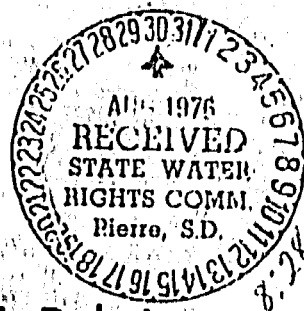


Water Right Number 2978-3

1. Considered 9-29, 19 76
2. Name of Applicant SIDNEY ABILD
3. Post Office Address WAKONDA
4. Amount of water claimed 2.0
5. Source of water supply 140' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 138
7. Water to be diverted and used in CLAY County
about 2W, 12N Miles of VERMILLION
8. Proof of Publication Received 9-24-76
Not received
9. Application Approved
Subject to
Not approved
Action deferred

10. Remarks:

Map No. 2307-3 Water Division No. 3 VERMILLION 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 Didney Abild
 Postoffice address R R 1 Wakonja, State South Dakota
 If a corporation show date and place of incorporation NA

2. Method of accomplishing work (contract, employment of others, or by direct labor) contract

3. Name of diversion work NA ABILD #1

4. Amount of water claimed (cubic feet per second) 2.0 CFS

5. Source of water supply ground

6. Location of point of diversion NA IN THE CENTER OF THE SW⁴ SECTION 16, T44N, R52W

County Clay

7. Annual period or periods during which water is to be used May-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 138

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 SW ¹ 16-94-52	34		
NE ¹ SW ¹ 16-94-52	35		
SW ¹ SW ¹ 16-94-52	34		
SE ¹ SW ¹ 16-94-52	35		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Plain Talk

12. Principal Features of the Proposed Water Supply System.

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

well

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

well at center of quarter

C. Works proposed to apply water to beneficial use.

center pivot system

Estimated Total Cost \$

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 Clay

I, Didney Abild 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 Didney Abild

Subscribed and sworn to before me this 27 day of August 1976

Coulters P. P.
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2978-3

SIDNEY ABILD
(Applicant)

WAKONDA RR 1 - Box 58
(Post Office Address)

SOUTH DAKOTA 57073
(State)

With the following modifications:

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 31, 19 76
Date of return to applicant for correction, amendments or changes required _____, 19 ____
Date of receipt of corrected application SEPTEMBER 10, 19 76
Approved SEPTEMBER 30, 19 76, Recorded in Book 16 Page 83

WATER RIGHT PERMIT NO. 2978-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2978-3 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 AUGUST 31, 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 85
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 2.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and 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 85; said water to be used during the following described annual period: MAY - OCTOBER

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

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued June 23, 19 80

Water License Issued June 23, 19 80

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 17 1/2, Depth 140
- (2) Casing, Type 14" 3/8 wall Diameter 14" Thickness 3/8
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Johnson-stainless steel, Diameter 14, Length 25'
- (4) Gravel Pack, Thickness 3', Length of gravel pack 130'

E. Dugout Information or Estimates.

- (1) Surface dimensions same, Depth 140

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 water bearing sand white P.

Depth to top of water bearing material 92

Depth to bottom of water bearing material 182

Thickness of water bearing material 91

Depth to water (ground surface to water level) 79 1/2

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

On same owner's property 1 mile rds. On property owned by others 100 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. none

Sidney A. Bick
Signature of Applicant

Water Resources Institute
South Dakota State University
Brookings, S.D. 57006
605-683-4910

Memo

Surficial soils in the area of the water resource
for the water shed in the area of the water resource
will be changed to a different type of soil.



CONSERVATION
COMMISSION
FORM WI #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 Sidney H. Blund
ADDRESS W. Kinder, S. Dak
COUNTY Clay

LEGAL DESCRIPTION

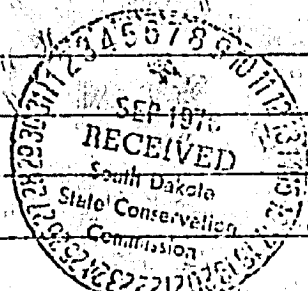
1. WELL LOCATION center of SW 1/4 - Section 16 - 94-52
2. LOCATION OF AREA TO BE IRRIGATED SW 1/4 - Sec 16 - 94-52

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 78-1194
6. SALINITY (EC X 10⁶) 1842
7. SODIUM (SAR) .48
8. RESIDUAL SODIUM CARBONATE (mmol/l.) C



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 Clay County 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.

Sidney H. Blund
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
24 DAY OF August 1976.

Comptroller
(TITLE OR SEAL)

Alfred H. Blund
APPROVED/____ APPROVED

(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: Sidney Child
 Address: Brookings, SD 57073

Date Rec'd: August 30, 1976
 Sample No.: 76-1194
 Identification: all
SD, Dec. 16, 1941, R 525

WATER ANALYSIS

Calcium (Ca)	270	ppm*	12.50	me/l**
Magnesium (Mg)	85	ppm	6.97	me/l
Sodium (Na)	35	ppm	1.52	me/l
Potassium (K)	26	ppm	0.68	me/l
Sulfate (SO ₄)	738	ppm	15.34	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	420	ppm	6.88	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	344	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1842	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.48			
Sodium	6.76	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.87			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 22.67 me/l
 Total anions 22.30 me/l



By: Shirley Witten

Service Performed

Amount Due

Irrigation analysis

\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1194

Amount Enclosed \$

Signed

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2978-3

(1) WHEREAS, On the 31st day of AUGUST A. D. 19 76
Sidney Abild

made Water Right Application No. 2978-3 for a permit to use 2.0 cubic feet per second of the waters
of Groundwater (one well)

County of Clay, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 30th day of September A. D. 19 76

Permit No. 2978-3, with a date of priority of August 31, 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 30th day of September A. D. 19 81 and for the
application to beneficial use of said water on or before the 30th day of September 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 1.97 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,

for irrigation a 158 acre circle in the SW1, Section 16, T44N, R52W

(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 Sidney Abild

of Wakonda

the holder _____ and owner _____ of said permit No. 2978-3 a water right, dating from August 31, 1976

to use of 1.97 cubic feet per second of the waters of groundwater (one well)

in the County of CLAY and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted ~~XX~~ in the center of the SW1, Section 16,
T94N, R52W

and conducted to and upon a 138 acre circle in the SW1, Section 16, R94N, R52W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2978-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 23rd day of June A. D.

Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 2978-3

Water Diversion No. 3 Vermillion R. Water District

CERTIFICATE OF CONSTRUCTION

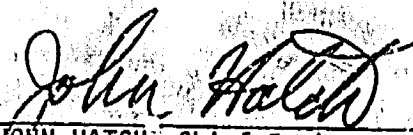
This is to Certify, That Sidney Abild

_____ the holder _____ of
Permit No. 2978-3, issued upon Application No. 2978-3, bearing date of priority of
August 31, 1976 authorizing the diversion of 2.0 cu. ft. per second of the waters of
groundwater (one well) County of Clay, State of South Dakota at
in the center of the SW1, Section 16, T94N, R52W

_____, for irrigation

purposes, has S 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 2.0 cu. ft. per second of water.

Date June 23, 1980


JOHN HATCH, Chief Engineer
Water Rights, WMD

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

No. 2978-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clay) ss.

I, Sam Jettstad hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Plain Talk

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the
City of Vermillion
County of Clay and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

Sept 16, 1976
Sept 23 1976

Mary Ellen Brase
(Signature)
Brase
(Title)
Sept 23 1976
(Date Signed)

Notice of
Intent To
Appropriate Water

Notice is hereby given that Sidney Abild whose post office address is Wakonda, 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 2.0 cubic feet of water per second of time from ground water through the Abild No. 2, the point of diversion of which is to be located in the center of the SW 1/4 of Section 18, Twp. 84N, Range 52W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW 1/4, Section 18, T84N, R52W.

This application No. 1978-3 will be considered by the Water Rights Commission at their office at Pierre upon the 29th day of September, 1976, at 10 a.m. All interested persons may appear and be heard.

Water Rights Commission
By: Burton F. Jones
Water Rights Specialist
Pub.: Sept. 16, 23, 1976.



Publish first publication, on or before September 16, 1976NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 10, 1975

Notice is hereby given that Sidney Abild
whose post office address is Wakonda, 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
2.0 cubic feet of water per second of time from the ground water through the
Abild #2, the point of diversion of which is to be located in the

Center of the SW 1/4
of Section 18, Twp. 04N, Range 52W. Said water to be used for the purpose
of providing irrigation on the following described land:
SW 1/4, Section 18, T94N, R 52W

This application No. 2078-3 will be considered by the Water Rights Commission at their office at
20th September 76 10:00 A.
Pierre upon the _____ day of _____, 19____, at _____ M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By: _____

BURTON F. JONES
Water Rights Specialist

BFI/bw cc: Sidney Abild, R.R. 1, Box 58, Wakonda, S.D. 57083

Permit No. 2978-3Water Division 3 VERMILLION RIVER Water District:REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by SIDNEY
ABILD of WAKONDA holder
 of Permit No. 2978-3, bearing date of priority of AUGUST 31, 1976
 authorizing the diversion of 2.0 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in CLAY County.

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

The Water Use System consists of,

- A. Works used to divert the water:
140' DEEP WELL WITH 14" STEEL CASING - 25' SS SCREEN
NATIONAL 8" PUMP - MODEL N200 - SERIAL # 1176 484
POWERED BY WESTINGHOUSE 75HP ELECTRIC MOTOR
- B. Works used to transport water to place of use,
10' OF 10" MAINLINE TO CENTER PIVOT
- C. Works used to apply water to beneficial use.
BUTLER HYGROMATIC 7 TOWER CENTER PIVOT SYSTEM.
1300' LONG WITH #100 END GUN

The system is in the following condition: GOODThe point of diversion is located CENTER OF THE SW⁴ SECTION 16,
T94N, R52WThe works are capable of diverting and conveying to the place of use 2.0
 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

FOR IRRIGATING A 138 ACRE CIRCLE IN THE
SW⁴ SECTION 16, T94N, R52W
comprising a total of 138 acres of land.
 Date MAY 7, 1980
Aurton J. Jones
 (Signature)

RECEIPT
WATER RIGHTS COMMISSION
State of South Dakota

No 4 7545

PIERRE, June 18, 1980

RECEIVED OF Sidney S. Abild, RR 1 Box 58, Wakonda SD 57073
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>2978-3</u>	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. <u>2978-3</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)



2978-3

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

January 19, 1995

2978-3

Arden Abild
RR #1 Box 58
Wakonda, SD 57073-9738

Dear Mr. Abild:

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change on Water Right No. 2978-3. The form is being sent to you in response to the name change notation wrote on the 1994 Irrigation questionnaire.

Please review the form and complete where necessary. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

SD Water Law 46-5-30.3 requires that any sale, grant, lease conveyance or other transfer of a permit or license to appropriate water be filed with the Chief Engineer within 90 days.

If you have any questions, please contact me.

Sincerely,

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

enclosure

2978-3



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

March 28, 1995

SECOND NOTICE
Permit No. 2978-3

Arden Abild
RR 1, Box 58
Wakonda, SD 57073-9738

Dear Mr. Abild:

On January 19, 1995, notice was sent to you concerning the transfer of Water Right No. 2978-3 in the name of Sidney Abild. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, please notify this office. It is very important that ownership records be kept current. 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 Genny McMath, (605) 773-3352.

Very truly yours,

RON DUVAL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

SENDER:

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

3. Article Addressed to:

Arden Abild
RR 1, Box 58
Wakonda, SD 57073-9738

5. Signature (Addressee)
Palma Abild

6. Signature (Agent)

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

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number
P 318 052 690

4b. Service Type

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

7. Date of Delivery
3-29-95

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

PS Form 3811, December 1991

U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

to your RETURN ADDRESS completed on the reverse of 1

Thank you for using Return Receipt Service.

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 2978-3

Date: 3/24/95

I/We request that Water Right No. 2978-3

formerly owned by: Sidney Abild

be transferred to: (name & address) ROGER S. ABILD

Rural Route 1 Box 58, Wakefield, S.D. 57073 (Telephone No) 605-267-2462

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

138 acres in the SW 1/4 Section 16, T94N, R52W

I/We understand that the validity of Water Right No. 2978-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file 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 Clay)

I/We ROGER S. ABILD 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.

[Signature]
(Signed)

Subscribed and sworn to before me this 24th day of March, 19 95.

[Signature]
(Notary Public)
My Commission Expires 1-9-98

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

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414448

Pierre, March 30, 19 95

RECEIVED OF Arden S. Abild, RR 1 Box 58, Wakonda, SD 57073

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 Water Right No. 2978-3

Fee for Filing Extension Request _____

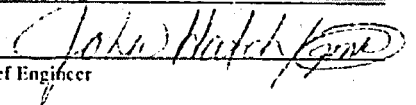
Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By 
Chief Engineer

2978-3



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

April 7, 1995

No. 2978-3

Arden S. Abild
RR 1, Box 58
Wakonda, SD 57073

Dear Mr. Abild:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 2978-3.

Our records now show you as the owner of Water Right No. 2978-3.

Sincerely,

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

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

enclosure



2978-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

NOTICE

TO: ARDEN S ABILD, RR 1 BOX 58, WAKONDA, SD 57073 9738

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

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2978-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am, March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2978-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

3. Article Addressed to:

ARDEN S ABILD
RR 1 BOX 58
WAKONDA SD 57073-9738

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

PS Form 3811, December 1994

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

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

4a. Article Number

2348-318-815

4b. Service Type

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

7. Date of Delivery

1-31-95

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

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 5, 1996

2978-3

Arden Abild
RR #1 Box 58
Wakonda, SD 57073-9738

Dear Mr. Abild:

Enclosed, is a 1995 irrigation questionnaire pertaining to Water Right No. 2978-3. Please complete the questionnaire and return it to our office prior to March 1, 1996.

Also enclosed, as we discussed in our February 1st telephone conversation, is a copy of the 1994 irrigation questionnaire and a copy of Water Right No. 2978-3. You may keep these for your records.

If you have any questions, or need assistance in completing the 1995 irrigation questionnaire, please contact me.

Sincerely,

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

enclosures



2978-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 1996

2978-3

Arden Abild
RR 1 Box 58
Wakonda, SD 57073

Dear Mr. Abild:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 Irrigation Questionnaire.

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

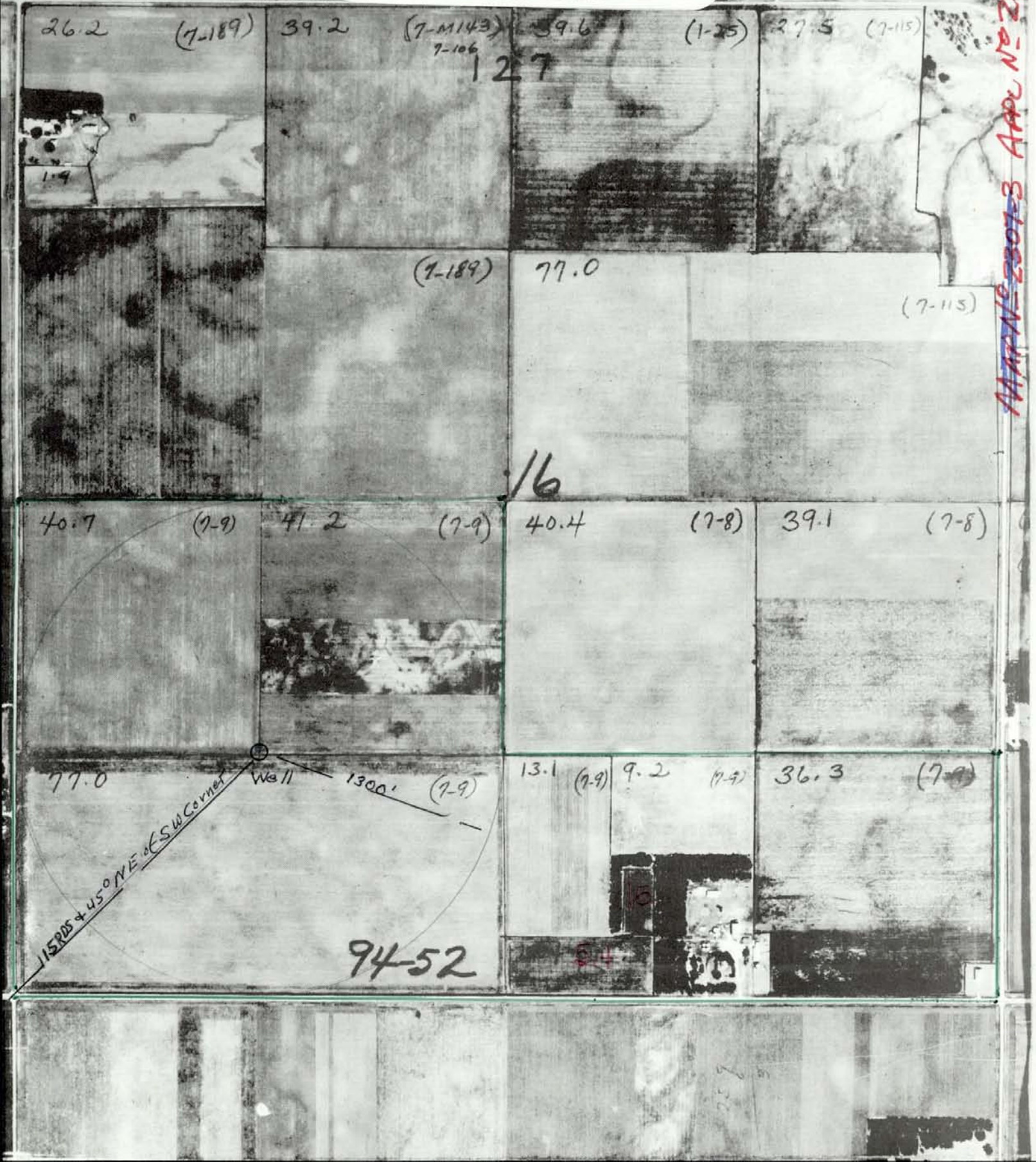
If you have any questions, please contact me.

Sincerely,

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

LAND USE MAP

Clay County Conservation District
Owner Sidney Abeld
County Clay State S. Dak.
Approx. scale 8" per mile
Prepared by U.S. Department of Ag.
Soil Conservation Service



App № 2307-3 App № 2978-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 26, 2022

2978-3

Bob Madsen
30869 457th Ave
Volin SD 57072

Dear Mr. Madsen:

Thank you for taking the time to visit with me regarding the ownership change for Water Right No. 2978-3. Mr. Abild notified us this week that he had sold his land to you.

I am enclosing several documents for your review and/or completion:

- A copy of the water right for you to keep;
- A copy of the 2021 irrigation questionnaire to give you an idea of what type of information is needed each year;
- The 2022 irrigation questionnaire for you to complete and return to us (yellow form); you can do the form online if you want at <https://danr.sd.gov/iq> **Password is LLRALM** (this will change every year)
- The "Notice of Transfer of Ownership" form for you to complete and return to us. A \$50 fee is required for filing the ownership change. The check or money order can be made payable to the Water Rights Program.

Also included is a postage paid envelope for you to return the transfer form and filing fee and also the irrigation questionnaire if you decide to mail it back rather than complete online. If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

2978-3

RECEIPT**WATER RIGHTS PROGRAM**
South Dakota Department of Agriculture and Natural ResourcesDate November 21, 2022RECEIVED OF Robert/Tamara Madsen 30869 457th Ave., Volin SD 57072

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>2978-3</u>	<u>\$50.00</u>
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	<u>\$50.00</u>

By

Eric Gronlund
Chief Engineer

Zm

PAID

NOV 21 2022

Ck# 3012

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

NOV 21 2022

OFFICE OF
WATER

No. 2978-3

Date: 11-15-2022

I/We request that Water Right No. 2978-3

formerly owned by: Arden S Abild, 46074 306th St, Wakonda SD 57073

be transferred to: (name & address) Robert or Tamara Madsen, 30869 457th AVE,
Velin SD 57072

Telephone No. 605-660-3329

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

138 acres – SW ¼ Section 16, T94N, R52W

I/We understand that the validity of Water Right No. 2978-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Robert Madsen, the new owner, certify that the above information is true and correct.

Robert Madsen

(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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 28, 2022

2978-3

Bob Madsen
30869 457th Ave
Volin SD 57072

Dear Mr. Madsen:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 2978-3.

The ownership change has been processed. Water Right No. 2978-3, formerly held by Arden S Abild is now listed under "Robert or Tamara Madsen".

Enclosed for your records is a receipt for the filing fee you paid. If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures