

1. Considered 10/10/1950, 1950

2. Name of Applicant James Earl Ray

3. Post Office Address W. 47th St., Apt. 4, New York, N.Y.

4. Amount of water claimed

5. Source of water supply \_\_\_\_\_

6. Water to be used for Drinking

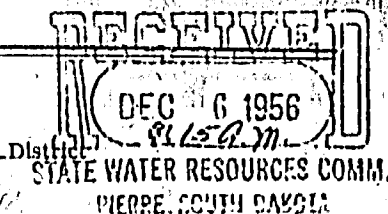
Acres to be irrigated 7,86

7. Water to be diverted and used in Yankton County about 6 miles NE of Yankton.

8. Proof of Publication      Received ☒  
Not Received

9. Application Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action deferred \_\_\_\_\_

10. Remarks:

No. 359-3Water Division No. 7 James River  
(Blanks to be filled by the Engineer for the W. R. C.)

## APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant Donald T. Gurney 665-2963  
Postoffice address Yankton, County Yankton, State So. Dak

## I. If a corporation

- (a) Name of same \_\_\_\_\_  
(b) Date and place of incorporation \_\_\_\_\_  
(c) Amount of capital stock \_\_\_\_\_  
(d) Antiquity held in \_\_\_\_\_  
(e) Names and addresses of directors \_\_\_\_\_

(NOTE—A certified copy of articles of incorporation must accompany the application.)

## II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)  
Direct Labor

- (b) Cash on hand, \$ sufficient (c) Treasury stock, \$ \_\_\_\_\_  
(d) Bonds to be issued, \$ \_\_\_\_\_ (e) Other resources, \$ \_\_\_\_\_

## 2. Name of diversion work: \_\_\_\_\_

3. Amount of water claimed 3 cubic feet per second

4. Source of water supply James River

5. Location of point of diversion Any convenient location on James River  
Secs. 17 and 18 and a portion of Sec. 19 of Twp. 12 N., R. 10 E., S. 26.  
adjoining this land on \_\_\_\_\_ bank \_\_\_\_\_ County.

6. Annual period or periods during which water is to be used at time of insufficient rain

## 7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Overhead

(a) Number of acres to be irrigated 380.62 acres.

(b) Legal subdivisions to be irrigated list attached

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Planting of alfalfa use (growing) for cattle

II. Stock raising, milking, horse raising, fire protection and public safety

(a) None of the above  
Name any of the above uses claimed

(b) None of the above horse power.

None of the above

(c) None of the above

(d) None of the above

(e) None of the above

8. Estimated cost of work:

(a) Head gate, \$-----

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

(c) Working, \$111-----

(d) Dam, \$-----

Rock, \$-----

(e) Other structures, \$-----

Total, \$5000.00

9. Description of diversion works:

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

Pumping Plant

II. Dimensions of works:

(a) Dam, height ----- feet, length at bottom ----- feet, length at top -----

feet, thickness at bottom ----- feet, height at top -----

feet, slope at front water face -----, slope at -----

material used in construction -----

(b) Reservoir, Capacity when filled ----- feet, surface -----, area -----

| DEPTH AT<br>OUTLET-Feet | SURFACE AREA AT EACH<br>DEPTH AT OUTLET--ACRES | ACRE-Feet<br>CAPACITY |
|-------------------------|------------------------------------------------|-----------------------|
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |

(c) Head gate, height ----- feet, height ----- feet, material -----

(d) Canal, Total length ----- miles.

| LOCATION BELOW<br>HEADGATE | DEPTH      | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>PER MILE |
|----------------------------|------------|-----------------|------------------------|-------------------|
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- 3 ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- 3 ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate ----- Yankton

Public Opinion

STATE OF SOUTH DAKOTA

County of

Yankton

I, Donald T. Gurney, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Donald T. Gurney

Subscribed and sworn to before me this

14

day of

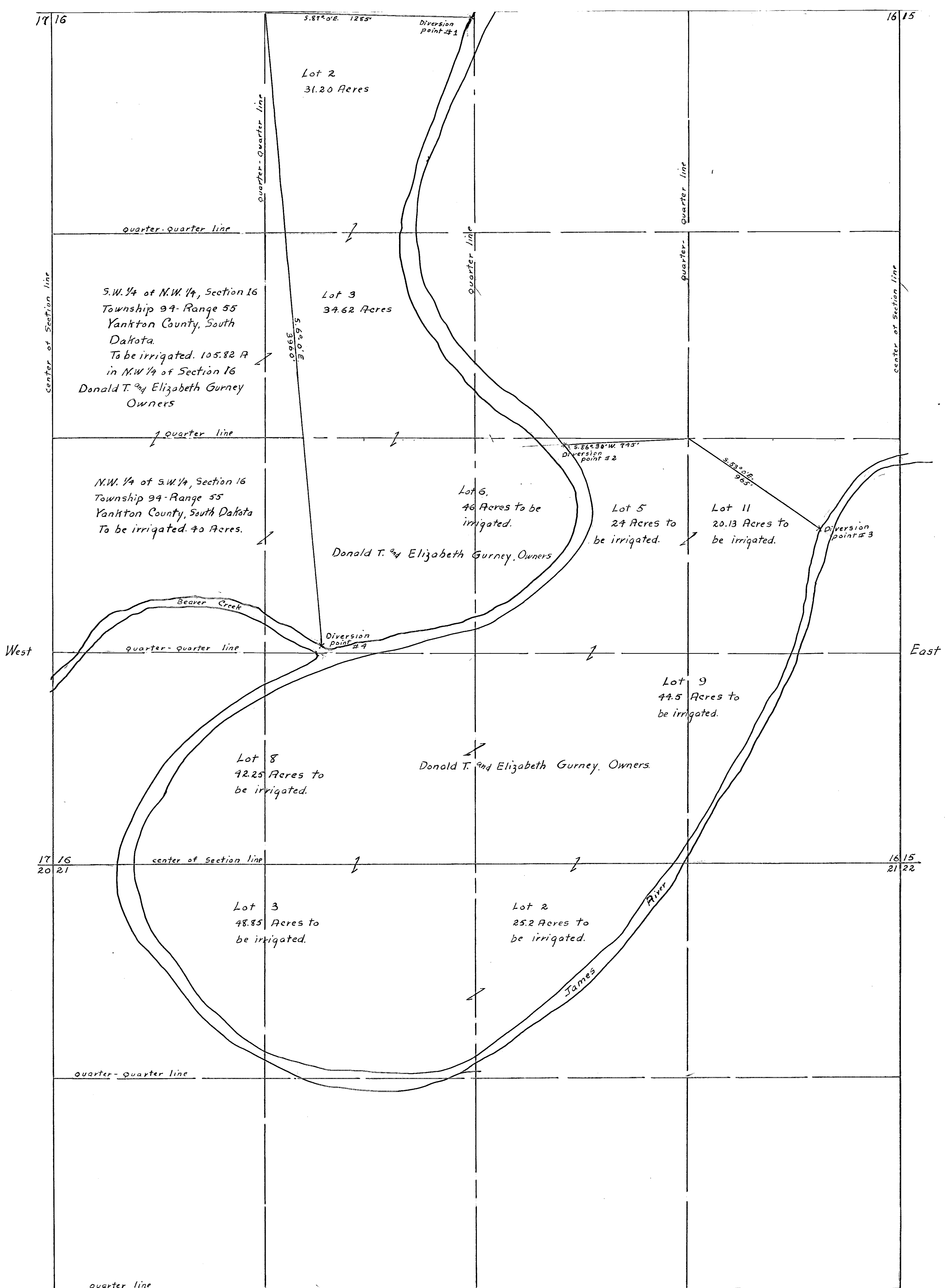
November

19

36

William H. Collins

Notary Public (or other qualified officer.)



Edith G.  
Donald T. and Elizabeth Gurney Irrigation Project # 1  
S.W. 1/4 of N.W. 1/4; N.W. 1/4 of S.W. 1/4 and Lots 2, 3, 5, 6, 8 and 9 in  
Section 16; Lots 2 and 3 in Section 21 all in Township 94-  
Range 55, Yankton County, South Dakota

I, Ellis V. Nelson, a licensed engineer, hereby certify  
that I have made a survey of the S.W. 1/4 of N.W. 1/4;  
N.W. 1/4 of S.W. 1/4 and Lots 2, 3, 5, 6, 8 and 9 in Section 16; Lots  
2 and 3 in Section 21, all in Township 94-Range 55, Yankton  
County, South Dakota and located diversion points 1, 2,  
3 and 4, for purposes of irrigation, as indicated on the  
above plat.

Dated at Sioux Falls, South Dakota - November 2, 1956

Ellis V. Nelson  
Licensed Engineer

State of South Dakota } ss.  
County of Minnehaha }

On this 2nd day of November 1956, before me the  
undersigned officer, personally appeared Ellis V. Nelson  
known to me or satisfactorily proven to be the person whose  
name is subscribed to the within certificate and acknowledged  
that he executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official  
seal.

Notary Public  
Notary Public

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of

Hughes ss.

Pierre, South Dakota, December 7, 1956

This is to certify that the foregoing application was received by the Commission at 9:15 o'clock

9 a.m. upon the 6 day of December, 1956

State Water Resources Commission

By:

J. W. Kinner

Chief Engineer, Executive Officer

Number of permit 359-3

Date of first receipt of application

December 6, 1956

Date of return to applicant for correction, amendments or changes required as follows:

Date of receipt of corrected application

Date from which applicant may claim right

December 6, 1956

Approved January 17, 1957, Recorded in Book 3, Section 2, Page 76

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

July 17, 1958

2nd. The whole of said work is to be completed on or before January 17, 1960

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

January 17, 1961

4th. The water appropriated shall be used for the purpose of irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 3.00 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before January 17, 1961; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 20 day of March, 1957

State Water Resources Commission

By:

J. W. Kinner

Chief Engineer, Executive Officer

Certificate of Construction Issued

AUGUST 11, 1967

Water License Issued

AUGUST 11, 1967

Section 16 R 55 Twp 94

|              |       |       |
|--------------|-------|-------|
| Lot 2        | 31.20 | Acres |
| Lot 3        | 34.82 |       |
| Lot 6        | 46    |       |
| S W 1 of S 1 | 40    |       |
| N W 1 of S 1 | 40    |       |
| Lot 5        | 24    |       |
| Lot 8        | 42.25 |       |
| Lot 9        | 44.50 |       |
| W 1/2 Lot 11 | 10    |       |

Section 21 R 55 Twp 94

|       |        |       |
|-------|--------|-------|
| Lot 2 | 25.20  |       |
| Lot 3 | 48.85  |       |
| total | 386.62 | Acres |

Donald T. Gurney  
Yankton, S.D.

Permit No. 359-3

Water Division No. 3 JAMES RIVER Water District

## Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Donald T. Gurney

of Yankton, County of Yankton, and State of South Dakota, the holder of Permit No. 359-3, issued upon Application

No. 359-3, bearing date of priority of December 6, 1956, authorizing the diversion of

3.0 cu. ft. per second of the waters of the James River

County of Yankton, State of South Dakota, at between a point S87°

E, 1285' of the W 1/16 Corner common to Sections 9 and a point S53°

E 965' from the E1/16 Corner, Section 16, T94N, R55W. Irrigation

purposes, has fully 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 3.0 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: All in T94N, R55W

(Acres)

Section 16 Lot 2 31.20

Lot 3 34.62

Lot 6 46.00

SW 1/4 NW 1/4 40.00

NW 1/4 SW 1/4 40.00

5 24.00

Lot 8 42.25

Lot 9 44.50

W 1/2 Lot 11 10.00

Section 21 Lot 2 25.20

Lot 3 48.85

Total 386.62 Acres

Witness my hand this 11th day of August A. D. 1957.

State Water Resources Commission

By:

J.W. GRIMES  
Chief Engineer, Executive Officer

## STATE OF SOUTH DAKOTA

## WATER LICENSE No. 359-3

WHEREAS, On the 6th day of December A. D. 1956  
Donald T. Gurney

of Yankton County of Yankton and State of  
South Dakota duly made application (No. 359-3) to us for a permit to use 3.0  
cubic feet per second of the waters of the James River  
County of Yankton, State of South Dakota, for irrigation  
purposes; and

WHEREAS, On the 20th day of March A. D. 1957  
Permit No. 359-3 was issued to said applicant for the diversion of said water, and providing for the  
completion of the works of diversion therein described on or before the 17th day of  
January A. D. 1950 and for the application to beneficial use of said  
water on or before the 17th day of January A. D. 1961  
and,

WHEREAS, On the 3rd day of August A. D. 1967  
the holder of said permit duly made proof of the completion of adequate works for the diversion of  
3.0 cubic feet per second of said waters, as evidenced by our Certificate No. 359-3  
dated August 11, 1967 confirming the completion of works of sufficient capacity for  
diverting and conveying to the place of intended use 3.0 cubic feet per second of water, with date of  
priority of December 6, 1956 and,

WHEREAS, On the 3rd day of August A. D. 1967  
proof was duly made of the application to beneficial use of 3.0 cubic feet per second of said water;  
for irrigating 386.62 acres in portions of Sections 16 and 21, T94N, R55W.

NOW, THEREFORE, By the virtue of the authority vested in me by the laws of the State of South Dakota,  
We hereby grant and confirm to Donald T. Gurnea  
of Yankton the holder and owner of said permit No. 359-3  
a water right, dating from December 6, 1956 to the use of 3.0  
cubic feet per second of the waters of the James River  
in the County of Yankton and State of South Dakota, or so much thereof as may be  
necessary for the purposes hereinbelow mentioned, to be diverted at between a point S67°E, 1285' of  
the W 1/16 corner common to Sec. 16 and a point S53°E, 965' from the E 1/16  
corner, Section 16, T94N, R55W  
and conducted to and upon part of Sections 16 and 21, T93N, R55W, more specifically  
described in the Certificate of Completion of Works.

for the purpose of irrigation, subject to any limitations listed in the  
permit to appropriate water.

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the  
State, and subject, also to the local or community customs, rules and regulations which have been or may be  
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from  
which such water may be taken, when such rules and regulations have for their object the economical use of such  
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,  
this 11th day of August A. D. Nineteen  
Hundred and Sixty-seven

State Water Resources Commission

By:

J. W. GRIMES  
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. \_\_\_\_\_

To \_\_\_\_\_

Source of Supply \_\_\_\_\_

County \_\_\_\_\_

Am't \_\_\_\_\_ c. f. s.

Point of Diversion \_\_\_\_\_

Place of Use \_\_\_\_\_

Purpose \_\_\_\_\_

Date of Priority \_\_\_\_\_

Recorded \_\_\_\_\_

In Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_

(First Publication before Dec. 21, 1956.)

## APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., December 7, 1956.

Notice is hereby given that Donald T. Gurnay whose postoffice address is Yankton S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.0 cubic feet of water per second of time from the James River through the sprinkler system, the point of diversion of which is to be located on the northeastern bank of said stream between a point in Lot 2 and a point in Lot 11 of Sec. 16, Twp. 94N Range 55W. Said water to be used for the purpose of providing irrigation on the following described land:

parts of the S $\frac{1}{2}$  and NW $\frac{1}{4}$ , Sec. 16 and N $\frac{1}{2}$ , Sec. 21, all in

T. 94N, R. 55W

~~XXXX~~ XXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of January, 1957, at 2:00 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By: Les Wyborny, Water Right Engineer  
For: J. W. Grimes, Chief Engineer, Executive Officer

cc: Publisher

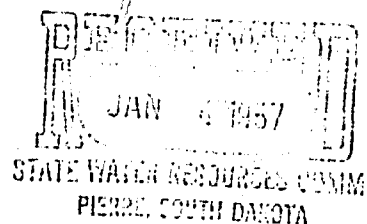
## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }  
County Yankton } ss.Sail Nichols being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the

Yankton Public Opinion a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in thecity of Yankton County of Yankton and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

Dec. 13, 1956Dec. 20, 1956Dec. 27, 1956Jan. 3, 1957in each and every issue of the full number thereof, the first publication being made on the 13 day of Dec.1956 and the last publication on the 3rd day ofJanuary 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication hewas owner the printer and publisher of the said newspaper.Sail NicholsSubscribed and sworn to before me this third day of January A. D. 1957Notary Public William W. Allen County, S. D.No. 3593  
APPROPRIATION OF WATER  
Office of State Water Resources  
Commission,

Pierre, S. Dak., December 7, 1956

Notice is hereby given that Donald T. Gurney whose postoffice address is Yankton S. Dak., has made in application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.0 cubic feet of water per second of time from the Janies River through the sprinkler system, the point of diversion of which is to be located on the northeasterly bank of said stream between a point in Lot 2 and a point in Lot 11 of Sec. 16, Twp. 94N, Range 55W. Said water to be used for the purpose of providing irrigation on the following described land:

Parts of the S1/2 and NW1/4, Sec. 16 and NW1/4, Sec. 21, all in T 94N, R 55W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of January, 1957, at 2:00 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:  
Les Wyborny, Water Right Engineer  
For: J. W. Grimes, Chief Engineer, Executive Officer

1-34

Arnold T. Varney  
Yankton, S.D.

12/4/56

Nozzle Size Sprinkler Spkls

3/8" x 7/32" SS L R Sprinkler @ 60'

And 41 gallons Per Minute @

90' x 90' Spacing = 44" Per Hour

Total Water Requirement 574

G.P.M. @ 85# Pump Rise Pressure

20 ft - friction loss Sprinkler line

10 ft - 2nd elevation

10 ft - Suction

139 ft Nozzle Desc. Pressure

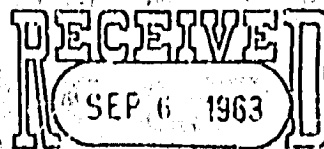
10 ft Main line friction Loss

---

184 - (TID 14)

or 87 lbs

Pump Pressure

Permit No. 359-3Water Division No. 3 James River DistrictSTATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

## Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Yankton S.D.  
(Date) \_\_\_\_\_

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the \_\_\_\_\_ day of \_\_\_\_\_  
19 63, at Yankton County of Yankton State of South Dakota,  
before \_\_\_\_\_ proof will be submitted of the application to beneficial use  
(Examining Engineer or Officer)  
of 23 cubic feet per second of the waters of The James River  
In accordance with the terms and conditions of Permit No. 359-3  
heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are \_\_\_\_\_

Donald T. Lunny2. The use to which said water has been applied is Irrigating Corn  
and Alfalfa

3. The amount applied to beneficial use is \_\_\_\_\_

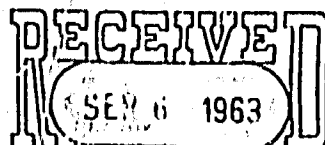
4. The place where said water is used is (If for irrigation, give full and accurate description of the lands ir-  
rigated) 87 A Corn S. 16 R. 55 Twp. 94  
20 A Alfalfa S. 16 R. 55 Twp. 94

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is \_\_\_\_\_

Centrifugal Pump 5' and 4" aluminum Pipe Rain Bird  
Appliances6. The right to take the water from such works is based upon permit No. 359-37. The source of supply from which such water is diverted is James River8. The date of priority which said user is prepared to establish is 1957

(Sign)

Donald T. Lunny

Permit No. 359-9Water Division No. 3 James River Water DistrictSTATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

## NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.)

Yankton S.D.

(Date)

Sept 4 - 1963

TO THE STATE WATER RESOURCES COMMISSION  
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of

Three (3) cu. ft. per second of the waters of the state from James River  
through the Pump - Pipes and Sprinklers  
for irrigation purposes

In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Donald T. Gurney

2. The postoffice address of such person or the place of business of such corporation is Yankton  
County of Yankton State of S.D.

3. The number of such permit is 359-3 and the date set for the completion of such work is4. Said water to be used for irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is Three (3) cubic feet per second.

6. The amount of land for which said water is available is 386.62 acres,  
particularly described as follows: S. 16 R. 45 TWP. 94

S. 21 R. 55 TWP. 94

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

Donald T. Gurney

Permit No. 359-3Water Division No. 3 JAMES RIVER Water District

## Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that ~~in accordance with your letter of authorization dated~~

I have this day made a thorough examination of the diversion works constructed by

DONALD T. GURNEY, of YANKTON  
YANKTON County, South Dakota, holder of Permit No. 359-3, issuedupon Application No. 359-3, bearing date of priority of DECEMBER 6, 1956, authorizing thediversion of 20 cu. ft. per second of the waters of JAMES RIVER for IRRIGATION

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

The diversion works comprise: 6" PACIFIC PUMP L.T.F.G. POWERED BY  
T.H. TRACTOR - 1500' 5" SPRINKLER LINE WITH  
RAINBIRD #40 SPRINKLER HEADS @ 30' SPACINGS.and the system is in the following condition: GOODThe point of diversion is located 1285'  
between a point S 87° E of the W 1/4 corner common  
to Sec. 16 and a point S 83° E 96.5' from the E 1/4 corner, Section 16, T94N, R55WThe works are capable of diverting and conveying to the place of use 20 cu. ft. per second of water,  
which is to be used for IRRIGATIONThe legal subdivisions to be irrigated are: LOT 2, 3, 6, 5, 8, 9, SW 1/4 NW 1/4, NW 1/4 SW 1/4,  
SW 1/4 LOT 11, SECTION 16; LOT 2 & LOT 3, SECTION 21, T94N, R55Wcomprising a total of 386.2 acres of land.

The domestic use intended comprises

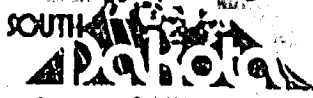
The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 25 day ofAUGUSTA. D. 1967

—SEAL—

Examining Engineer

WATER RIGHT SPECIALIST  
WATER RESOURCES COMMISSION



# Department of Natural Resource Development

## WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

605/224-3151

359-3

YA-

Donald T. Gurney  
306 W. Riverside Dr.  
Yankton, S.D. 57078

ember 1977

Dear Sir:

Enclosed is a questionnaire pertaining to your irrigation during the 1977 season. The questionnaire covers the period of April through the season.

The Water Rights Commission would appreciate you filling out this questionnaire and returning it as soon as you can. If you have not kept records of your irrigation applications, estimations will be satisfactory.

Similar information collected in recent years has been most helpful because of the good response by you irrigators. Your continued cooperation will be appreciated.

Thank you,

JOHN HATCH, Chief Engineer  
Water Rights Commission

JH/bw  
Encl: As stated

*Dear Sir - Sol. farm to  
L. L. L. L. L.*

*R. L.*

*Yankton S.D. 57078*

*Returning papers to you.*

*Mr. Donald T. Gurney.*

*No water used  
this year.*



# Department of Water & Natural Resources

Joe Foss Building  
Pierre, South Dakota 57501

Water Rights, Water Management Division  
(605) 773-3352

July 17, 1979

Mr. Laddie Novak  
R 4  
Yankton, SD 57078

Dear Mr. Novak:

Please find enclosed a copy of our Form 20, Notice of Transfer of Water Permit. This must be signed by the owner before a notary public and returned to this office with a fee of Two Dollars and Fifty Cents (\$2.50).

Upon receipt of the Form 20 and the \$2.50 filing fee the permit will be transferred to the proper name.

Please advise this office if you have any questions.

Sincerely,

*Betty Westlund*

BETTY WESTLUND  
Water Rights Specialist I

BW/bt

*Call and determine name*

*10-25-79  
called Peg of Dodge  
665-2422 to find  
Present owner*

*Examination right of way  
from  
MHA to  
owner of this land is  
still Donald T. Gervin*

*Send Mr. report to  
him again  
Betty W.*

Equal Opportunity Employer

306 W. Riverside Drive  
Yankton, S.D. 57078

February 22, 1982

South Dakota Department of  
Water & Natural Resources  
Water Rights Division  
Joe Foss Building  
Pierre, South Dakota 57501

Attention: John Hatch, Chief Engineer  
Water Rights Division

Dear Mr. Hatch:

I have just received the letter and form sent to me by your office.

As I previously wrote to you, we no longer own this property. It was sold a number of years ago to:

Mr. Laddie Novak  
Route 1  
Yankton, So. Dak. 57078

I have written to you each year to inform you of this. In the future, I will just destroy the forms.

Sincerely yours,

*Edith B. Gurney*

Edith B. Gurney  
(Mrs. Donald T. Gurney)

665-3357 Com. T. Gurney  
Yankton, S.D. 57078

# Cooperative Extension Service

agriculture • 4-H • home economics



## Yankton County

March 11, 1981

P. O. Box 668  
YANKTON, SOUTH DAKOTA 57078  
PHONE 665-3367

Bert Jones  
Dept. of Natural Resources  
Foss Building  
Pierre, S.D. 57501



Dear Bert:

Here are the land owners of the following:

Sec 16 94-55

Lots 2-3-5-6-8-9 & W $\frac{1}{2}$  of Lot 11

Owned by Laddie Novak, RR 1 Box 507, Yankton, S.D. Phone 665-4355.

Was previously owned by Don T and Edith Gurney. Novak apparently has it on contract for deed.

Sec 16 95-55

SW $\frac{1}{4}$  of NW $\frac{1}{4}$  -- Lawrence Sees - Irene, SD Phone 263-3778

NW $\frac{1}{4}$  of NW $\frac{1}{4}$  -- Annie A. Keeley - RR 1 Mission Hill, SD

Sec 21 95-55

Lots 2 & 3

N $\frac{1}{2}$  of NW $\frac{1}{4}$  -- Glenn R. Knodel & Wife, 302 Greenview Drive, Yankton SD Phone 665-6215

Portion of NW $\frac{1}{4}$  of NE  $\frac{1}{4}$  -- Josephine Logsdon, Mission Hill, SD and Leo Harts, Mission Hill (a very small portion) Phone 665-6624

Sincerely,

*Vane P. Miller*

Vane P. Miller  
County Extension Agent

VPM/ah

Water Rights Division - DWR  
Conversation or File Documentation

File No. 359-3

NAME OF PERSON ~~OR FILE~~: Gary Smith

ADDRESS: Box 18, Mission Hill, ID COUNTY

DATE: February 22, 1985 TELEPHONE

RE: Transfer of 359-3

COMMENTS:

Mr. Smith called and requested transfer form for W/R listed under Donald Gurney's name. Said he just completed sale.

Land had been sold before, but contract holders defaulted.

Mr. Smith stated land hasn't been irrigated for a couple of years, but equipment is still there and usable - he intends to irrigate.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/82

NAME: Genny McMath



**Department of  
Water & Natural Resources**

Joe Foss Building  
623 East Capitol  
Pierre, South Dakota 57501

Division of Water Rights  
605 773-3352

No. 359-3

February 22, 1985

Gary Smith  
Box 18  
Mission Hill, SD 57046

Dear Mr. Smith:

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  
Staff Assistant

ms/  
Enc.

DWNR-820A-8/83

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

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

Second Notice

Permit No. 359-3

July 8, 1985

Gary Smith  
Box 18  
Mission Hill, South Dakota 57046

Dear Mr. Smith:

On February 22, 1985 notice was sent to you concerning the transfer of Water Permit No. 359-3 in the name of Laddie Novak which covers irrigation of 386 acres in the portions of Section 16 and 21, T94N, R55W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Very truly yours,

John Hatch, Chief Engineer  
Water Rights Division  
Phone: (605) 773-3352

S509.WP

359-3

PS Form 3811, Dec. 1980

|                                                                                                                                                                                                         |                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| <b>● SENDER: Complete items 1, 2, 3, and 4.</b><br>Add your address in the "RETURN TO" space on reverse.                                                                                                |                                        |
| <b>(CONSULT POSTMASTER FOR FEES)</b>                                                                                                                                                                    |                                        |
| 1. The following service is requested (check one).                                                                                                                                                      |                                        |
| <input checked="" type="checkbox"/> Show to whom and date delivered                                                                                                                                     | _____¢                                 |
| <input type="checkbox"/> Show to whom, date, and address of delivery                                                                                                                                    | _____¢                                 |
| 2. <input type="checkbox"/> <b>RESTRICTED DELIVERY</b><br>(The restricted delivery fee is charged in addition to return receipt fee.)                                                                   |                                        |
| TOTAL \$ _____                                                                                                                                                                                          |                                        |
| 3. ARTICLE ADDRESSED TO:<br><i>Barry Smith</i><br><i>Box 17</i><br><i>Mission Hill SD 57046</i>                                                                                                         |                                        |
| 4. TYPE OF SERVICE:<br><input type="checkbox"/> REGISTERED <input type="checkbox"/> INSURED<br><input type="checkbox"/> CERTIFIED <input type="checkbox"/> COD<br><input type="checkbox"/> EXPRESS MAIL | ARTICLE NUMBER<br><i>P 404 786 562</i> |
| (Always obtain signature of addressee or agent)                                                                                                                                                         |                                        |
| I have received the article described above.                                                                                                                                                            |                                        |
| SIGNATURE <input type="checkbox"/> Addressee <input checked="" type="checkbox"/> Authorized agent                                                                                                       |                                        |
| <i>Rita Jung</i>                                                                                                                                                                                        |                                        |
| 5. DATE OF DELIVERY<br><i>7-10-85</i>                                                                                                                                                                   |                                        |
| 6. ADDRESSEE'S ADDRESS (Only if requested)                                                                                                                                                              |                                        |
| 7. UNABLE TO DELIVER BECAUSE:                                                                                                                                                                           | 7a. EMPLOYEE'S INITIALS<br><i>7/10</i> |





# Department of Water & Natural Resources

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

Third Notice

Permit No. 359-3

March 3, 1986

Gary Smith  
Box 18  
Mission Hill, South Dakota 57046

Dear Mr. Smith:

On February 22, 1985 and July 8, 1985 notice was sent to you concerning the transfer of Water Permit No. 359-3 in the name of Laddie Novak which covers irrigation of 386 acres in portions of Section 16 and 21, T94N, R55W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current. The first notice sent to you made reference to South Dakota Water Law 46-5-30.3 which 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.

Failure to keep records current can mean a delay in receiving a notice or even no receipt of a notice that pertains to the permit. In some cases, a notice from this office includes an order which could result in up to one year suspension of a permit or other penalty if not complied with.

The Statutes provide that a permit for irrigation remains appurtenant to the land. If there is an ownership change; however, no such assignment (transfer) shall be binding except upon the parties thereto, unless filed for record in this office.

If you have any questions, please contact us.

Very truly yours,

John Hatch, Chief Engineer  
Water Rights Division  
Phone: (605) 773-3352

S510.WR

359-3

PS Form 3811, Dec. 1985

● **SENDER:** Complete items 1, 2, 3, and 4.  
Add your address in the "RETURN TO" space  
on reverse.

**(CONSULT POSTMASTER FOR FEES)**

1. The following service is requested (check one).  
☒ Show to whom and let delivered .....  
☐ Show to whom, date, and address of delivery .....

2. ☐ **RESTRICTED DELIVERY**  
 (The restricted delivery fee is charged in addition to  
 the return receipt fee.)

**TOTAL** \$

3. **ARTICLE ADDRESSED TO:**  
 Gary Smith  
 Box 18  
 Mission Hill SD 57046

4. **TYPE OF SERVICE:**  
☐ REGISTERED ☐ INSURED  
☒ CERTIFIED ☐ COD  
☐ EXPRESS MAIL

**ARTICLE NUMBER**  
 P 535 724 461

(Always obtain signature of addressee or agent.)

I have received the article described above.

**SIGNATURE** ☒ Addressee ☐ Authorized agent

5. **DATE OF DELIVERY**  
 3-5-86

6. **ADDRESSEE'S ADDRESS (Only if requested)**

7. **UNABLE TO DELIVER BECAUSE:**

7b. **EMPLOYEE'S INITIALS**  
 L71

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

POSTMARK  
 MAR 5 1986  
 MESIC

NO. 359-3

# NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights  
Foss Building  
Pierre, SD 57501

Date:

3-5-86

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

386 acres in portions of Section 16 and 21, T94N, R55W

formerly owned by Laddie Novak

has been transferred to Gary Smith, Box 18, Mission Hill SD 57046

(please include complete mailing address)  
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 359-3 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.

STATE OF SOUTH DAKOTA

County of Yankton

ss:

I, Gary Smith 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.

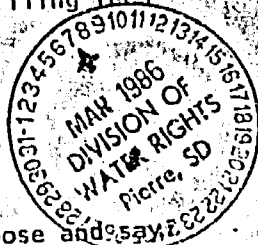
(Signed)

Subscribed and sworn to before me this 5 Day of March, 1986

(Notary Public)

WNR-820-9/83

Notice of Transfer of Water Permit



# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, March 7, 1986

410346

RECEIVED OF Gary Smith, RR 1, Box 18, Mission Hill, SD 57046

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 359-3

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

No. 359-3

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

Joe Foss Building Water Rights Division  
Pierre, South Dakota 57501

Phone (605) 773-3352

September 22, 1986

Gary Smith  
RR 1, Box 18  
Mission Hill, South Dakota 57046

Dear Mr. Smith:

Enclosed is receipt No. 410346 in the amount of \$ 2.50 which you  
paid for transfer of Water Right No. 359-3.

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

Sincerely,

Maxine Stirling  
Secretary

ms/  
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right



# Department of Water & Natural Resources

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

March 23, 1987

GARY SMITH  
RR #1 BOX 18  
MISSION HILL, SD 57046

## NOTICE

Re: Violation of Water Permit(s). 4827-3 and 1986 Irrigation Questionnaire Requirements.

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4827-3. The request for the questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4827-3 qualification:

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

The hearing will also be to determine if Permit No(s). 359-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:00 pm, May 6, 1987, in Room 216, Joe Foss Building, 523 E Capitol Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearings(s), the Water Management Board can:

1. Suspend Permit No(s). 4827-3 until either the 1986 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s). 359-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.



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

NOTE: If the questionnaire(s) are received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

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

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

April 29, 1987

4827-3  
359-3

Gary Smith  
RR #1 Box 18  
Mission Hill, SD 57046

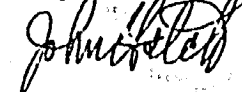
Dear Mr. Smith:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 4827-3 and 359-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

359-3

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

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181  
January 29, 1988

GARY SMITH  
RR #1 BOX 18  
MISSION HILL, SD 57046

**NOTICE**

Re: Violation of Water Permit No(s). 4827-3 and 1987 Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4827-3. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4827-3 qualification:

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

The hearing will also be to determine if Permit No(s) 359-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

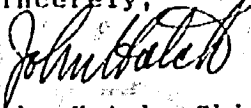
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 4827-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 359-3 also held by GARY SMITH to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Sincerely,



John Hatch, Chief Engineer  
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



# Department of Water & Natural Resources

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

March 14, 1988

## NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: GARY SMITH  
RR 1 BOX 18  
MISSION HILL, SD 57046

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

SUBJECT: Amendment to Water Permit No(s). 359-3

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 359-3 to add the following qualification to each:

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

The addition of this qualification to your Permit(s) means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

SOUTH

**Dakota**

# **Department of Water & Natural Resources**

Joe Foss Building

523 East Capitol

Pierre, South Dakota 57501-3181

Attachment to Water Permit No(s). 359-3

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 359-3 to add the following qualification to each:

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

**SENDER:** Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address.

2. ☐ Restricted Delivery (Extra charge)

GARY SMITH  
RR #1 BOX 18  
MISSION HILL, SD 57046

4. Article Number  
**P508739010**

Type of Service:

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED**.

