery? (Extra Fee) ☐ Yes													
2. Article <u>7001 2510 0004 4797 5750</u>													



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 1, 2002

2584-3
5853-3

Gary Freeburg
Box 188
Gayville, SD 57031

Dear Mr. Freeburg:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2584-3 and 5853-3.

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



January 14, 2004

2584-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: GARY J FREEBURG, PO BOX 188, GAYVILLE, SD 57031 0188
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 5853-3 & 5971-3, 2584-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 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) 2584-3 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) 5853-3 & 5971-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 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) 5853-3 & 5971-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2584-3 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 on/or before February 27, 2004, 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 (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.

2584-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 17, 2004

2584-3
5853-3
5971-3

Gary & Amy Freeburg
PO Box 188
Gayville SD 57031-0188

Dear Mr. & Mrs. Freeburg:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2584-3, 5853-3 and 5971-3.

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,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 7, 2015

Gary & Amy Freeburg
PO Box 188
Gayville SD 57031

RE: Water Permit or Right Nos. 2584-3, 5971-3, 6643-3, 6644-3, 6645-3, 6646-3, 6647-3, 6648-3, 6649-3, 6650-3, 6651-3, 6767-3, 6768-3, 6858-3, 6895A-3, 7659-3, 7660-3, 7661-3 (Gary and Amy Freeburg) Water Right No. 3399-3, Ada Juttelstad

Dear Mr. & Mrs. Freeburg:

I am writing in follow-up to my phone conversation with Amy on January 6th concerning the above listed water permits and rights.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing ownership changes. Please review the forms, make any necessary corrections and complete as needed. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 **each**. The check or money order for the fee can be made payable to the Water Rights Program.

We also discussed the ownership change needed for 3399-3 currently listed in the name of Ada Juttelstad. I believe you already have a transfer of ownership form for that one. I have included the 2014 irrigation questionnaire for that specific water right. It originally was sent to Steve Anderson as a renter of the property. Please complete the form and return it by January 23rd.

To recap, the following materials are needed:

- irrigation questionnaire for 3399-3;
- 19 transfer of ownership forms (18 of yours and the one you have for the former Juttelstad land);
- A total filing fee of \$950 (19 transfers x \$50 each)

If I can answer any questions, please let me know.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

JAN 22 2015

WATER RIGHTS
PROGRAM

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

No. 2584-3

Date: 1-19-15

I/We request that Water Right No. 2584-3

formerly owned by: Gary J Freeburg

be transferred to: (name & address) Freeburg Limited Partnership
PO Box 188 Gayville SD 57031

Telephone No. 605 267-4426

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

262 acres - NE 1/4 Section 34 and SW 1/4 Section 35, T93N, R53W

I/We understand that the validity of Water Right No. 2584-3 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 Fifty Dollars (\$50.00) 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 Freeburg Limited Partnership, the new owner, certify that the above information is true and correct.

Gary Freeburg
(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 1/22, 20 15

RECEIVED OF Freeburg LP PO Box 188 Gayville SD 57031

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	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2584-3</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	50 00

No. **07149**

By Jean Goodman
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 2015

Gary & Amy Freeburg
Freeburg Limited Partnership
PO Box 188
Gayville SD 57031 0188

RE: Water Permit or Right Nos. 2584-3, 3399-3, 5971-3, 6643-3, 6644-3, 6645-3, 6646-3,
6647-3, 6648-3, 6649-3, 6650-3, 6651-3, 6767-3, 6768-3, 6858-3, 6895A-3, 7659-3, 7660-3,
7661-3

Dear Mr. & Mrs. Freeburg:

I am writing to acknowledge receipt of the completed transfer forms, filing fees and the irrigation questionnaire for 3399-3.

The ownership changes have been completed. The above listed water permits or rights have all been transferred and are now listed in the name of "Freeburg Limited Partnership".

Enclosed are the various receipts for the filing fees you submitted. If I can answer any questions, please let me know.

Sincerely,

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

enclosures