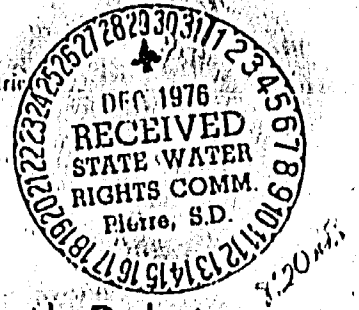


3508-3

1. Considered (SEPTEMBER 13, 1978)
2. Name of Applicant JENSEN BROS. LAND & CATTLE Co.
3. Post Office Address VERMILLION, S.D.
4. Amount of Water claimed 2.2
5. Source of Water supply ONE 69' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 154
7. Water to be diverted and used in CLAY County
about 3½ N - 2 miles EAST of MECKLING
8. Proof of Publication
Received 9-9-78
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 3308-3Map No. 2788-3 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)

Home Dr 624-2125
off 624-3441

1. Name of Applicant Jansen Bros. Land & Cattle Co.
Postoffice address Vermillion et al, State South Dakota
If a corporation show date and place of incorporation 1964, Clay
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work NA
4. Amount of water claimed (cubic feet per second) 2.2 CFS 2.2 MAX. ALLOWABLE
5. Source of water supply ground water
6. Location of point of diversion well location- 142 rod & 43 degrees SE of NW corner of Sec 8-93-52

County Clay

7. Annual period or periods during which water is to be used May-Oct
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated 4th 154

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 1/4 NW 1/4 8-93-52	19	NW 1/4 SW 1/4 8-93-52	10
NW 1/4 NW 1/4 8-93-52	10	SW 1/4 SW 1/4 8-93-52	7
SW 1/4 NW 1/4 8-93-52	16	NE 1/4 SW 1/4 8-93-52	39
SE 1/4 NW 1/4 8-93-52	37	SE 1/4 SW 1/4 8-93-52	16

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 NA years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Plain Talk
12. Principal Features of the Proposed Water Supply System.

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

well- ground water

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

well near center of pivot- underground pipe to south pivot point

C. Works proposed to apply water to beneficial use.

center pivot irrigation systemEstimated Total Cost \$ 26,000Attachments: 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 ClayI, Norman Jensen, President Jansen Bros. Land & Cattle Co., 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.Subscribed and sworn to before me this 12 day of October 1976Notary Public for South Dakota

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 3508-3
JENSEN BROS LAND & CATTLE Co. RT #1, VERMILLION
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57069 With 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 adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application DECEMBER 29, 19 76
 Date of return to applicant for correction, amendment or changes required DECEMBER 29, 19 76
 Date of receipt of corrected application MARCH 10, 19 77
 Approved SEPTEMBER 13, 19 78, Recorded in Book 20 Page 76

WATER RIGHT PERMIT NO. 3508-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 3508-3 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 MARCH 10, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 13, 19 81
3. The whole of said work is to be completed on or before SEPTEMBER 13, 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 13, 19 87
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 use served, and if for the irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before SEPTEMBER 13, 19 87; said water to be used during the following described annual period: MAY - OCTOBER

Witness my hand this 20th day of SEPTEMBER, 19 78

WATER RESOURCES COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued June 16, 19 80

Water License Issued June 16, 19 80

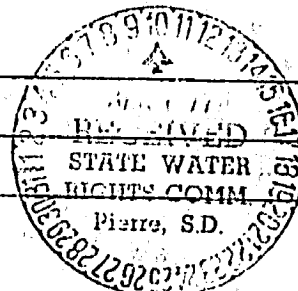
CONSERVATION
COMMISSION
FORM W1 #1

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 Jensen Bros. Land & Cattle Co.

ADDRESS Vermillion, South Dakota

COUNTY Clay



LEGAL DESCRIPTION

1. WELL LOCATION 142 rods & 13 degrees SE of NW corner of Section 8-23-52
2. LOCATION OF AREA TO BE IRRIGATED NE 1/4 Sec 8-23-52

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn, beans, alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-2113
6. SALINITY (EC x 10⁶) 2288 (High)
7. SODIUM (SAR) 0.47 (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 Clay County Soil 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
20 DAY OF October 19 76.

M. S. (Seal)
(TITLE OR SEAL)

Jensen Bros
APPLICANT'S SIGNATURE
By Norman Jensen Pres.
Albert J. Jensen
APPROVED/IN-AGREEMENT

(SOILS INFORMATION ON REVERSE SIDE)



December 30, 1976

Jensen Bros. Land & Cattle Co.
Vermillion, SD 57069

Dear Mr. Jensen:

Your water sample (Lab. No. 76-2113) 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.

This water is marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

(1) It will be used no more than 3 times (preferably less) in any growing season.

(2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.

(3) Water applications will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.

(4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

L. O. Fink

L. O. Fink
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

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

Submitted by: Jensen Bros. Land & Cattle Co. Date Rec'd: December 23, 1976
 Address: Vermillion, SD 57069 Sample No. 76-2113
 Identification: Well -
NW 1/4, Sec. 8, T. 93N, R. 52W

WATER ANALYSIS

Calcium (Ca)	414	ppm*	20.70	me/l**
Magnesium (Mg)	124	ppm	10.17	me/l
Sodium (Na)	42	ppm	1.83	me/l
Potassium (K)	18	ppm	0.47	me/l
Sulfate (SO ₄)	1200	ppm	24.96	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	8	ppm	0.24	me/l
Bicarbonate (HCO ₃)	454	ppm	7.44	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)	372	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2288	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.47			
Sodium	5.51	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.19			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 33.17 me/l
 Total anions 32.64 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-2113

Amount Enclosed \$

Signed

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30', Depth 69'
- (2) Casing, Type Plastic Diameter 1.5' Thickness 1/2"
(wood, concrete, steel, etc)
- (3) Perforated Screen
Type Slotted, Diameter 1.5', Length 40'
- (4) Gravel Pack, Thickness 7', Length of gravel pack 69'

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 26' - 68' Sand
0 - 4' T.S. 4.5 - 68' grad sand with
4 - 18' Y.C. some rock to 6" size
18 - 26' B.C. rock at 68'

Depth to top of water bearing material 26'

Depth to bottom of water bearing material 69'

Thickness of water bearing material 43'

Depth to water (ground surface to water level) 26'

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

On same owner's property none rds. On property owned by others 130 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.

Jensen Bros
Harmon Jensen
 Signature of Applicant

Permit No. 3508-3

Water Diversion No. 3 Vermillion River Water District

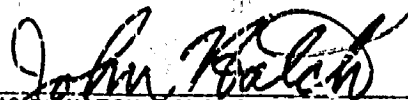
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Jensen Bros. Land and Cattle Company

_____ the holder s _____ of
Permit No. 3508-3, issued upon Application No. 3508-3 bearing date of priority of March 10,
1977 authorizing the diversion of 2.2 cu. ft. per second of the waters of _____
groundwater (one well) County of Clay, State of South Dakota at _____
a point N15°W, 3960' from the SE corner, Section 8, T93N, R52W
_____, for irrigation

purposes, have complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.66 (750 gpm) cu. ft. per second of water.

Date June 16, 1980


JOHN HATCH, Chief Engineer
Water Rights, WMD

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3508-3.

(1) WHEREAS, On the 29th day of December A. D. 19 76
Jensen Bros. Land and Cattle Co.

made Water Right Application No. 3508-3 for a permit to use 2.2 cubic feet per second of the waters of groundwater (one well)

County of Clay State of South Dakota, for irrigation purposes and

(2) WHEREAS, On the 13th day of September A. D. 19 70
 Permit No. 3508-3, with a date of priority of March 10, 1977
 was issued to said applicant S for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 13th day of September A. D. 19 83 and for the application to beneficial use of said water on or before the 13th day of September A. D. 19 87

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 (750 gpm) 1.66 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 the following lands all in Section 8, T93N, R52W

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 19

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 10

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 16

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 37

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 10

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 39

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 16

TOTAL ACRES 154

(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 Jensen Bros. Land and Cattle Co.

of Vermillion, SD

the holder S and owner S of said permit No. 3508-3 a water right, dating from March 10, 1977
to use of 1.66 (750 gpm) cubic feet per second of the waters
of groundwater (one well)

in the County of Clay and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point N150W., 3960' from the SW corner, Section 8,
T93N, R52W

and conducted to and upon portions of land all in Section 8, T93N, R52 W more fully
described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3508-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 16th day of June A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer, JOHN HATCH

Form 6 - Notice of Intent to Appropriate Water
GROUND WATER

No. 3508-3

Publish first publication, on or before September 11, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 13, 1978

Notice is hereby given that Jansen Bros. Land & Cattle Co. whose post office address is Vermillion, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8, 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from groundwater (one well) through the Jansen Bros. Irrigation Project the point of diversion of which is to be located in the SE 1/4 NW 1/4

of Section 8, Twp. 52N Range 52W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NW 1/4 and SW 1/4, Section 8-T93N-R52W

This Application No. 3508-3 will be considered by the Water Rights Commission at the 4-H Fairground Meeting Hall, west of Mitchell, SD on Hwy. 16 upon the 13th day of September 1978 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

NOTE: The final proof of publication must be received before the hearing date for the Commission to take action.

WATER RIGHTS COMMISSION

Betty Westlund,
Water Rights Specialist I

cc: Jansen Bros. Land & Cattle Co.
Rt. 1
Vermillion, SD 57069

No. 3508-3



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Clay) ss.

