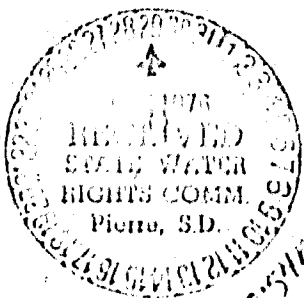


Water Right Number 7744-3

1. Considered 1-26, 19 77
2. Name of Applicant DENNIS C. BOYD
3. Post Office Address DOLAND
4. Amount of water claimed 2.2
5. Source of water supply 80' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 280
7. Water to be diverted and used in SPINK County
about 1N, 3E Miles of DOLAND
8. Proof of Publication
Received 1-14-77
Not received
9. Application
Approved
Subject to
Not approved
Action deferred
10. Remarks:

No. 3244-3Map No. 2532-3 Water Division No. 3 JAMES RIVER District _____
(Blanks to be filled by the Engineer for the W. D. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not used.)

1. Name of Applicant Dennis C. Boyd
Postoffice address RF #2, Doland State South Dakota 57124
If a corporation show date and place of incorporation _____ Direct Labor _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Dennis C. Boyd - Unit #1
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) 2.20
5. Source of water supply Ground Water
6. Location of point of diversion A POINT IN THE CENTER OF THE SE¹ SECTION 27, T11N, R60W
County Spink
7. Annual period or periods during which water is to be used March - November
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 40.280

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.
SE ¹ of 27-117-60	140.28		
NE ¹ of 27-117-60	140		

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 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication The Daily Plainsman, Huron, So. Dak.
12. Principal Features of the Proposed Water Supply System.

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

Pump Bowl

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

Main Line

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ _____

Attachments: Attach Form "A" 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 SpinkI, Dennis C. Boyd

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 Dennis C. BoydSubscribed and sworn to before me this 26 day of April, 1978

(Notary Public or other qualified officer)

COMMISSION EXPIRES
MARCH 4, 1984.

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3244-3

DENNIS C. BOYD

(Applicant)

DOLAND

(Post Office Address)

SOUTH DAKOTA 57436

(State)

With the following modifications

The irrigation well approved under this Permit is located near domestic 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.

Date of first receipt of application OCTOBER 29, 1976

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

Date of receipt of corrected application DECEMBER 1, 1976

Approved JANUARY 26, 1977, Recorded in Book 17 Page 54

WATER RIGHT PERMIT NO. 3244.3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3244.3 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 29, 1976
2. The equivalent of at least one-fifth of the work specified is to be completed on or before JULY 26, 1979
3. The whole of said work is to be completed on or before JANUARY 26, 1982
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 26, 1984
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 2.2 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is

actually and beneficially applied for irrigation on or before JANUARY 26, 1984; said water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 7TH day of APRIL, 19 77

WATER RIGHTS COMMISSION

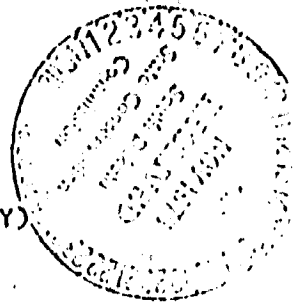
By:

John H. Hald
Chief Engineer, Executive Officer

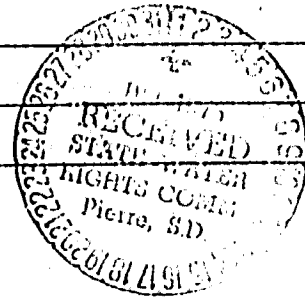
Certificate of Construction Issued APRIL 4, 1979

Water License Issued APRIL 4, 1979

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 Dennis C. Boyd
ADDRESS RR #2, Deland, South Dakota 57436
COUNTY Spink



LEGAL DESCRIPTION

1. WELL LOCATION Center of SE¹ of 27-117-60
2. LOCATION OF AREA TO BE IRRIGATED SE¹ of 27-117-60 + 711' 27-117-60

TYPE OF IRRIGATION

3. GRAVITY TOWLINE CENTER PIVOT GUN
4. CROPS TO BE IRRIGATED Corn, Alfalfa, Small Grain

WATER QUALITY

5. SAMPLE NUMBER 76-1713
6. SALINITY (EC x 10⁶) 1062 (high)
7. SODIUM (SAR) 1.56 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Spink (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.

