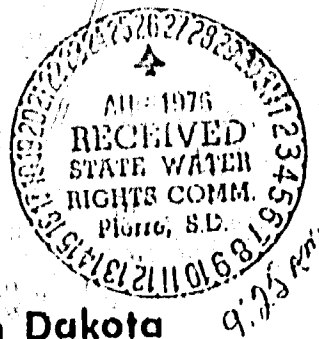


Water Right Number 2955-3

1. Considered 9-29, 1970
2. Name of Applicant RONALD SEVERTSON
3. Post Office Address FLANDREAU
4. Amount of water claimed 2.2
5. Source of water supply 40' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 170
7. Water to be diverted and used in MOODY County
about 15, 3E Miles of FLANDREAU
8. Proof of Publication Received 9-27-76
Not received

2955-3 Ronald Severtson
3-17-75 Well 50' deep - 25' to surface
Flowing 750 gpm - capacity over 700
Ground - 8' PVC from well to
main line of NW 1/4 Sec. 25. Well
140' x 50' E of NW cor. Sec. 25
Electricity CP - Over 20 ft. under
H CP cover 14' deep
Motor - 415 Elec. 60 H.R. 1100 gpm
I.D. R 6234-52-130 R412 75' H
Pump - Nitand Model N260-8
Lot # 577-684

No. 2286-3Map No. 2286-3 Water Division No. 3 Big Sioux 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 Ronald Swerdtson
Postoffice address Elmdale State S. Dak. 57028
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Ronald Swerdtson Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.7
5. Source of water supply well
6. Location of point of diversion 1860' N 1350' W of NE corner of Sec 26-107-48
County Moody
7. Annual period or periods during which water is to be used April through October
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 170

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 of NE 1/4 Sec 26-107-48	40	N 1/2 of SE 1/4 Sec 26-107-48	13
NE 1/4 " " " " " "	38		
SW 1/4 " " " " " "	40		
SE 1/4 " " " " " "	39		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system FIVE years. Additional time required to complete application of water to the proposed beneficial use three years.
11. Choice of newspaper for Notice of Intent to appropriate Water publication Moody County Enterprise
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source. well with electrically driven deep well turbine
- B. Works proposed to transport water to place of use. closed conduit
- C. Works proposed to apply water to beneficial use. center pivot irrigation machine

Estimated Total Cost \$ 45,000Attachments: 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 BrookingsI, Ronald Swerdtson 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

Ronald Swerdtson

Subscribed and sworn to before me this

16

day of

Aug1976John Sullivan
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2955-3

RONALD SEVERTSON
(Applicant)

FLANDREAU
(Post Office Address)

SOUTH DAKOTA 57028 With the following modifications.
(State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation 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 or in irrigation wells having prior water rights.

Date of first receipt of application AUGUST 26, 19 76

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

Date of receipt of corrected application SEPTEMBER 3, 19 76

Approved SEPTEMBER 30, 19 76, Recorded in Book 16 Page 68

WATER RIGHT PERMIT NO. 2955-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2955-3 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 a plicant may claim right is AUGUST 26, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 30, 19 79
3. The whole of said work is to be completed on or before SEPTEMBER 30, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 30, 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 2.2 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 SEPTEMBER 30, 19 81; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 29TH day of NOVEMBER, 19 76

WATER RIGHTS COMMISSION

By:

John H. Haled
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 30", Depth 40'
(2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 14" Thickness 3/16"
(3) Perforated Screen.
Type Cent. Split, Diameter 14", Length 10'
(4) Gravel Pack, Thickness 5", Length of gravel pack 20'

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 Gravel and sand mixed
from 13' to 40' depth. Clay beneath

Depth to top of water bearing material 12'

Depth to bottom of water bearing material 40'

Thickness of water bearing material 2-8'

Depth to water (ground surface to water level) 12'

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

On same owner's property No Supply rds. On property owned by others 180 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.

Reed S. Leventer
Signature of Applicant

CONSERVATION
COMMISSION
FORM W1 #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME Ronald Severson
ADDRESS Flintrock S. Dak.
COUNTY Moody

LEGAL DESCRIPTION

1. WELL LOCATION Center of NE⁴ Sec 26 - 107 - 48
2. LOCATION OF AREA TO BE IRRIGATED NE⁴ of Sec 26 - 107 - 48

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED _____

WATER QUALITY

5. SAMPLE NUMBER 76-1044
6. SALINITY (EC x 10⁶) 836
7. SODIUM (SAR) 0.26
8. RESIDUAL SODIUM CARBOATE (meq/l.) 0



I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and; the soils information has been acquired from _____ Conservation District, County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true and correct.

Ronald Severson
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
16 DAY OF Aug 1976.

John E. Seema
(TITLE OR SEAL)

Approved
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

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

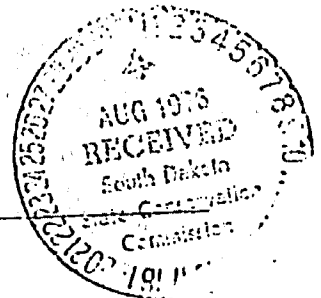
Submitted by: Pom. Id. Severson
 Address: Flaxton, SD 57028

Date Rec'd: August 16, 1976
 Sample No.: 76-1044
 Identification: CLL-15
IL, Sec. 26, T. 107N, R. 48W

WATER ANALYSIS

Calcium (Ca)	134	ppm*	6.70	me/l**
Magnesium (Mg)	33	ppm	2.71	me/l
Sodium (Na)	13	ppm	0.57	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	110	ppm	2.29	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.35	me/l
Bicarbonate (HCO ₃)	420	ppm	6.85	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		B.P.G.***
Alkalinity (Methyl Orange)	344	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	836	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.26			
Sodium	5.59	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.45			
Others:				

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



COMMENTS: Total cations 10.19 me/l
 Total anions 9.52 me/l

By: Shirley Hittan

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID
Make checks payable to <u>Water Quality Laboratory</u>	
Cut along dotted line and turn the lower portion with payment	
Sample No. <u>76-1044</u>	Amount Enclosed \$
	Signed

Form 6 - Notice of Intent to Appropriate Water

No. 2955-3

Publish first publication, on or before September 15, 19 76

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

~~September 10~~, 19 76

Notice is hereby given that Ronald Severson
whose post office address is Flandreau, 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
2.2 cubic feet of water per second of time from the ground water through the
Severson # 1, the point of diversion of which is to be located in the

Center of the NE $\frac{1}{4}$

of Section 26, Twp. 107N, Range 48W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 26, T107N, R48W

This application No. 2955-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 29th day of September, 19 76, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Ronald Severson, Flandreau, S. D. 57028

No. 2935-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Goody) ss.

Dorothy M. Lyford hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Moody County Enterprise

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 Flandreau

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

Sept. 15, 1976 //

Sept. 22, 1976

Dorothy M. Lyford
(Signature)

Lockkeeper
(Title)

Sept. 22, 1976
(Date Signed)

NOTICE

INTENT TO APPROPRIATE WATER
Pierre, South Dakota 57501
September 10, 1970

Notice is hereby given, that Rural Severton, whose post office address is Flandreau, 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 2.2 cubic feet of water per second of time from the ground water through the Severton No. 1; the point of diversion of which is to be located at the center of the NE 1/4 of Section 26, Twp. 107 N, Range 48 W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, NW 1/4, SE 1/4, Section 26, T. 107 N, Range 48 W.

This application No. 2955-3 will be considered by the Water Rights Commission at their office at Pierre, on the 29th day of September, 1970, at 1:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION
By: Burton F. Jones
Water Rights Specialist



Form 10.

No. 27



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

Post Office Landrean

Date 12/28/77

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sir:

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. 2955-3.

Water Right Permit No. 2955-3 states that the diversion system is to be constructed by Sept 30, 1981 and that the water is to be put to beneficial use by Sept 30, 1984.

The diversion system was completed on June 20, 1977.
Applying the water to beneficial use was completed on July 25, 1977.

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.

Ronald Stevenson
(Signature)

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 2, 1986

Ronald Severtson
RR 2, Box 25A
Flandreau, SD 57025

NOTICE

Re: Violation of Water Permit No(s). 2956-3, 2955-3 A, and 2955-3 and 1985 Irrigation Questionnaire Requirements.

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 2956-3, 2955-3 A, and 2955-3. The request for the questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board of violation of Water Permit No(s). 2956-3, 2955-3 A, and 2955-3 qualification:

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

The hearing will also be to determine if Permit No(s). 2955-3 A should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:00 p.m., May 14, 1986, in Room 216, Joe Foss Building, Pierre, South Dakota.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 2956-3, 2955-3 A, and 2955-3 until either the 1985 Questionnaire is submitted or for the period of up to one year;
2. Amend Permits No(s). 2955-3 A also held by Ronald Severtson to require the Irrigation Water Use Questionnaire to be submitted each year;

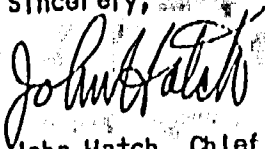
Ronald Severson
April 2, 1986
Page 2

3. Postpone any action;

4. Take no action.

The hearing(s) 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.

Sincerely,



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

Note: If the questionnaire(s) are received in this office before the May 14th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

D32403KS.WR

SOUTH DAKOTA
Department of
Water & Natural Resources

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Roland Severtson
RR 2 Box 25A
Flandreau SD 57028

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

John Hatch

SUBJECT: Amendment to Water Permit No(s). 2956-3 & 2955-3

Pursuant to the provisions of the notice dated April 2, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 2956-3 & 2955-3 to add the following qualification:

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

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

Equal Opportunity Employer

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

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

Attachment to Water Permit No. 2955-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 2955-3 to add the following qualification:

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

Equal Opportunity Employer

Water Rights Division - DWIR
Conversation or File Documentation

vt 2955-3A
File No. 2955-3

NAME OF PERSON OR FILE: Ronald Severson

ADDRESS: Flandreau COUNTY Mon. Dy

DATE: July 2, 1986 10:40am TELEPHONE _____

RE: Suspended irrigation water permit/rights for the 1986 irrigation season

COMMENTS:

#2955-3A

Center pivot system is setup. System is not working at the present time but may have been used earlier this year because tire ruts are evident with some corn stalks bent over. Corn is approximately 3 1/2' - 4' tall, which appears to be taller than the corn in adjacent fields which don't have an apparent irrigation system.

#2956

Center pivot system is set up but it doesn't appear that the system has been used this year. Beans growing in field.

* Talked with neighboring farmer and he said that Ronald Severson had lost his farm to the bank. The Bank then leased the land to Scott Ramsdell (local fertilizer dealer).

Contacted Scott Ramsdell at the Following Address:

Agricola Crop Monitors

Box 307

Flandreau, SD 57028

Scott Ramsdell or Kevin Branick

Mr. Ramsdell stated that he had no prior (cover)

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: David L. Brown

Water Rights Division - DWR

File No. _____

Conversation or File Documentation

NAME OF PERSON OR FILE: Ronald Severson (continued)ADDRESS: _____ COUNTY Mary

DATE: _____ TELEPHONE: _____

RE: _____

COMMENTS:

Knowledge that the 1985 Irrigation questionnaire was not completed by the previous owner (Ronald Severson). He stated that he had put 2" of water on farmland (permit #2955-3A). He had planned on irrigating during the 1986 irrigation season using permits #2955-3A & #2956.

Mr. Ramsdell then called Water Rights and wanted to talk to John Hatch concerning the suspension of the 1986 irrigation permit. John Hatch was not in the office so Jim Winterton was taking John's calls. Mr. Ramsdell explained the circumstances surrounding the ownership of the land and Winterton gave permission for Mr. Ramsdell to irrigate during the 1986 irrigation season (or until further notice).

Mr. Ramsdell expressed an interest in having the permits #2955-3A and #2956 transferred to his name.

2955-3 & 2956-3 not amended & 2955-3A not suspended due to improper notice

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Daniel S. Brown

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

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

August 7, 1986

2955-3
2955-3A
2956-3

Jeff Jones
Farmers State Bank
120 2 E
Flandreau SD 57028

Dear Mr. Jones:

I am contacting you in regard to Water Permit Nos. 2955-3, 2955-3A, and 2956-3 listed in the name of Ronald Severtson of Flandreau. It is my understanding that the lands described in the above permits are now owned by the Farmers State Bank.

Enclosed are three partially completed transfer forms for transferring Mr. Severtson's permits to the bank. Please check them over to insure accuracy, sign in the presence of a notary and return them to our office with a filing fee of \$2.50 each (total of \$7.50). Upon receipt of the completed forms and filing fees in our office, all pertinent records and water permit Nos. 2955-3, 2955-3A and 2956-3 will be transferred to the bank.

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.

Please notify our office if the land is sold so new transfer forms can be completed. If I can answer any questions, please advise.

Sincerely,

Genny McMath

GENNY MCMATH
Natural Resources Analyst

GM:ks

enclosure

NO. 2955-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 8/12/ 86

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

NE 1/4 Section 26, T107N, R48W

formerly owned by Ronald Severson

has been transferred to Farmers State Bank Box 289 Flandreau S. D. 57025
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2955-3 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 Moody) ss.

I, D. O. Halse 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.

D. O. Halse
(Signed)

Pres. Farmers State Bank Flandreau

Subscribed and sworn to before me this 12 Day of Aug., 1986.

Linnea D. Jensen
(Notary Public)



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410515

Pierre, August 13, 1985

RECEIVED OF Farmers State Bank, Box 289, Flandreau, SD 57028

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 2955-3 _____	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 Hatch
Chief Engineer JOHN HATCH/ES

**Department of
Water & Natural Resources**

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

WATER RIGHTS DIVISION
(605) 773-3352

August 14, 1966

Farmers State Bank
Box 289
Flandreau, South Dakota 57028

Dear Sir:

Enclosed are receipt Nos. 410515, 410514 and 410513 in the amount of \$2.50 each, total of \$7.50 which you paid for transfer of Water Right Nos. 2955-3, 2955-3A and 2956-3.

Our records now show Farmers State Bank as the owner of these Water Rights.

Sincerely,

Maxine Stirling

Maxine Stirling
Secretary

ms/
Enc.3

Equal Opportunity Employer

South Dakota
Department of
Water & Natural Resources

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

October 21, 1987

2955-3
2955-3A
2956-3

James Ramsdell
116 E 1st Ave
Flandreau, SD 57028

Dear Mr. Ramsdell:

The Farmers State Bank in Flandreau has notified our office that you now own the land covered under Water Permits Nos. 2955-3, 2955-3A, and 2956-3. I have enclosed a copy of these water permits for your records.

In order for the permits to be changed over to your name, it will be necessary for you to file a "Notice of Transfer" with our office for each permit. Enclosed are partially completed transfer forms. Please check over the forms, sign and have them notarized. Upon completion of these forms, return them to our office with a required filing fee of \$2.50 each (total of \$7.50).

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.

Also enclosed are the 1987 Irrigation Water Use Questionnaires and a postage paid return envelope. These forms are for use in reporting any irrigation done on the lands during 1987. Water Management Board Rules or water permit qualifications require the Irrigation Questionnaire to be submitted each year. Please complete the enclosed questionnaires as accurately as possible and return them by November 30, 1987.

If you have any questions, or need assistance in completing the transfer forms or irrigation questionnaires, please contact us.

Sincerely,

Genny McMath

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl

South Dakota
Department of
Water & Natural Resources

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

October 21, 1987

2955-3

2955-3A

2956-3

James Ramsdell
116 E 1st Ave
Flandreau, SD 57028

Dear Mr. Ramsdell:

The Farmers State Bank in Flandreau has notified our office that you now own the land covered under Water Permit Nos. 2955-3, 2955-3A, and 2956-3. I have enclosed a copy of these water permits for your records.

In order for the permits to be changed over to your name, it will be necessary for you to file a "Notice of Transfer" with our office for each permit. Enclosed are partially completed transfer forms. Please check over the forms, sign and have them notarized. Upon completion of these forms, return them to our office with a required filing fee of \$2.50 each (total of \$7.50).

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.

Also enclosed are the 1987 Irrigation Water Use Questionnaires and a postage paid return envelope. These forms are for use in reporting any irrigation done on the lands during 1987. Water Management Board Rules or water permit qualifications require the Irrigation Questionnaire to be submitted each year. Please complete the enclosed questionnaires as accurately as possible and return them by November 30, 1987.

If you have any questions, or need assistance in completing the transfer forms or irrigation questionnaires, please contact us.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl

NO. 2955-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 11-27-87

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

NE 1/4 Section 26, T107N, R48W

formerly owned by Farmers State Bank, Flandreau SD

has been transferred to James Ramsdell, 116 E 1st Ave, Flandreau SD 57028

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2955-3 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 Moody } ss.

I, James Ramsdell being first duly sworn on my oath despose 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.

James Ramsdell
(Signed)

Subscribed and sworn to before me this 27th Day of November, 1987

James A. Lahr
(Notary Public)

JAMES A. LAHR, Notary Public
My Commission Expires 9-9-1993

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3131

December 1, 1987

James Ramsdell
PO Box 208
Flandreau, South Dakota 57028

Dear Mr. Ramsdell:

This letter will acknowledge receipt of the "Notice of Transfer" forms you submitted for change in ownership of Water Permit Nos. 2956-3, 2955-3A and 2955-3. The forms were completed properly, however, they cannot be filed for record without a \$2.50 fee for each transfer.

Please remit a total of \$7.50 to cover the filing fees. Upon receipt of the fees, the above water permits will be transferred to your name.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst

GM:ms

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

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

WATER RIGHTS DIVISION
(605) 773-3352

December 9, 1987

James Ramsdell
PO Box 208
Flandreau, South Dakota 57028

Dear Mr. Ramsdell:

Enclosed are receipt Nos. 411087, 411088 and 410089 in the amount of \$2.50 each which you paid for transfer of Water Permit Nos. 2956-3, 2955-3A and 2955-3.

Our records now show you as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

RECEIPT

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

411089

Pierre, _____ December 9, 1987

RECEIVED OF James Ramsdell, PO Box 208, Flandreau, SD 57028

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 2055-3

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

2 50

By

Chief Engineer

JOHN HATCH

(MS)

South Dakota

DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

March 8, 1991

Scott Ramsdell
411 W Park
Flandreau SD 57028

Dear Mr. Ramsdell:

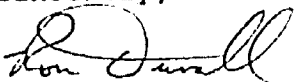
This letter is in response to our phone conversation on March 6, 1991, regarding a change in ownership of irrigated property.

Permit Nos. 2955-3 and 2955-3A identify property located in the NE1/4 section 26 and the well located in the NW1/4 SW1/4 NW1/4 section 25. Permit No. 2955-3A authorized a change in the location of the well permitted under 2955-3 from the NE1/4 section 26 to the present location in section 25 to irrigate the NE1/4 section 26. The other water right (No. 2956-3) identifies property located in the NW1/4 with the well located in the center of the NW1/4; all in section 25.

You noted during our conversation that the Ramsdell's hold the property (1 acre) the well is located on in the SW1/4 NW1/4 section 25. If I understood our discussion correctly, then you should retain Permit Nos. 2955-3 and 2955-3A while Mr. Severtson receives Water Right No. 2956-3.

Please contact me if you disagree with this assessment of the situation.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352



JAMES RAMSDALL
PO BOX 307
FLANDREAU SD 57028

2955-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit Nos 2955-3, 2955-3A and 1991 Irrigation
Questionnaire Requirements

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit Nos 2955-3, 2955-3A. The request for the Questionnaires was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2955-3 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) 2955-3A qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. 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) 2955-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2955-3 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 before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 5, 1992

2667-3
2955-3
2955-3A

Scott Ramsdell
PO Box 307
Flandreau, SD 57028

RE: 2955-3 and 2955-3A James Ramsdell; 2667-3 - INOR Inc

Dear Mr. Ramsdell:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 2955-3 and 2955-3A and Water Right No. 2667-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division



2955-3

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

January 30, 1996

NOTICE

TO: JAMES RAMSDELL, PO BOX 307, FLANDREAU, SD 57028

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

SUBJECT: Violation of Water Permit No(s) 2955A-3, 2955-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2955A-3, 2955-3. The request for the Questionnaires was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2955-3 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) 2955A-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2955A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2955-3 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 1, 1996, 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.



2955-3

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

January 31, 1996

2955-3
2955A-3

James Ramsdell
PO Box 307
Flandreau, SD 57028-0307

Dear Mr. Ramsdell:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires and chemical use report. You may disregard the January 30, 1996, Notices for "Violation of Water Permits and 1995 Irrigation Questionnaire Requirements" and "Failure to Report Chemical Use."

The forms were completed for you following my January 31, 1996 telephone conversation with Scott Ramsdell. Since 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 Division
(605) 773-3352



August 23, 1996

2955-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

Permit No. 2955-3A

James Ramsdell
P.O. Box 307
Flandreau, SD 57028-0307

Dear Mr. Ramsdell:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 2955-3 and 2955-3A, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 2955-3 will be incorporated into 2955-3A.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

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

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



2955-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 17 1996

2955-3A

James Ramsdell
P.O. Box 307
Flandreau, SD 57028-0307

Dear Mr. Ramsdell:

Enclosed is Water License No. 2955-3A. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415073 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2955-3A, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

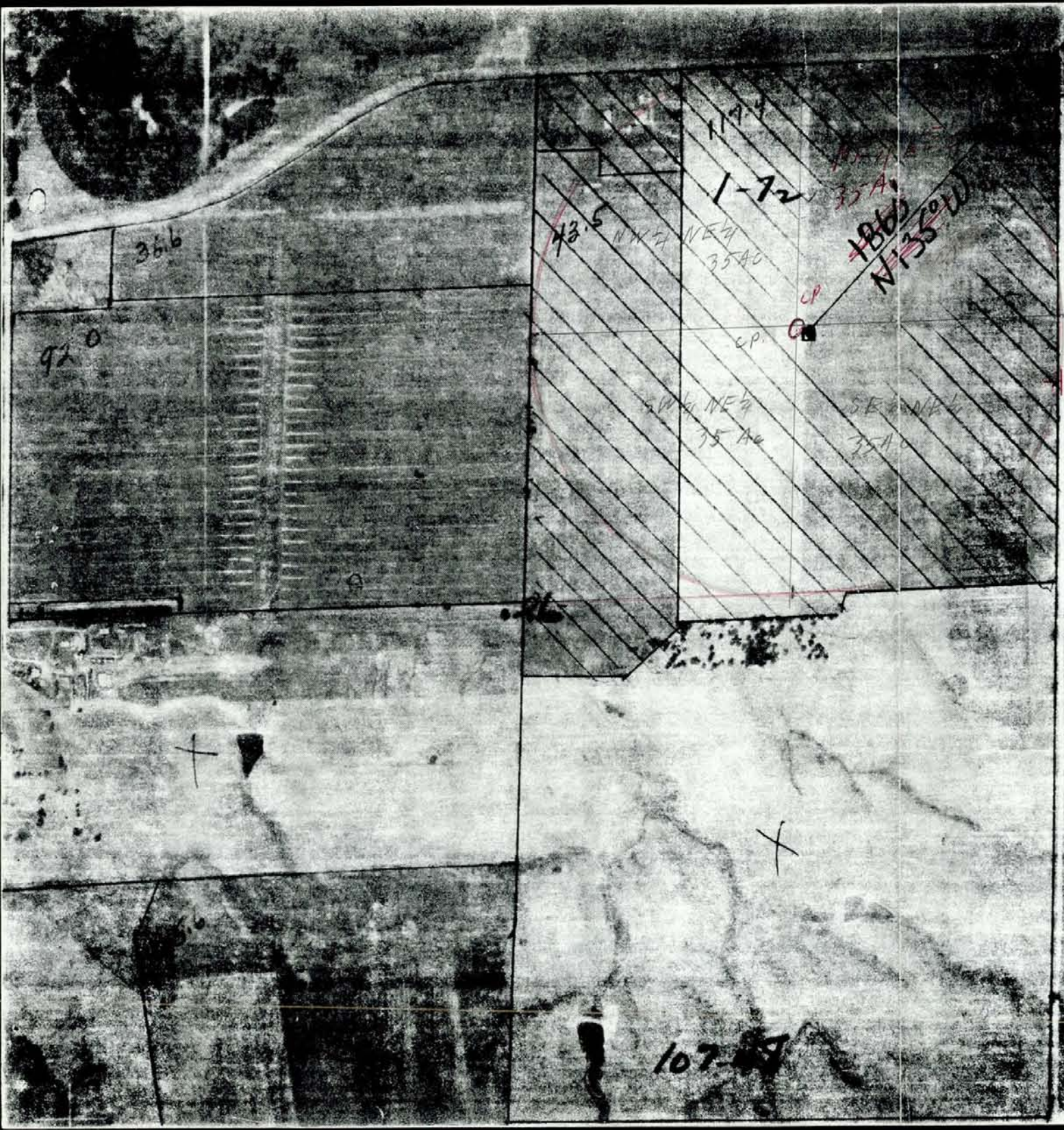
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of No. 2955-3 have been incorporated into this Water License No. 2955-3A.



55.6
40

1400'

RONALD SEVERTSON

Irrigation Project #1
Flandreau S.D.

Acres Irrigated - 170
Water claimed - 2 cfs
Point of Diversion - 1866' N 135° W
of NE 1/4 of Sec 26 - 107-

Surveyor's Certificate

I, John L. Wiersma, do hereby certify that
this map identifies a reasonably
accurate record of the land of

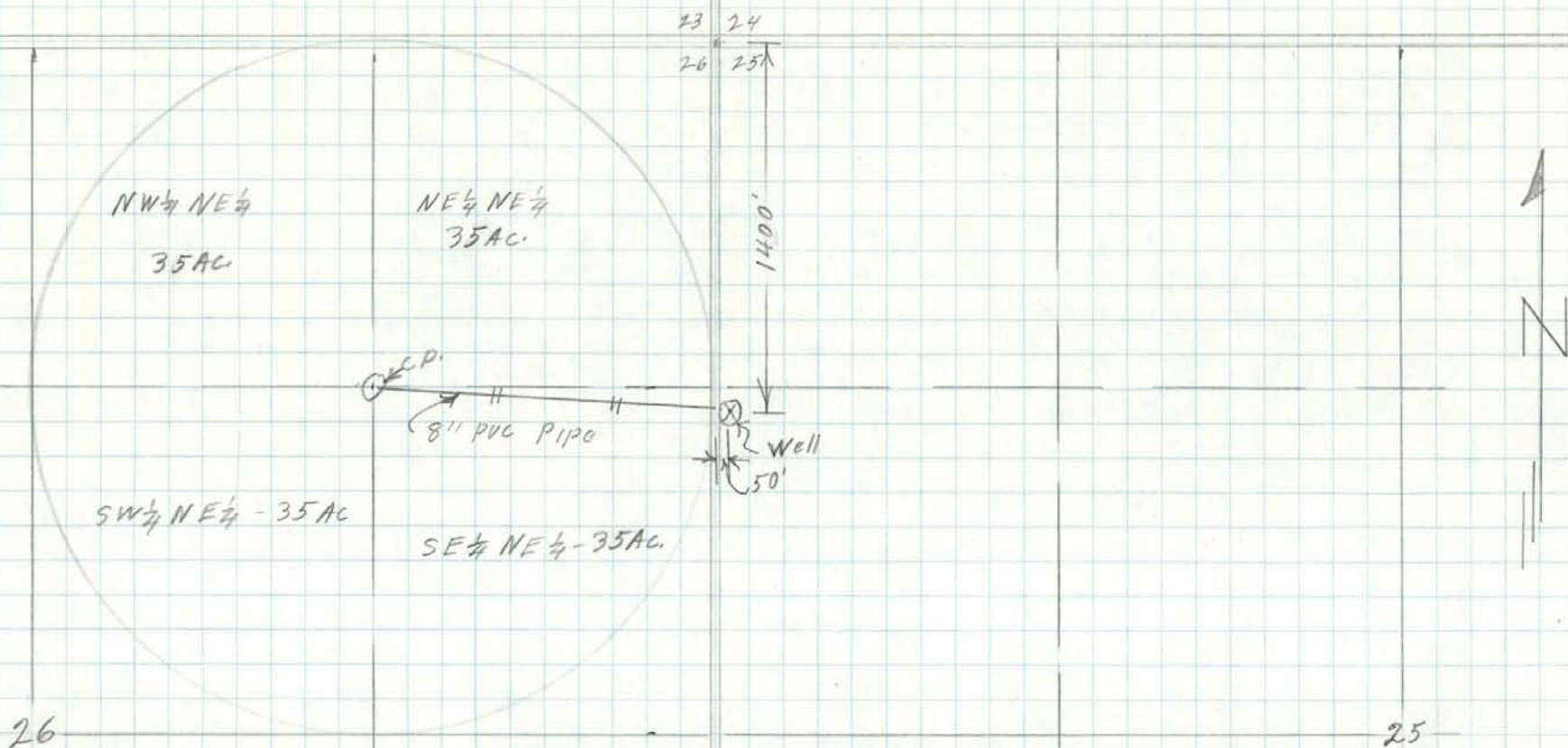
Ronald Severtson

Flandreau
Moody County
Irrigated by SD

South Dakota
8-16-76
P.E. #1916

John L. Wiersma
APR 1977
2955-3A
B 1006 mps-3

107-24



NE 1/4 Sec. 26, T107N R48W

Scale 1" = 660'
8" = 1 mile

1-12-77 by JH McLaughlin

Ronald Severtson

Moody County

NW 1/4