

Water Right Number 3158-3

1. Considered 11-17, 19 76
2. Name of Applicant ROGER H. GENBUCH
3. Post Office Address HURLEY
4. Amount of water claimed 150
5. Source of water supply 80' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 35
7. Water to be diverted and used in TURNER County
about 3E, 2N Miles 1.51 of HURLEY
8. Proof of Publication
Received 1
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 3158-3
 Map No. 2499-3 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 Roger Hagenbuch
 Postoffice address Hurley, State 3/ Dak.
 If a corporation show date and place of incorporation no
 2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
 3. Name of diversion work Roger Hagenbuch #2
 4. Amount of water claimed (cubic feet per second) 1.0 cfs
 5. Source of water supply Well
 6. Location of point of diversion APPROX. center of the NE¹NE¹ 18-98-52
 County Turner

7. Annual period or periods during which water is to be used April-Nov.
 8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrig.
 9. For irrigation use, Total number of acres to be irrigated 35

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.
NE ¹ NE ¹ 18-98-52	35		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Hurley Leader, Hurley, S. D.
 12. Principal Features of the Proposed Water Supply System.

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

Elec. Pump

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

Flexible Hose

C. Works proposed to apply water to beneficial use.

Sprinkler System-Big Gun

Estimated Total Cost \$ 25,000.00

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

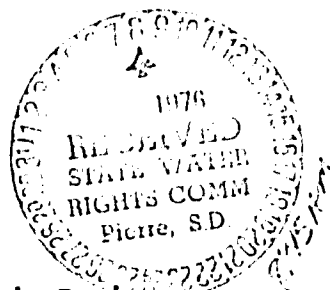
County of Turner

I, Roger Hagenbuch 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 Roger Hagenbuch
 Subscribed and sworn to before me this 1st day of April 1976

Notary Public (or other qualified officer)

M. J. SOMMERVOLD
 Notary Public, STATE OF SOUTH DAKOTA
 My Commission Expires February 11, 1982



Map not signed
 SCC
 10.29

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3158-3
ROGER HAGENBUCH HURLEY, S.D.
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57036 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 OCTOBER 8, 19 76
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application OCTOBER 29, 19 76
 Approved NOVEMBER 18, 19 76, Recorded in Book 16 Page 230

WATER RIGHT PERMIT NO. 3158-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3158-3 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 applicant may claim right is OCTOBER 8, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 18, 19 77
3. The whole of said work is to be completed on or before NOVEMBER 18, 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 18, 19 78
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 .50 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 use, 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 NOVEMBER 18, 19 78; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 22ND day of DECEMBER, 19 76

WATER RIGHTS COMMISSION

By:

John H. Hark
 Civil Engineer, Executive Officer

Certificate of Construction Issued July 7, 19 80

Water License Issued July 7, 19 80

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 18", Depth 80'
- (2) Casing, Type steel Diameter 1 1/4" Thickness 3/8"
(wood, concrete, steel, etc)
- (3) Perforated Screen
Type Galv. steel, Diameter 1 1/4", Length 30'
- (4) Gravel Pack, Thickness 2", Length of gravel pack 7'

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 20 ft. sand and gravel, 40' blue clay,
water bearing sand and gravel balance. No log available

Depth to top of water bearing material 14'

Depth to bottom of water bearing material 80'

Thickness of water bearing material 64'

Depth to water (ground surface to water level) 14'

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

On same owner's property 40 rds. On property owned by others 120 rds.

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.

n/a

J. Roger Waggoner
Signature of Applicant

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 Roger Hagendach

ADDRESS Hurley, S. Dak. 57036

COUNTY Turner

LEGAL DESCRIPTION

1. WELL LOCATION: Approx. center of the NE 1/4 18-28-52

2. LOCATION OF AREA TO BE IRRIGATED NE 1/4 18-28-52

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN x

4. CROPS TO BE IRRIGATED Corn, Alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-1563

6. SALINITY (EC X 10⁶) 1010 (moderately high)

7. SODIUM (SAR) 0.27 (low)

8. RESIDUAL SODIUM CARBONATE (mx1/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 Turner Co. Conservation District, Court 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.

Approval does not imply that this project can be carried out under all circumstances. Individual management, to a large degree, determine the relative success of this project.

SUBSCRIBED AND SWORN BEFORE ME THIS
1st DAY OF Oct 1976.

M. J. SOMMERVOLD
Notary Public, State of South Dakota
My Commission Expires February 11, 1977
(TITLE OR SEAL)

Roger Hagendach
APPLICANT'S SIGNATURE

approved Alvin J. Hoff

ADMINISTRATIVE

(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: Roger Hagenbuch Date Rec'd: October 3, 1976
Address: Burley, SD 57026 Sample No.: 76-1563
Identification: WRL-1
NE1, Sec. 15, T 98N, R 52E

WATER ANALYSIS

Calcium (Ca)	129	ppm*	6.45	me/l**
Magnesium (Mg)	66	ppm	5.41	me/l
Sodium (Na)	15	ppm	0.65	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	150	ppm	5.12	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	18	ppm	0.42	me/l
Bicarbonate (HCO ₃)	368	ppm	6.61	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)	502	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1010	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.27			
Sodium	5.17	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.22			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 12.56 me/l
Total anions 9.65 me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1563

Amount Enclosed \$

Signed

October 26, 1976

Mr. Roger Hagenbuch
Merley, SD 57036

Dear Mr. Hagenbuch:

Your water sample (Lab. No. 76-1563) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

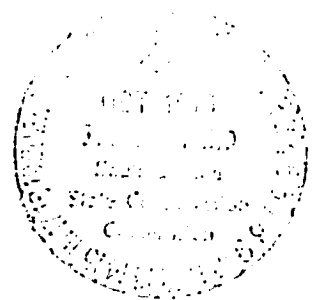
The WI-1, soils information, and a copy of the water analysis are being forwarded to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission



No. 3114-2

Publish first publication, on or before

November 1, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 29, 1976

Notice is hereby given that Roger Hagenbuch

whose post office address is Hurley, 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 50 cubic feet of water per

second of time from the ground water through the

Hagenbuch 2.2, the point of diversion of which is to

be located in the center of the NW 1/4

of Section 14, Twp. 48N, Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:

/portions of

NW 1/4, Section 14, 48N, 52W

This application No. 3114-2 will be considered by the Water Rights

Commission at The Herwin Huchitt Hotel in Huron, South Dakota

upon the 17th day of November, 1976 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: Roger Hagenbuch, Hurley, SD 57036

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Turner) ss.

I, James E. Hurley hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Hurley Leader

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

City of Hurley

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

November 4, 1976

November 11, 1976

James E. Hurley
(Signature)

Owner
(Title)

(Date Signed)

7th day of Dec. 1976
James E. Hurley
Notary

— THE HURLEY LEADER —

Thursday, November 11, 1976

NOTICE OF INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

October 29, 1976

No. 3158-3

Notice is hereby given that
Roger Hagenbuch, whose
post office address is Hurley,
South Dakota has made an ap-
plication in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
.50 cubic feet of water per se-
cond of time from ground water
through the Hagenbuch #2, the
point of diversion of which is
to be located in the center of
the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18,
Twp. 93 N, Range 52 W. Said
water to be used for the pur-
pose of irrigation on portions of
the following described land:
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, T 98 N,
R 52 W.

This application No. 3158-3
will be considered by the Water
Rights Commission at the Mar-
vin Hughitt Hotel in Huron,
South Dakota upon the 17th
day of November, 1976 at 10:00
a.m. All interested persons may
appear and be heard.

Water Rights Commission,

By: Burton Jones

Water Rights Specialist.

Publish: Nov. 4 and 11, 1976



Permit No. 3158-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Roger Hagenbuch

_____ the holder _____ of
Permit No. 3158-3, issued upon Application No. 3158-3, bearing date of priority of October 8, 1976
_____ authorizing the diversion of .50 cu. ft. per second of the waters of _____
groundwater (one well) County of Turner, State of South Dakota at _____
a point S 45°W, 60 rods from the NE corner, Section 18, T98N, R52W
_____, for irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.0 cu. ft. per second of water.

Date July 7, 1980



JOHN HATCH, Chief Engineer
Water Rights, WMD

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3158-3

(1) WHEREAS, On the 6th day of October A. D. 1976
Robert Hagenbuch

made Water Right Application No. 3158-3 for a permit to use .50 cubic feet per second of the waters
of groundwater (one well)

County of Turner, State of South Dakota, for irrigation

(2) WHEREAS, On the 18th day of November A. D. 1976
Permit No. 3158-3, with a date of priority of October 8, 1973

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 18th day of November A. D. 1977 and for the
application to beneficial use of said water on or before the 18th day of November A. D. 1978

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 .50 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

to irrigate a 35 acre circle in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, T98N, 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 Roger Hagonkuch

_____ of Hurley, South Dakota

the holder _____ and owner _____ of said permit No. 3150-2 a water right, dating from October 4, 1976

_____ to use of .50 cubic feet per second of the waters

of groundwater (one well)

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at _____ a point 450W, 10 rods from the NE corner,

Section 18, T98N, R52W

and conducted to and upon a 45 acre circle in Sec 18, T98N, R52W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3150-2 and subject to the laws of the State of South Dakota.

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

this 7th day of July A. D.

Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

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

July 8, 1980

Roger Hagenbuch
Hurley,
South Dakota 57036

Dear Mr. Hagenbuch:

Enclosed herewith are, Water License No. 3158-3 and Certificate of Construction.

Water License No. 3158-3 is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH: kw

enclosures

NOTE: Your pump capacity is 1.0 cfs (450 gpm) and based upon the acreage actually irrigated, you are entitled to divert 0.5 cfs (225 gpm). Any diversion in excess of 0.5 cfs would be a violation of your Water Right.

Permit No. 3158-3

Water 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/POSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by ROGER
HAGENBUCH of HURLEY holder
of Permit No. 3158-3, bearing date of priority of OCTOBER 8, 1976
authorizing the diversion of .50 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in TURNER 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:
80' DEEP WELL WITH 14" STEEL CASING - 30' GALV SCREEN
LAYNE BOWLER 6" PUMP (NO TAG)
MIDWEST MOTOR KING 30 HP ELECTRIC MOTOR
- B. Works used to transport water to place of use,
45' OF 6" LINE TO CENTER OF PILOT
- C. Works used to apply water to beneficial use.
PIERCE - TERRA 4. TOWER CENTER PILOT SYSTEM,
WITH #100' END GUN

The system is in the following condition: GOOD

The point of diversion is located S 45° W, 60 RODS FROM THE
NE CORNER, SECTION 18, T98N, R52W

The works are capable of diverting and conveying to the place of use 1.0 (450 GPM)
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 35 ACRE CIRCLE IN THE NE⁴ NE⁴,
SECTION 18, T98N, R52W

comprising a total of 35 acres of land.

Date JUNE 17, 1980
Benton Jones
(Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7565

July 7, 1920

PIERRE, _____

RECEIVED OF Roger Hagenbuch, RR 1, Box 17, Hurley, SD 57036

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

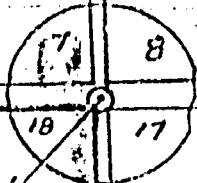
Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and Issuing Cert. of Construction No. 3158-3	50	.00
Fee for inspecting Beneficial Use, and Issuing Water License No. 3158-1		
Fee for Issuing Location 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 (ht)

ROGER HAGENBUCH IRRIGATION SYS. #2
Roger Hagenbuch, Hurley, S. Dak. 57036

R. 52 W.



31

70.6

AREA TO BE IRRIG.

The NE $\frac{1}{4}$ NE $\frac{1}{4}$ 18-93-52
(35 ac. more or less)

T. 93 N.

37.4

50.8005
S. 45° W.

Proposed Irrig.
Well #2

54.7

23.2

38.6

31.1

123.4

Transferred
to
Yankton County

98.5

75.0

129.6

31.31

3158-3

3-23-93

Dept of Water & Natural Resources:

Roger Hagenbuch of Hurley, SD died
in July, 1992. His water license number
is Water license No. 3158-3.

I, Joyce C. Hagenbuch, wife of
Roger Hagenbuch (J. Roger Hagenbuch)
have sold ~~this~~ ^{the} 40 acres that this
irrigation system is on. It was
sold 3-15-93 to Dennis L. Ihnen
of Hurley, SD. Please transfer
this to him. It may need to be
in the name of Dennis L. Ihnen and
Mary Kay Ihnen.

Their address:

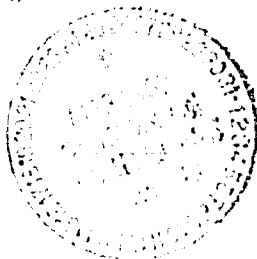
Dennis L. Ihnen & Mary Kay Ihnen

P. 1 Box 21

Hurley, SD 57036

Telephone: 1-605-238-5646

Thank you.



Joyce C. Hagenbuch

P. 1 Box 17

Hurley, SD 57036

3158-3



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

March 26, 1993

No. 3158-3

Dennis and Mary Kay Ihnen
RR 1, Box 21
Hurley, SD 57036

Dear Mr. and Ms. Ihnen:

I am contacting you with regard to ownership of Water Right No. 3158-3. The water right was formerly owned by Roger Hagenbuch. It is our understanding that you own the land instead of Roger Hagenbuch. In order to change ownership of Water Right No. 3158-3, you will need to file a "Notice of Transfer".

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

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.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl F. Frost".

