

Water Right Number 3758-3

1. Considered 1-26, 19 77
2. Name of Applicant ROBERT CHING
3. Post Office Address CASTLEWOOD
4. Amount of water claimed 2.9
5. Source of water supply 38' WELL
6. Water to be used for IRRIGATION

Acres to be irrigated 200

7. Water to be diverted and used in D/AMLIN County
about 6 N. 1 E Miles 1 of ESTELINE

8. Proof of Publication Received 1ST

Not received _____

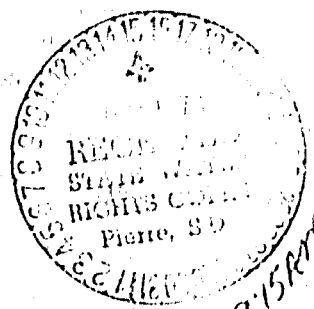
9. Application Approved _____

Subject to _____

Not approved _____

Action deferred _____

10. Remarks:

No. 3235-3Map No. 2526-3 Water Division No. 3 Big Sioux River District _____
(Blank to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriately Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

SCC
10.29

1. Name of Applicant Robert Ching
Postoffice address Castlewood, State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Robert Ching Irrigation Project # 1
4. Amount of water claimed (cubic feet per second) 2.9
5. Source of water supply Ground well
6. Location of point of diversion NE 1/4 - NW 1/4 - 30 - 114 - 50
2600' N 96° E of NW corner sec 30 - 114 - 50
County Deuel
7. Annual period or periods during which water is to be used May - October
8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 200

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 - NW 1/4 - 30 - 114 - 50	2.3	SW 1/4 of SW 1/4 sec 19 - 114 - 50	34
NE 1/4 - NW 1/4 - 30 - 114 - 50	3.5	SE 1/4 of SW 1/4 sec 19 - 114 - 50	38
NW 1/4 - NE 1/4 - 30 - 114 - 50	40		
NE 1/4 - NE 1/4 - 30 - 114 - 50	30		

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 3 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Estelline Journal
12. Principal Features of the Proposed Water Supply System.

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

Irrigation well

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

Irrigation pump
Al. pipe

C. Works proposed to apply water to beneficial use.

Traveling GunEstimated Total Cost \$ 36,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of DeuelI, Robert Ching, 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

Robert L. Ching

Subscribed and sworn to before me this

4

day of

April1936John S. Anderson
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3238-3

ROBERT CHING
(Applicant)

CASTLEWOOD
(Post Office Address)

SOUTH DAKOTA 57223
(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 adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application OCTOBER 15, 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 JANUARY 26, 19 77 Recorded in Book 18 Page 298

WATER RIGHT PERMIT NO. 3238-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3238-3 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 OCTOBER 15, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 26, 19 79
3. The whole of said work is to be completed on or before JANUARY 26, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 26, 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 2.9 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JANUARY 26, 19 85; said water to be used during the following described annual period: MAY THRU OCTOBER

Witness my hand this 1ST day of AUGUST, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 4, 19 79

Water License Issued APRIL 4, 19 79

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 5-8", Depth 38'
(2) Casing, Type steel Diameter 14" Thickness 1/4"
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type cont. slot, Diameter 14", Length 15'
(4) Gravel Pack, Thickness 5", Length of gravel pack 20'

E. Dugout Information or Estimates

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 0' to 1' - topsoil; 1' to 3' Sand
fine dry & dirty; 3' to 7' Gravel medium dry
and dirty; 7' to 20' Sand fine to coarse;
20' to 38' gravel fine to coarse & clean.

Depth to top of water bearing material 12'

Depth to bottom of water bearing material 38'

Thickness of water bearing material 26'

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

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

On same owner's property 80 rds. On property owned by others 82 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.

Robert L. King
Signature of Applicant

October 26, 1976

Mr. Robert Ching
Castlewood, SD 57223

Dear Mr. Ching:

Your water sample (Lab. No. 76-1525) 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

LOP:ckb
Enclosures
cc: State Conservation Commission

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

Robert Channing

ADDRESS

Castlewood South Dakota

COUNTY

Hampton Deuel

LEGAL DESCRIPTION

1. WELL LOCATION

NE 1/4 - NW 1/4 - 30 - 114 - 50

2. LOCATION OF AREA TO BE IRRIGATED

N 1/2 NW 1/4 - 30 - 114 - 50

N 1/2 NE 1/4 - 30 - 114 - 50

S 1/2 SW 1/4 - 29 - 114 - 50

TYPE OF IRRIGATION

3. GRAVITY

TOWLINE

CENTER PIVOT

GUN

☒

4. CROPS TO BE IRRIGATED

Corn & Alfalfa

WATER QUALITY

5. SAMPLE NUMBER

76-1525

6. SALINITY (EC X 10⁶)

6.55 (medium)

7. SODIUM (SAR)

0.28 (low)

8. RESIDUAL SODIUM CARBONATE (meq/l.)

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

APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS

4 DAY OF Oct 19 1962

John S. McNamee
(TITLE OR SEAL)

Approval does not imply that this project can be carried out successfully in all circumstances. Individual management of the project is required to determine the relative success of the project.

APPROVED/REAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Robert Oning
 Address: Rt. 1, Box 64
Castlewood, SD 57223

Date Rec'd October 4, 1976
 Sample No. 76-1525
 Identification Well 38
T 114N, R 50E

WATER ANALYSIS

Calcium (Ca)	82	ppm*	4.10	me/l**
Magnesium (Mg)	24	ppm	1.97	me/l
Sodium (Na)	11	ppm	0.43	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	100	ppm	2.08	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.13	me/l
Bicarbonate (HCO ₃)	298	ppm	4.95	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)	244	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	685	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.23			
Sodium	7.27	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.47			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

***G.P.G.=grains per gallon

COMMENTS: Total cations 6.60 me/l
 Total anions 7.09 me/l



By: Shirley Hittan

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. 76-1525

Amount Enclosed \$

Signed

WATER LICENSE NO. 3238-3

(1) WHEREAS, On the 15th day of October A. D. 19 76

Robert Ching

made Water Right Application No. 3238-3 for a permit to use 2.9 cubic feet per second of the waters of ground water

County of Deuel State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 1st day of August A. D. 19 77

Permit No. 3238-3 with a date of priority of October 15, 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 26th day of January A. D. 19 82 and for the

application to beneficial use of said water on or before the 26th day of January A. D. 19 85

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 1.34 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 T114N, R50W

Section 19 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 34 acres

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 38 acres

Section 30 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 23 acres

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 35 acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres

TOTAL 200 acres

(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 Ching

of Castlewood

the holder _____ and owner _____ of said permit No. 3258-3 a water right, dating from October 15, 1976
_____ of _____ 1.34 cubic feet per second of the waters
of ground water

in the County of Deuel and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 2600' N. 96' E. of the NW Corner,
Section 30, T114N, R50W

and conduct to and upon portions of Sections 19 and 30, T114N, R50W, described
on the face of this License.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3238-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 4th day of April A. D.
Nineteen Hundred and Seventy-nine

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 3238-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Robert Ching

_____ the holder _____ of
Permit No. 3238-3, issued upon Application No. 3238-3, bearing date of priority of _____
October 15, 1976 authorizing the diversion of 2.9 cu. ft. per second of the waters of _____
ground water County of Deuel, State of South Dakota at _____
a point 2600' N 96°E of the NW Corner, Section 30, T114N, R50W
_____, for irrigation

purpose, 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 1.34 cu. ft. per second of water.

Date April 4, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Commission

Form 6 - Notice of Intent to Appropriate Water

No. 3236-3

Publish first publication, on or before January 17, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 17, 1977

Notice is hereby given that Robert Ching

whose post office address is Castlewood, 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

Robert Ching R 1, the point of diversion of which is to be located in the

NEL: 1A11

of Section 30, Twp. 114N, Range 50W. Said water to be used for the purpose of providing irrigation on the following described land:

NEL: 1A11, Section 30; SW 1/4, Section 10, T114N, R50W

This application No. 3236-3 will be considered by the Water Rights Commission at their office at Pierre upon the 26th day of January, 1977, 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: Robert Ching, Castlewood, SD 57223

No. 3238-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Harrison) ss.

I, M. R. HAUSMANN, hereby

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

Water was taken from the Estelline Journal

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

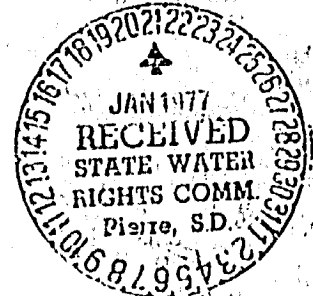
City of Estelline

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

Jan. 6, 1977

Jan. 13, 1977

NOTICE OF INTENT TO APPROPRIATE
WATER
Pierre, South Dakota 57501
December 17, 1976
Notice is hereby given that
Robert Ching, whose post office
address is Castlawood, South Da-
kota, has made an application in
accordance with the provisions of
the water laws of South Dakota for
a permit to appropriate for bene-
ficial use 2.3 cubic feet of water
per second of time from ground
water through the Robert Ching
#1, the point of diversion of which
is to be located in the NE 1/4 NW
1/4 of Section 30, Twp. 114N
Range 50W. Said water to be used
for the purpose of providing irri-
gation on portions of the follow-
ing described land: 1/2 N 1/2
Section 30, S 1/2 SW 1/4, Section
19, T114N, R50W. This application
No. 3238-3 will be considered by the Water Rights
Commission at their office at
Pierre upon the 26th day of Janu-
ary, 1977, at 10:00 a.m. All in-
terested persons may appear and
be heard.
WATER RIGHTS COMMISSION
BURTON F. JONES
Water Rights Specialist
(Publ. January 6 and 13, 1977)



