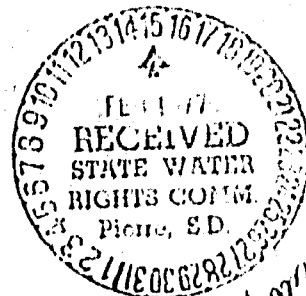


Water Right Number 3656-3

1. Considered 3-23, 19 77
2. Name of Applicant CALVIN NEUMARTH
3. Post Office Address EUREKA
4. Amount of Water claimed 4.0
5. Source of Water supply 2-60' WELLS
6. Water to be used for IRRIGATION
- Acres to be irrigated 480
7. Water to be diverted and used in MCPHERSON County
about 2N, 10E miles of EUREKA
8. Proof of Publication Received PI 3-25-77
Not Received
9. Application Approved
Subject to
Not Approved
Action Deferred
10. Remarks:

No. ~~3421~~ 3652-3Map No. 1500-3 Water Division No. 3 Missouri River District

(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

ADDITION TO PERMIT No. 2473-3

To Appropriately Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant CALVIN NEUHARTH
 Postoffice address EUREKA State S. D.
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract + Direct Labor
3. Name of diversion work Neuharth
4. Amount of water claimed (cubic feet per second) 4 Cu. Ft Per Second
5. Source of water supply Underground (well) 2 wells
6. Location of point of diversion SW⁴NW⁴, SW⁴NE⁴, Sec. 22, T12N, R71W

- County Mepherseon
7. Annual period or periods during which water is to be used April Through October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION
9. For irrigation use, _____ Total number of acres to be irrigated 320

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.
<u>N²NW⁴, S²SW⁴,</u>	<u>160</u>		
<u>N²NE⁴, SW⁴NE⁴, Sec. 22</u>	<u>160</u>	<u>ATTACHED - Street</u>	
<u>NW⁴SE⁴, Sec. 22</u>	<u>160</u>		
<u>ALL IN T12N, R71W</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication North West Blade
12. Principal Features of the Proposed Water Supply System.

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

Well

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

Pipes from well to Applicant's

C. Works proposed to apply water to beneficial use.

Pivotal or BoornEstimated Total Cost \$ 60,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Mepherseon

I, Calvin Neuharth the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Calvin NeuharthSubscribed and sworn to before me this 14 day of February 1977
Duane D. Wanner
 Notary Public (or other qualified officer)

DUANE D. WANNER, Notary Public
 My Commission Expires Dec. 15, 1979

Description of Each 40 Acre plot of 480 Acres
All in Section 22 Twp 12N Range 7E

1. NW $\frac{1}{4}$, NW $\frac{1}{4}$
2. NE $\frac{1}{4}$, NW $\frac{1}{4}$
3. ~~SW $\frac{1}{4}$, NW $\frac{1}{4}$~~ 1 well
4. ~~SE $\frac{1}{4}$, NW $\frac{1}{4}$~~ 1 well
5. ~~NW $\frac{1}{4}$, SW $\frac{1}{4}$~~
6. ~~NE $\frac{1}{4}$, SW $\frac{1}{4}$~~
7. SW $\frac{1}{4}$, SW $\frac{1}{4}$
8. SE $\frac{1}{4}$, SW $\frac{1}{4}$
9. NW $\frac{1}{4}$, NE $\frac{1}{4}$
10. NE $\frac{1}{4}$, NE $\frac{1}{4}$
11. SW $\frac{1}{4}$, NE $\frac{1}{4}$ 1 well
12. NW $\frac{1}{4}$, SE $\frac{1}{4}$

WATER RIGHT APPLICATION APPROVAL.

The Water Rights Commission hereby approves Water Right Application No. 3656-3

CALVIN NEUHARTH
(Applicant)

FUREKA
(Post Office Address)

SOUTH DAKOTA 57437 With the following modifications:
(State)

The irrigation wells approved under this Permit ^{are} located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application FEBRUARY 15, 1977

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application _____, 19____

Approved MARCH 23, 1977, Recorded in Book 18 Page 25

WATER RIGHT PERMIT NO. 3656-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3656-3 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 FEBRUARY 15, 1977
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 23, 1978
3. The whole of said work is to be completed on or before MARCH 23, 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23, 1982
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 4.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if, for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 23, 1982; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 20th day of APRIL, 1977

WATER RIGHTS COMMISSION

By:

John H. Ketch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____

Water License Issued _____

July 17, 1980
July 17, 1980

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 60'
- (2) Casing, Type Concrete or Plastic Diameter 24" Thickness 3"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Johnson, Diameter 30", Length 25'
- (4) Gravel Pack, Thickness 14", Length of gravel pack 50'

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 _____

Depth to top of water bearing material 20'

Depth to bottom of water bearing material 50-60'

Thickness of water bearing material 40'

Depth to water (ground surface to water level) 20'

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

On same owner's property 160 rds. On property owned by others 240 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.