I, Sam Jetteland hereby

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

Water was taken from the Plain Table

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

city of Vermillion

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

Aug 31, 78
Sept 7, 78

Mary Etta Brace
(Signature)

Spec.
(Title)

September 7 1978
(Date Signed)

Notice of Hearing

On Application to
Appropriate Water
Pierre, South Dakota 57501
August 18, 1978

Notice is hereby given that Jensen Bros. Land and Cattle Co, whose post office address is Vermillion, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8, 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-8-3, 46-6-5, 46-8-8.1, 46-8-10, 46-8-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from groundwater (one well, through the Jensen Bros. Irrigation Project the point of diversion of which is to be located in the SE1/4 NW1/4 of Section 8, Twp. 93N, Range 62W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NW1/4 and SW1/4, Section 8-T93N-R52W.

This application no. 3508-3 will be considered by the Water Rights Commission at the 441 Fairground Meeting Hall, west of Mitchell, SD on Highway 16, upon the 13th day of September, 1978 at 10 a.m. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-28 may notify the Commission in writing prior to

No. 3508-3

Date , 19

TO: WATER RIGHTS COMMISSION

Joe Foss Building

Pierre, South Dakota 57501

Dear Sirs:

We are in receipt of your letter of Aug 18, 1978 enclosing Notice of Proposed Appropriation of Water, as proposed in Application No. 3508-3, which was first published in our issue of Aug 31, 1978.
ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Sincerely,

Mary Etta Brace

3-10-77

RECEIPTS

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7525

PIERRE, June 6, 1980

RECEIVED OF Jensen Bros. Land & Cattle Co., Mecklenburg, SD 57044

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. 2508-3	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 2508-2		
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	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (gy)

Permit No. 3508-3Water Division 3 VERMILLION RIVER Water District

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

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

I have this day made a thorough examination of the water use system constructed by JENSEN BROS LAND & CATTLE CO of VERMILLION holder of Permit No. 3508-3, bearing date of priority of MARCH 10, 1977 authorizing the diversion of 2.2 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in CLAY County.

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

The Water Use System consists of,

A. Works used to divert the water:

80' DEEP WELL WITH 15" PLASTIC CASING
AURORA TYPE 10 RM - 8" PUMP
POWERED BY DEUTZ DIESEL MOTOR #2500 - RATED AT 75 HP
HOLLOSHAFT GEARHEAD @ 1750 RPM

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

30' OF 10" MAINLINE TO N. PILOT
1480' OF 6" BURIED PLASTIC TO S. PILOT

C. Works used to apply water to beneficial use.

GIFFORD HILL - MODEL 360 - 6 TOWER CENTER PILOT
WITH #100 END GUN - PILOT SYSTEM IS TOWED
BETWEEN TWO PADS.

The system is in the following condition: GOOD

The point of diversion is located N 15° W, 3960' FROM THE S'4 CORNER,
SECTION 8, T93N, R52W

The works are capable of diverting and conveying to the place of use 1.66 (750 GPM)cu. 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 8, T93N, R52W

NE ¹ NW ⁴	19 ACRES	NW ⁴ SW ⁴	10 ACRES
NW ⁶ NW ⁴	10 "	SW ⁴ SW ⁴	7 "
SW ⁴ NW ⁴	16 "	NE ⁴ SW ⁴	39 "
SE ⁴ NW ⁴	37 "	SE ⁴ SW ⁴	16 "

comprising a total of 154 acres of land.Date MAY 6, 1980

Burton Horne
(Signature)

No. 3508-3

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

June 17, 1980

Jensen Eros. Land & Cattle Co.
Rt. #1
Vermillion SD 57069

Dear Sirs:

Enclosed herewith are, Water License No. 3508-3 and Certificate of Construction.

Water License No. 3508-3 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, WND

JH: kw

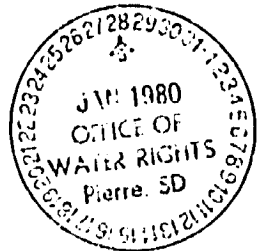
enclosures

Form 10.

No. 3508-3

Clay

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE



Post Office Vermillion

Date 1-11-79

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3508-3.

Water Right Permit No. 3508-3 states that the diversion system is to be constructed by Sept-13, 1983 and that the water is to be put to beneficial use by Sept 13, 1987.

The diversion system was completed on June, 1979.
Applying the water to beneficial use was completed on June, 1979.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Jenson Bro's Land & Cattle Co.

Rt. 1, Box
Vermillion, SD 57069

Norman Jensen
(Signature)

3508-3
3168-3

WATER RIGHTS DIVISION
(605) 773-3352

November 6, 1986

Larry Nelson
Woods Law Firm
310 S. 1st Avenue
Sioux Falls, South Dakota 57102

Dear Mr. Nelson:

Enclosed are copies of Water Right Nos. 3508-3 and 3168-3 along with a "Notice of Transfer" for each.

Please check over the transfer forms to insure their accuracy. They should be signed by the new owner in the presence of a notary and returned to our office with a \$2.50 filing fee for each, (total of \$5.00).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, conveyance, lease or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If I can answer any questions for you, please advise.

Sincerely,

Genny McHath
Natural Resources Analyst

GM:ms
Enc.

3508-3

WOODS, FULLER, SHULTZ & SMITH, P.C.

LAWYERS

310 SOUTH FIRST AVENUE

SIOUX FALLS, SOUTH DAKOTA 57102

336-3890

AREA CODE 605

HELVYNT WOODS 11899 (1983)
HOWELL L. FULLER 11209 (1981)
JOHN B. SHULTZ 11017 (1971)

FRANCIS H. SMITH
MERLE A. JOHNSON
ARLO D. SOMMERVOLD
RICHARD O. GREGERSON
TIMOTHY J. NIMICK
JOHN E. SMAD
WILLIAM G. TAYLOR
WILLIAM P. FULLER
STUART L. TIEDE
GARY P. THINSEN
BRADLEY C. GROSSENBURG
JAMES W. WIEDERRICH
COMET W. HARALDSON
RICHARD J. CONCORAN
J.C. SHULTZ
PIERCE W. MCDONWELL III
ROGER W. EAMGAARD
BARBARA ANDERSON LEWIS
FREDERICK M. ENTWISTLE
VINCENT A. FURTELL

November 13, 1986



Ms. Genny McMath
South Dakota Department of
Water and Natural Resources
Water Rights Division
523 East Capitol
Pierre, South Dakota 57501-3181

Re: Prudential/Jensen Brothers

Dear Genny:

Enclosed please find copies of the following documents:

1. Soil/Water Compatibility Permit Application Form in the name Clark Lewison;
2. Water License No. 3508-3 issued to Jensen Bros. Land and Cattle Co.; and
3. Copy of Title Commitment issued to Prudential Insurance Company of America.

We have spent a great deal of time trying to determine why the Clark Lewison Compatibility Permit Application appears on the title commitment. It is our belief that the legal descriptions on the Application are in error and thus appeared on our commitment. Please check the legal descriptions on Lewison's Water License No. 4644-3 to determine if this assumption is correct. If you have any questions regarding this matter, or if you need further information from us, please let me know.

Sincerely,

WOODS, FULLER, SHULTZ & SMITH P.C.

Larry D. Nelson
Larry D. Nelson

Enclosures



Department of Water & Natural Resources

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

December 5, 1986

Larry D Nelson
Woods, Fuller, Schultz, & Smith
310 S First Avenue
Sioux Falls, SD 57102

Dear Mr. Nelson:

I am writing in response to your letter of November 13, 1986 concerning differences between the legal descriptions on the soil/water compatibility permit for Water Permit No. 4644-3 and those appearing on your title commitment for Jensen Brothers Land and Cattle Company. Enclosed is a copy of Water Permit No. 4644-3 for Clark Lewison.

With your letter, you enclosed a copy of Water Right No. 3508-3, for Jensen Brothers Land and Cattle Company. This water right is separate from, and does not pertain to irrigation of land authorized by Water Permit No. 4644-3, Clark Lewison. While both pertain to lands in Section 8, T93N, R52W, Water Right No. 3508-3 is for land in the west half of the section and Water Right No. 4644-3 is for portions of lands in the east half of the section.

The legal descriptions under Water Right Nos. 3168-3 and 3508-3 for Jensen Brothers Land and Cattle Company and Water Permit No. 4644-3 for Clark Lewison correspond with their respective soil/water compatibility permits. Enclosed is a copy of the Water Right Nos. 3168-3 and 3508-3 and the soil/water compatibility permits for each.

Please let us know if you have any additional questions.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

Equal Opportunity Employer

WOODS, FULLER, SHULTZ & SMITH, P.C.

LAWYERS

210 SOUTH 79ST AVENUE

SIOUX FALLS, SOUTH DAKOTA 57102

336-3690

AREA CODE 605

MELVIN T. WOODS (1989-1993)
 HOWELL L. FULLER (1989-1991)
 JOHN B. SHULTZ (1982-1983)

FRANCIS M. SMITH
 MERLE A. JOHNSON
 ARLO D. SOMMERVOLD
 RICHARD O. GREGGHEON
 TIMOTHY J. N. MCT
 JOHN E. S. HRO
 WILLIAM G. TAYLOR
 WILLIAM P. FULLER
 STUART L. TIEDE
 GARY P. THOMPSEN
 BRADLEY C. GROSSENBURG
 JAMES M. WIEDERRICH
 COMETH H. HARALDSON
 RICHARD J. CONCORDIA
 J.G. SHULTZ
 PIERCE H. McDOWELL III
 ROGER W. DAMGAARD
 BARBARA ANDERSON LEWIS
 FREDERICK M. ENTWISTLE
 VINCENT A. PURTELL

December 3, 1986

Ms. Genny McMath
 South Dakota Department of Water
 and Natural Resources
 523 East Capitol
 Pierre, South Dakota 57501-3181

Re: Prudential vs. Jensen Brothers Land & Cattle Company

Dear Ms. McMath:

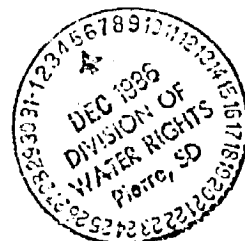
Enclosed please find two Notices of Transfer of Water Permits, Nos. 3168-3 and 3508-3. Also enclosed please find a check in the sum of \$5.00 for the transfers. Please send confirmation of the transfers to me upon processing. If you have any questions, please do not hesitate to contact me.