3238-3 Rabbit Creek

Well - 36 ft deep - 12 ft to water

6-15-78 Summary 600 gpm, 100 gpm

Well capacity. Rabbit Creek camp

Pump. Motor load 1.6 hp

Wind 6.11 4.11

For the 45000

Clear Water 6000. Not tested

Inspect In for repair

5000 ft 6 in diameter

1.1. 1.1. Rabbit Creek

Feb 7 1975

Water pump 1.200 ft. 0.100

May 14 1975

Good 1.200 ft.

Permit No. 3238-3Water Division 3 Big Sioux River Water DistrictREPORT 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 Ching
 of Castlewood, South Dakota 57223 holder
 of Permit No. 3238-3, bearing date of priority of October 15, 1976
 authorizing the diversion of 2.9 cu. ft. per second of the waters of One Well
 for Irrigation purposes, in Deuel 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:

Motor 60 HP. Electric
 Pump - Western Hand Roller, Ser # 959206, Head 6M-4-100-HC
 Pumping 600 gpm.

B. Works used to transport water to place of use,

5000 ft 6" dia Aluminum pipe
660 ft Flexible Hosc.

C. Works used to apply water to beneficial use.

E-Z Rain, Model MK54, Ser. # 55093-5. Traveling Gun. with
Nelson Gun Model P-200, Ser # CCT343 - Nozzle size 1.4" dia.

The system is in the following condition: Good

The point of diversion is located 2600 ft N 76° E of NW corner of Sec. 30,
T114N R50W

The works are capable of diverting and conveying to the place of use 1.34cu. 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: In Section 19, T114N R50W

SW 1/4 SW 1/4 - 34 Ac., SE 1/4 SW 1/4 - 38 Ac., In section 30, T114N R50W
NW 1/4 NW 1/4 - 23 Ac., NE 1/4 NW 1/4 - 35 Ac., NW 1/4 NE 1/4 - 40 Ac., NE 1/4 NE 1/4 - 30 Ac.

comprising a total of 200 acres of land.Well depth 36 ft.static - 12 ft.pumping 600 gpmcapacity 750 gpm

$600 \text{ gpm} \div 4.48 = 134 \text{ cfs}$
 $134 \text{ cfs} \times 1.486 = 199 \text{ ac-ft}$

Date January 23, 1979
Leroy McNaugh
 (Signature)

Permit No. 3238-3Water Division 3 Big Sioux River Water DistrictREPORT 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

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 of Permit No. 3238-3, bearing date of priority of October 15, 19 76
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B. Works used to transport water to place of use

5000 ft 6" dia Alum. Pipe
 660 ft Flexible Hose

C. Works used to apply water to beneficial use.

E-Z Rain, Model MK54, Ser. # 55093-5. Traveling Gun. with
 Nelson Gun Model P-200, Ser. # C07343. Nozzle size 1.4" dia.

The system is in the following condition: Good

The point of diversion is located 2600 ft N 96° E of NW corner of Sec. 30,
T114N R50W

The works are capable of diverting and conveying to the place of use 1.34
 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: In Section 19, T114N R50W
SW 1/4 SW 1/4 - 34 Ac., SE 1/4 SW 1/4 - 38 Ac., In section 30, T114N R50W
NW 1/4 NW 1/4 - 23 Ac., NE 1/4 NW 1/4 - 35 Ac., NW 1/4 NE 1/4 - 40 Ac., NE 1/4 NE 1/4 - 30 Ac.

comprising a total of 200 acres of land.Well depth 36 ft.static - 12 ft.Pumping 600 gpmcapacity 750 gpm

Date

January 23, 1979
Leroy L. Mernagh
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6788

PIERRE, February 14, 1979

RECEIVED OF Robert L. Ching, Route 2, Box 64, Castlewood, SD 57223

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. 3238-3	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 3238-3		
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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 8, 2000

3238-3

Brett Miller
RR 1 Box 271A
Estelline SD 57234

Dear Mr. Miller:

Thank you for the prompt return of the irrigation questionnaire for Water Right No. 3238-3. On the form, you indicated you were now the owner of the property.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. Please review the form and complete as needed. 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. The check or money order for the fee can be made payable to the "Water Rights Program".

I am including a copy of Water Right No. 3238-3. You may keep this for your records. If I can answer any questions for you concerning the water right or completion of the transfer form, please get in touch with 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. 3238-3

Date:

1 We request that Water Right No. 3238-3

formerly owned by: Robert Ching

be transferred to: (name & address)

RR 1 Box 271A, Estelline, SD 57234

Telephone No. 605-873-2877

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

200 acres – S ½ SW ¼ Section 19; N ½ NW ¼, N ½ NE ¼ Section 30, all in T114N, R50W

I/We understand that the validity of Water Right No. 3238-3 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 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.

STATE OF SOUTH DAKOTA)

County of Damlin

I/We Brett Miller 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.

Brett Shille

(Signature of new owner)

Subscribed and sworn to before me this 3rd day of January, 2000: 2001

Cloris F. Krast

(Notary Public)

My commission expires 11-17-2003



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

Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416727

Pierre, January 8, 2001

RECEIVED OF Brett Miller, RR 1 Box 271A, Estelline SD 57234
the following amount in fees for services rendered as provided for by law: (Robert Ching)

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 3238-3

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

By David L. Ebel
Civil Engineer

gmv



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 8, 2001

3238-3

Brett Miller
RR 1 Box 271A
Estelline, SD 57234

Dear Mr. Miller:

Thank you for following up on the ownership change for Water Right No. 3238-3. The transfer has been completed and the water right formerly held by Robert Ching has been transferred to your name.

Enclosed is your Receipt No. 416727 in the amount of \$2.50. You may keep this for your records.

If I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosure

26.9

Deuel Co.

Transferred

TO
HAMLIN COUNTY

34 AC

SE 1/4 SW 1/4
38 AC

114-50

N 76° E

78

NE 1/4 NE 1/4
30 AC

NE 1/4 NW 1/4 - 35 AC

NW 1/4 NE 1/4
40 AC

12.6

Robert L. Ching
Irrigation Project
Castledwood S. Dakota

32.0

30

Area to be irrigated - 200 acres
Point of Diversion - 2600' N 96° E
of NW corner sec 30 - 114-50

Transferred

TO

HAMLIN
COUNTY

68

Oct. 9, 1976

Certified correct

John Stephens

MAP NO. 3 ARLN-3238-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 3rd, 2025

3238-3

Greg Miller
20145 462nd Ave
Bruce, SD 57220

Dear Mr. Miller:

I am writing you regarding Water Right No. 3238-3, currently held by Brett Miller. Water Right No. 3238-3 authorizes the diversion of 1.34 cubic feet of water per second from 1 well, located in the NE1/4 NW1/4 Section 30 Township 114N Range 50W, for irrigation of 200 acres in portions of Sections 19 and 30; all in T114N, R50W.

It is the understanding of the Water Rights Program that you now own this property, and that ownership of Water Right No. 3238-3 should be transferred accordingly. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

Sincerely,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us

enclosures

3238-3

PAID

NOV 14 2025

Ck# 21289

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 3238-3

Date: 11-10-2025

I/We request that Water Right/Permit No. 3238-3 formerly owned by:

Brett Miller

be transferred to:

New Owner Name:

Greg Miller

Address:

20145 462nd Ave

mobile: 605-690-4399

City, State, Zip

Bruce, SD 57220

email: gdmiller@itctel.com

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

ALL IN T114N, R50W

SECTION 19 SW1/4 SW1/4 - 34 ACRES

SE1/4 SW1/4 - 38 ACRES

SECTION 30 NW1/4 NW1/4 - 23 ACRES

TOTAL 200 ACRES

NE1/4 NW1/4 - 35 ACRES

NW1/4 NE1/4 - 40 ACRES

NE1/4 NE1/4 - 30 ACRES

☒ I understand that the validity of Water Right/Permit No. 3238-3 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, Greg Miller, the new owner, certify that the above information is true and correct.

Greg Miller
(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

Date November 18th, 2025

RECEIVED OF Greg Miller 20145 462nd Ave Bruce SD 57220

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>#3238-3</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 Mark Mayek
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 21, 2025

3238-3

Greg Miller
20145 462nd Ave
Bruce SD 57220

Dear Mr. Miller:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fees you submitted for Water Right No. 3238-3. Enclosed is a receipt of payment for your records.

Water Right No. 3238-3 previously held by the Brett Miller, is now listed under yourself. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the license (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the water right will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

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

NOTE: The validity of Water Right No. 3238-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures