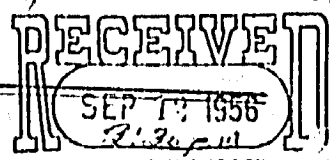


1. Considered Nov 13, 1956
2. Name of Applicant Harriette Shepard Mowbray #288-3
3. Post Office Address Charley S. Mox.
4. Amount of water claimed 2.28' of s
5. Source of water supply ground water
6. Water to be used for irrigation
7. ^{500 18- 200 5-10} Acres to be irrigated 160
Water to be diverted and used in Turner County about
4 miles 5 of Turner
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Proven Moxley Ave

#150 up



No. 788-3

Water Division No. 17 Vermillion River District
(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT
To Appropriate Water within the State of South Dakota
(NOTE—Draw a line through items not applicable.)
RAYMOND JHNEN - TRANSFERRED 5-1-68

1. Name of applicant Harriette S. Jhnenderson
Postoffice address Husley, County Turner, State S. D.

- I. ~~If a corporation~~
- (a) Name of same
 - (b) Date and place of incorporation
 - (c) Amount of capital stock
 - (d) Amount paid in
 - (e) Names and addresses of directors

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

- II. Method of accomplishing the work and financial resources of the applicant:
- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
Private Contract
 - (b) Cash on hand, \$
 - (c) Treasury stock, \$
 - (d) Bonds to be issued, \$
 - (e) Other resources, \$

2. Name of diversion work Harriette S. Jhnenderson 3#
3. Amount of water claimed 2.28 cubic feet per second
4. Source of water supply well
5. Location of point of diversion 11.5 miles N. of Husley
on bank County

6. Annual period or periods during which water is to be used
7. To be used for:

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

(a) Number of acres to be irrigated 160 acres.
(b) Legal subdivisions to be irrigated NW 1/4 19-98-52

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

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

12. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use
Name any of the above uses claimed
- (b) Amount of power to be generated horse power
Amount claimed for engine cooling
- (c) Location of plant
- (d) Method of developing power
- (e) Point where water will be returned to stream

8. Estimated cost of work:

(a) Head Gates, \$-----

(c) Fluming, \$-----

(e) Other structures

(d) Canal-earth, \$-----

(b) Pumping plant, \$3000.00

Rock, \$-----

Total, \$-----

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Height-----feet; length at bottom-----feet; length at top-----feet; thickness at bottom-----feet; thickness at top-----feet; slope at front water face-----; slope at back face-----

material used in construction-----

(b) Reservoir: Capacity when filled-----acre feet. Surface area at h.g. mark-----acres.

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

(c)* Head gate: Width-----feet; height-----feet

Material-----

(d) Canal: Total length-----miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work-----3-----years.

11. Time required for complete application of water to the proposed beneficial use-----2-----years.

12. Choice of newspaper for publication of notice of intention to appropriate-----Huron County Herald

STATE OF SOUTH DAKOTA

County of-----

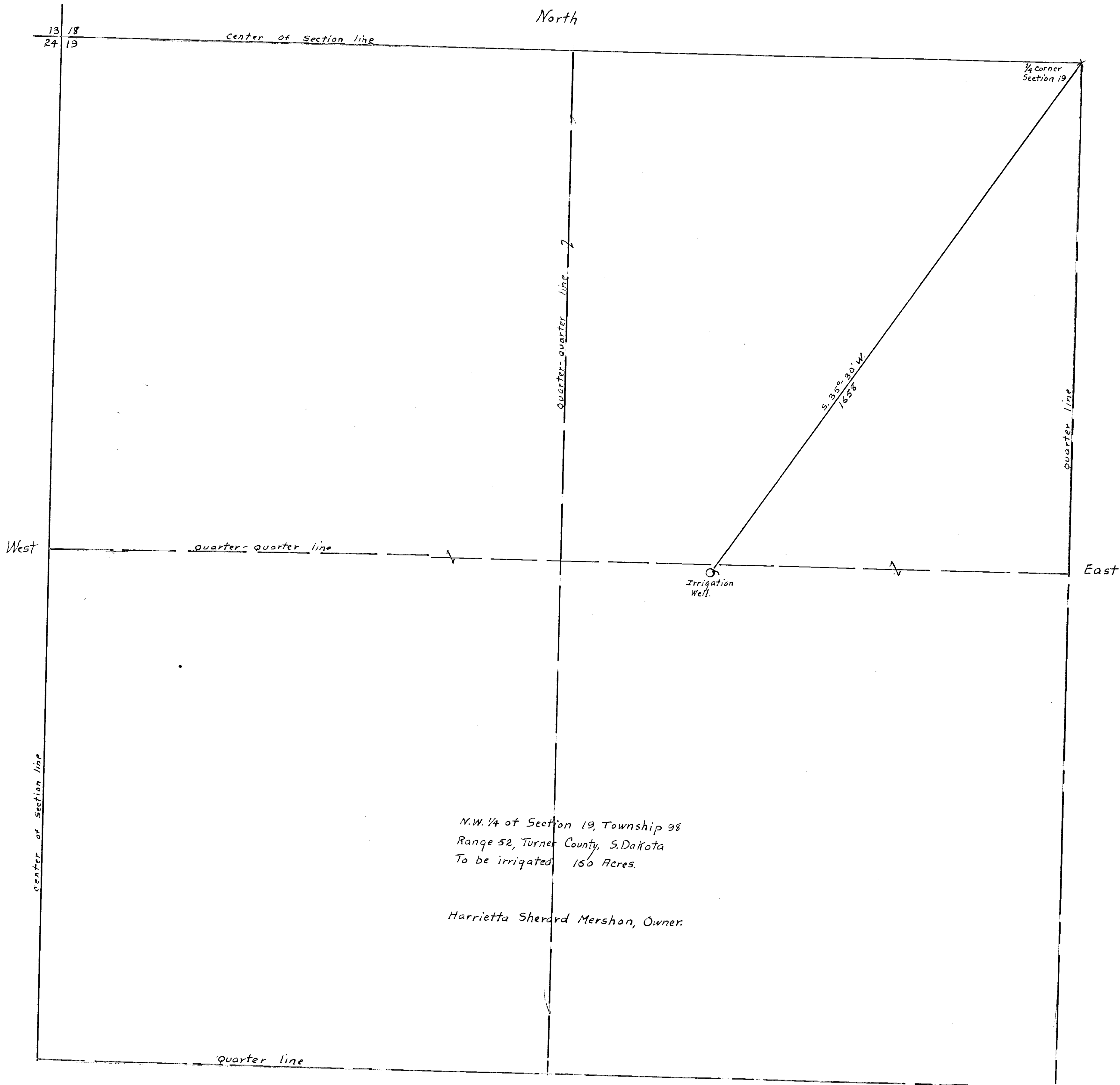
ss.

I, Charles Sherman, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed V. George Sherard

Subscribed and sworn to before me this-----11th-----day of-----Sept-----1956

Ernest E. Breen
Notary Public (or other qualified officer.)



Harrietta Sherard Mershon Irrigation Project #3.
N.W. 1/4 of Section 19, Township 98 - Range 52, Turner
County, South Dakota.

I, Ellis V. Nelson, a licensed engineer hereby certify
that I have made a survey of the N.W. 1/4 of Section
19, Township 98 - Range 52, Turner County, South Dakota
and located a well, for irrigation purposes, as indicated
on the above plat
Dated at Sioux Falls, South Dakota, September 13, 1956.

Ellis V. Nelson
Licensed Engineer

State of South Dakota } ss
County of Minnehaha

On this 13th day of September, 1956 before me the
undersigned officer, personally appeared Ellis V. Nelson
known to me or satisfactorily proven to be the person
whose name is subscribed to the within certificate and
acknowledged that he executed the same for the purpose
therein contained.

In witness whereof I hereunto set my hand and
official seal.

Notary Public

WATSON M. NELSON
Notary Public, South Dakota
Commission expires June 5, 1958

Ellis V. Nelson, Civil Engineer
Sioux Falls, S. Dakota, Sept. 56

Map No. 211-3
(App. No. 288-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Glenn } ss.

Pierre, South Dakota, September 25 1956

This is to certify that the foregoing application was received by the Commission at 3:30 o'clock
PM upon the 12 day of September, 1956

State Water Resources Commission

By: John R. Miller

Chief Engineer, Executive Officer

Number of permit 288-3

Date of first receipt of application September 12, 1956

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right September 12, 1956

Approved February 4, 1962, Recorded in Book 4 Page 13

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

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

August 4, 1958

2nd. The whole of said work is to be completed on or before February 4, 1960

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

February 4, 1962

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

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops to the exercise of the best husbandry; and farther, said appropriation must be limited to not more than one-hundredth (1/100) 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 February 4, 1962; said water to be used during the following described annual period:

April to September inclusive

Witness my hand this 22 day of March, 1957

State Water Resources Commission

By: John R. Miller

Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 8, 1968

Water License Issued MAY 8, 1968

Form 2A — Wells (Supplement to Form 2,

D. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 44'
Type of casing Steel
(wood, concrete, steel, etc.)
Size of casing 20", Thickness of casing 14 ga
Length of casing 45' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen Pumpster mill
Size of perforated screen 20" (diameter), 21' (length)
Thickness of gravel pack 5", length of gravel pack 28'

(c) Water Bearing Materials

Distance to water 14', Character of water bearing materials
Coarse Sand (stray)

Thickness of water bearing material

(d) Pump and Motor

Type of pump
(centrifugal, propeller, mixed flow, etc.)
Name of pump, size
Kind of motor
(gasoline, electric, diesel, etc.)
Horse-power, Name of Motor

(e) Complete well

Capacity Not Tested at drawdown of Estimated cost

(f) Owner of land upon which well is located

Harriette Howard
Name
Harley S. Bab
Address

(g) Distance to nearest existing wells

On same owner's property rods. On property owned by others 320 rods

Permit No. 288-3VERMILLION
Water Division No. 3 RIVER Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Raymond Ihnenof Hurley, County of Turner, and State ofSouth Dakota, the holder of Permit No. 288-3, issued upon ApplicationNo. 288-3, bearing date of priority of September 12, 1956, authorizing the diversion of2.28 cu. ft. per second of the waters of ground waterCounty of Turner, State of South Dakota, at a point S 35° 30' W.1658 feet from the NW $\frac{1}{4}$ Corner, Section 19, T98N, R52W, for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of

completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory

condition for diverting and conveying to the place of intended use 2.28 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: NW $\frac{1}{4}$, Section 19, T98N, R52W.Witness my hand this 8th day of May A. D. 1968

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 288-3 ..

WHEREAS, On the 12th day of September A. D. 1956

Harriette Sherard Mershon

of Hurley County of Turner and State of South Dakota duly made application (No. 288-3) to us for a permit to use 2.28 cubic feet per second of the waters of ground water County of Turner, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 22nd day of March A. D. 1957 Permit No. 288-3 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 4th day of February A. D. 1960 and for the application to beneficial use of said water on or before the 4th day of February A. D. 1962 and, whereas on the 1st day of May, 1968, Permit 288-3 was transferred to Raymond Ihnen, and

WHEREAS, On the 1st day of May A. D. 1968 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.28 cubic feet per second of said waters, as evidenced by our Certificate No. 288-3 dated May 8, 1968 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.28 cubic feet per second of water, with date of priority of September 12, 1956 and, and,

WHEREAS, On the 1st day of May A. D. 1968 proof was duly made of the application to beneficial use of 2.28 cubic feet per second of said water; for irrigating the NW $\frac{1}{4}$, Section 19, T98N, R52W

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 Raymond Ihnen
of Hurley the holder and owner of said permit No. 288-3
a water right, dating from September 12, 1956 to the use of 2.28
cubic feet per second of the waters of ground water
in the County of Turner and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at a point 8.35° 30' W., 1658
feet from the NW corner, Sect. 19, T98N, R52W
and conducted to and upon the NW 1/4, Section 19, T98N, R52W

for the purpose of irrigation, subject to any limitations listed in the

Permit to Appropriata Water, and

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

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 8th day of May A. D. Nineteen
Hundred and sixty - eight

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Ac't _____ c. f. s. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

(First Publication before October 12 1956)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., September 25, 1956

Notice is hereby given that Harriette Sherard Mershon whose postoffice address is Hurley S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from ground water through the Harriette Sherard Mershon #3, the point of diversion of which is to be located on the bank or stream in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19 Twp. 28N Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:

NW $\frac{1}{4}$, Sec. 19, T 28N, R 52W

and for irrigation purposes.

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

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

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

cc: Mr. L. D. Hofmeister, Publisher
The Hurley Leader
Hurley, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Turner

} ss.

L. D. Hofmeister being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Hurley Leader a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the Hurley Leader of Hurley County of Turner and State of South Dakota; that the said notice was published in said newspaper on the following dates:

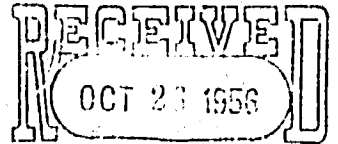
Thursday, Oct. 4, 1956
" Oct. 11, "
" Oct. 18, "
" Oct. 25, "

in each and every issue of the full number thereof, the first publication being made on the 4th day of Oct. 1956 and the last publication on the 25th day of Oct. 1956, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Owner the printer and publisher of the said newspaper.

L. D. Hofmeister

Subscribed and sworn to before me this 25th day of October A. D. 1956

Enoch T. Buell
 Notary Public Turner County, S. D.



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

Legal Notice

Form 6—Notice of Intention to Appropriation of Water
 Office of State Water Resources Commission,

Pierre, S. Dak., Sept. 25, 1956
 Notice is hereby given that Harriette Sherard Mershon, whose postoffice address is Hurley, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from ground water through the Harriette Sherard Mershon No. 3, the point of diversion of which is to be located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, Twp. 98N, Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:

NW $\frac{1}{4}$, Sec. 19, T 98N, R 52W.
 This application will be taken

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

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

State Water Resources Commission

By: J. H. Grimes, Chief Engineer, Executive Officer
 (Oct. 4-11-18-25)

NOTICE OF TRANSFER OF WATER PERMIT

MAY 1, 1968

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that HARRIETTE SHEPARD MERSON

who previously owned the land described below has sold his interests to RAYMOND TURNER

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 288-3

and as provided for in section 61.0141 of the SDC of 1939 and elsewhere

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

County of TURNER } ss.

I, Robert J. Haas, being first duly sworn on my

oath depose and say: That my relation to 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.

Signed Raymond Turner

Subscribed and sworn to before me this 1st day of MAY, 1968

Robert J. Haas
Notary Public

Permit No. 288-3
VERMILLION
 Water Division No. 3 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

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

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____
 I have this day made a thorough examination of the diversion works constructed by _____
RAYMOND INNEN, of MURLEY
TURNER County, South Dakota, holder of Permit No. 288-3, Issued
 upon Application No. 288-3, bearing date of priority of SEPTEMBER 12, 1956, authorizing the
 diversion of 2.28 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 44' WELL WITH LAYNE BOWLER 8" PUMP,
POWERED BY 75HP G.E. ELECTRIC MOTOR @ 1470 RPM,
400' 8", 640' OF 6" & 880' OF 5" PIPE WITH 2 VERMEER
180 BOOMS. (PIPE & BOOMS USED INTERCHANGEABLY WITH
457-3 & EQUIPMENT SHOWN ON 455-3 & 456-3)

and the system is in the following condition: GOOD

The point of diversion is located S. 35° 30' W, 1658 FEET FROM THE
N 1/4 CORNER, SECTION 19, T 98N, R 52W

The works are capable of diverting and conveying to the place of use 2.28 cu. ft. per second of water,
 which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: NW 1/4 SECTION 19, T 98N, R 52W

comprising a total of 160 acres of land

The domestic use intended comprises _____

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

Witness my hand, this 15TH day of MAY, A. D. 1968

—SEAL—

Sturton
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

Department of Water & Natural Resources

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

Water Resources Engineer
605 773-3352

March 7, 1984

NOTICE

Dear Sir:

The Water Management Board has directed that all owners of Water Permits not in compliance with the requirement:

"All irrigation Permit owners.....shall submit the Irrigation Questionnaire mailed to them each year by the Chief Engineer."

be notified of this requirement.

Our records show we have not received the 1983 Irrigation Questionnaire for your Permit. The questionnaire was requested:

- 1) November, 1983 initial request
- 2) December, 1983 followup request

Owners of Water Permits not in compliance with the annual Irrigation Questionnaire requirement are being given until April 2, 1984 to submit the 1983 questionnaire. The Board will consider disciplinary action April 25, 1984 including amending those permits for which the 1983 questionnaire has not been received by April 2 with the following qualification:

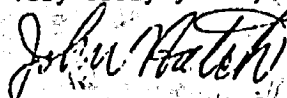
"This Permit amended April 25, 1984 is subject to the Irrigation Questionnaire being submitted each year."

Amendment of a Permit will mean that a Permit can be suspended for up to one year for continued violation of the Irrigation Questionnaire requirement.

The hearing before the Water Management Board April 25, 1984 will be at 10:45 am, Room 216, Joe Foss Building, Pierre SD. The amendment may be made pursuant to SDCL 46-1-14.

Enclosed is an additional questionnaire. Please advise if you have any questions, or you do not believe our records are correct.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

enclosure

Equal Opportunity Employer



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

March 14, 1984

288-3
457-3
1664-3
4645-3

Raymond Ihnen
Box 45
Chancellor SD 57015

Dear Mr. Ihnen:

This letter will acknowledge receipt of and thank you for the return of your 1983 Irrigation Questionnaires. A notice was sent March 7, 1984 regarding the Irrigation Questionnaire submittal violation of Permit No. 4645-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation. Notice was also sent to you concerning possible Board action to amend Water Right Nos. 288-3, 457-3 and 1664-3 if the questionnaires were not received. Our records now show that you have returned your 1983 Irrigation Questionnaires and are no longer in violation.

Please disregard the notices sent to you dated March 7, 1984. Your name has been deleted from the agenda pertaining to these hearings.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:GM:ks

Equal Opportunity Employer

288-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 27, 1995

No. 288-3
457-3
1664-3
4645-3

Dennis Ihnen
27965 459th Ave.
Hurley, SD 57036

Dear Mr. Ihnen:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 288-3, 457-3, 1664-3 and 4645-3. The water rights are currently listed in the name of Raymond Ihnen.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 per transfer, a total of \$10.00.

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 me.

Sincerely,

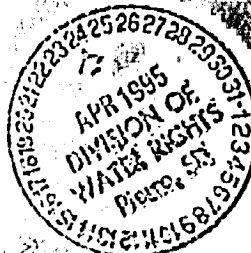
A handwritten signature in cursive script that reads 'Cheryl F. Frost'.

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 288-3

Date: April 4, 1995

II We request that Water Right No. 288-3

formerly owned by: Raymond Ihnen, RR #1 Box 21, Hurley, SD 57036

be transferred to: (name & address) Dennis and/or MaryKay Ihnen 27965 459th Ave

Hurley SD 57036

(Telephone No) 605-238-5646

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

NW 1/4 Section 19, T98N, R52W

● We understand that the validity of Water Right No. 288-3 has not been determined by this transfer action. If ● We have any questions on validity, ● We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA

County of Turner

• We Dennis &/or MaryKay 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.

Dennis Ihuen
(Signed)

(Signed)

Mary Kay Innis

Subscribed and sworn to before me this 17th day of April, 1995

Kimella Kuder
(Notary Public)

DANELLE DUDEN
My Commission Expires Nov. 7, 2002.

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

414479

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, SD

April 24, 1995

RECEIVED OF Mary Kay Ilmen, 27965 459th, Hurley, SD 57036

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 <u>Water Right No. 288-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

John W. Hatched

288-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 12, 1995

No. 288-3
457-3
1664-3
4645-3

Dennis and Mary Kay Ihnen
27965 459th Ave.
Hurley, SD 57036

Dear Mr. and Ms. Ihnen:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 288-3, 457-3, 1664-3 and 4645-3.

Our records now show you as the owner of Water Right Nos. 288-3, 457-3, 1664-3 and 4645-3.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl F. Frost".

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

RECEIVED
SEP 11 2006
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 288-3

Date: 8-28-06

I/We request that Water Right/Permit No. 288-3 formerly owned by:

Dennis Ihnen be transferred to:

New Owner Name:

Roger Ihnen

Address:

Po Box 213

City, State, Zip

Lennox SD 57039

Telephone No. 605 647-2102

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

~~The South Half (S 1/2) of the Northwest Quarter (NW 1/4), except Ihnen's Tract, an addition in the West Half (W 1/2) of Section 19, Township 98, Range 52, Turner County, South Dakota, comprising 41.55 acres more or less.~~
Northwest one-fourth (NW 1/4) of Section 19, T 98 R 52 W Turner County South Dakota.

☒ I understand that the validity of Water Right/Permit No. 288-3 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 Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, Roger Ihnen, the new owner, certify that the above information is true and correct.

Roger Ihnen
(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.

RECEIVED
SEP - 1 2006
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9-1, 20 06

RECEIVED OF Roger Thuen, PO Box 213, Leppox SD 57039

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>288-3</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. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

02530

By

Harland Thuen
Chief Engineer
gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 5, 2006

288-3

Roger Ihnen
PO Box 213
Lennox SD 57039

Dear Mr. Ihnen:

Today, I spoke with Mrs. Ihnen concerning the transfer of ownership for Water Right No. 288-3. Enclosed as we discussed is a copy of Water Right No. 288-3. I am also returning the transfer form you completed for No. 288-3. If any changes need to be made with the legal description on the transfer form, go ahead and write them in.

Once you have finished with the transfer form, please return it to our office and I will process the ownership change. No further fees are necessary. I am including a postage paid envelope for your convenience.

Thanks in advance for your help and if you have any questions, please contact me.

Sincerely,

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

enclosures



288-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 12, 2006

288-3
457-3
1664-3

Roger Ihnen
PO Box 213
Lennox SD 57039-0213

Dear Mr. Ihnen:

I am writing to acknowledge the ownership changes you filed for Water Right Nos. 288-3, 457-3 and 1664-3. The transfers have been completed. The water rights formerly held by Dennis and Mary Kay Ihnen are now listed in your name.

Enclosed are your Receipt Nos. 02567, 02568 and 02569 in the amounts of \$2.50 each which you paid for the filing fees. You may keep these for your records.

If you have any questions, please contact me.

Sincerely,

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

enclosures