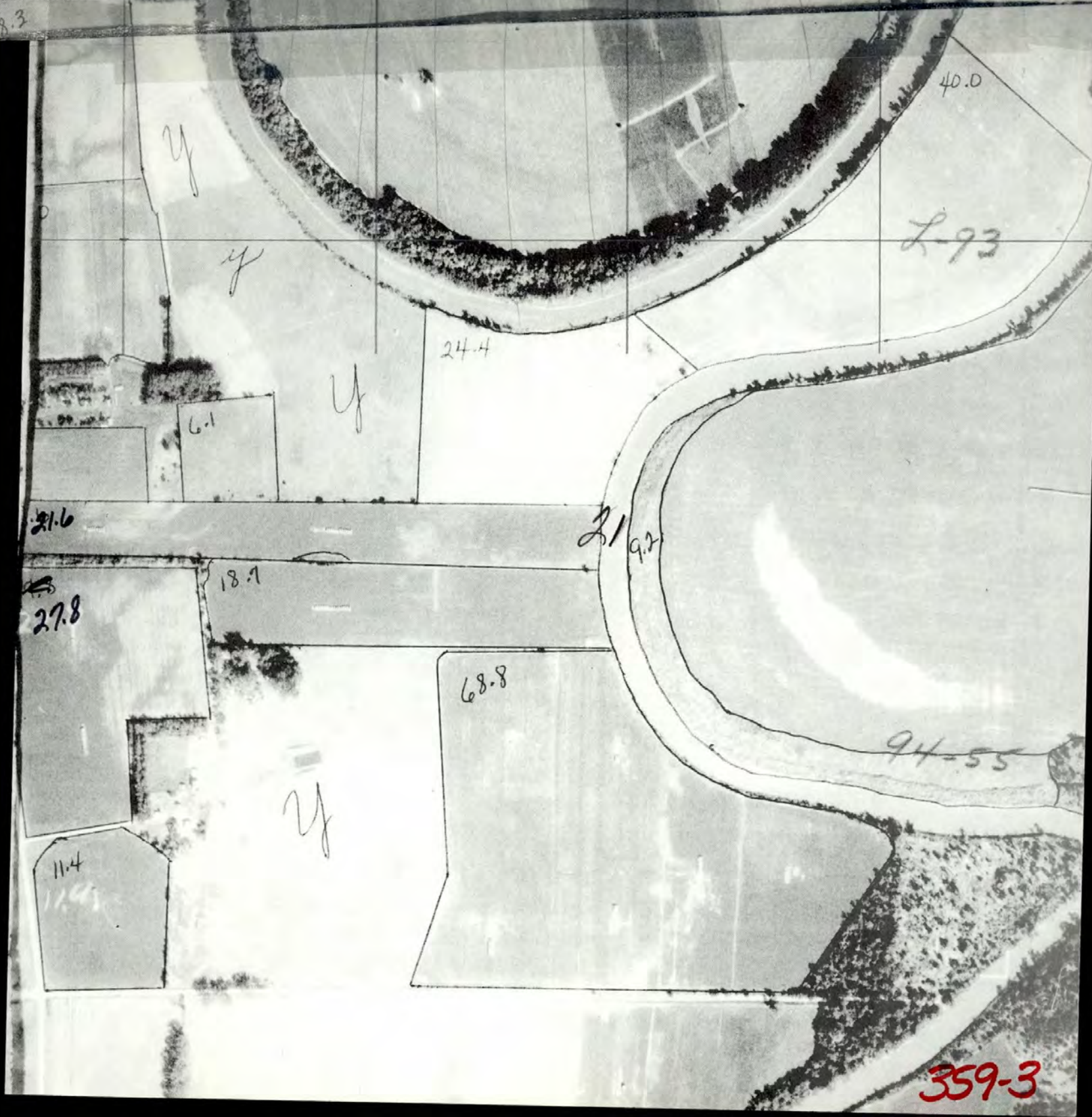
8. Addressee's Address (ONLY if requested and fee paid)

Signature - Addressee  
*[Signature]*

6. Signature - Agent  
*[Signature]*

7. Date of Delivery  
**3-15-88**

359



359-3

PAID

FEB 16 2021

Ck# 2020

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

FEB 16 2021

WATER RIGHTS  
PROGRAM

Water Right/Permit No. 359-3

Date: 02/06/2021

I/We request that Water Right/Permit No. 359-3 formerly owned by:

Gary E Smith & Richard A Smith be transferred to:

New Owner Name: Richard A. Smith Rev Trust

Address: 17026 Cty Hwy Q

City, State, Zip: Bloomer WI 54724

Telephone No. 7159277425

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



**Ms. Julie A. Smith**  
17026 County Highway Q  
Bloomer, WI 54724-4361

Parcel 06.016, 200, 200  
06.021, 400, 100

☒ I understand that the validity of Water Right/Permit No. 359-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

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

I, Richard A Smith the new owner, certify that the above information is true and correct. Richard A. Smith

Richard A Smith  
(signed by new owner)

**NOTE:** Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

**RECEIPT****WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date February 16, 2021RECEIVED OF Richard/Julie Smith as TTEE Richard/Julie Smith Rev Tr. N8184 Oak Ln. Crivitz WI 54114-7602

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

|                                                                                                                |         |
|----------------------------------------------------------------------------------------------------------------|---------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use | \$      |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   | \$      |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                         | \$      |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____            | \$      |
| Fee for Filing Transfer Form <u>3593-3</u>                                                                     | \$50.00 |
| Fee for _____                                                                                                  | \$      |
| Fee for Issuing New Well Driller's License No. _____                                                           | \$      |
| Fee for Renewal of Well Driller's License No. _____                                                            | \$      |
| Fee for Issuing Well Pump Installer's License No. _____                                                        | \$      |
| Fee for Renewal of Well Pump Installer's License No. _____                                                     | \$      |
| (Any Other Work Provided by Law) TOTAL                                                                         | \$50.00 |

By Eric Gronlund  
 Chief Engineer  




**DENR**  
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[denr.sd.gov](http://denr.sd.gov)

February 17, 2021

359-3

Richard A & Julie A Smith  
17026 County Hwy Q  
Bloomer WI 54724-4361

Dear Mr. & Mrs. Smith:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 359-3.

The ownership change has been completed. The water right formerly listed under Gary Smith is now listed as **"Richard A and Julie A Smith Revocable Trust"**.

Enclosed for your records is a copy of the water right. The apologize for the condition of the copies. They were very old when they were scanned and not as legible as they should have been.

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

Sincerely,

Genny McMath  
Water Rights Program  
605 773-3352  
[Genny.mcmath@state.sd.us](mailto:Genny.mcmath@state.sd.us)

enclosures