Sincerely,

WOODS, FULLER, SHULTZ & SMITH P.C.

James M. Wiederrich
 (196)
 James M. Wiederrich

Enclosures



NO. 3508-3

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: November 25, 1986

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

154 Acres - W1 Section 8 - T93N-R52W

formerly owned by Jensen Brothers Land & Cattle Company
has been transferred to The Prudential Insurance Company of America
1431 Opus Place, Suite 665, Downers Grove, Illinois 60515
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 3508-3 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.

ILLINOIS
STATE OF ~~SOUTH DAKOTA~~)
County of DuPage) ss.

I, Bob Stutzman being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read
the above foregoing statement, and I know of my own personal knowledge that the infor-
mation herein stated is true.

By: [Signature]
Bob Stutzman (Signed)
Vice President

Subscribed and sworn to before me this 26th Day of November, 1986.

My Commission Expires: 4/16/90

[Signature]
(Notary Public)

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

410640

RECEIVED OF Pierre, December 5, 1936
(Woods, Fuller Shultz & Smith, 310 S. 1st St., Sioux Falls SD 57102)
Prudential Insurance Co. of America, 1431 Olive Place, Suite 668, Corners Grove
the following amount in fees for services rendered as provided for by law: IL 60515

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. <u>3303-3</u>	2	50
Fee for Filing Transfer Form _____		
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

(15)

3508-3
3168-3

WATER RIGHTS DIVISION
(605) 773-3352

December 18, 1986

Woods, Fuller, Shultz and Smith
310 South First Avenue
Sioux Falls, South Dakota 57102

Dear Sir:

Enclosed are receipt Nos. 410639 and 410640 in the amount of \$2.50 each
which you paid for transfer of Water Right Nos. 3508-3 and 3168-3.

Our records now show Prudential Insurance Company of America as owner
of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

WATER RIGHTS DIVISION
(605) 773-3352

March 17, 1987

James A. Johnson Law Offices
1 East Main
PO Box 415
Verillion, South Dakota 57069

ATTENTION: John Knight

Dear Mr. Knight:

In followup to our telephone conversation of March 16, 1987, enclosed are the following:

1. Water License No. 3508-3,
2. The last transfer filed,
3. The map showing the diversion point and acreage irrigated,
4. and blank transfer forms.

If you have any questions concerning the above materials or need assistance completing the transfer form, please contact me.

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.

Sincerely,

Genny McMath
Natural Resources Analyst

CH:md
Enc.



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 3508-3

April 3, 1987

Woods, Fuller, Schultz & Smith
310 S. 1st Ave.
Sioux Falls, South Dakota 57102

Dear Sir:

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.

DWNR-820A-6/83

3508-3

WOODS, FULLER, SHULTZ & SMITH, P.C.

FRANCIS M. SMITH
MERLE A. JOHNSON
ARLO D. SOMMERVOLD
RICHARD O. GREGERSON
JOHN E. SIMKO
WILLIAM G. TAYLOR
WILLIAM P. FULLER
STUART L. TIEDE
GARY P. THIMSEN
BRADLEY C. GROSSENBURG
JAMES M. WIEDERRICH
COMET H. HARALDSON
RICHARD J. CORCORAN
J.G. SHULTZ
PIERCE H. McDOWELL III
ROGER W. DAMGAARD
BARBARA ANDERSON LEWIS
FREDERICK M. ENTWISTLE
VINCENT A. PURTELL

LAWYERS

310 SOUTH FIRST AVENUE
SIOUX FALLS, SOUTH DAKOTA 57102

336-3890
AREA CODE 605
TELECOPIER
605-339-3357

MELVYN T. WOODS (1939-1983)
HOWELL L. FULLER (1939-1981)
JOHN B. SHULTZ (1912-1975)
TIMOTHY J. NIMICK (1940-1986)

May 14, 1987

Ms. Genny McMath
South Dakota Department of
Water & Natural Resources
523 East Capitol
Pierre, South Dakota 57501-3181

Re: Prudential/Blaine G. Iverson

Dear Ms. McMath:

Enclosed please find a Notice of Transfer of Water Permit No. 3508-3 with regard to the above matter. Please file this in your office. Also enclosed is a check in the sum of \$2.50 in payment of the transfer fee. If you have any questions, please contact me.

Sincerely,

WOODS, FULLER, SHULTZ & SMITH P.C.

James M. Wiederrich
James M. Wiederrich

Enclosures

cc: Mr. Jim Stukel



NO. 3508-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 5-14-87

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

154 acres - W $\frac{1}{2}$ Section 8, T93N-R52W

formerly owned by The Prudential Insurance Company of America

has been transferred to Blaine G. Iverson, 726 West Clark Ave., Vermillion, South Dakota 57069 (please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 3508-3 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.

ILLINOIS
STATE OF ~~SOUTH DAKOTA~~)
County of DuPage) ss.

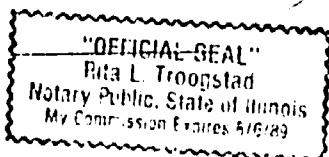
I, Bob Stutzman being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

[Signature]
(Signed)

Subscribed and sworn to before me this 28th Day of April, 1987.

[Signature]
(Notary Public)

My commission expires:



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410989

Pierre, May 10, 1937

RECEIVED OF Clay County Abstract and Title Co., 11E. Main, Vermillion, SD 57069
the following amount in fees for services rendered as provided for by law: (for transfer to Blaine G. Iversen)

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 <u>3508-3</u>	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 (TS)

No. 3508-3



Department of Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

May 19, 1987

Clay County Abstract and Title Company

11 East Main

Vermillion, South Dakota 57069

RE: Blaine G. Iverson transfer

Dear Sir:

Enclosed is receipt No. 3508-3 in the amount of \$ 2.50 which you

paid for transfer of Water Right No. 3508-3.

Blaine G. Iverson

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

Sincerely,

Maxine Stirling
Secretary



Department of Water & Natural Resources

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

February 8, 1989

BLAINE G IVERSON
726 W CLARK AVE
VERMILLION, SD 57069

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 3508-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 3508-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
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 before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773 3352



**South Dakota Department of
Water & Natural Resources**

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

March 6, 1989

3508-3

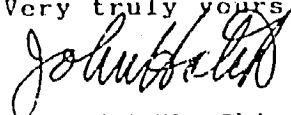
Blaine Iverson
RR #1 Box 103
Vermillion, SD 57069

Dear Mr. Iverson:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 3508-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

35083
BLAINE G IVERSON
PO BOX 54
MECKLING SD 57044 0054

4a. Article Number

PZ78 081 366

4b. Service Type

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

7. Date of Delivery

2-11-97

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Blaine Iverson

Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.

3508-3



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: BLAINE G IVERSON, PO BOX 54, MECKLING, SD 57044 0054

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3508-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3508-3 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 February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Geray 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 21, 1997

3508-3

Blaine G Iverson
PO Box 54
Meckling, SD 57044-0054

Dear Mr. Iverson:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

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

If you have any questions, please contact me.

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 3508-3

Date: 1-19-2000

I/We request that Water Right No. 3508-3

formerly owned by: Blaine G Iverson, 30998 Bluff Rd, Vermillion, SD 57069

be transferred to: (name & address) Heine Farms

5596-4 897 Rd Fordyce Nebr 68736 Telephone No. 402-357-3392

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

154 acres - W 1/2 Section 8, T93N, R52W

I/We understand that the validity of Water Right No. 3508-3 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 Yankton)

I/We Ben Heine 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.

Heine Farms, by Ben Heine
(Signed)

Subscribed and sworn to before me this 20th day of January, 2000.



Mary Heine-Schaefer
(Notary Public) Notary Expires: 8-28-2003

NOTE: This permit 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

NE 416362

Pierre, January 24, 2000

RECEIVED OF Heine Farms, 55969 897 Rd., Fordyce, NE 68736

for 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. 3508-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 27, 2000

3508-3

Ron Heine
Heine Farms
55969 897 Rd
Fordyce, NE 68736

Dear Mr. Heine:

Thank you for sending in the "Notice of Transfer of Ownership" form and filing fee of Water Right No. 3508-3. The transfer has been completed and the water right, formerly owned by Blaine G Iverson, is now listed in the name of Heine Farms.

Enclosed is your Receipt No. 416362 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(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

August 27, 2004

3508-3
6169-3

Jerry Poeschl
213 Katherine Way
Yankton SD 57078

Dear Mr. Poeschl:

Eric Gronlund with our program visited with you about ownership of land described in Water Permit No. 6169-3. The permit is currently in the name of Heine Farms and authorizes a replacement well, an additional diversion rate and additional acreage to what was described in Water Right No. 3508-3. Since the two permits are connected, I am making the assumption that you now own the land under both of them.

Enclosed are copies of Nos. 3508-3 and 6169-3 for your review. Also enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review the forms and complete as needed. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each (\$5.00 total). The check or money order for the fee can be made payable to the Water Rights Program.

Thank you in advance for your help in keeping the ownership up-to-date. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3508-3

Date: 8-27-2004

I/We request that Water Right No. 3508-3

formerly owned by: Heine Farms

be transferred to: (name & address)

Jerome Roeschl
213 Katherine Way Yankton, SD 57078

Telephone No. 605-665-3882

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

154 acres in the W 1/2 Section 8, T93N, R52W

I/We understand that the validity of Water Right No. 3508-3 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.

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

Roeschl
(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 - 2 2004

WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 2, 20 04

RECEIVED OF Jerome Poeschl, 213 Katherine Way, W Yankton SD 57078

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	2	50
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>3508-3</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	2.50

No. 000000

By Darland Erlund
Chief Engineer *gm*

3508-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 2, 2004

3508-3
6169-3

Jerry Poeschl
213 Katherine Way
Yankton SD 57078

Dear Mr. Poeschl:

Thank you for sending in the "Notice of Transfer of Ownership" forms and filing fees for changing ownership on Water Right No. 3508-3 and Water Permit No. 6169-3. The transfers have been completed. No. 3508-3 and 6169-3 formerly held by Heine Farms are now listed in your name.

In mid October, we will be sending you irrigation questionnaires to report how much water was used during the irrigation season this year. I have included a copy of last year's forms to give you an idea of what type of information is needed.

Enclosed are Receipt Nos. 001411 and 001412 in the amount of \$2.50 each. You may keep these for your records. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

LAND USE MAP

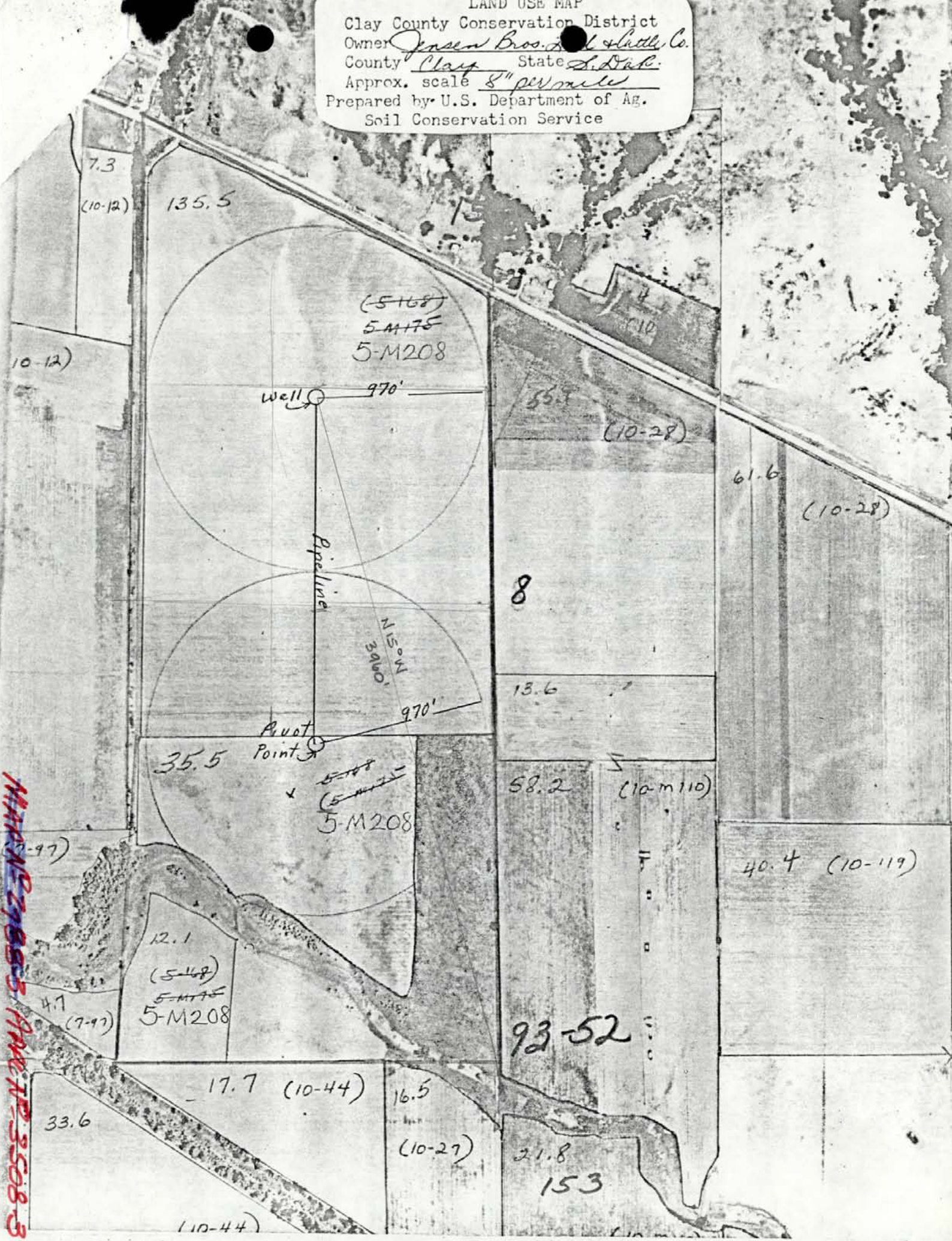
Clay County Conservation District

Owner Jensen Bros. & L. & L. Co.

County Clay State S. Dak.

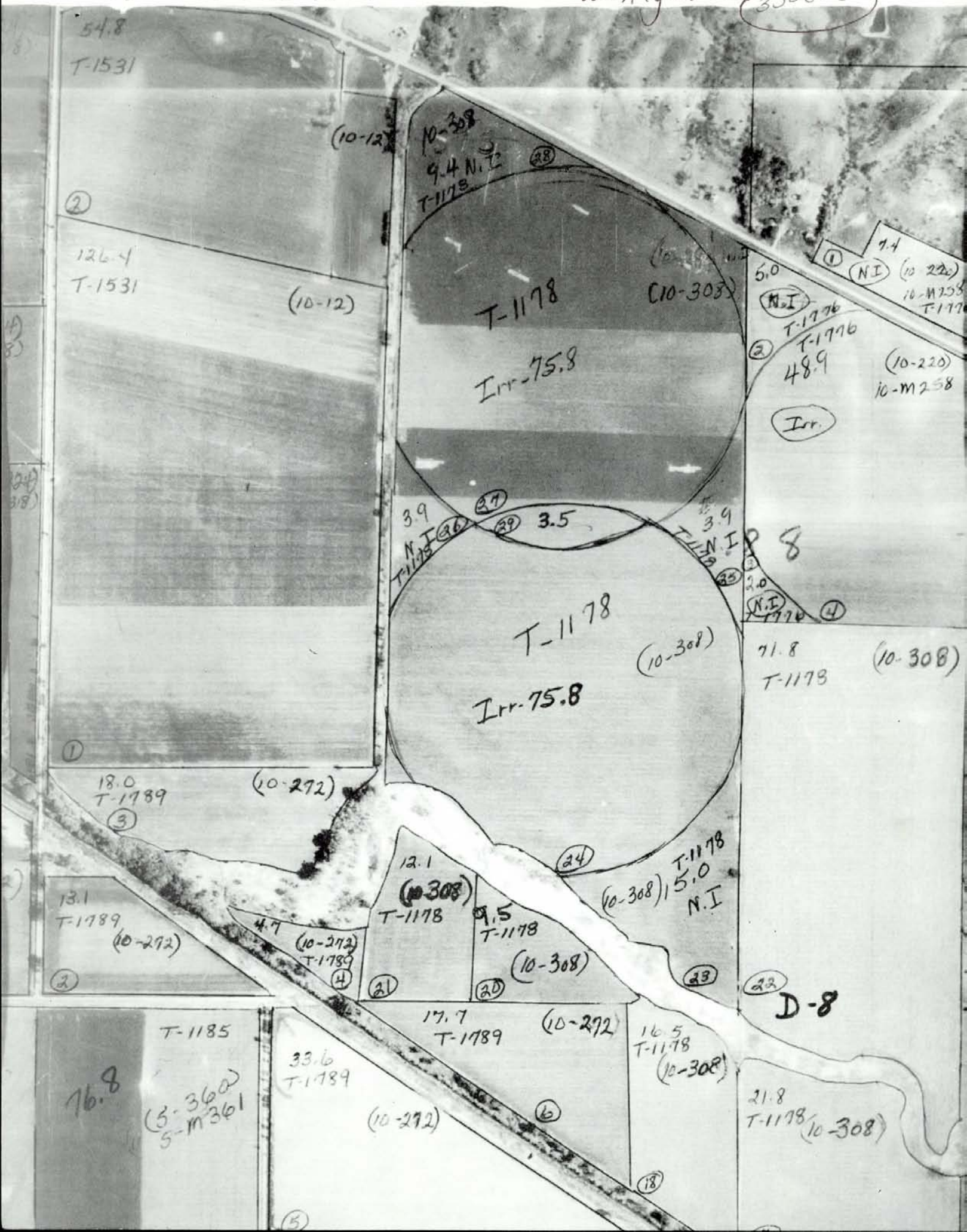
Approx. scale 8" per mile

Prepared by U.S. Department of Ag.
Soil Conservation Service



WAPN-27885 PWT-3508.3

W. Right - 3508-3



3508-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 16 2008

6954-3

Jerome Poeschl
213 Katherine Way
Yankton SD 57078

Dear Mr. Poeschl:

Enclosed are Water Permit No. 6954-3 and Water License No. 6954-3. The water license is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the Lynn Beck, staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6954-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

Note: The applicable portions of Nos. 3508-3 and 6169-3 are incorporated into Water License No. 6954-3.

enclosures