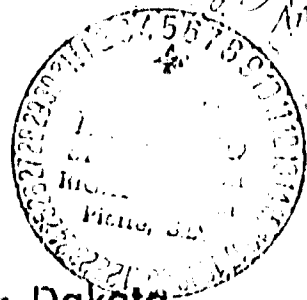


2740-3

1. Considered MAY 20, 1976
2. Name of Applicant DENNIS MENDEL
3. Post Office Address FREEMAN
4. Amount of water claimed 3.4
5. Source of water supply DRY DRAW (455 AC FT. STORAGE)
6. Water to be used for IRRIGATION
Acres to be irrigated 240
7. Water to be diverted and used in HUTCHINSON county
about 7W, 1S miles of FREEMAN
8. Proof of Publication
Received 5-19-76
Not received
9. Application
1+ MILES TO JAMES RIVER
Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No. 2740-3Map No. 2099-3 Water Division No. 3 JAMES RIVER District
(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 Normie Mandel
 Postoffice address Freeman, 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 and direct labor -
3. Name of diversion work construction of irrigation reservoir to catch run off water.
4. Amount of water claimed (cubic feet per second) Not applicable S.D.
5. Source of water supply dry draw.
6. Location of point of diversion 16:50' NE, 111" E of SW 1/4 - 4-98-57
 County Hutchinson
7. Annual period or periods during which water is to be used May through Oct.
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 280

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.
<u>SW 1/4 of SW 1/4 - 3-98-57</u>	<u>10 A</u>	<u>part of NE 1/4 4-98-57</u>	<u>80 A</u>
<u>SW 1/4 of SW 1/4 - 3-98-57</u>	<u>80 A</u>		
<u>part of SE 1/4 of SE 1/4 - 4-98-57</u>	<u>35 A</u>		
<u>SE 1/4 of SE 1/4 of NW 1/4 - 4-98-57</u>	<u>20 A</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 4 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 Freeman Courier
12. Principal Features of the Proposed Water Supply System.

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

a dam

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

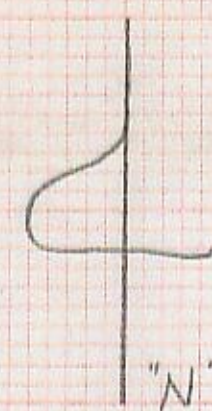
(Pipe) Plastic ground line or above ground metal.

C. Works proposed to apply water to beneficial use.

Pivot irrigation and water wheel systems
Estimated Total Cost \$ 70,000.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)

