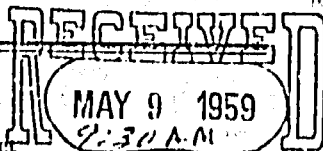


1. Considered June 17, 1959 Appl. No. 313-3A
2. Name of Applicant Leo Pierre Hey
3. Post Office Address Elk Point South Dakota
4. Amount of water claimed 2.43 cfs
5. Source of water supply Well
6. Water to be used for irrigation
Acres to be irrigated 170.38
7. Water to be diverted and used in Union County about
8 miles SE of Vermillion.
8. Proof of Publication Received _____
Not Received ✓ "1st publ. recd."
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

Change in location of about 75 acres
Addition of about 5 acres and increase of
about 0.8 cfs over 313-3

No. 313-9AWater Division No. 3

(Blanks to be filled by the Engineer for the W. R. C.)

District

STATE WATER RESOURCES COMM.

PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

/ 2 6 // (NOTE—Draw a line through items not applicable.)

Lee Donnelly

1. Name of applicant

Postoffice address Elk Point, County Union, State S. Dak.

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)

Amendment to Permit No. 313-3 Lee Donnelly

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work

3. Amount of water claimed 2.45 cubic feet per second For 170.38 Acres4. Source of water supply Well5. Location of point of diversion 2708.4 Ft. S391og. S2120"E of corner, Sec. 31-4-50, T-92-NR-50Won Union County.6. Annual period or periods during which water is to be used May to Sept.

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 170.38 acres.Lot 1, 40 acres S1 Lot 1, 40 acres(b) Legal subdivisions to be irrigated Lot 2, 45.19 Ac. S1 Lot 2, 45.19 Ac. 31- 92-50

(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.)

II. 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

Map No. 731-3A

8. Estimated cost of work:

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

(b) Pumping plant, \$.....

(c) Fluming, \$.....

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

Rock, \$.....

(e) Other structures\$.....

Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Heightfeet; length at bottomfeet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back facematerial used in construction

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater markacres.

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

(c) * Head gate: Widthfeet; heightfeet;
Material

(d) Canal: Total lengthmiles.

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 work1.....years.

11. Time required for complete application of water to the proposed beneficial use5.....years.

12. Choice of newspaper for publication of notice of intention to appropriateLeader - Courier
Elk Point, South Dakota

STATE OF SOUTH DAKOTA

County of Union

ss.

I, Lee Donnelly, Robert Donnelly, 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

Subscribed and sworn to before me this

day of

1954

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

By: *Carl C. Weisz*
Carl C. Weisz
Agric. Engineer
Soil Cons. Service

PUMP SITE AND LANDS TO BE IRRIGATED IN THE S² OF
GOVERNMENT LOTS 1 AND 2, THE SW⁴NE⁴ AND THE
NW⁴SE⁴ ALL IN SECTION 31, T92N-R50W OF THE 5TH P.M.

SCALE 1" = 200'

ROBERT DONNELLY
N 1/2 GOV'T LOT 1, SEC. 31
40.0 ACRES MORE OR LESS

GOVERNMENT LOT 2
1997.5

GOVERNMENT LOT 1
1320.0

LEO DONNELLY
S½ GOV'T. LOT 2, SEC.31
45.19 ACRES MORE OR LESS

LEO DONNELLY
S $\frac{1}{2}$ GOV'T. LOT 1, SEC. 31
40.00 ACRES MORE OR LESS

LEO DONNELLY
SW⁴ NE⁴ SEC. 31
40.00 ACRES MORE OR LESS

PUMP SITE

CENTER OF SECTION 31

LEO DONNELLY
NW⁴SE⁴ SEC.31
40.00 ACRES MORE OR LESS

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA }
COUNTY OF UNION } S. S.

ROBERT M. WHYTE, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT, AT THE REQUEST OF THE LAND OWNER'S I HAVE SURVEYED THE LANDS SHOWN HEREON AND THAT SAID SURVEY IS IN ALL RESPECTS TRUE AND CORRECT.

Robert M. White
REGISTERED LAND SURVEYOR

ON THIS THE 18TH DAY OF OCTOBER 1956, BEFORE ME, PETER A. ANDERSON, THE UNDERSIGNED OFFICER PERSONALLY APPEARED, ROBERT M. WHYTE, KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR PURPOSES THEREIN CONTAINED, IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Peter A. Anderson
NOTARY PUBLIC

Map No. 231-3 & 231-3A
(Appl. No. 313-3 & 313-3A)

Remarks by State Water Resources Commission:

Permit No. 313-3 is amended in accordance with Item #2, Item # (7)(IXa) and Item # (7)(IXb) of this Permit No. 313-3A.

Issuance of this Permit to appropriate water cancels Permit No. 313-3.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, May 18, 1959

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock 9 m. upon the 9 day of May, 1959

State Water Resources Commission

By:

J. O. Quinn
Chief Engineer, Executive Officer

Number of permit 313-3A

Date of first receipt of application May 9, 1959

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 2.35 cfs. from October 8, 1956
0.08 cfs. from May 9, 1959

Approved June 17, 1959, Recorded in Book 5 Page 185

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 _____

December 18, 1959

2nd. The whole of said work is to be completed on or before June 18, 1960

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

June 18, 1964

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 2.43 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 in the exercise of the best husbandry; and further, said appropriation must 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 June 18, 1964; said water to be used during the following described annual period:

May to August inclusive

Witness my hand this 27 day of July, 1959

State Water Resources Commission

By:

J. O. Quinn
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 5, 1971

Water License Issued FEBRUARY 5, 1971

Form 15.

Permit No. 313-3A

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Leo and Robert Donnelly

_____ the holder _____ of
Permit No. 313-3A, issued upon Application No. 313-3A, bearing date of priority of May 9, 1959 and
October 8, 1956 authorizing the diversion of 2.43 cu. ft. per second of the waters of _____
ground water County of Union, State of South Dakota at _____
a point in the Center of the NW 1/4, Section 31, T92N, R50W

_____, for irrigation

purposes, have _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.67 cu. ft. per second of water.

Date February 5, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRINES, Executive Officer

WATER LICENSE NO. 313-3A

(1) WHEREAS, On the 9th day of May A. D. 19 59

Robert and Leo Donnelly

made Water Right Application No. 313-3A for a permit to use 2.43 cubic feet per second of the waters of ground water

County of Union, State of South Dakota, for irrigation

purpose; and

(2) WHEREAS, On the 27th day of July A. D. 19 59

Permit No. 313-3A, with a date of priority of October 8, 1935 and May 9, 1959

was issued to said applicant 8 for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 18th day of June A. D. 19 60 and for the application to beneficial use of said water on or before the 18th day of June A. D. 19 64

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.43 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 irrigating the following land in Section 31, T92N, R50W

	<u>Acres</u>
<u>N½ Lot 1</u>	<u>40.0</u>
<u>S½ Lot 1</u>	<u>40.0</u>
<u>N½ Lot 2</u>	<u>45.2</u>
<u>S½ Lot 2</u>	<u>45.2</u>
<u>Total</u>	<u>170 Acres</u>

(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 Robert and Leo Donnelly

_____ of Elk Point, S.D.
the holder _____ and owner _____ said permit No. 313-3A a water right, dating from October 8, 1956 and
May 9, 1959 to use of 2.43 cubic feet per second of the waters
of ground water
in the County of Union and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point in the center of the SE $\frac{1}{4}$, Section 31,
T92N, R50W

and conduct to and upon portions of Section 31, T92N, R50W, described on the face
of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 313-3A and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 5th day of February A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

(First Publication ~~before May 22~~-----, 19--59

APPROPRIATION OF WATER

Office of State Water Resource Commission,

Pierre, S. Dak., May 15-----, 1959.

Notice is hereby given that Leo Donnelly whose postoffice address is Elk Point 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 2.45 cubic feet of water per second of time from xx ground water through the well (originally approved the point of diversion of which is to be located on the under Permit # 313-3) xxx xxxx xxxxxxx stream in the SE xxxxxxx of Lot 1 xx of Section 31 Twp. 92 N Range 50 W Said water to be used for the purpose of providing irrigation on the following described land:

Government Lots 1 and 2, Sec. 31, T. 92 N., R. 50 W.

 XXXXX-----purpose

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17 day of June, 1959, 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:

Les Wyborny, Water Rights Engineer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Union } ss.

Wm. J. Ryan being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the The Leader-Courier 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 Elk Point County of Union and State of South Dakota; that the said notice was published in said newspaper on the following dates:

May 21, 1959

May 28, 1959

June 4, 1959

June 11, 1959

in each and every issue of the full number thereof, the first publication being made on the 21st day of May 1959 and the last publication on the 11th day of June 1959, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 16 day of June A. D. 1959

Notary Public Union County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., May 15, 1959.

Notice is hereby given, that Leo Donnelly whose postoffice address is Elk Point, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to amend Permit No. 313-3 to appropriate for beneficial use 2.45 cubic feet of water per second of time from ground water through the well (originally approved under Permit No. 313-3); the point of diversion of which is located in the S½ of Lot 1 of Section 31 Twp. 92N Range 50W. Said water to be used for the purpose of providing irrigation on the following described land:

Government Lots 1 and 2, Sec. 31, T. 92 N, R. 50 W.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of June, 1959, 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: Les Wyborny, Water Rights Engineer
(Pub. May 21, 28, June 4, 11)

RECEIVED
JUN 26 1959

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 313-3AWater Division 3 SIOUX RIVER Water District

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

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

I have this day made a thorough examination of the water use system constructed by Robert and Leo Donnelly of Elk Point, S.D. holder 2.35 c.f.s. October 8, 1956
 of Permit No. 313-3A, bearing date of priority of 0.08 c.f.s. May 9, 1959, 78
 authorizing the diversion of 2.43 cu. ft. per second of the waters of ground water
 for irrigation purposes, in Union 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:

Western Land Roller pump 8" Mod. 8B
 Well 106 ft. deep cased with 24" casing, 13 ft. static water level
 John Deere tractor, Gasoline, 72 HP
 Amarillo gear box.

B. Works used to transport water to place of use,
 3/4 mile of 8 inch gated pipe, jointly used for four water rights, Nos. 313-3A;
 314-3; 1103-3 and 1104-3

C. Works used to apply water to beneficial use.

gated pipe above and land leveling

The system is in the following condition: very goodThe point of diversion is located at center of NW $\frac{1}{4}$, Section 31, T92N, R50W

The works are capable of diverting and conveying to the place of use 2.67
 cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: All in Section 31, T92N, R50W

N $\frac{1}{2}$ Lot 1,	40.0 acres
S $\frac{1}{2}$ Lot 1,	40.0 acres
N $\frac{1}{2}$ Lot 2	45.2 acres
S $\frac{1}{2}$ Lot 2	45.2 acres

comprising a total of 170.4 acres of land.

Send notice of inspection to Robert Donnelly

Date September 29, 1970

Donald Driscoll
 (Signature)

DONALD DRISCOLL, Deputy Chief Engineer
 Water Resources Commission

313-3A

314-3

1103-3

1104-3

December 23, 1982

Robert Donnelly
Elk Point, South Dakota 57025

Dear Mr. Donnelly:

This letter is in regard to Water Right Nos. 313-3A, 314-3, 1103-3 and 1104-3 listed in the name of Leo Donnelly. Louie DeSmet, Union County Extension Agent indicated in a telephone conversation with Burt Jones of this office, that Leo Donnelly was deceased and we should contact you concerning ownership of the land covered under this water right.

In order to keep our records up-to-date, it will be necessary for the water rights to be transferred to the new owner. If the land is still in an Estate, please indicate the name(s) of the person(s) responsible for irrigation of the land. The water right could be transferred to that party if they eventually will own the property, or could be put in care of them for the time being.

For your information enclosed please find copies of Water Right Nos. 313-3A, 314-3, 1103-3 and 1104-3. Also enclosed are partially completed transfer forms for transferring the water rights to the new owner. The forms should be checked over, dated, signed and notarized before returning them to this office with a \$2.50 filing fee for each (total of \$10.00).

Enclosed please find the 1982 irrigation questionnaires pertaining to the above described water rights. If possible please, have these completed and returned to this office for our records.

We would appreciate your assistance in this matter.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Jan 17 1983

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

170 acres - N $\frac{1}{2}$ Lot 162; S $\frac{1}{2}$ Lot 162; Section 31, T92N, R50W

formerly owned by Leo Donnelly

has been transferred to Robert Donnelly, P.O. Box 838, Elk Point, SD 57025
(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 313-3A 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 Office 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)

ss.

County of minnehaha

I, Robert Donnelly 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.

Robert Donnelly
(Signed)

Subscribed and sworn to before me this 17 Day of January, 1983

Arvin F. Ruben
(Notary Public)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9117

PIERRE, January 10, 1933

RECEIVED OF Robert Donnelly, P.O. Box 838, Elk Point, SD 57025

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.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing Transfer of WR# 313-3A	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH/65

No. 313-3A
1103-3

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

January 20, 1983

Robert Donnelly
P.O. Box 838
Elk Point, South Dakota 57025

Dear Mr. Donnelly:

Enclosed is receipt No. 4 9116 & 4 9117 In the amount of \$ 2.50 each, which you
paid for transfer of Water Right No. 313-3A & 1103-3.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

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

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

March 31, 1986

Robert Donnelly
P. O. Box 838
Elk Point, SD 57025

Notice

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 313-3 A and 1103-3. 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 hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held 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. Amend Permit No(s). 313-3 A and 1103-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. 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) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.



Department of Water & Natural Resources

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Robert Donnelly
PO Box 838
Elk Point SD 57025

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

SUBJECT: Amendment to Water Permit No(s). 313-3A & 1103-3

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 313-3A & 1103-3 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
523 East Capitol
Pierre, South Dakota 57501-3181

Attachment to Water Permit No. 313-3A

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. 313-3A to add the following qualification:

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

Equal Opportunity Employer

DATE MICROFILMED

CAMERA OPERATOR



313-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2005

Gary & Dawn Glover
32118 470th Ave
Burbank SD 57010

Dear Mr. & Mrs. Glover:

I am writing in follow-up to our phone conversation of January 26th. Enclosed are copies of the water rights we discussed.

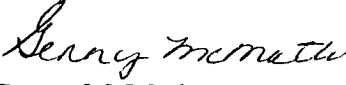
Water Right Nos. 313-3A and 3857-3 need to be transferred to Dawn's name. Enclosed are partially completed Notice of Transfer of Ownership forms for filing ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

Water Right Nos. 4676-3 and 4708-3 are currently listed in the name of James and Robert Donnelly. I will list you as manager for these to enable the annual irrigation questionnaire to be directed to your attention.

In regard to Water Right No. 1103-3 which authorizes irrigation from Burbank Lake, this water right will be scheduled for cancellation consideration since it is no longer being used. We will contact you with the time, date and place of the hearing once it is scheduled.

If I can answer any questions for you, please contact me.

Sincerely,


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

enclosures



313-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2005

Gary & Dawn Glover
32118 470th Ave
Burbank SD 57010

Dear Mr. & Mrs. Glover:

I am writing in follow-up to our phone conversation of January 26th. Enclosed are copies of the water rights we discussed.

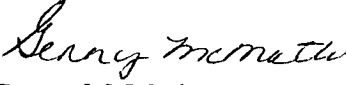
Water Right Nos. 313-3A and 3857-3 need to be transferred to Dawn's name. Enclosed are partially completed Notice of Transfer of Ownership forms for filing ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

Water Right Nos. 4676-3 and 4708-3 are currently listed in the name of James and Robert Donnelly. I will list you as manager for these to enable the annual irrigation questionnaire to be directed to your attention.

In regard to Water Right No. 1103-3 which authorizes irrigation from Burbank Lake, this water right will be scheduled for cancellation consideration since it is no longer being used. We will contact you with the time, date and place of the hearing once it is scheduled.

If I can answer any questions for you, please contact me.

Sincerely,


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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 313-3A

Date: _____

I/We request that Water Right No. 313-3A

formerly owned by: Robert E Donnelly

be transferred to: (name & address) Dawn Glover, 32118 470th Ave, Burbank SD 57010

Telephone No. (605) 356-3134

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

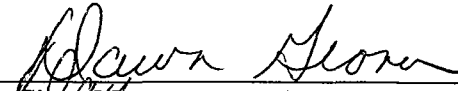
170 acres – Lots 1 and 2, Section 31, T92N, R50W

I/We understand that the validity of Water Right No. 313-3A has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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


(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

FEB 18 2005

WATER RIGHTS
PROGRAM



313-3A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 18, 2005

313-3A
3857-3

Dawn Glover
32118 470th Ave
Burbank SD 57010

Dear Mrs. Glover:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms for changing ownership on Water Right Nos. 313-3A and 3857-3. The forms were completed properly, however before they can be processed, a filing fee of \$2.50 each (\$5.00 total) is needed. My first letter may not have been clear with respect to the fee.

Please remit a total of \$5.00 as soon as possible. The check or money order for the fee can be made payable to the Water Rights Program.

Thank you in advance for your help. If I can answer any questions for you, please contact me.

Sincerely,

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 22, 20 05

RECEIVED OF Dawn Clover, 32118 460th Ave, Burbank SD 57010

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>313-3A</u>		2 50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

002: 3

By

Saraland E. Heide

Chief Engineer





313-3A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 25, 2005

313-3A
3857-3

Dawn Glover
32118 470th Ave
Burbank SD 57010

Dear Mrs. Glover:

Thank you for sending in the filing fees for transferring Water Right Nos. 313-3A and 3857-3. The ownership changes have been completed. The water rights, formerly listed in the name of Robert E Donnelly are now listed in your name.

Enclosed are your Receipt Nos. 001769 and 001770 in the amounts of \$2.50 each. You may keep these for your records.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 4, 2024

313-3A, 3857-3
8673-3, 4708-3, 4032-3

Gary Glover
1305 Jack Nicholas Dr
Elk Point SD 57025

Dear Mr. Reitz:

Enclosed is a "Notice" dated October 23, 2024, concerning the 2024 Irrigation Questionnaires.

The notice was originally mailed to 32118 470th Ave, Burbank SD 57010. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaires or submit your reports online at <https://danr.sd.gov/iq/> using this password *VWXVXG*.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

533 N7E 1 424C2210/31/
RETURN TO SENDER
GLOVER
1305 JACK NICKLAUS DR
ELK POINT SD 57025-2402
RETURN TO SENDER