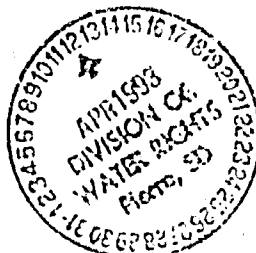
Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

3158-3

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3158-3Date: April 5, 1993I/We request that Water Right No. 3158-3formerly owned by: Roger Hagenbuch, Hurley, SD

be transferred to: (name & address) Dennis Ihnen RR1 Box 21
Hurley S.D. 57436 (Telephone No) 605-238-5646

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

35 acres - NE 1/4 NE 1/4 Section 18, T98N, R52W

I/We understand that the validity of Water Right No. 3158-3 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 Durham)

I/We Dennis Ihnen being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Dennis Ihnen
(Signed)

Subscribed and sworn to before me this 5th day of April, 1993.

Colin Hubregas
(Notary Public)
com. n. exp 7-6-95

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

3158-3
413734

Pierre, April 21, 1995

RECEIVED OF Mr. & Mrs. Roy L. Harley, SD 57036

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer

3158-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 22, 1993

No. 3158-3

Dennis Ihnen
RR 1, Box 21
Hurley, SD 57036

Dear Mr. Ihnen:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 3158-3.

Our records now show you as the owner of Water Right No. 3158-3.

Sincerely,


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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 3158-3

Date: 8-28-06

I/We request that Water Right/Permit No. 3158-3 formerly owned by:

Dennis Ihnen

be transferred to:

New Owner Name:

Darrin Ihnen

Address:

28065 459th Ave

City, State, Zip

Hurley SD 57036

Telephone No

605-238-5544
cell - 605-201-1209

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

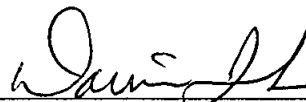
The North east Quarter of the Northeast Quarter
(NE 1/4 NE 1/4) of Section Eighteen (18,) Township Ninety eight
(98) Range Fifty-two (52) Turner County, South Dakota.

☒ I understand that the validity of Water Right/Permit No. 3158-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

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

I, Darrin Ihnen, 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

SEP - 1 2006

WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 1, 2006

RECEIVED OF Darrin Ihnen, 28065 459th Ave. Hurley SD 57036

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3158-3</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.

02560

By

Darland Ebel

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 5, 2006

3158-3

Darrin Ihnen
28065 459th Ave
Hurley SD 57036

Dear Mr. Ihnen:

I am writing to acknowledge receipt of the ownership change you filed for Water Right No. 3158-3. The transfer has been completed. The water right, formerly held by Dennis Ihnen is now listed in your name.

Enclosed is your Receipt No. 02566 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

If I can answer any questions for you concerning the water right, please contact me.

Sincerely,

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

enclosure



3158-3
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, 2007

NOTICE

TO: DARRIN R & REBECCA A IHNEN, 28065 459th AVENUE, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 1348-3 & 3158-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 7, 2007, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1348-3 & 3158-3 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, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 5, 2007

1348-3
3158-3

Darrin & Rebecca Ihnen
28065 459th Ave
Hurley SD 57036

Dear Mr. & Mrs. Ihnen:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 1348-3 and 3158-3.

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

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: DARRIN R & REBECCA A IHNEN, 28065 459th AVENUE, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 1348-3 & 3158-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 10, 2010**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1348-3 & 3158-3 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 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/asp>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2010

1348-3
3158-3

Darrin & Rebecca Ihnen
28065 459th Ave
Hurley SD 57036

Dear Mr. & Mrs. Ihnen:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 1348-3 and 3158-3.

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

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

SEP 09 2014

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 3158-3Date: 9/4/14I/We request that Water Right/Permit No. 3158-3 formerly owned by:Darrin Ihnen

be transferred to:

New Owner Name:

Sheryl Fast

Address:

3808 W. 74th St

City, State, Zip

Sioux Falls, SD 57108Telephone No 307-631-9819

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

NE 1/4 NE 1/4 Sec 18 Twn 98-52

☒ I understand that the validity of Water Right/Permit No. 3158-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Sheryl Fast, the new owner, certify that the above information is true and correct.

Sheryl Fast
(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/9, 20 14

RECEIVED OF Sheryl Fast 3808 W 74th St Sioux Falls SD 57108

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	50	00
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>3158-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **06942**

By James Goodman
Chief Engineer



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



September 9, 2014

3158-3

Sheryl Fast
3808 W 74th St
Sioux Falls SD 57108

Dear Ms. Fast:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership of Water Right No. 3158-3.

The ownership change has been completed. Water Right No. 3158-3 formerly held by Darrin Ihnen is now listed in your name.

Enclosed for your records is Receipt No. 06942 in the amount of \$50 which you paid for filing the ownership change. I have also included a copy of the water right for your files.

If you have any questions, please contact me.

Sincerely,

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

enclosures