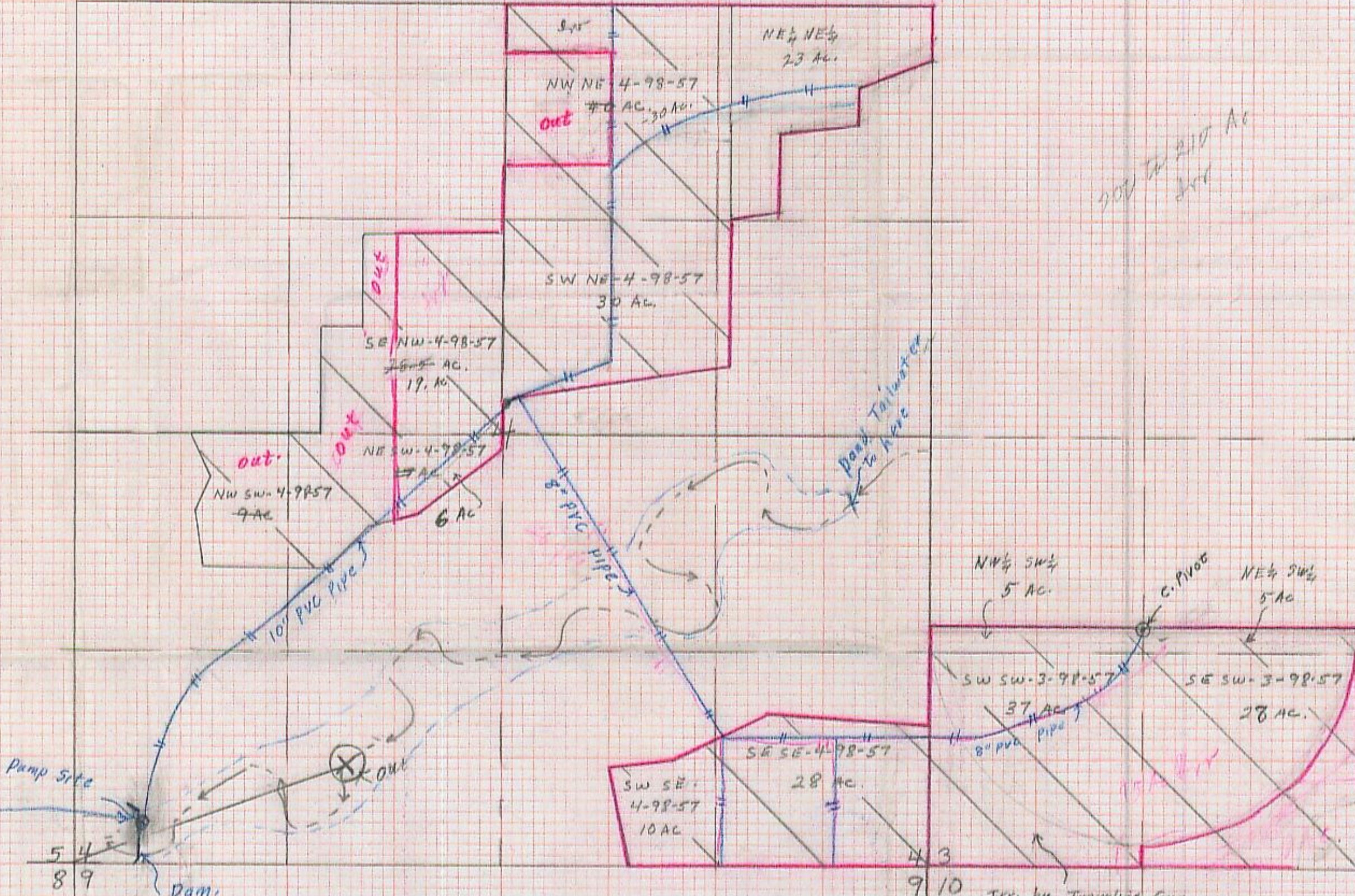
County of Hutchinson) ss.I, Normie Mandel the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary constructionSigned Normie MandelSubscribed and sworn to before me this 29th day of April 1976Robert Walter
Notary Public (or other qualified officer)



DIVERSION POINT =
300' N + 450' E of
the SW cor. sec. 4
T 98 N R 57 W

Scale 1" = 660'

PD#1 110 rods East & 35 rods North of SW corner section 4-T 98 N R 57 W



DENNIS MENDEL
PROPOSED IRRIGATION
DAM SITE & ACRES.
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn		Title
Traced		Sheet
Checked		Drawing No.

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2740-3

DENNIS MENDEL
(Applicant)

FREEMAN
(Post Office Address)

SOUTH DAKOTA 57022 With the following modifications:
(State)

APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF 455 ACRE FEET OF WATER ANNUALLY.

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

Date of first receipt of application MAY 5, 19 76

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

Date of receipt of corrected application —, 19 —

Approved MAY 20, 19 76, Recorded in Book 15 Page 177

WATER RIGHT PERMIT NO. 2740-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2740-3 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 MAY 5, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 20, 19 78
3. The whole of said work is to be completed on or before MAY 20, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20, 19 81
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 3.4 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 MAY 20, 19 81; said water to be used during the following described annual period: MAY THRU OCTOBER

Witness my hand this 9TH day of JUNE, 19 76

WATER RIGHTS COMMISSION

By:

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

Certificate of Construction Issued MAY 12, 19 80

Water License Issued MAY 12, 19 80

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 _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property _____ rds. On property owned by others _____ 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 information
30' high
26' deep
35 surface acres
455 ac. ft. storage

Theresa Mendel

Signature of Applicant

Permit No. 2740-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

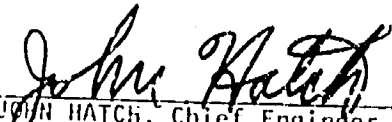
This is to Certify, That Dennis Handel

_____ the holder _____ of
Permit No. 2740-3, issued upon Application No. 2740-3, bearing date of priority of May 5, 1976
authorizing the diversion of 3.4 cu. ft. per second of the waters of a dry draw (dam)
County of Hutchinson, State of South Dakota at a point 300 ft. N and 450 ft. E of the SW corner, Section 4, T98N, R57W

_____ for Irrigation

_____ 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 2.67 cu. ft. per second of water

Date May 12, 1980


JOHN HATCH, Chief Engineer
Water Rights, WHD

WATER LICENSE NO. 2740-3

(1) WHEREAS, On the 5th day of May A. D. 19 76
Dennis Mendel

made Water Right Application No. 2740-3 for a permit to use 3.4 cubic feet per second of the waters
of A Dry Draw (ditch)

County of Hutchinson, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 20th day of May A. D. 19 76

Permit No. 2740-3 with a date of priority of May 5, 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 20th day of May A. D. 19 80 and for the
application to beneficial use of said water on or before the 20th day of May A. D. 19 81

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 2.67 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 all in T98N, R57W

Section 3 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 "

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 37 "

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 28 "

Section 4 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 30 "

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 23 "

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 30 "

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 19 "

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 6 "

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10 "

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 28 "

TOTAL 221 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, Dennis Hendel

_____ of Frauman

the holder _____ and owner _____ of said permit No. 2740-3 — a water right, dating from May 5, 1976

_____ to use of 2.67 cubic feet per second of the waters of a dry draw (dam)

in the County of Hutchinson and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at a point 300 ft. N and 450 ft. E of the SW corner, Section 4, T98N, R57W

and conducted upon portions of land in Sections 3 and 4, T98N, R57W, more fully described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2740-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 12th day of May A. D.
Nineteen Hundred and Eighty

Board of Water Management

By

John Hatch
Chief Engineer

JOHN HATCH

No. 2740-3

Publish first publication, on or before May 10, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

~~XXXX~~ May 5, 1976

Notice is hereby given that Dennis Mendel
whose post office address is Freeman, 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
3.4 cubic feet of water per second of time from the xx n dry draw dam through the
Mendel Project #1, the point of diversion of which is to be located in the _____

SE 1/4 SW 1/4

of Section 4, Twp. T08N, Range R57W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

W 1/2 NE 1/4, SE 1/4 NW 1/4, N 1/2 SE 1/4, S 1/2 SE 1/4, Section 4; S 1/2 SW 1/4, Section 3,
T08N, R57W

This application No. 2740-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 20th day of May, 1976, at 1:00 P. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

Dennis Mendel, Freeman, S.D. 57029

James

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

No. 2740-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Davison) ss.

I, Gerald H. Futzjenter hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Daily Republic

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 Mitchell of _____

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

May 8, 1976

May 15, 1976

Gerald H. Futzjenter
(Signature)

Publisher
(Title)

May 17, 1976
(Date Signed)

NOTICE INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
May 5, 1976

Notice is hereby given that
Dennis Mendel whose post office
address is Freeman, 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 3.4 cubic feet of
water per second of time from a
dry draw dam through the
Mendel Project No. 1, the point of
diversion of which is to be located
in the SE 1/4 SW 1/4 of Section 4,
Twp. 98N, Range 57W. Said water
to be used for the purpose of
providing irrigation on portions
of the following described land:
W 1/2 NE 1/4, SE 1/4 NW 1/4, N 1/2
SW 1/4, S 1/2 SE 1/4, Section 4; S 1/2
SW 1/4, Section 3, T98N, R57W.

This application No. 2740-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 20th day of
May, 1976, at 1:00 P.M. All in-
terested persons may appear and
be heard.

WATER RIGHTS COMMISSION
BY: BURTON F. JONES
Water Rights Specialist



Form 10.

No. 2740-3



NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT

DIVISION OF WATER RIGHTS

JOE FOSS BUILDING

PIERRE, SOUTH DAKOTA 57501

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Post Office

Date

Freeman Co. S.D.
8-25-77

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. _____.

