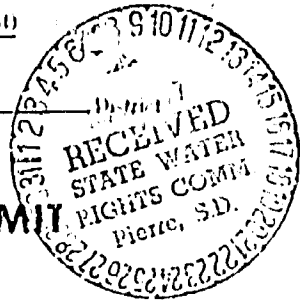


Water Right Number 3729-3

1. Considered 3-23, 19 77
2. Name of Applicant NORMAN NYSTROM
3. Post Office Address PIERRE
4. Amount of Water claimed 2.28
5. Source of Water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in HUGHES County
about 9N, 7W miles of PIERRE
8. Proof of Publication Received 3-21-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 3727-3
 Map No. 987-3 Water Division No. 3 MISSOURI RIVER
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriative Water within the State of South Dakota 3:00

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

1. Name of Applicant Norman N. Nystrom
 Post-office address Parrr A, Pierre, State South Dakota
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
 3. Name of diversion work Nystrom #6
 4. Amount of water claimed (cubic feet per second) 2.23
 5. Source of water supply Missouri River
 6. Location of point of diversion a point in the sw $\frac{1}{4}$ nw $\frac{1}{4}$, Section 17, T112N, R80W
 _____ County Hughes
 7. Annual period or periods during which water is to be used April thru 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 160

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SE $\frac{1}{4}$, Sec. 17, T112N, R80W	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
 11. Choice of newspaper for Notice of Intent to Appropriative Water publication Capital Journal, Pierre, SD
 12. Principal Features of the Proposed Water Supply System.

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

Pump and Motor

Works proposed to transport water to place of use.

Main line

Works proposed to apply water to beneficial use.

Gated pipe

Estimated Total Cost \$ _____

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 Hughes)

I, Norman N. Nystrom 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 Norman NystromSubscribed and sworn to before me this 3th day of March 19 77

Betty Westlund
 Notary Public (or other qualified officer)

BETTY WESTLUND, Land/Water Clerk II

6/2.1

18-R

159.2
out

AREAS BY LEGAL SUBDIVISION

SW ¹ NW ¹ SEC. 8 TWP. 112 R. 80	SW ¹ NW ¹ SEC. 8 TWP. 112 R. 80
SE ¹ NW ¹ SEC. 8 TWP. 112 R. 80	SE ¹ NW ¹ SEC. 8 TWP. 112 R. 80
NW ¹ SW ¹ SEC. 8 TWP. 112 R. 80	NW ¹ SW ¹ SEC. 8 TWP. 112 R. 80
NE ¹ SW ¹ SEC. 8 TWP. 112 R. 80	NE ¹ SW ¹ SEC. 8 TWP. 112 R. 80
SW ¹ SW ¹ SEC. 8 TWP. 112 R. 80	SW ¹ SW ¹ SEC. 8 TWP. 112 R. 80
SE ¹ SW ¹ SEC. 8 TWP. 112 R. 80	SE ¹ SW ¹ SEC. 8 TWP. 112 R. 80
NW ¹ SE ¹ SEC. 8 TWP. 112 R. 80	NW ¹ SE ¹ SEC. 8 TWP. 112 R. 80
NE ¹ SE ¹ SEC. 8 TWP. 112 R. 80	NE ¹ SE ¹ SEC. 8 TWP. 112 R. 80
SW ¹ SE ¹ SEC. 8 TWP. 112 R. 80	SW ¹ SE ¹ SEC. 8 TWP. 112 R. 80
SE ¹ SE ¹ SEC. 8 TWP. 112 R. 80	SE ¹ SE ¹ SEC. 8 TWP. 112 R. 80
NW ¹ SW ¹ SEC. 9 TWP. 112 R. 80	NW ¹ SW ¹ SEC. 9 TWP. 112 R. 80
NE ¹ SW ¹ SEC. 9 TWP. 112 R. 80	NE ¹ SW ¹ SEC. 9 TWP. 112 R. 80
SW ¹ SW ¹ SEC. 9 TWP. 112 R. 80	SW ¹ SW ¹ SEC. 9 TWP. 112 R. 80
SE ¹ SW ¹ SEC. 9 TWP. 112 R. 80	SE ¹ SW ¹ SEC. 9 TWP. 112 R. 80
NW ¹ SE ¹ SEC. 9 TWP. 112 R. 80	NW ¹ SE ¹ SEC. 9 TWP. 112 R. 80
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SW ¹ SE ¹ SEC. 9 TWP. 112 R. 80	SW ¹ SE ¹ SEC. 9 TWP. 112 R. 80
SE ¹ SE ¹ SEC. 9 TWP. 112 R. 80	SE ¹ SE ¹ SEC. 9 TWP. 112 R. 80
NW ¹ SW ¹ SEC. 17 TWP. 112 R. 80	NW ¹ SW ¹ SEC. 17 TWP. 112 R. 80
NE ¹ SW ¹ SEC. 17 TWP. 112 R. 80	NE ¹ SW ¹ SEC. 17 TWP. 112 R. 80
SW ¹ SW ¹ SEC. 17 TWP. 112 R. 80	SW ¹ SW ¹ SEC. 17 TWP. 112 R. 80
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SE ¹ SE ¹ SEC. 17 TWP. 112 R. 80	SE ¹ SE ¹ SEC. 17 TWP. 112 R. 80
NW ¹ NW ¹ SEC. 16 TWP. 112 R. 80	NW ¹ NW ¹ SEC. 16 TWP. 112 R. 80
NE ¹ NW ¹ SEC. 16 TWP. 112 R. 80	NE ¹ NW ¹ SEC. 16 TWP. 112 R. 80
SW ¹ NW ¹ SEC. 16 TWP. 112 R. 80	SW ¹ NW ¹ SEC. 16 TWP. 112 R. 80
SE ¹ NW ¹ SEC. 16 TWP. 112 R. 80	SE ¹ NW ¹ SEC. 16 TWP. 112 R. 80
NW ¹ NE ¹ SEC. 16 TWP. 112 R. 80	NW ¹ NE ¹ SEC. 16 TWP. 112 R. 80
NE ¹ NE ¹ SEC. 16 TWP. 112 R. 80	NE ¹ NE ¹ SEC. 16 TWP. 112 R. 80
SW ¹ NE ¹ SEC. 16 TWP. 112 R. 80	SW ¹ NE ¹ SEC. 16 TWP. 112 R. 80
SE ¹ NE ¹ SEC. 16 TWP. 112 R. 80	SE ¹ NE ¹ SEC. 16 TWP. 112 R. 80
NW ¹ NW ¹ SEC. 8 TWP. 112 R. 80	NW ¹ NW ¹ SEC. 8 TWP. 112 R. 80

WATER TO BE DIVERTED BETWEEN
POINT NO. 1 AND POINT NO. 2

SURVEYORS CERTIFICATE

STATE OF SOUTH DAKOTA 55
COUNTY OF HUGHES

I, MAYNARD C. SOMMER, REGISTERED LAND SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF NORMAN NYSTROM, SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON MARCH 1967 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THEREOF.
WITNESS MY HAND AND SEAL THIS DAY OF MARCH, 1967.

REG. LAND SURVEYOR

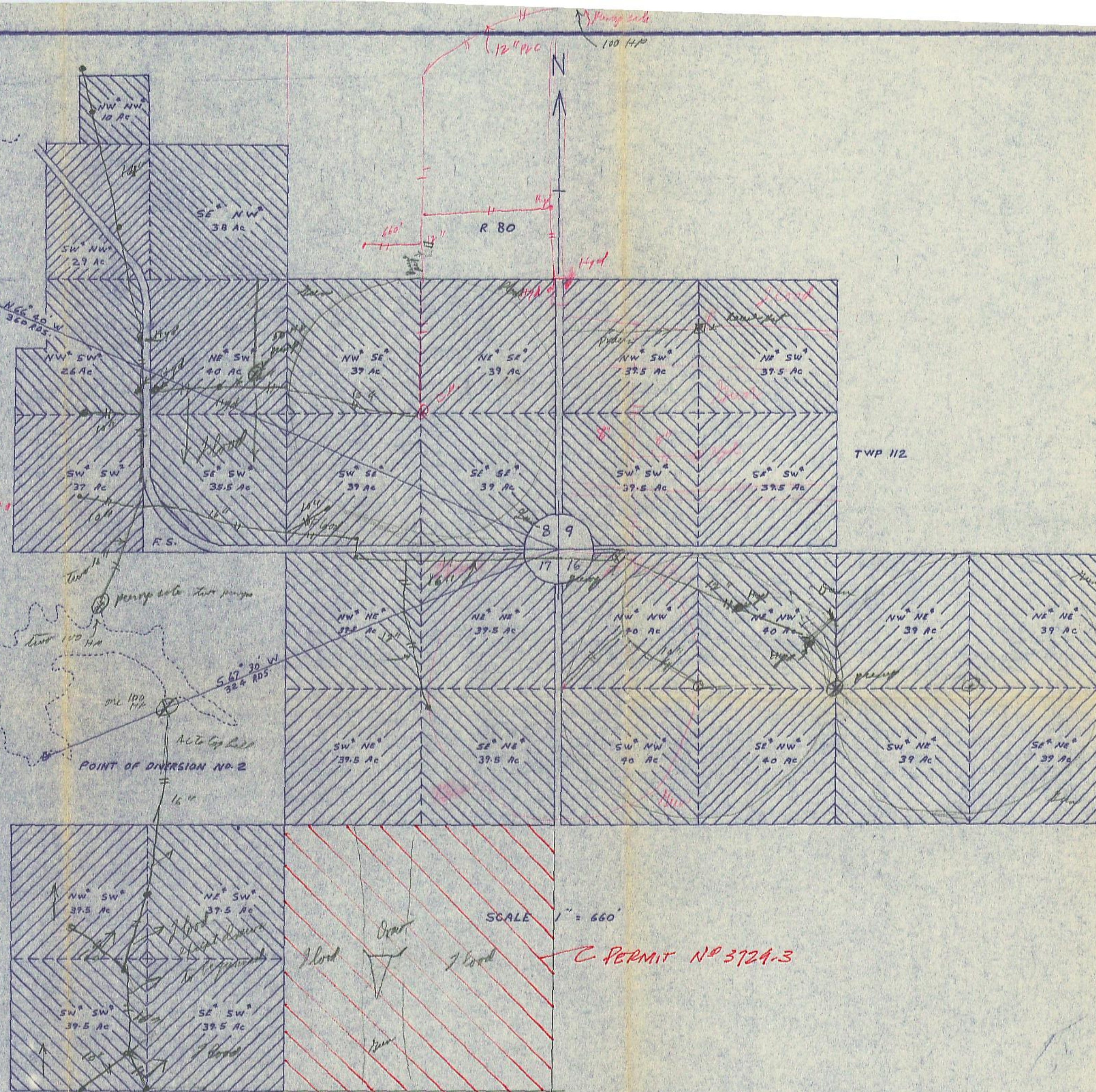
STATE OF SOUTH DAKOTA 55
COUNTY OF HUGHES

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MAYNARD C. SOMMER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYORS CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.
WITNESS MY HAND AND SEAL THIS DAY OF MARCH 1967.