SUBSCRIBED AND SWORN BEFORE ME THIS
26 DAY OF April 1966.

(TITLE OR SEAL) COMMISSION EXPIRES
MARCH 4, 1967

(SOILS INFORMATION ON REVERSE SIDE)

Dennis C. Boyd
APPLICANT'S SIGNATURE

Approval does not imply that this project can be carried out under the terms of the permit. Individual non-agricultural uses to a large degree determine the relative success of this venture.

APPROVED/DISAPPROVED

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

Submitted by: Larris Boyd
 Address: Box 2
Leland, SD 57436
 Co.: Huron Drilling, Inc.
Huron, SD 57350

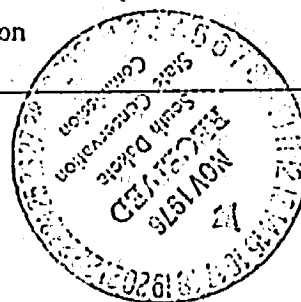
Date Rec'd October 28, 1976
 Sample No. 76-1713
 Identification 11-
Sec. 27, T 117N, R 60E

WATER ANALYSIS

Calcium (Ca)	126	ppm*	6.30	me/l**
Magnesium (Mg)	25	ppm	2.05	me/l
Sodium (Na)	73	ppm	3.18	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	245	ppm	5.10	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	20	ppm	0.56	me/l
Bicarbonate (HCO ₃)	378	ppm	6.20	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)	210	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1062	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.56			
Sodium	27.08%	of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.91			
Others:				

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

COMMENTS: Total cations 11.74 me/l
 Total anions 11.86 me/l



By: Shirley Hittan

Service Performed	Amount Due
-------------------	------------

Irrigation analysis	\$8.00 PAID
---------------------	-------------

Make checks payable to: Water Quality Laboratory

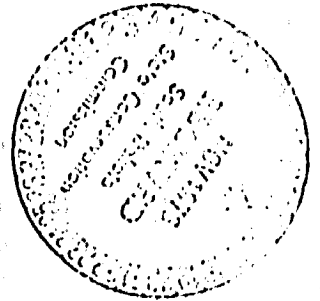
Cut along dotted line and return the lower portion with payment

Sample No. 76-1713

Amount Enclosed \$ _____

Signed _____

November 10, 1976



Mr. Dennis C. Boyd
R.R. #2
Doland, SD 57436

Dear Mr. Boyd:

This letter pertains to your water sample #76-1713 and your intent to irrigate in the east half of section 27-117-60.

The report of analysis is enclosed for your keeping. Also enclosed is a copy of AES pamphlet #13 with the quality of this water for irrigation purposes approximately designated by means of the red cross in the chart on the outside back cover.

This is actually fairly good water for the groundwater that we normally see in Spink, Beadle and Brown Counties. It is better than the average. However, the soils that you propose to irrigate are mainly very poorly suited or not at all suited to irrigation. I am especially thinking here of the soils numbered 92 and 12 which are Lamour silty clay loam and Beadle-Cavour silty clay or silty clay loam. These 2 areas, unfortunately, are prominent in both the NE quarter and the SE quarter of this section and I cannot see any possible way that a center pivot system could be used to irrigate in these 2 quarters and do a satisfactory job. The reason for the difficulty is the considerable difference between the water intake rates of the band of soil #72, Houdek, which extends NW-SE through the north quarter and SW-NE through the south quarter, or through part of it. The remaining portions or most of them in both quarters are either soil area 92 or soil area 12, Beadle-Cavour. Accordingly, it is extremely difficult to apply water to meet the needs and the intake rates of the better soils and the less permeable soils. You will have water ponding in both the Beadle-Cavour and in the Lamour when the other soils can take more water and will actually need it.

The only possible way I can see that you will be satisfied with the results of irrigating these lands is to put them into grass-alfalfa mixtures and keep them that way and do the irrigation by means of a tractor tow system or else be satisfied with 1 or 2 irrigations a year when the soil is the driest and put in all the water that it will hold at that time. This is not a way to get maximum economic returns from an irrigation investment, and I realize it. But it is the only way there will be any sustained life to your soil. The salt which is in the sub-surface zones of the Beadle-Cavour will rise to the surface very quickly when you start to get ponding and water standing. I don't believe you want this either. Accordingly, this is a very pessimistic recommendation and although there is no problem with the water itself, the drainage and internal water movement characteristics of the soils that you have are so questionable that

Mr Boyd
November 10, 1976
Page 2

I think it is a very doubtful venture at best. The judgement, of course, has to be made by you. Once the water permit is granted, then the development of the proposal is your decision.

I am sending a copy of this letter along with the application materials and a copy of the water analysis to the State Conservation Commission for their action. Your receipt is enclosed and I thank you for your payment.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission



HURON DRILLING INC. DRILLERS LOG

Dennis C. Boyd

SEL of 27-117-60

10-21-76

BOE NAME

LOCATION

DATE

PAGE NO.

15

Everett Ledmel

RIG NO.

FOREMAN

LOG NO.	DEPTH	TIME	REMARKS
1	0-20		0-2 Topsoil, 2-10 Yellow Clay, 10-20 Yellow Sand & Gravel, Little Water Loss
2	20-35		Yellow & Blue Tinted Fine & Medium Sand Gravel
3	35-50		Medium & Coarse Sand, BB Size Gravel, Little Water Loss
4	50-55		Medium & Coarse Sand & Dim Sized Gravel, Little Water Loss, Coal
5	65-80	TD	65-73 Gravel, Traces of Clay, Little Water Loss 73-80 Gravel & Blue Clay Streaks

DESCRIPTION	

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

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____, Diameter _____ Thickness _____
(wood, concrete, steel, etc.)

(3) Perforated Screen

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout. Log will be furnished by driller

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

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property 210 rds. On property owned by others 210 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.

Dennis C. Boyd
Signature of Applicant

WATER LICENSE NO. 3244-3

(1) WHEREAS, On the 29th day of October, A. D. 19 76
Dennis C. Boyd

made Water Right Application No. 3244-3 for a permit to use 2.2 cubic feet per second of the waters
 of ground water

County of Spink, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 7th day of April, A. D. 19 77

Permit No. 3244-3, with a date of priority of October 29, 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 84

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 1.89 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 27, T117N, R60W

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 28 acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 "

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 "

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 "

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 "

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 26 "

SB $\frac{1}{4}$ SE $\frac{1}{4}$ 34 "

TOTAL 241 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 Dennis C. Boyd

_____ of Doland

the holder _____ and owner _____ of said permit No. 3244-3 a water right, dating from October 29, 1976

_____ to use of .1.80 cubic feet per second of the waters of ground water

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

purposes hereinbelow mentioned, to be diverted at a point 1480' N & 960' W of the SE Corner,

Section 27, T117N, R60W

and conduct to and upon portions of Section 27, T117N, R60W, described
on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3244-3 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

Form 15

Permit No. 3244-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Dennis C. Boyd

the holder of

Permit No. 3244-3, issued upon Application No. 3244-3, bearing date of priority of

October 29, 1976, authorizing the diversion of 2.2 cu. ft. per second of the waters of

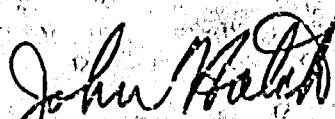
ground water County of Spink, State of South Dakota at

a point 1480' N & 960' W of the SE Corner, Section 27, 1117N, R65W

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 1.89 cu. ft. per second of water.

Date April 4, 1979



JOHN HATCH, Chief Engineer
Water Rights Commission

Form 1 - Notice of Intent to Appropriation

Subject: Water Right to be Appropriated

**NOTICE
INTENT TO APPROPRIATE WATER**

State of South Dakota

County of Butte

Applicant's name, print name: Donald E. Byrd

Address and office address: Box 1 South Dakota has made its best effort to determine the
with the provisions of the water laws of South Dakota for a period of 30 days prior to the filing of this

12 12 feet of water per second of flow in the Butte South Dakota Butte South Dakota

Box 1 South Dakota Butte South Dakota Butte South Dakota

center of the NE 1/4

of Section 27, Twp. 117N, Range 60E. Said water to be used for the purpose
portions of
of providing irrigation on the following described land:

NE 1/4 Section 27, T117N, R60E

This application No. 3200-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of January, 1977, at 10:00 AM. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

**BURTON F. JONES
Water Rights Specialist**

BFJ/bw

cc: Donald E. Byrd, Poland, SD 57126

No. 3244-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County _____)

I, Branda Heskett hereby

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

Water was taken from the Haron Daily Freeman

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 Haron

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

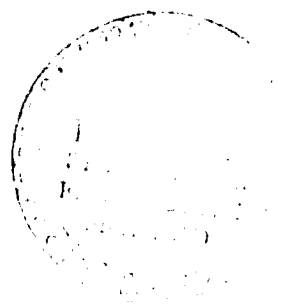
Jan. 5, 1977 Jan. 12, 1977

Branda Heskett
(Signature)

Bookkeeper
(Title)

1-12-77
(Date Signed)

F.P. 1-577 L.P. 1-1277
**NOTICE INTENT TO
APPROPRIATE WATER**
Pierre, South Dakota 57501
December 30, 1976
Notice is hereby given that Dennis
Boyd whose post office address is
Doland, South Dakota, has made an
application in accordance with the
provisions of the water laws of South
Dakota for a permit to appropriate
for beneficial use 2.2 cubic feet of
water per second of time from
ground water through the Boyd No.
1, the point of diversion of which is to
be located in the center of the SE 1/4
of Section 27, Twp. 117N, Range 60W,
Said water to be used for the purpose
of providing irrigation on portions of
the following described land: E 1/2,
Section 27, T117N, R60W.
This application No. 3244-3 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
BURTON F. JONES
Water Rights Specialist
No. 789 (adv.)



3244-3 Dennis C. Boyer
10-13-77 Well Depth 115 ft. 80 ft. 100 ft.
Pump j. 850 gpm. 100 ft. 100 ft.
Time 100 ft. 100 ft. 100 ft.
1300 ft. 6 ft. 100 ft. 100 ft.
Nozzle spray 40 ft. 100 ft. 100 ft.
Reel 53- 100 ft. 100 ft.

C.P. Lockwood 2100 100 ft. 100 ft.

2200 RPM
Diesel 135 HP. 6 cyl
E.C. Co. 1 Model 9F669134
S. # 5683148.

Bumpy Byron Jackson. No 10 ft.
on the log.

Permit No. 3244-3Water Division 3 James 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 do a thorough examination of the water use system constructed by Dennis C. Boyd of Doland, South Dakota 57436 holder of Permit No. 3244-3, bearing date of priority of October 29, 1976 authorizing the diversion of 2.2 cu. ft. per second of the waters of One Well for Irrigation purposes, in Spink 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:

Engine - Deutz 6 cyl. Diesel Model BF6L7131 -
2300 RPM, 135 H.P. Ser # 5683748.
Pump - Byron Jackson
Pumping 850 gpm

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

1220 ft 8" dia PVC Pipe - underground.
1300 ft 6" dia Aluminum pipe

C. Works used to apply water to beneficial use.

Lockwood Center Pivot, Model 2100.
3000 ft 4" Tow lines - Aluminum, with 40 ft nozzle sprays.
Rainbird Model 30 sprinklers, 1/4" nozzle.

The system is in the following condition: GoodThe point of diversion is located 1480' N and 760' W of the SE corner of Section 27, T117N R60WThe works are capable of diverting and conveying to the place of use 1.89cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Section 27, T117N R60W.

NW 1/4 NE 1/4 - 28 Ac, SW 1/4 NE 1/4 - 40 Ac, SE 1/4 NE 1/4 - 33 Ac, NW 1/4 SE 1/4 - 40 Ac,
NE 1/4 SE 1/4 - 40 Ac, SW 1/4 SE 1/4 - 26 Ac, SE 1/4 SE 1/4 - 34 Ac.

comprising a total of 241 acres of land.