Water Right Permit No. 2740-3 states that the diversion system is to be constructed by May -20, 19 80 and that the water is to be put to beneficial use by May -20-, 19 81.

The diversion system was completed on May, 19 77. Applying the water to beneficial use was completed on July, 19 77.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued thus completing my acquisition of a water right.

Annex Mendel
(Signature)

RECEIPT

WATER RIGHTS COMMISSION

№ 4 7380

State of South Dakota

March 11

90

PIERRE, _____, 19____

RECEIVED OF Dennis Menfell, Freeman SD 57029

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. <u>RR 2740-3)</u>	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. <u>2740-3)</u>		
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 Hatch
Chief Engineer, Executive Officer
JOHN HATCH kw

Permit No. 2740-3Water Division 3 James River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Dennis Mendelof Freeman, South Dakota 57622 holderof Permit No. 2740, bearing date of priority of May 5, 1976authorizing the diversion of 3.0 cu. ft. per second of the waters of Dry Run
for Irrigation purposes, in Hutchinson 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:

Motor = 115 ELEC, 1P 3700 335, 150 HP 1773 RPM
Pump = Winton, pumps 1250 gpm

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

2450 ft 10" PVC Pipe
950 ft 8" PVC Pipe
660 ft 4 1/2" Flexible Hose

C. Works used to apply water to beneficial use.

Zimmerman CP Model 327, Ser # 107179
EZ Roll Trailing GunThe system is in the following condition: GoodThe point of diversion is located 300 ft N and 450 ft E of the SW cor
Sec. 4, T95N R57W.The works are capable of diverting and conveying to the place of use 2.67cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: The following in Sec. 3T95N R57W NE 1/4 SW 1/4 - 2 Ac, NE 1/4 SW 1/4 - 5 Ac, SW 1/4 SW 1/4 - 17 Ac
SE 1/4 SW 1/4 - 28 AcThe following in Sec. 4, T95N R57W.
NE 1/4 NE 1/4 - 30 Ac NE 1/4 NE 1/4 - 93 Ac SW 1/4 NE 1/4 - 30 Ac SW 1/4 NE 1/4 - 19 Ac
NE 1/4 SW 1/4 - 6 Ac SW 1/4 SE 1/4 - 10 Ac SE 1/4 SE 1/4 - 15 Accomprising a total of 221 acres of land.Dam = From Soil Conservation Service DesignHeight 35 ftBase 210 ftTop width 145 ftWater Depth 24 ftRiser 5 ft diaBarrel 5 ft dia - 140 ft longDraw down tube 15" dia - 60 ft60,000 cu ydsStorage 112 Ac FtDate October 2 1979Larry J. Morningstar
(Signature)

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBJ: SOILS - 13 - Soils Investigation, Hutchinson Co.

TO: Robert D. Richter
Area Conservationist
Sioux Falls, S. D. 57102

Further investigation of the soils, SE 1/4 Sec. 4 and SW 1/4 Sec. 3, R. 57 W. T. 98 N., on the Dennis Mendel unit showed a high percentage of Prosper loam and a substantial percentage of Onita - like loam. These soils are both in 0.5 intake family, however the Onita - like soils had a higher percentage of clay in the subsoil which will lower the intake rate. With careful water application management this field has good potential for irrigation.

The field in the NW corner of Sec. 4 on the Mendel unit and the field on the Bauer unit, in Sec. 33 and 34 T. 57 N., R. 99 W., are soil mapped correctly and can be designed accordingly.

Dennis M. Hall
Soil Scientist
Parker

cc: Darrell K. Vig, District Conservationist, Menno

*Would very much appreciate to be advised
on when the field maps to be 10-21-57 May.*

Thank you

Dennis M. Hall



 **Department of
Water & Natural Resources**

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

June 24, 1988

2740-3

Dale Strasser
Box 428
Freeman, SD 57029

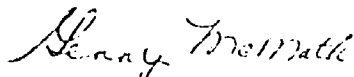
Dear Mr. Strasser:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 2740-3. The form should be checked over, signed and notarized. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water right will then be transferred to the proper name(s).

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 us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl





Department of Water & Natural Resources

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

October 17, 1988

2740-3

Clinton Bauer
RR #1 Box 111
Freeman, SD 57029

Dear Mr. Bauer:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 2740-3. The water right is currently listed under the name of David Mendel. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water right will then 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 us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



 **Department of
Water & Natural Resources**

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

November 1, 1988

2740-3

Clinton Bauer
PR #1 Box 111
Freeman, SD 57029

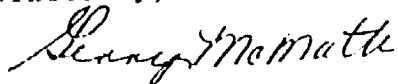
Dear Mr. Bauer:

In response to a telephone conversation of October 31, between myself and Mrs. Bauer, enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 2740-3. Mrs. Bauer indicated you were unable to find the original form.

Please complete the form by signing in the presence of a notary. A \$2.50 fee is required for filing of a "Notice of Transfer". Upon completion of the form, please return it to our office with the \$2.50 filing fee. Since the sale of the property will not be final until January, 1989, you may wait until then to file the transfer.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NO. 2740-3



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1-26-89

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

SW $\frac{1}{4}$ Section 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 4, T98N, R57W

formerly owned by Dennis Mendel

has been transferred to CLINTON BAKER - RRI BOYLL FREEMAN S.D
(please include complete mailing address) 57029
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2740-3 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)
County of Hutchinson) ss.

I, Clinton Baker 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.

Clinton Baker
(Signed)

Subscribed and sworn to before me this 28th Day of January, 1989.

Harrie L. Hofer
(Notary Public)

Commission expires 1-17-91

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411612

Pierre, January 30, 1989

RECEIVED OF Clinton Bauer, RR1 Box 111, Freeman, SD 57027

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 _____ 2740-3	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 Hatchman
Chief Engineer

2740-3

SOUTH DAKOTA Department of
Water & Natural Resources

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

February 16, 1989

Clinton Bauer
RR1, Box 111
Freeman, SD 57027

Dear Mr. Bauer:

Enclosed is Receipt No. 411612 in the amount of \$ 2.50 which you paid for transfer of Water Right No. 2740-3.

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

Sincerely,

Marie R. Arthur

Marie R. Arthur
Water Rights Division
(605) 773-3352

NOTICE OF TRANSFER OF WATER



TO: Water Rights,
Foss Building
Pierre, SD 57501

Date: 1 / 3 / 89

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

221 acres - SW $\frac{1}{4}$ Section 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 4;

T98N, R57W

formerly owned by Dennis Mendel, Glendale, Arizona

has been transferred to Clinton C. Bauer and Darlene K. Bauer, husband & wife,
RR 1, Box 111, Freeman, SD (please include complete mailing address) 57029
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2740-3 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~~) Arizona
County of Maricopa) ss.

I, Dennis Mendel 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.

Dennis Mendel ✓
Dennis Mendel (Signed)

Subscribed and sworn to before me this 20 Day of December, 1989.

Jacqueline M. Van Dine
(Notary Public)
My Commission Expires June 12, 1991

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411579

Pierre, January 5, 1909

Ulmer & Hertz, Attorneys at Law for
RECEIVED OF Clinton Bauer, Rk 1, Box 111, Freeman SD

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 No. 2740-3 _____	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. Hertz
Chief Engineer KS

**SOUTH Dakota Department of
Water & Natural Resources**

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

January 31, 1989

Clinton C. and Darlene K. Bauer
RR 1 Box 111
Freeman, SD 57029

Dear Mr. & Mrs. Bauer:

Enclosed is Receipt No. 411579 in the amount of \$ 2.50 which you paid for transfer of Water Right No. 2740-3.

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

Sincerely,

Marie R. Arthur

Marie R. Arthur
Water Rights Division
(605) 773-3352





2740-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: CLINTON BAUER, 27825 431ST AVE, FREEMAN, SD 57029

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaires

Our records indicate that the 2009 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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) 2385-3 & 2740-3 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) 2746A-3, 5191-3 & 5921-3 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 10, 2010** 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) 2746A-3, 5191-3 & 5921-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2385-3 & 2740-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2010

Clinton Bauer
27825 431st Ave
Freeman SD 57029

RE; 2009 Irrigation Questionnaires for Water Permit or Right Nos. 2385-3, 2740-3, 2746A-3,
5191-3 and 5921-3