Pale Newman
Signature of Applicant

SEE PERMIT NO 2423-3
FOR WATER QUALITY DATA



October 21, 1975

Mr. Calvin Neuharth
Eureka, SD 57437

Dear Mr. Neuharth:

Enclosed please find the report of analysis of the water sample submitted here October 10. This is your copy to keep. Also enclosed you will find a copy of extension circular 654 with the quality of this water designated by a red cross on the outside back cover. You will see that it is in the medium salinity, low sodium category. This water is surprisingly good for most areas in the north central part of the state and should cause no difficulty in irrigating the soil you have.

The WI-1 form, a copy of the water analysis, and a copy of this letter are being sent to the State Conservation Commission.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

D. Pahl

Wayne Nesby, County Extension Agent

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: David H. Hoff

Disapproved: _____

NAME: Calvin Neuhaeth

ADDRESS: EUREKA, South Dakota

COUNTY: McPherson

LEGAL DESCRIPTION

1. WELL LOCATION: Twp 12th R. 71 Sec. 22

2. AREA TO BE IRRIGATED: Twp 12th R. 71 Sec. 22

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Sprinkler or Gun Type

4. CROPS TO BE IRRIGATED: ALFALFA, CORN, & Sunflowers

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-2 % slope.

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Class III for Irrigation
20"-25" of loam over Sand and Gravel

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-984

8. SALINITY: EC = 718 μ mhos/cm (medium-high)

9. SODIUM: SAEC = 0.35 (low)

I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and: the land capability for irrigation information has been acquired from

_____ and:

that the legal description for the location of the well and land to be irrigated is true and correct.

Carl M. Mchatt

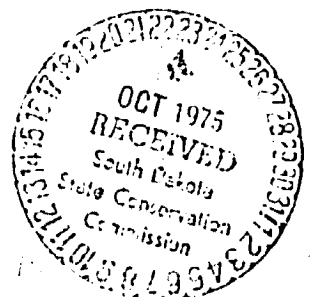
Subscribed and sworn before me this

7 day of October 1975.

Duane D. Wanner

DUANE D. WANNER, Notary Public
My Commission Expires Dec 15, 1979

(Title)



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

Submitted by: Calvin Neuhrth
 Address: Bureau, SD 57437

Date Rec'd October 10, 1975
 Sample No. 75-984
 Identification Well-22'
NE, Sec. 22, T. 127N, R. 71W

WATER ANALYSIS

Calcium (Ca)	69	ppm*	3.45	me/l**
Magnesium (Mg)	40	ppm	3.28	me/l
Sodium (Na)	15	ppm	0.64	me/l
Potassium (K)	6	ppm	0.16	me/l
Sulfate (SO ₄)	55	ppm	1.15	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	40	ppm	1.12	me/l
Bicarbonate (HCO ₃)	201	ppm	3.30	me/l
Carbonate (CO ₃)	36	ppm	1.20	me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardn ss (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	165	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	60	ppm (as CaCO ₃)		
Electrical Conductivity	718	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	3.35			
Sodium	8.49	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	8.28			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 7.53 me/l
 Total anions 6.77 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-984

Amount Enclosed \$

Signed

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3656-3

(1) WHEREAS, On the 15th day of February A. D. 19 77
Calvin Neuharth

made Water Right Application No. 3656-3 for a permit to use 3656-3 cubic feet per second of the waters of ground water (three wells)
 County of McPherson, State of South Dakota, for Irrigation
 purposes; and

(2) WHEREAS, On the 23rd day of March A. D. 19 77
 Permit No. 3656-3, with a date of priority of 2.0 cfs from March 8, 1976 & 3.0 cfs from February 15, 1977*
 was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 23rd day of March A. D. 19 80 and for the application to beneficial use of said water on or before the 23rd day of March A. D. 19 82

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 3.00 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 22, T127N, R71W

NW $\frac{1}{4}$ 136 acres

SW $\frac{1}{4}$ 136 "

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 38 "

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 35 "

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 35 "

TOTAL 380 acres

NOTE: The applicable portions of Permit No. 2423-3 have been incorporated into this Water License and Permit No. 2423-3 has been placed in a cancelled status.

(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 Calvin Neuharth

_____ of Eureka, SD
the holder _____ and owner _____ of said permit No. 3656-3 a water right, dating from March 8, 1976 and
February 15, 1977 to use of 3.00 cubic feet per second of the waters
of ground water (three wells)

in the County of McPherson and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at points #1-2640'S & 430'W; #2-2440'S & 990'W;
#3-990'S & 330'E; all from the NE corner, Section 22, T127N, R71W

and conducted to and upon _____ portions of land in Section 22, T127N, R71W more fully
described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3656-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 17th day of July _____ A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 3656-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

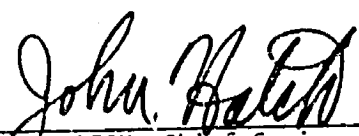
This is to Certify, That Calvin Neuharth

_____ the holder _____ of
Permit No. 3656-3, issued upon Application No. 3656-3, bearing date of priority of _____
February 15, 1977 authorizing the diversion of 6.00 cu. ft. per second of the waters of _____
ground water (three wells) County of McPherson, State of South Dakota at _____
points #1-2640'S & 430'W; #2-2440'S & 990'W; #3-990'S & 330'E; all from the NE
corner, Section 22, T127N, R71W

_____ for _____
_____ Irrigation

_____ purposes, ha. ⁵ _____ 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 ^{3.00} _____ cu. ft. per second of water.
July 17, 1980

Date _____



JOHN HATCH, Chief Engineer
Water Rights, WND

Affidavit of Publication

COUNTY OF McPHERSON
STATE OF SOUTH DAKOTA

Arlo C. Mehlhaff of said county being duly sworn, on oath says that he is the publisher of The Northwest Blade, a weekly newspaper printed and published in Eureka in said County of McPherson and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least 200 copies weekly, and has been published within said County for fifty-two successive weeks next to prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the advertisement, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for TWO successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

Mar. 10	77	19	19
Mar. 17	77	19	19
		19	19
		19	19
		19	19
		19	19
		19	19

that the full amount of the fees for the publication of the annexed notice is \$ 9.43

Arlo C. Mehlhaff

Subscribed and sworn to before me this 24th

day of March, 19 77

Duane D. Wanner
Notary Public

County of McPherson, South Dakota

DUANE D. WANNER, Notary Public
My Commission Expires Dec. 15, 1979

NOTICE INTENT TO APPROPRIATE WATER

Notice is hereby given that Calvin Neuharth whose post office address is Eureka, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.0 cubic feet of water per second of time from ground water through the Neuharth # 1, the points of diversion of which are to be located in the SW 1/4 NW 1/4 and SW 1/4 NE 1/4 of section 22, Twp. 127N, Range 71W. Said water to be used for the purpose of providing irrigation on portions of the following described land: N 1/2 NW 1/4, S 1/2 SW 1/4, N 1/2 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, Section 22-T127N-R71W.

This application No. 3656-3 will be considered by the Water Rights Commission at their office at Pierre upon the 23 day of March, 1977, at 10:00 a m. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By: Jim Winterton
Water Rights Specialist
3-10-17-77



RADIANT HEATE.

ADNA BATH

Cal-Cal Motor Hotel

EUREKA, SOUTH DAKOTA

TELE: 284-2431

RATED -- A-100 -- ALWAYS

Gentlemen:

the notice to Publish.
the Water rights permit should
be Township 127 R. 71
you have it as tap 126.
Please make the change.

I informed the editor
of the Paper for the Correction
Sincerely

Carl Newhart



No. 3656-3

Publish first publication, on or before March 10, 19 77

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 3, 19 77

Notice is hereby given that Calvin Neuharth

whose post office address is Eureka, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

4.0 cubic feet of water per second of time from ~~the~~ ground water through the

Neuharth # 1 ^s are, the point of diversion of which is to be located in the _____.

SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 22, Twp. 12~~N~~, Range 71W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:

N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22-T12~~N~~-R71W

This application No. 3656-3 will be considered by the Water Rights Commission at their office at Pierre upon the 23 day of March, 19 77, at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

~~XXXXXXXXXXXX~~ JIM WINTERTON
Water Rights Specialist

BFJ/dw

cc: Calvin Neuharth, Eureka, south Dakota 57437

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7594

PIERRE, _____, 19__

RECEIVED OF Calvin Hauharth, Eureka, SD 57437
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. <u>3656-3</u>	50	00
Fee for Inspecting Beneficial Use, and issuing Water License No. <u>3656-3</u>		
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 / DE

Permit No. 3656-3Water Division 3 MISSOURI RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by CALVIN
NEUHARTH of EUREKA holder
of Permit No. 3656-3, bearing date of priority of 2.0 FROM MARCH 8, 1976 *
4.0 FROM FEBRUARY 15, 1977
authorizing the diversion of 6.00 * cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in MC PHERSON County.

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

The Water Use System consists of, WELL #1 - 54' DEEP - 21" CONCRETE CASING
NATIONAL PUMP MODEL #260-B - 8", POWEREDA. Works used to divert the water: BY 100 HP US ELECTRIC MOTOR
WELL #2 - 63' DEEP WITH 16" STEEL CASING - 15' SS SCREEN
POWERED BY 40 HP ELECTRIC REDA SUBMERSIBLE PUMPWELL #3 - 70' DEEP WITH 16" PLASTIC CASING - 20' SS SCREEN
POWERED BY 40 HP ELECTRIC REDA SUBMERSIBLE PUMP

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

WELLS #1 & #2 ARE USED FOR FULL 1/4 SECTION PIVOT, WELL #3 COR SMALL RIVER#1 3360' OF 8" BURIED PLASTIC TO TWO PIVOT PADS#2 1760' OF 6" BURIED PLASTIC - TIES INTO 8" LINE UNDER WELL #1#3 2950' OF 6" BURIED PLASTIC LINE TO THREE PADS FOR SMALL PIVOT

C. Works used to apply water to beneficial use.

10 TOWER ZIMMATIC CENTER PIVOT WITH #150 END GUN - TONED
BETWEEN NW⁴ & SW⁴, SECTION 22, T127N, R71W4 TOWER ZIMMATIC CENTER PIVOT WITH #150 END GUN - TONED BETWEEN
PADS IN THE NW⁴ SE⁴, SW⁴ NE⁴ AND NE⁴ NE⁴, SECTION 22, T127N, R71WThe system is in the following condition: GOODThe point of diversion is located #1 - 2640'S & 430'W; #2 - 2410'S & 990'W; #3 -
990'S & 330'E, ALL FROM THE N¹/₄ CORNER, SECTION 22, T127N, R71WThe works are capable of diverting and conveying to the place of use 3.00 (900 GPM - BIG PIVOT)
(450 GPM - SMALL PIVOT)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 22, T127N, R71W

<u>NW⁴</u>	<u>136 ACRES</u>	<u>NW⁴ SE⁴</u>	<u>35 ACRES</u>
<u>SW⁴</u>	<u>136 ACRES</u>		
<u>NE⁴ NE⁴</u>	<u>38 ACRES</u>		
<u>SW⁴ NE⁴</u>	<u>35</u>		

comprising a total of 380 acres of land.