Well depth 118 ft
static 20 ft
Pumping 850 gpm
capacity 1200 - 1500 gpm

Date January 23, 1979
Leroy J. McEnaugh
(Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 6777

PIERRE, February 12, 1977

RECEIVED OF Joan & Dennis Boyd, Coland, SD 57436
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. 3244-2	50	10
Fee for inspecting Beneficial Use, and issuing Water License No. 3244-2		
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	10

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 3244-3

April 22, 1988

Larry Brown
Box 158
Warner, South Dakota 57479

Dear Mr. Brown:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

NO. 3244-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 8-15-88

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

241 acres - E 1/2 Section 27, T117N, R60W

formerly owned by Dennis C Boyd

has been transferred to Frank Hahn, 710 Black Drive, Prescott, Arz. 86302
(please include complete mailing address)

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

Water Right Permit No. 3244-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

ARIZONA
STATE OF SOUTH DAKOTA)
County of Spink) ss.
Frank Hahn

I, FRANK Hahn being first duly sworn on my oath depose and say that
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 infor-
mation herein stated is true.

Frank Hahn
(Signed)

Subscribed and sworn to before me this 15 Day of August, 1988.

George Manning
(Notary Public)

My Commission Expires Jan. 20, 1992

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

444225

LB Realty, Trust Account, Pierre, August 22, 1962

RECEIVED OF for Frank Hahn, 710 Black Drive, Prescott, AZ. 86302 Warner, SD 57479 (Boyd Hahn)

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form Permit No. 324-3	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By John Hatch
Chief Engineer JOHN HATCH (MS)



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

WATER RIGHTS DIVISION
(605) 773-3352

August 24, 1988

L B Realty
Trust Account
Warner, South Dakota 57479

Dear Sir:

Enclosed is receipt No. 411365 in the amount of \$2.50 which you paid for the transfer of Water Right No. 3244-3.

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

Sincerely,

Maxine Stirling
Secretary

ms./
Enc.

cc: Frank Hahn



South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

STATE OF SOUTH DAKOTA
STATE CAPITOL
SOUTH DAKOTA 57501-3181

October 29, 1991

3244-3

George W Cluts
RR #1 Box 146
Frankfort, SD 57440-9717

Dear Mr. Cluts:

Enclosed, as we discussed, is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 3244-3. Also enclosed is a copy of the water right and a 1991 irrigation questionnaire.

The transfer form should be checked over for accuracy and signed 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.

I have included a copy of the 1991 irrigation questionnaire pertaining to your Water Right No. 1143-3A. You may keep this for your files. If you have any questions, please contact me.

Sincerely,

Genny McMath

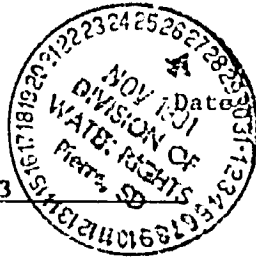
Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3244-3



Nov. 25, 1991

I\We request that Water Right No. 3244-3

formerly owned by: Frank Hahn

be transferred to: (name & address) George W. Cluts and Virginia L. Cluts, Route 1, Box 146, Frankfort, South Dakota 57440-9717 (Telephone No.) 605-472-2781

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

241 acres in the E 1/2 of Section 27, T117N, R60W

I\We understand that the validity of Water Right No. 3244-3 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 Spink)

I\We George W. Cluts 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.

George W. Cluts
(Signed)

Subscribed and sworn to before me this 25th day of November, 19 91.

Audrey Jensen
(Notary Public)

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 Water and Natural Resources

412934

Pierre, November 27, 1991

RECEIVED OF George or Virginia Cluts, RR 1, Box 146, Frankfort, SD 57440-9717

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form Water Right No. <u>3244-3</u>	250	
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	250

By [Signature]
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 4, 1991

No. 3244-3

George and Virginia Cluts
RR 1, Box 146
Frankfort, SD 57440-9717

Dear Mr. and Ms. Cluts:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 3244-3.

Our records now show you as the owner of Water Right No. 3244-3.

Sincerely,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 28, 2000

3244-3

Dwight & Mark Noethlich
41117 US Hwy 212
Doland, SD 57436

Dear Sirs:

I am contacting you in regard to ownership of land described in Water Right No. 3244-3. Yesterday, I received a call from George Cluts who indicated he had sold his land to you. Enclosed is a copy of the water right for your review.

I am enclosing a partially completed Notice of Transfer of Ownership" form for use in filing the ownership change. Please review the form for accuracy and complete the portion titled "*he transferred to: (name & address)*".

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". As soon as we receive the signed/notarized transfer form and filing fee, all pertinent records for Water Right No. 3244-3 will be transferred to your names.

I am also enclosing a "2000 Water Management Board Irrigation Questionnaire". Please complete the form with information concerning this year's irrigation season. The deadline for receipt of the irrigation questionnaire is December 31st.

I am enclosing a postage paid envelope for your use in returning the transfer form, filing fee and the irrigation questionnaire. If you have any questions concerning completion of the forms, please give me a call.

Sincerely,

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

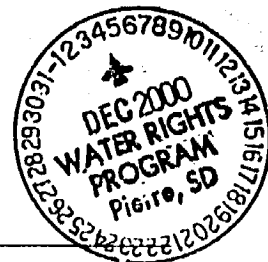
enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3244-3

Date: _____



I/We request that Water Right No. 3244-3

formerly owned by: George & Virginia Cluts, 39397 US Hwy 212, Frankfort, SD 57440-6702

be transferred to: (name & address) Dwight & Mark Noethlich 41117 US Hwy 212
Doland SD 57436 Telephone No. 605 635 6435

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

241 acres - E 1/2 Section 27, T117N, R60W

I/We understand that the validity of Water Right No. 3244-3 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 Spink)

I/We Mark Noethlich 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.

Mark Noethlich
(Signed)

Subscribed and sworn to before me this 30 day of November, 2000.

Natasha Noethlich
(Notary Public)

My Commission Expires: 10-15-2001

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

N2 416703

Pierre, ~~December~~ 4, 2000

RECEIVED OF Noethlich Brothers, PO Box 394, Deland SD 57436-0394
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form Water Right No. 3344-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By Deland Erbe
Chief Engineer

K-5



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 4, 2000

3244-3

Dwight & Mark Noethlich
41117 US Hwy 212
Doland, SD 57436

Dear Sirs:

Thank you for sending in the 2000 irrigation questionnaire and the transfer of ownership for Water Right No. 3244-3. The transfer has been completed and the water right is now listed in your names.

Enclosed is your Receipt No. 416703 in the amount of \$2.50. You may keep this for your records.

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

Sincerely,

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

enclosure



3244-3
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 20, 2005

NOTICE

TO: DWIGHT & MARK NOETHLICH, 41117 US HWY 212, DOLAND, SD 57436

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 3244-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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 8:30 am, March 2, 2005, 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. 3244-3 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 is received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

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



3244-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 1701

Your item was delivered at 10:49 am on January 21, 2005 in DOLAND, SD 57436. The item was signed for by M MDSGJGAG.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

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Track & Confirm

Enter label number:

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1701

DWIGHT & MARK NOETHLICH
41117 US HWY 212
DOLAND SD 57436

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

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☐ Package Services

PS Form 153, July 2001

(See Reverse)



**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 25, 2005

3244-3

Dwight & Mark Noethlich
41117 US Hwy 212
Doland SD 57436

Dear Sirs:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 3244-3.

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

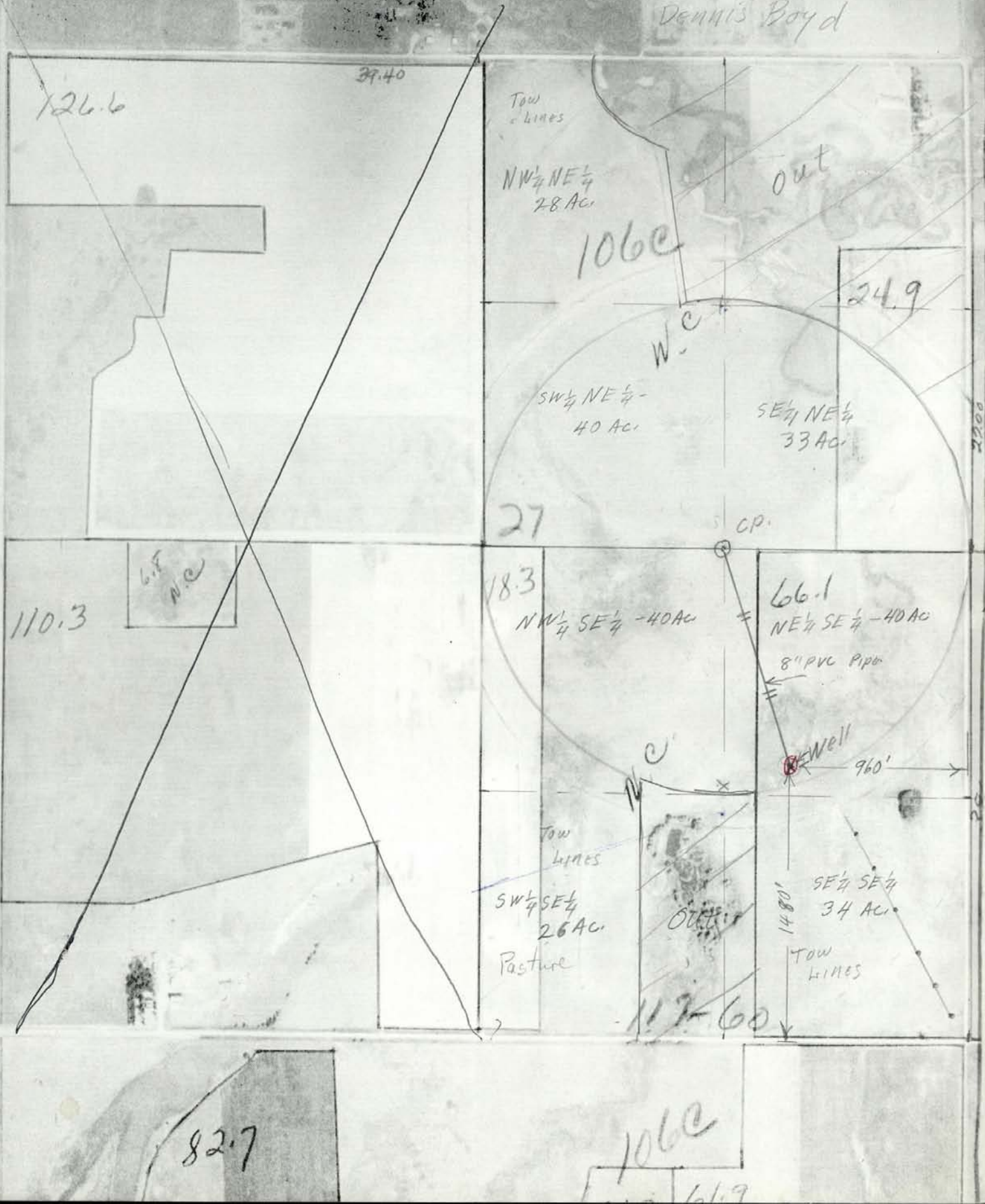
If you have any questions, please contact me.

Sincerely,

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

NOT TO SCALE

Dennis Boyd



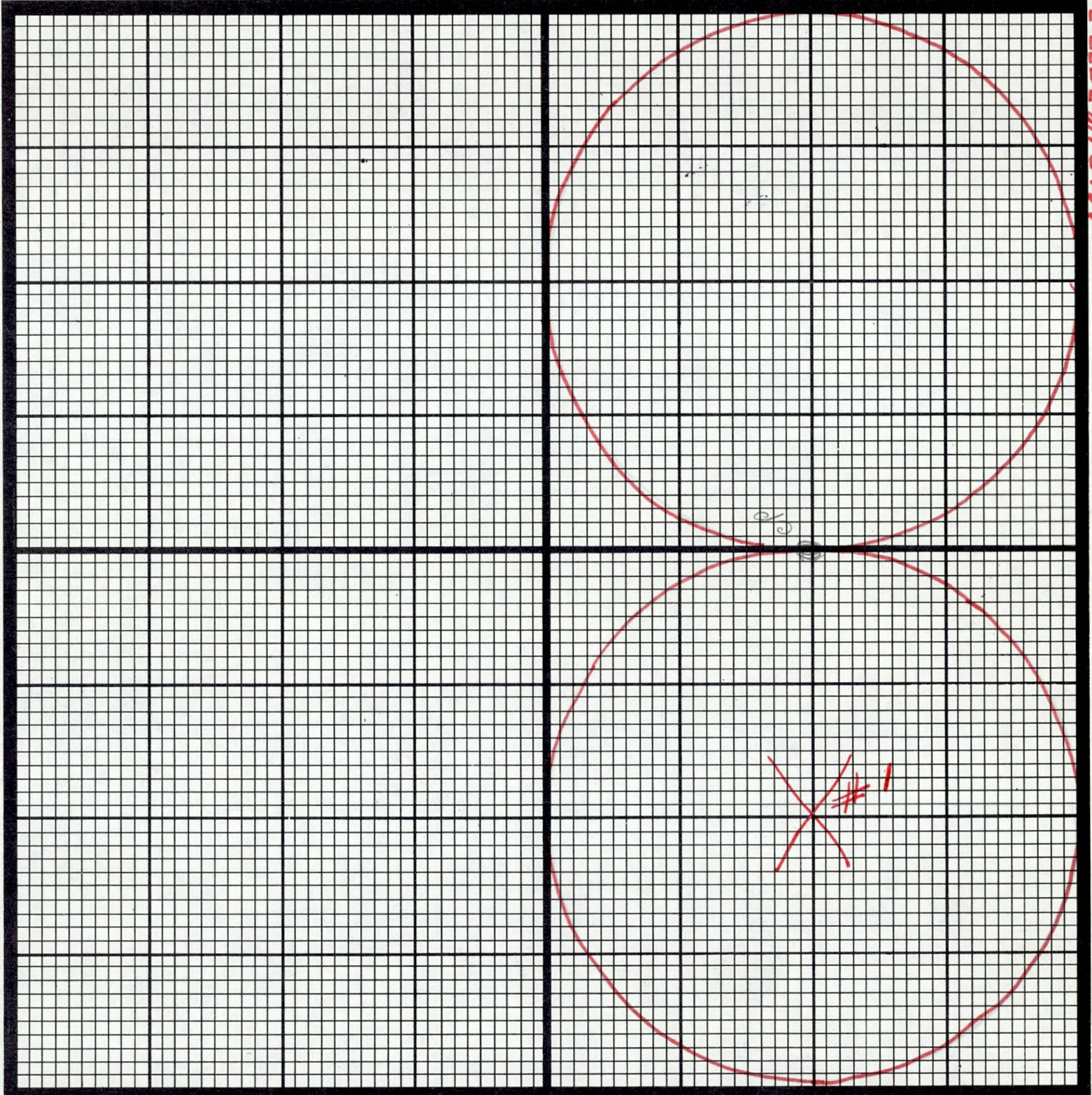
HURON DRILLING INC.
WELL LOCATION MAP

NAME Dennis C. Boyd

DATE October 25 19 76

WELL NO. #1 SE QUARTER, SECTION 27

TWP. 117 RANGE 60 IN Spink COUNTY



Prepared By

Dick Fadgen

Dick Fadgen

Beadle County Extension Agent

X — PROPOSED LOCATION

MAP NO. 2532-3 APP. 183244-3



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 23, 2009

NOTICE

TO: DWIGHT & MARK NOETHLICH, 41117 US HWY 212, DOLAND, SD 57436

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 3244-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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 11, 2009**, 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) 3244-3 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 6, 2009**, 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/E0455V7-IQ.pd>

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.

3244-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 5732
Status: **Delivered**

Your item was delivered at 8:23 AM on January 24, 2009 in DOLAND, SD 57436. The item was signed for by D NOETLICH.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 5732

DWIGHT & MARK NOETHLICH
41117 US HWY 212
DOLAND SD 57436

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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Keep this receipt. For Inquiries:
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**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 29, 2009

3244-3

Dwight & Mark Noethlich
41117 US Hwy 212
Doland SD 57436

Dear Sirs:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 3244-3.

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,

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