MY COMMISSION EXPIRES

NOTARY PUBLIC

ORHE
RESERVOIR



SCALE 1" = 660'

C PERMIT NO 3724-3

Run off into down to
be pumped out for 1/2 SE 1/4
3 short pipes for 3 pumps
one for dry pump
one for flood to back
one for fountain case

SHOWING AREA & DIVERSION POINTS WHERE WATERS
WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

NORMAN NYSTROM
MAYNARD C. SOMMER

OWNER
SURVEYOR

Map# 987-3 (App# 1377-3)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3729-3

NORMAN NYSTROM
(Applicant)

PART A PIERRE
(Post Office Address)

SOUTH DAKOTA 57501 With the following modifications:
(State)

Date of first receipt of application MARCH 8 19 77
Date of return to applicant for correction, amendments or changes required — 19 —
Date of receipt of corrected application — 19 —
Approved MARCH 23 19 77 Recorded in Book 18 Page 76

WATER RIGHT PERMIT NO. 3729-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3729-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MARCH 8 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 23 19 79
3. The whole of said work is to be completed on or before MARCH 23 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23 19 86
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.28 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 19 86; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 21ST day of APRIL 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued May 15 19 80

Water License Issued May 15 19 80

Permit No. 3729-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Norman N. Nystrom

the holder of

Permit No. 3729-3 issued upon Application No. 3729-3, bearing date of priority of February 7, 1964;
March 7, 1967 and
March 8, 1977 authorizing the diversion of 25.30 cu. ft. per second of the waters of the
Missouri River County of Hughes, State of South Dakota between
points in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17; a point in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7; and a point
in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17 all in T112N - R80W.
for irrigation

purposes, has 9 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 21.37 cu. ft. per second of water.

Date May 15, 1980

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WND

Permit #3729-3, Norman N. Nystrom.

Lands Irrigated All in T112N - R80W

		ACRES
Section 5	SW $\frac{1}{4}$ SE $\frac{1}{4}$	30.0
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	10.0
		<u>40.0</u>
Section 8	NW $\frac{1}{4}$ NW $\frac{1}{4}$	10.0
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	23.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	23.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	38.0
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	28.0
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	37.0
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.0
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	39.0
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.0
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	39.0
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	39.0
		<u>549.0</u>
Section 9	NW $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
		<u>158.0</u>

		ACRES
Section 16	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
		<u>316.0</u>
Section 17	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39.5
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	39.5
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	39.5
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	39.5
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
		<u>476.0</u>

TOTAL ACRES 1539

WATER LICENSE NO. 3729-3

(1) WHEREAS, On the 8th day of March A. D. 19 77

Norman N. Nystrom

made Water Right Application No. 3729-3 for a permit to use 2.92 cubic feet per second of the waters of the Missouri River

County of Bughes State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 23rd day of March A. D. 19 77

Permit No. 3729-3, with a date of priority of March 3, 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 82 and for the

application to beneficial use of said water on or before the 23rd day of March A. D. 19 86

Whereas, on September 6, 1979, upon inspection, this License combines Permits Nos. 1377-3 and that portion of permit no. 1080-3 in SE $\frac{1}{4}$, Section 5 and Section 8 and places permit nos. 1377-3 and 1080-3 in a cancelled status.

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 21.67 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,

(see attached sheet)

(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 Norman Nystrom

at Pierre, SD
the holder _____ and owner _____ of said permit No. 3729-3 a water right, dating from February 7, 1964,
March 7, 1967 and March 8, 1977 use of 21.67 cubic feet per second of the waters
of the Missouri River

in the County of Hughes and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted ~~at between points in SW1/4, Section 17; a point~~
~~in NE1/4, Section 7; and a point in SE1/4, Section 17, all in T112N R80W.~~

and conduct^{ed} to and upon portions of land in Sections 5, 8, 9, 16 and 17 - T112N -
R80W, more fully described on the attached sheet with this Water License.
Permits No. 1377-3 and portions of permit no. 1080-3 have been incorporated
into this Water License and Permits No. 1377-3 and 1080-3 have been placed
in a cancelled status, to be used for irrigation purposes.

XXXXXXXXXXXX

Subject to any limitations listed in Water Right Permit No. 3729-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 15th day of May A. D.
Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch
Chief Engineer

JOHN HATCH

No. 3729-3Publish first publication, on or before March 14, 1977NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 8, 1977

Notice is hereby given that Norman Nystrom
whose post office address is Pierre, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
2.28 cubic feet of water per second of time from the Missouri River through the
Nystrom #6, the point of diversion of which is to be located in the _____

SW $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 17, Twp. 112N, Range 80W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:
SE $\frac{1}{4}$, Section 17, T112N, R80W

This application No. 3729-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 23rd day of March, 1977, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERTON
Water Rights Specialist

BFJ/bw

cc: Norman Nystrom, Part A, Pierre, S.D. 57501

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 3729-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hughes) ss.

I, John H. Hinkle hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Daily Capital Journal

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

city of Pierre

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

March 11, 1977 and

March 18, 1977.

John H. Hinkle
(Signature)

Business Manager
(Title)

March 18, 1977
(Date Signed)

No. 3845 - 2d dly. Mar. 11-18

No. 3729-3

NOTICE

INTENT TO
APPROPRIATE WATER

Notice is hereby given that
Norman Nystrom whose post
office address is Pierre, South
Dakota, has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.28 cubic feet of
water per second of time from the
Missouri River through the Ny-
strom No. 6, the point of diversion
of which is to be located in the
SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, Twp.
112N, Range 60W. Said water to
be used for the purpose of
providing irrigation on portions
of the following described land:

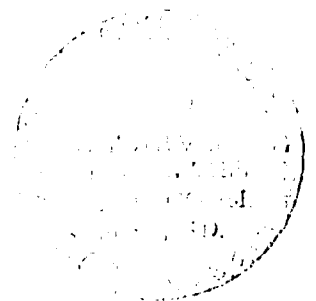
SE $\frac{1}{4}$, Section 17, T112N, R60W

This application No. 3729-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 23rd day of
March, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.

WATER RIGHTS

COMMISSION

By: JAMES WINTERTON
Water Rights Specialist



4-1080-3

1537-3

N.

N.

N.

N.

9-6-79

NE 1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

1/4

86 ft

Water

37'

Pumping

10-009 pm

-

Exp.

1400+

2 E

-

100 HP

1710 RPM

Model

51

267 X H 1A

ser #

CLT 32144

Pump

Berkeley

1204M-55T

ser #

MO 1563

BM 4219

Head

CP

Electro

Model

5E5

ser #

5731310

Model

51

267 X H 1A

ser #

CLT 32144

Pump

Berkeley

1204M-55T

ser #

MO 1563

BM 4219

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5731310

Model

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267 X H 1A

ser #

CLT 32144

Pump

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Electro

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5E5

ser #

5731310

Model

51

267 X H 1A

ser #

CLT 32144

Pump

Berkeley

1204M-55T

ser #

MO 1563

BM 4219

Head

Electro

Model

5E5

ser #

5731310

Model

CP

Electro

Model

5E5

ser #

5731310

Model

51

267 X H 1A

ser #

CLT 32144

Pump

Berkeley

1204M-55T

ser #

MO 1563

BM 4219

Head

Electro

Model

5E5

ser #

5731310

Model

CP

Electro

Model

5E5

ser #

5731310

Model

51

267 X H 1A

ser #

CLT 32144

Pump

Berkeley

1204M-55T

ser #

MO 1563

BM 4219

Head

Electro

Model

5E5

ser #

5731310

Model

CP

Electro

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5E5

ser #

5731310

Model

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267 X H 1A

ser #

CLT 32144

Pump

Berkeley

1204M-55T

ser #

MO 1563

BM 4219

Head

Electro

Model

5E5

ser #

5731310

Model

CP

Electro

Model

5E5

ser #

5731310

Model

51

267 X H 1A

ser #

CLT 32144

Pump

Berkeley

1204M-55T

ser #

MO 1563

BM 4219

Head

Electro

Model

5E5

ser #

5731310

Model

CP

Electro

Model

5E5

ser #

5731310

Model

51

267 X H 1A

ser #

CLT 32144

Pump

Berkeley

1204M-55T

ser #

MO 1563

BM 4219

Head

Electro

Model

5E5

ser #

Cape Allen 4000 6' gal. pipe

100 ft. of 12' gal. pipe

West pump 5:16 5 of 1000

West pump GE, 100 HP, 1780 RPM

Model 5K404YP212, Ser # 8N113E41

Pump Cornell Model 6H100-4

Ser # E 2407 14 1/4

East of pump

GE 100 HP, 1780 RPM

Model 5K404YP212, Ser # 8N113E30

Pump Cornell Model 6H100-4

Ser # 2408 14 1/4

2 ass. total pumping on 3-16" dia
pipe & 1-12' or longer ÷ 70

13773 N N 451.00

9-6-79 C.P. in 514.5 - 8

Zeissler Model 307

ser # 1.07856

C.P. in 514.5 - 8

Electric Model 307

Big gun to 1000 ft. in 514.5 - 8

area diameter

Water level - Model 307

ser # 1641

Melcon Model 307

ser # CC 9990 with 600' 4 1/2"

July 1978

in NE 2-16. Bore pump from Ditch
for Electrolyzer CP. Test used by
Chuck CP.

Motor More than 75 HP - 3550 RPM
Pump Corbett Model 5W475-2
Air # 2333

Pump in NW 1/4 NE 2-16. 2 bore pump
W&J Pump More than 60 HP - 3550 RPM
McKEE MOTTED R1321 A A W

Pump = Corbett Model 5W460-2
Air # E2180 7 $\frac{23}{32}$

East Pump = NE 75 HP 3555 RPM

Model 5K364 Y K 161 Air # DND 18032

Pump Corbett Model 47875-2

Air # E2440 7 $\frac{3}{4}$

N. Nylstrom

SE 1/4 1/4

Pump N.E. into 12" line

GE 100 HP Ser. # CR 187033-

1725 RPM Motor FK #24 YK 232

Pump Cornell Model 6H 100-4

ser. # E 1587- 14 $\frac{5}{8}$

Pump at River pit in N.E. 1/8

Motor 7 $\frac{1}{2}$ HP, US Elec. 1740 RPM

10" 8510-00-A 62-14425-890

Pump Weston Co. Model

ser. # 72113 - Head 75 C30 M8

Pump at River pit in S.W. 1/4 - 100' Spring

7 $\frac{1}{2}$ HP GE 1745 RPM

F.O.F. 8510-00-C 62-06967-815

Weston Pump Model ser. # 72114

Head 75 C30 M8

Main pump S.W. West of Two
SE 1/4 NW 1/4 NE 100 HP. Model 5 K 104 Y K 232
S# CK 183333 1775 RPM
Pump Cornell 6 H 100-4
S# E 1588 14 1/2

E Pump. Cummins Diesel
185 V. 8. Est 470 C.I.D.
Pump Cornell Model 6 NHB 62 134
S# 9301-

To be replaced by 100 H.P. Elec
in future

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7388

PIERRE, March 12, 1920

Norman Nystrom, Box 1104, Pierre SD

RECEIVED OF 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. 3729-3)	50	00
Fee for Inspecting Beneficial Use, and issuing Water License No. 3729-3)		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 3724-3Water Division 3 Missouri River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Norman A. Nelson
 of Part A, Pierre, South Dakota, 57501 holder 2.50 cfs Feb. 7, 1964, 16.59 cfs March 7, 1967
 of Permit No. 3729-3, bearing date of priority of 2.28 cfs March 8, 1957
 authorizing the diversion of 21.67 cu. ft. per second of the waters of Missouri River
 for Irrigation purposes, in Hughes County.

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

The Water Use System consists of,

A. Works used to divert the water:

See Reverse Side for Pump & Motor Information

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

See Aerial Map of location and sizes of Pipelines
4000 ft - 8" Gated Pipe
several miles 10" Gated Pipe

C. Works used to apply water to beneficial use.

In SE 1/4 Sec 8, Zimmatic C.P. Model 307, Ser # 407856
In SW 1/4 Sec 17 & NW 1/4-16, Electropump C.P. for Model No
In NE 1/4 Sec 10, Electropump C.P.
Big Gun Water Pump Model W-45-A, Ser # 1691 with Action Pump
56" CC440 with 600 ft 1 1/2" Flexible hoseThe system is in the following condition: Good

The point of diversion is located Between points in SE 1/4 SW 1/4 and in the NE 1/4 NE 1/4 Sec 2
Between a point in SW 1/4 SW 1/4 - 17 and a point in NE 1/4 SE 1/4 Sec 7
A point in SE 1/4 NW 1/4 Sec 17 all in T112N R80W

The works are capable of diverting and conveying to the place of use 21.67cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows:

see Attached Sheet for Average Irrigatedcomprising a total of 1539 acres of land.

Note: This license combines Permits #1377-3, 3729-3
 and that portion of Permit #1080-3 in the SE 1/4 Sec 5
 and Section 8. Permits #1080-3 and 1377-3 can
 be cancelled.

Date September 6, 1979
Leroy J. Munnich
 (Signature)

Diversion Point in $SE\frac{1}{4} SE\frac{1}{4}$ Sec 5.

Motor GE, Model 5K404YK 232, Ser # CK183035 100 HP 1755 RPM

Pump: Cornell Model 6H100-4, Ser # E1587 14 $\frac{1}{2}$

Diversion Point in $NE\frac{1}{4} NE\frac{1}{4}$ Sec 17

West Pump: GE, Model 5K404YP 212, Ser # BN113E41.
100 HP - 1755 RPM.

Pump = Cornell Model 6H100-4, Ser # E2409 14 $\frac{1}{2}$

East Pump: GE, Model 5K404YP 212, Ser # DN123E30
100 HP - 1755 RPM

Pump: Cornell Model 6H100-4, Ser # 2408 14 $\frac{1}{2}$

Diversion Point in $SE\frac{1}{4} NE\frac{1}{4}$ - Sec 17.

West Pump: GE, Model 5K404YK 732, Ser # CK183033
100 HP - 1755 RPM

Pump: Cornell 6H100-4 Ser # E1588 14 $\frac{1}{2}$.

East Pump: Cumming 195 V8 Diesel, Est 410 CID

Pump: Cornell Model 6H100-4, Ser # 7301.

Pump at Rease Pit in $SE\frac{1}{4} NE\frac{1}{4}$ Sec. 8.

Motor US El., 7 $\frac{1}{2}$ HP, 1740 RPM, ID # 5510-00-A, 62-14425-580

Pump: Western Hand Koller, Ser # 72113, Head 75-C30-M3.

Pump at Rease Pit in $NE\frac{1}{4} SE\frac{1}{4}$ Sec. 9.

Motor GE, 7 $\frac{1}{2}$ HP, 1740 RPM, ID # E-5510-00-C 62-05867-525.

Pump: Western Hand Koller Ser # 72114, Head 75-C30-M3.

Pump at Pond in $W\frac{1}{2} NE\frac{1}{4}$ - Sec. 16

Motor Marathon, 75 HP 3555 RPM

Pump - Cornell Model 5WB75-2, Ser # 2333

Booster Pumps in $NE\frac{1}{4} NE\frac{1}{4}$ Sec. 16.

East Pump: GE Motor Model 5K304YK188, Ser # DNJ105032.
75 HP - 3555 RPM

Pump - Cornell Model 4WB75-2, Ser # E2440 5 $\frac{1}{2}$

West Pump: Motor Marathon, Model EE326 TTD R 7321 HAW
60 HP - 3530 RPM

Pump Cornell Model 5WB60-2, Ser # E2150 7 $\frac{1}{2}$ $\frac{3}{4}$.

Five standby Motors and pumps are available for use
in emergencies

Permit # 3729-3, Norman N Nystrom

lands Irrigated

All in T112N R80W

Section	leg Desc.	Acres
5	SW $\frac{1}{4}$ SE $\frac{1}{4}$	30.0
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	10.0
8	NW $\frac{1}{4}$ NW $\frac{1}{4}$	10.0
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	23.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	23.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	30.0
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	28.0
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	37.0
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.0
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	39.0
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.0
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	39.0
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	37.0
9	NW $\frac{1}{4}$ SW $\frac{1}{4}$	37.5
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	37.5
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	37.5
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	37.5

Section	leg. Desc.	Acres
16	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	39.0
17	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39.5
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	39.5
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	39.5
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	39.5
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	39.5
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0

Total 1537.0 Acres

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY
 THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE
 ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILATION
 LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A
 AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC
 REPRODUCTIONS. REDUCTION 25:1 ROLL NO 41
 DATE MICROFILMED 1-27-72
 BY J. J. JENSEN
 CASIDA DIRECTOR



Department of Water & Natural Resources

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

May 16, 1980

Norman Nystrom
Box 1104
Pierre, SD 57501

Dear Mr. Nystrom:

Enclosed herewith are, Water License No. 3729-3 and Certificate of Construction.

Water License No. 3729-3 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: bt

enclosures

NOTE: This License combines Permits Nos. 1377-3, and that portion of Permit No. 1080-3 in SE $\frac{1}{4}$, Section 5 and Section 8; and places Permit Nos. 1377-3 and 1080-3 in a cancelled status.

WNR-817-7/79
Transmittal of Water License

South Dakota
Department of
Water & Natural Resources

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

April 15, 1985

Norman N Nystrom
Box 1104
Pierre SD 57501

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 1537-3 & 3729-3. The request for the questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 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 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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). 1537-3 & 3729-3 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.

Sincerely,

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

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

South Dakota
Department of
Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Norman N. Nystrom
Box 1104
Pierre, SD 57501

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

John Hatch

SUBJECT: Amendment to Water Permit No(s). 3729-3 & 1537-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 3729-3 & 1537-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use or 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). 3729-3 & 1537-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 3729-3 & 1537-3 to add the following qualification:

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

3729-3



January 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
 523 EAST CAPITOL
 PIERRE, SOUTH DAKOTA 57501-3181
NOTICE
TO: NORMAN NYSTROM, BOX 1104, PIERRE, SD 57501

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1537-3 & 3729-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1537-3 & 3729-3 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

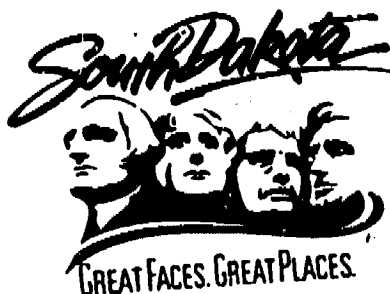
1. Suspend or cancel Permit No(s) 1537-3 & 3729-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.

3729-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 1998

1537-3

3729-3

Norman Nystrom
Box 1104
Pierre, SD 57501

Dear Mr. Nystrom:

I am writing to acknowledge receipt of the information needed for your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 1537-3 and 3729-3.

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

June 16, 1998

Norman Nystrom
Box 1104
Pierre, SD 57501

Dear Mr. Nystrom:

I am writing in regard to your request to change the location of an intake structure for irrigation of a portion of the land authorized by Water Right No. 3729-3. Water Right No. 3729-3 appropriates 21.67 cubic feet of water per second (cfs) from the Missouri River (Lake Oahe) for irrigation of 1,539 acres.

You have requested to change one of the permitted intake structures to a location approximately 1,200 feet to the west of the present site in a bay on Lake Oahe. You indicated that you are in the process of obtaining permission from the Corps of Engineers to move the intake location. The request is not for any additional appropriation of water.

Upon review of the request and pursuant to SDCL 46-5-13.1, you are authorized to change the location of the diversion point without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. A copy of the report prepared on your request is enclosed.

If you have any questions, please feel free to contact Eric Gronlund at (605) 773-3352.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

enclosure

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

May 29, 1998

RE: Change in Location of the Diversion Point from the Missouri River (Lake Oahe) for Water Right No. 3729-3, Norman Nystrom

Mr. Nystrom has made a request to change the location of the Missouri River diversion point used for irrigation of the S1/2 Section 17, T112N, R80W. This acreage is authorized by Water Right No. 3729-3. SDCL 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.

Water Right No. 3729-3 appropriates 21.67 cubic feet of water per second from the Missouri River (Lake Oahe) to irrigate 1,539 acres. The point or points of diversion are to be located between the SW1/4 SW1/4 Section 17, the NE1/4 SE1/4 Section 7 and a point in the SE1/4 NW1/4 Section 17; all in T112N, R80W. The acres are located in portions of Sections 5, 8, 9, 16 and 17; all in T112N, R80W.

This request is to change the diversion point for the intake that supplies water for the irrigation systems located in the S1/2 Section 17, T112N, R80W. The new diversion site is to be located in the W1/2 NW1/4 Section 17, T112N, R80W approximately 1,200 feet to the west of its present location in a Lake Oahe bay.

A review of existing diversion from the Missouri River was not conducted. The Missouri River at this location is water impounded by Lake Oahe dam. The Missouri River has ample water to supply all permitted water users. There have been no water use complaints reported on the Missouri River.



Eric Gronlund
Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding that this change in location does not increase the potential for interference with existing diversions. In making the finding, "does not increase the potential for interference" is interpreted to mean potential for adverse interference. This point of diversion for Water Right No. 3729-3 may be changed without requiring application or publication of a notice of hearing pursuant to SDCL 46-2A-4.

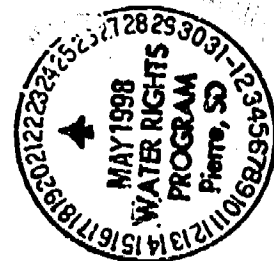


John Hatch, Chief Engineer 6-16-98
Water Rights Program

Box 1104
Pierre, SD 57501

May 21, 1998

John Hatch
Chief Engineer
Water Rights Division
Dept. of Environment and Natural Resources
523 East Capital Ave.
Pierre, SD 57501-3181



Dear Mr. Hatch:

I am writing to inform you that I need to change the point of diversion from Lake Oahe as it relates to the water right which serves the south one half of section 17 in township 112 north 80 west in Hughes county.

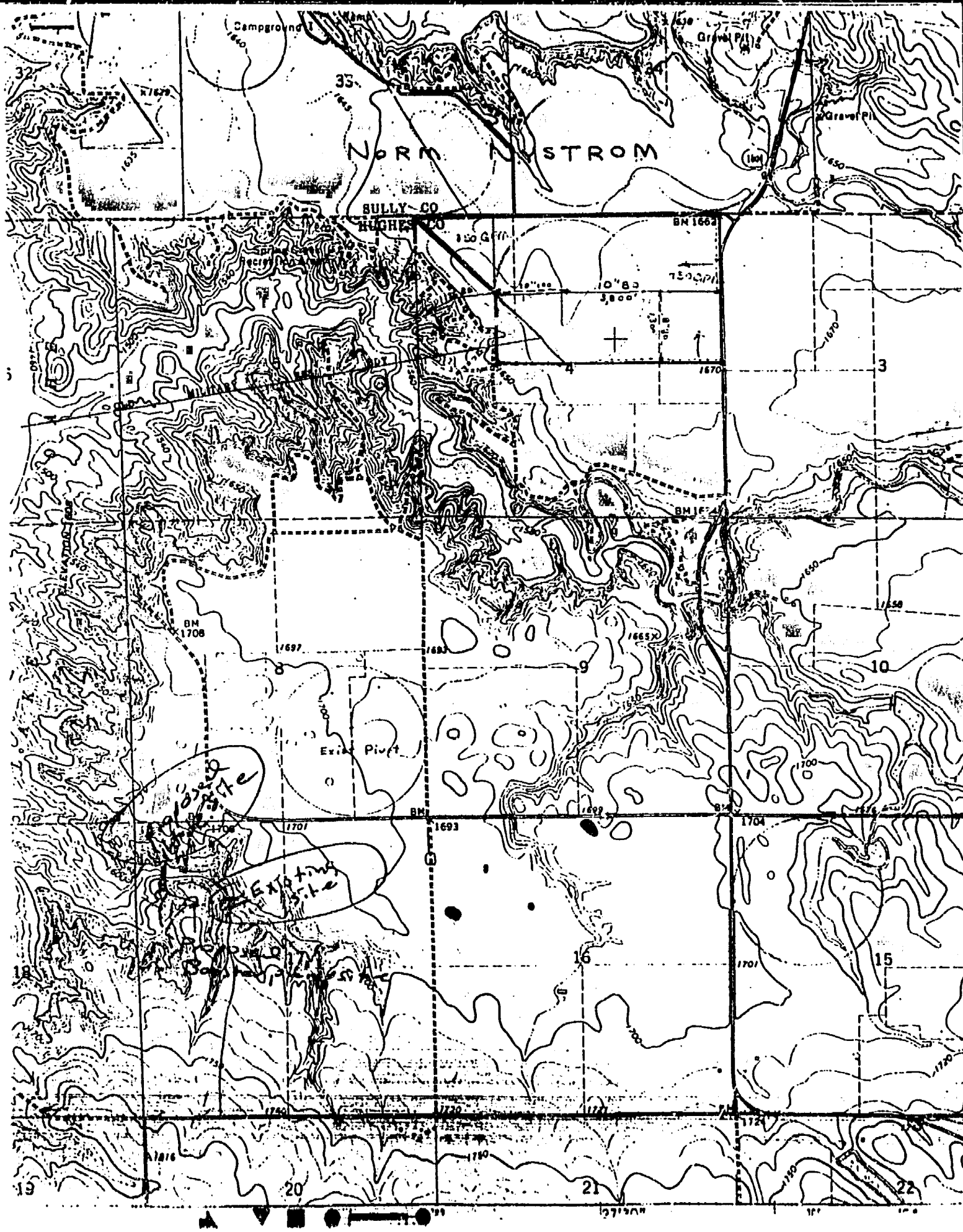
I have requested permission from the Corps of Engineers to move my pumping intake site and they are processing that request at this time.

The enclosed map shows the existing and proposed diversion points.

If you have any questions, please contact me at 605-224-5714 or Tom Tveit at 605-224-7408.

Respectfully,

Norman Nyström
Norman Nyström





3729-3
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: NORMAN NYSTROM, PO BOX 1104, PIERRE, SD 57501

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(s) has not been submitted for Permit No(s) 1537-3 & 3729-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1537-3 & 3729-3 qualification:

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

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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1537-3 & 3729-3 in accordance with applicable provisions of SDCL 46-1-12;
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, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.



3729-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2000

1537-3
3729-3

Norman Nystrom
PO Box 1104
Pierre, SD 57501

Dear Mr. Nystrom:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 1537-3 and 3729-3.

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



3729-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: NORMAN NYSTROM, PO BOX 1104, PIERRE, SD 57501 1104
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3729-3 & 6217-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3729-3 & 6217-3 qualification:

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

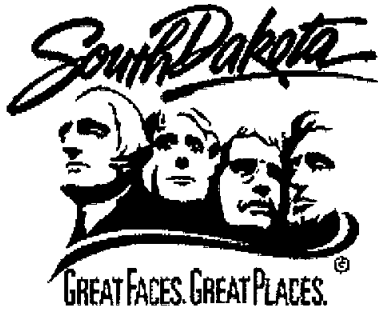
The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3729-3 & 6217-3 in accordance with applicable provisions of SDCL 46-1-12;
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 before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

January 21, 2015

3729-3
6217-3

Norman Nystrom
PO Box 1104
Pierre SD 57501 1104

Dear Mr. Nystrom:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 3729-3 & 6217-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



3729-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: NORMAN NYSTROM, PO BOX 1104, PIERRE, SD 57501 1104

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3729-3 & 6217-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3729-3 & 6217-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3729-3 & 6217-3 in accordance with applicable provisions of SDCL 46-1-12;
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 before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



3729-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 31, 2017

3729-3
6217-3

Keith Nystrom
Norman Nystrom Family Farm
PO Box 1104
Pierre SD 57501

Dear Mr. Nystrom:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right Nos. 3729-3 and 6217-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

3729-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

December 17, 2018

3729-3
6217-3

Keith Nystrom
19795 Mallard Pl
Pierre SD 57501

Dear Mr. Nystrom:

I am writing in follow-up to our email communication concerning ownership changes for Water Right Nos. 3729-3 and 6217-3.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please give me a call.

Sincerely,

Genny McMath
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

RECEIVED

No. 3729-3

JAN 07 2019

Date: 01/02/19

WATER RIGHTS
PROGRAM

I/We request that Water Right No. 3729-3

formerly owned by: Norman Nystrom

be transferred to: (name & address) Nystrom Family Land Limited Partnership
19795 Mallard Place Pierre S.D. 57501

Telephone No. 605-280-5374

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

1539 acres: S ½ SE ¼ Section 5; Section 8; SW ¼ Section 9; N ½ Section 16;

NE ¼ and S ½ Section 17, all in T112N, R80W

I/We understand that the validity of Water Right No. 3729-3 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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

John Nystrom
(Signed by new owner)
Majority Shareholder

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 January 7, 20 19

RECEIVED OF Nystoom Family Land Limited Partnership 19795 Mallard Place Pierre 57501

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 5229-3 3729-3	50	00
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	50 00

No. **08919**

By Jeanne Goodman
Chief Engineer DM

3729-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

December 17, 2018

3729-3
6217-3

John Nystrom
Nystrom Family Land Limited Partnership
19795 Mallard Pl
Pierre SD 57501

Dear Mr. Nystrom:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 3729-3.

The ownership change has been completed. Water Right No. 3729-3, formerly held by Norman Nystrom, is now listed in the name of **"Nystrom Family Land Limited Partnership."**

Enclosed for your records is Receipt No. 08919 in the amount of \$50 which you paid for filing the ownership change. As requested, ownership of Water Right No. 6217-3 was not changed and will continue to be listed under **Norman Nystrom Family Farm.**

If you have any questions, please give me a call.

Sincerely,

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

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: NYSTROM FAMILY LAND LTD PARTNERSHIP, JOHN NYSTROM, 19795 MALLARD PL,
PIERRE, SD 57501 1104

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3729-3 & 6217-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3729-3 & 6217-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3729-3 & 6217-3 in accordance with applicable provisions of SDCL 46-1-12;
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 before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: COBYM**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 25, 2022

3729-3
6217-3

John Nystrom
Nystrom Family Land Ltd Partnership
19795 Mallard Pl
Pierre SD 57501-1104

Dear Mr. Nystrom:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 3729-3 & 6217-3. 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
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us