* THE APPLICABLE PORTIONS OF PERMIT NO 2423-3 HAVE
BEEN INCORPORATED INTO THIS WATER LICENSE, AND
PERMIT NO 2423-3 HAS BEEN CANCELLED.

Date JULY 1, 1980

[Signature]
(Signature)

No. 3656-3

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

July 18, 1980

Calvin Neuharth
Eureka, SD 57437

Dear Mr. Neuharth:

Enclosed herewith are, Water License No. 3656-3 and Certificate of Construction.

Water License No. 3656-3 is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:gy

enclosures

NOTE: The applicable portions of Permit No. 2423-3 have been incorporated into this Water License and Permit No. 2423-3 has been placed in a cancelled status.



Department of Water & Natural Resources

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

March 23, 1987

CALVIN NEUHARTH
EUREKA, SD 57437

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 3656-3. 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 hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre 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(s), the Water Management Board can:

1. Amend Permit No(s). 3656-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. 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.

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

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

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

April 29, 1987

3656-3

Calvin Neuharth
Eureka, SD 57437

Dear Mr. Neuharth:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 3656-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

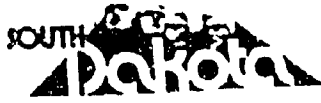
Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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



Department of Water & Natural Resources

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

February 17, 1989

Calvin Neuharth
607 S. 9th St
Aberdeen, SD 57401

Dear Mr. Neuharth:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

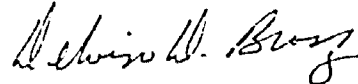


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division



3656-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: CALVIN NEUHARTH, BOX 505, EUREKA, SD 57437

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 3656-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 1:30 pm, March 1, 2000, 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) 3656-3 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, 2000, 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 Genny McMath at (605) 773-3352.

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

3656-3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly)	B. Date of Delivery 1-15-00
1. Article Addressed to:		C. Signature <i>Calvin Neuharth</i>	☐ Agent ☐ Addressee
		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
CALVIN NEUHARTH BOX 505 EUREKA SD 57437		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
2. Article Number (Copy from service label)		4. Restricted Delivery? (Extra Fee) ☐ Yes	
2227670 383			



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2000

3656-3

Calvin Neuharth
Box 505
Eureka, SD 57437

Dear Mr. Neuharth:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 3656-3.

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

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 14, 2000

3656-3

Bob Hansen
Box 553
Salem, SD 57058

Dear Mr. Hansen:

Thank you for calling about the pending ownership change for Water Right No. 3656-3, currently listed in the name of Calvin Neuharth. Enclosed is a copy of the water right. You may keep this for your records.

Also enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review for accuracy and make any necessary corrections. When the land sale takes place, please complete the form with the name and mailing address of the new owner(s).

The transfer form will need to be signed in the presence of a notary and then returned to our office with a required filing fee of \$2.50. The check or money order for the filing fee can be made payable to the "Water Rights Program".

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

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3656-3

Date: December 14, 2000

I/We request that Water Right No. 3656-3

formerly owned by: Calvin Neuharth

be transferred to: (name & address) James M. Cremer, 305 6th Ave., SE, PO Box 970, Aberdeen,

SD 57402-0970

Telephone No. (605) 225-2232

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

380 acres - NW 1/4, SW 1/4, NE 1/4 NE 1/4, SW 1/4 NE 1/4 and NW 1/4 SE 1/4 Section 22, T127N, R71W

I/We understand that the validity of Water Right No. 3656-3 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).

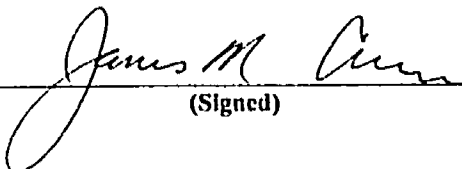
You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

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.

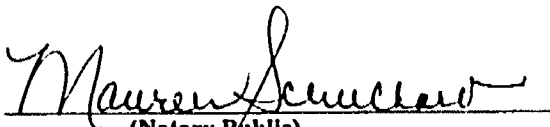
STATE OF SOUTH DAKOTA)

County of Brown)

I/~~XX~~ James M. Cremer 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.


(Signed)

Subscribed and sworn to before me this 14th day of December, 2000.


(Notary Public)
My Comm. Expires: 4/21/04

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 416715

Pierre, December 15, 2000

RECEIVED OF JAMES M. CREMER, 305 6th Ave SE, PO Box 970, Aberdeen SD 57402-C970
the following amount in fees for services rendered as provided for by law: (Calvin Neuharth)

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 3656-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By Darland Erbe
Chief Engineer gmv

Bantz, Gosch, Cremer, Peterson & Sommers, L.L.C.
Attorneys at Law

Douglas W. Bantz (1909-1983)
Kennith L. Gosch
James M. Cremer
Greg L. Peterson*
Richard A. Sommers
Ronald A. Wager
*Also Licensed in North Dakota

305 SIXTH AVENUE, S.E.
P.O. BOX 970
ABERDEEN, SD 57402-0970

Telephone (605) 225-2232
Fax (605) 225-2497
E-mail: lbantz@law.umidco.net
Writer's E-mail: jcremer@umidco.net
Leigh Ann Giedt
Legal Assistant

December 14, 2000

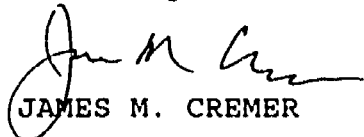
04448
Ms. Genny McMath
Department of Environment
and Natural Resources
523 E. Capitol
Pierre, SD 57501-3181

Re: Notice of Transfer of Ownership

Dear Genny:

Enclosed is the notice of Transfer of Ownership for permit
no. 3656-3, along with my check in the sum of \$2.50.

Sincerely,


JAMES M. CREMER

JMC:mvs
Enclosures
\\personal\neuharth land\denr





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 20, 2000

3656-3

James M Cremer
305 6th Ave SE
PO Box 970
Aberdeen, SD 57402-0970

Dear Mr. Cremer:

Thank you for submitting the transfer of ownership for Water Right No. 3656-3. The transfer has been completed and the water right is now listed in your name.

Enclosed is a sample copy of the yearly irrigation questionnaire. The irrigation questionnaire for this water right was returned by Cal Neuharth in November. The questionnaire for next year will be mailed to you in October, 2001. I am sending you the sample copy to show you the types of records you will need to keep track of through the irrigation season.

Also enclosed is your Receipt No. 416715 in the amount of \$2.50. You may keep this for your records. If I can answer any questions for you regarding the water right, please get in touch with me.

Sincerely,

Genny McMath

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 11, 2002

3656-3

Larry Krause
37585 149th St
Mansfield SD 57460

Dear Mr. Krause:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires and your note on one of them to change the name from James Cremer to your name. If I am understanding correctly, you wish to have the water right transferred to your name.

Enclosed is a partially completed Notice of Transfer of Ownership form for use in filing the ownership change. Please review the form and complete as needed. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If I have misunderstood and you only wished the annual irrigation questionnaire for Water Right No. 3656-3 to be sent to you and ownership should remain with Mr. Cremer, please let me know. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

File No. 3656-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

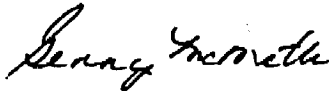
NAME & ADDRESS: Larry Krause, 37585 149th St, Mansfield SD 57460

DATE: January 13, 2003

RE: land ownership for 3656-3

COMMENTS:

In response to a letter I sent to Mr. Krause, he called to let us know that the land was jointly owned by James Cremer and Larry Krause. He requested that the ownership records be left alone and that the annual irrigation questionnaire be sent direct to him rather than to Mr. Cremer.



Genny McMath
Environmental Scientist



3656-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 21, 2001

Larry Krause
37585 149th St
Mansfield SD 57460

Dear Mr. Krause:

I am writing in regard to a well driller's report filed by M & W Drilling. The report shows a new well was completed for you on May 17, 2001. A review of our files indicates that James Cremer holds Water Right No. 3656-3 for 3.00 cubic feet of water per second (total of 1350 gpm) from three wells located in the N ½ Section 22-T127N-R71W for irrigation use.

South Dakota Codified Law 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Mr. Krause, does the peak diversion rate from the wells exceed 3.00 cfs? If so, a new permit application will be required for the additional diversion rate above 3.00 cfs. Enclosed are application forms and instructions. If this well is a replacement well or an additional well which does not increase the total appropriation, please let me know.

If you have any questions, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak

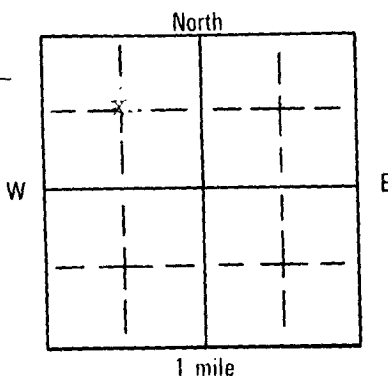
Karen Schlaak
Water Rights Program
605 773-3352

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

3656-3

10-85

Location C 1/4 NW 1/4 Sec 22 Twp 127 Rg 71County
McPhersonPlease mark well
location with
an "X"Well Completion Date 5-17-01

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Forward Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other
If other describe SDR-21

PIPEWEIGHT	DIAMETER	FROM	TO	BOLE DIAMETER
<u> </u> LB/FT	<u>12"</u> IN	<u>+1.5</u> FT	<u>70'</u> FT	<u>17 1/2"</u> IN
<u> </u> LB/FT	<u> </u> IN	<u> </u> FT	<u> </u> FT	<u> </u> IN
<u> </u> LB/FT	<u> </u> IN	<u> </u> FT	<u> </u> FT	<u> </u> IN
<u> </u> LB/FT	<u> </u> IN	<u> </u> FT	<u> </u> FT	<u> </u> IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 42' FEETWhat is grouting material? Neat cementIf cement, number of sacks? 37Describe grouting procedure set tremie pipe to 42', used mud pump to pump from bottom upWhat was grout weight? LB/GALSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12" IN Length 26' FEETMaterial PVC SDR-21 Ever FloSlot Size 70 Set From 70 Feet To 86 FeetSlot Size 80 Set From 86 Feet To 96 FeetSlot Size Set From Feet To FeetOther information Was a packer or seal used? ☐ YES ☒ NOIf so, what material? Describe packer(s) and location? Was well disinfected upon completion? ☒ YES ☐ NOExplain Well chlorinatedBacteriological analysis ☐ YES ☒ NOLaboratory sent to

Well Owner:

Name Larry KrauseAddress Mansfield, S. D.

Well Log:

Depth

Formation	Depth	
	From	To
Topsoil	0	1
Br, sand & gravel	1	17
Br. Clay	17	18
Gr. clay	18	25
Gr Silty clay	25	42
Mostly med. gr sand	42	60
mostly fine gr sand		
w/ some med.	60	70
Gravel, med. to coarse	70	96
sand, very good		
Shale	96	100

STATIC WATER LEVEL 12.9 Gr. Lv. FeetIf flowing: closed in pressure PSIGPM flow through inch pipeControlled by ☐ Valve ☐ Reducers ☐ OtherIf other: specify Can well be completely shut in?

WELL TEST DATA:

☒ Pumped 300 GPM Sub.☐ BailedDescribe: ☐ Other

Pumping Level Below Land Surface

17.4 ft. After 2 Hrs. pumped 300 GPM ft. After Hrs. pumped GPM ft. After Hrs. pumped GPM

REMARKS:

This well was drilled under license # 434

And this report is true and accurate.

Drilling firm M&W Drilling

Signature of License Representative:

Joe Wucetich

Signature of Well Owner:

Date July 01

SOUTH DAKOTA WATER WELL COMPLETION REPORT

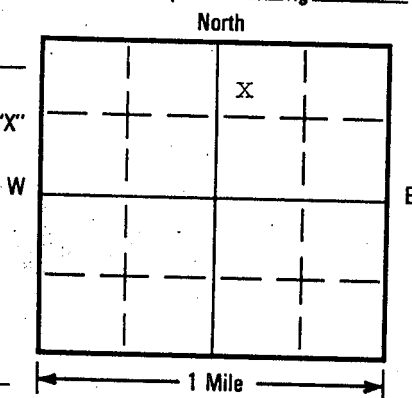
6258-3

07-92

Location NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 22 Twp 128 Rg 71

County
McPherson

Please mark well location with an "X"



Well Completion Date

6-14-07

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from _____ (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Forward rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe SDR-21

PIPEWEIGHT DIAMETER 12 FROM 54 TO+ 1.5 HOLE DIAMETER
 _____ LB/FT _____ IN _____ FT _____ FT 17.5 IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN

GROUTING DATA

Volclay- Hi-Solids

Grout Type No. 2 Sacks Grout Weight 50 From 53 To 0
 _____ lb./gal _____ ft. _____ ft.
 _____ lb./gal _____ ft. _____ ft.

Describe grouting procedure 1 1/2" tremie pipe- grout
from bottom up.

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 12" IN Length 40 FEET

Material PVC- SDR-21

Slot Size .051 Set From 54 Feet to 94 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Drill w/ pre-Chlorinated
Water
☐ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Larry Krause

Business Name: _____

Address: 37584 149 St. Mansfield, S. D.

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Topsoil	0	2
Br. sand-gravel	2	15
Gr. clay	15	28
Coarse sand- gravel	28	48
Fine sand- coarse gravel	48	
Drilled tighter		51
Med. sand-fine gravel	51	72
Clay	72	78
Sand and gravel	78	94

STATIC WATER LEVEL 17.3 (Gr. Lv.) Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

Describe: _____

☐ Bailed

☐ Other

Pumping Level Below Land Surface

31.35 ft. After 4 Hrs. pumped 460 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 600 @ 175 TDH GPM

REMARKS

RECEIVED RECEIVED

JUN 26 2007 JUN 26 2007

WATER RIGHTS PROGRAM WATER RIGHTS PROGRAM

This well was drilled under license # 434

And this report is true and accurate.

Drilling firm M & W Drilling

Signature of License Representative:

Joe Wucetich

Signature of Well Owner or Equitable Property Holder:

[Signature]
6-18-07

Date: _____

10-2-07



Barry & Robin Vculek (Shoe-leck)

1109 South 7 Street Oakes, ND 58474 - 2402

Office/Shop: (701) 742-3050 Fax: (701) 742-3070 Home: (701) 742-2525

Genny McMath
Department of Environment and Natural Resources
Joe Foss Building
PMB 2020
523 East Capitol
Pierre, South Dakota 57501-3182

RECEIVED

JUN 26 2008

WATER RIGHTS
PROGRAM

Dear Genny,

Enclosed is a copy of the drilling log for the small well in Sec. 10-127-71, as requested. Also, I have enclosed an FSA map of the current irrigation design in the E ½ of Sec 22-127-71, as well as a map of a proposed change in the configuration of the irrigation systems that we may undertake this fall.

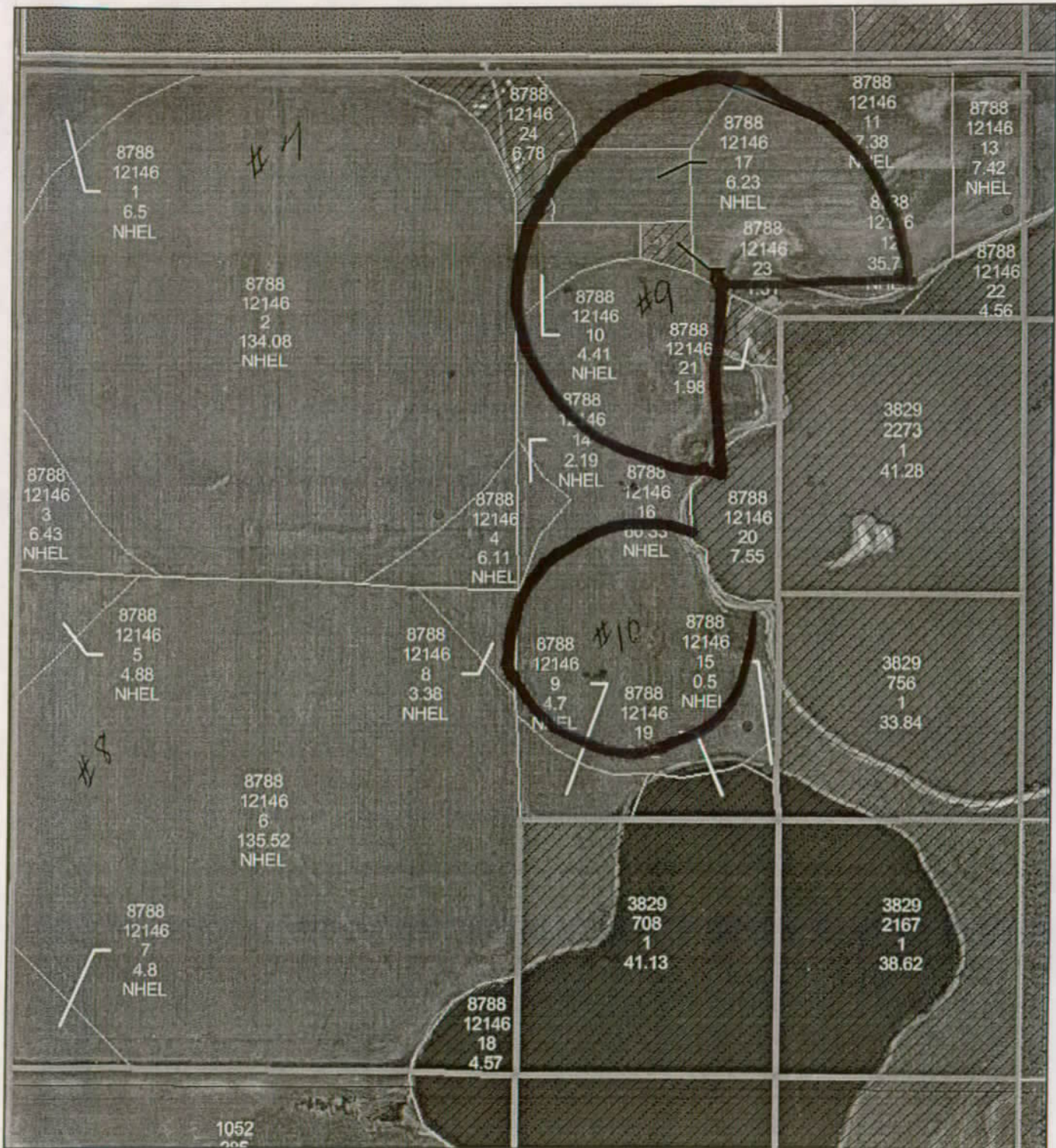
As we discussed on June 19, we are pursuing the ownership of 80 acres in Sec 10 that would be included in Permit #6258-3. We would prefer to delay the transfer of the permit into our names until the outcome of those negotiations are known.

If you have further questions, please do not hesitate to contact me.

Regards,

Barry Vculek

Current Irrigation System in E 1/2 22



USDA - Farm Service Agency

Farm
8788

McPherson, SD

22-127N-71W

1:8,599

May 17, 2007

WATER RIGHTS
PROGRAM

JUN 26 2008

RECEIVED

Legend

2008

- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- Rangeland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions



USDA FSA maps are for FSA Program administration only. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability. FSA MAPS DO NOT REPRESENT A LEGAL SURVEY. The user accepts the data "as is" and assumes all risks associated with its use. Wetland points reflect records available with NRCS and may or may not constitute a full inventory of the property. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data. Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

8788
12146
24
6.78

8788
12146
11
38
NHEL

8788
12146
17
6.23
NHEL

8788
12146
23
1.3

8788
12146
10
4.41
NHEL

8788
12146
21
1.98

8788
12146
14
2.1

8788
12146
16
66.33
NHEL

8788
12146
20
7.55

8788
12146
5
NHEL

8788
12146
19
3.97

8788
12146
18
4.57

8788
12146
2
134.08
NHEL

8788
12146
3
6.43
NHEL

8788
12146
5
4.88
NHEL

8788
12146
8
3.38
NHEL

8788
12146
6
135.52
NHEL

8788
12146
7
4.8
NHEL

3829
2273
1
41.28

3829
756
1
33.84

3829
708
1
41.13

3829
2167
1
38.62

1052



Farm
8788

22-127N-71W

1:8,599

May 17, 2007

WALKER RIGHTS PROGRAM

JUN 26 2008

RECEIVED

Legend

2008

-  Tract Boundaries
-  Section-Township-Range
-  Easements
-  CRP
-  Common Land Units
-  Rangeland

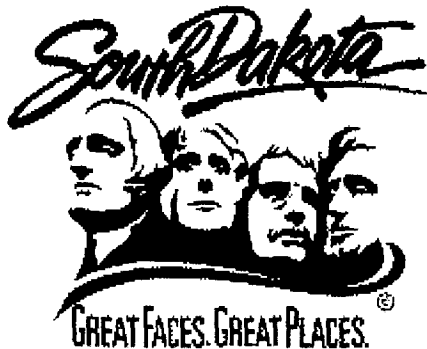
Wetland Determination Identifiers

- ☒ Restricted Use
- ☐ Limited Restrictions
- ☐ Exempt from Conservation Compliance Provisions

USDA FSA maps are for FSA Program administration only. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability. FSA MAPS DO NOT REPRESENT A LEGAL SURVEY. The user accepts the data "as is" and assumes all risks associated with its use. Wetland points reflect records available with NRCS and may or may not constitute a full inventory of the property.

The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data.

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 2009

3656-3
6258-3

Barry Vculek
1109 S 7th St
Oakes ND 58474-2402

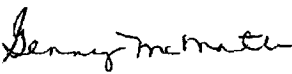
Dear Mr. Vculek:

Thank you for calling with regard to Water Right No. 3656-3 and Water Permit No. 6258-3.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review the form and make any necessary corrections. If you do not own all of the land listed, please line out the portions you do not own and initial the correction. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

Also included are the 2008 irrigation questionnaires pertaining to Nos. 3656-3 and 6258-3. Please complete and return them along with the transfer forms and filing fees. If you have any questions, please contact me.

Sincerely,


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

enclosures

RECEIVED

FEB 27 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3656-3

Date: 2/24/09

I/We request that Water Right No. 3656-3

formerly owned by: Jim Cremer

be transferred to: (name & address) Barry and Robin Venke
1109 S 2nd St
Oakes, ND 58474 Telephone No. 701-742-3050

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

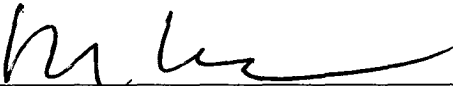
380 acres – NW ¼; SW ¼; NE ¼ NE ¼; SW ¼ NE ¼ and NW ¼ SE ¼ Section 22, T127N, R71W

I/We understand that the validity of Water Right No. 3656-3 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.

(We) Barry + Robin Venke, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/27, 20 09

RECEIVED OF Four Star Ag Gen Partnership 1109 S 7th St Oakes ND 58474

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 _____ 3656-3		
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.

64043

By

Michael Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 2, 2009

3656-3
6258-3

Barry and Robin Vculek
1109 S 7th St
Oakes ND 58474

Dear Mr. & Mrs. Vculek:

I am writing to acknowledge receipt of the "2008" irrigation questionnaires and the "Notice of Transfer of Ownership" forms and filing fees for Water Right No. 3656-3 and Water Permit No. 6258-3.

The ownership changes have been completed. Water Right No. 3656-3 (Jim Cremer) and Water Permit No. 6258-3 (Larry Krause and Jim Cremer) are now listed in your names.

Enclosed are your Receipt Nos. 04042 and 04043 in the amount of \$2.50 each. You may keep these for your files.

If you have any questions, please contact me.

Sincerely,

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

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

encl



3656-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

8232-3

3656-3

JAN 26 2017

Barry & Robin Vculek
1109 S 7th St
Oakes ND 58474

Dear Mr. & Mrs. Vculek:

Enclosed are Water Permit and License No. 8232-3. These are the final water right documents completing your process of obtaining a Water Right. Also, included with the license is a map prepared by the 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. 8232-3, 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.

In regard to the equipment used for applying chemicals and/or fertilizer through your irrigation system, the staff engineer found the system did not have a hose to allow for discharge at least 20 feet from the water source. Prior to applying chemicals or fertilizer through the systems, you must ensure a hose is properly installed.

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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

Note: The applicable portions of No. 3656-3 are incorporated into Water License No. 8232-3.

enclosures