Dear Mr. Bauer:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2385-3, 2740-3, 2746A-3, 5191-3 and 5921-3

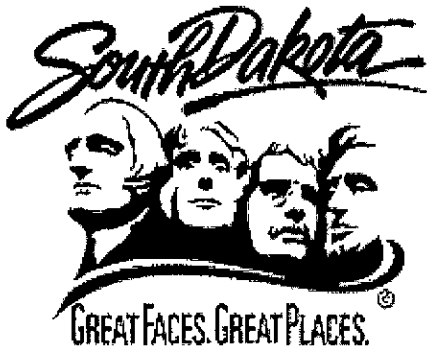
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



2740-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 26, 2020

2385-3
2740-3
2746A-3
5921-3

Mark Bauer
27983 431st Ave
Freeman SD 57029

Dear Mr. Bauer:

Thank you for calling concerning the water permits and water rights held by Clinton Bauer.

Enclosed as we discussed are partially completed "Notice of Transfer of Ownership" forms for use in filing ownership changes. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$200). The check or money order for the fee can be made payable to the Water Rights Program.

I checked and I was mistaken about filing of the transfer forms. If Clinton is still the owner, unless you have a power of attorney, the ownership changes will need to wait. I apologize for telling you wrong. You can hold on to the transfer forms until needed. They are a simple filing and are effective the day you send them back to us.

If you have any questions, please let me know.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 25, 2026

2385-3, 5921-3

2740-3, 2746A-3

Mark Bauer
27983 431st Ave
Freeman, SD 57029

Dear Mr. Bauer:

We understand that the property's authorized under Water Right Nos. 2740-3, 2764A-3, 2385-3, and Permit No. 5921-3, have all been sold to you. For your convenience I have enclosed partially completed "Transfer of Ownership" forms for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$200.00 (\$50.00 Each) made payable to "SD Water Rights Program" to cover the transfer fees. If you would prefer to pay by card you may call our Fiscal Office at 605.773.5559. These forms will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

MAR 10 2026

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 2740-3 Ck# 8760
Date: 3/6/2026 Rec't# _____

I/We request that Water Right/Permit No. 2740-3 formerly owned by:
Clinton Bauer be transferred to:

New Owner Name: Mark Bauer
Address: 27983 431st AVE mobile: 605-201-3803
City, State, Zip: Freeman S.D. 57024 email: markbauer451@gmail

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

221 acres located in the SW1/4 Section 3, and portions located in Section 4
All in T98N-R57W

RECEIVED

MAR 10 2026

OFFICE OF
WATER

☒ I understand that the validity of Water Right/Permit No. 2740-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Mark Bauer, the new owner, certify that the above information is true and correct.

Mark Bauer
(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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

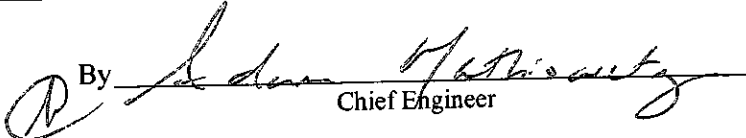
WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

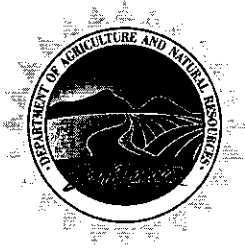
Date March 10, 2026

RECEIVED OF Mark Bauer 27983 431st Ave Freeman, SD 57029

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	\$ _____
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 #2740-3 _____	\$50.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL \$ _____

By 
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 10, 2026

2385-3, 2740-3, 2746A-3, 5921-3

Mark Bauer
27983 431st Ave
Freeman, SD 57029

Dear Mr. Bauer,

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" forms and the required fees you submitted for Water Permit No. 5921-3, & Water Right Nos. 2385-3, 2740-3 & 2746A-3. Enclosed are the receipts of payment for your records.

Water Permit No. 5921-3 & Water Right Nos. 2385-3, 2740-3, & 2745A-3, previously held by Clinton Bauer, are now listed under your name. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Permit/License's (copies enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Permit/License's will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Permit No. 2821-2, and Water Right Nos. 2385-3, 2740-3, & 2745A-3 have not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures