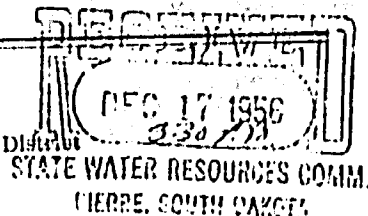


1. Considered March 12, 1957
2. Name of Applicant Floran and Lillian Waverstad #373-3
3. Post Office Address Yankton, South Dakota
4. Amount of water claimed 1.14
5. Source of water supply ground water
6. Water to be used for Irrigation
Acres to be irrigated 80
7. Water to be diverted and used in Yankton County about
3 miles E of Yankton
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to _____
Not Approved ☐
Action deferred ☐

10. Remarks:

No. 273-3Water Division No. 9 Tamara River District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of applicant

Flora W. & L. H. Wevers Trd

Postoffice address

Yankton

County

Yankton

State

S. Dak.

I. If a corporation

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

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

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

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

contract

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work

FW Wevers Trd Irrigation Project No 1

3. Amount of water claimed

4472.2 cubic feet per second

4. Source of water supply

well

5. Location of point of diversion

635 ft S 2° 20' W from NE section corner ofsection 15 Township 93 Range 55 on

bank

Yankton County.

6. Annual period or periods during which water is to be used

Apr. 1/15 Nov 30

7. To be used for:

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

(a) Number of acres to be irrigated

50 acres.

(b) Legal subdivisions to be irrigated

NE 1/4 Sec 15, T. 93, R. 55, S. 1

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

(c) Statement as to domestic use (giving location, etc.)

None

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use

Name any of the above uses claimed

(b) Amount of power to be generated

horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map No. 280-3

8. Estimated cost of work:

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

(b) Pumping plant, \$ 1750⁰⁰

(c) Fluming, \$-----

(d) Canal earth, \$-----

Rock, \$-----

(e) Other structures sprinkler system \$ 2500⁰⁰

Total, \$ 4250⁰⁰

9. Description of diversion works:

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

640' feet of 5" Flume Main Line 1320 feet 5" Flume Lateral

II. Dimensions of works:

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face -----; slope at back face ----- material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet Surface area at highwater mark ----- acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet; Material -----

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 3 years.

11. Time required for complete application of water to the proposed beneficial use 2 years.

12. Choice of newspaper for publication of notice of intention to appropriate Public Opinion

Yankton, South Dakota

STATE OF SOUTH DAKOTA

County of Yankton } ss.

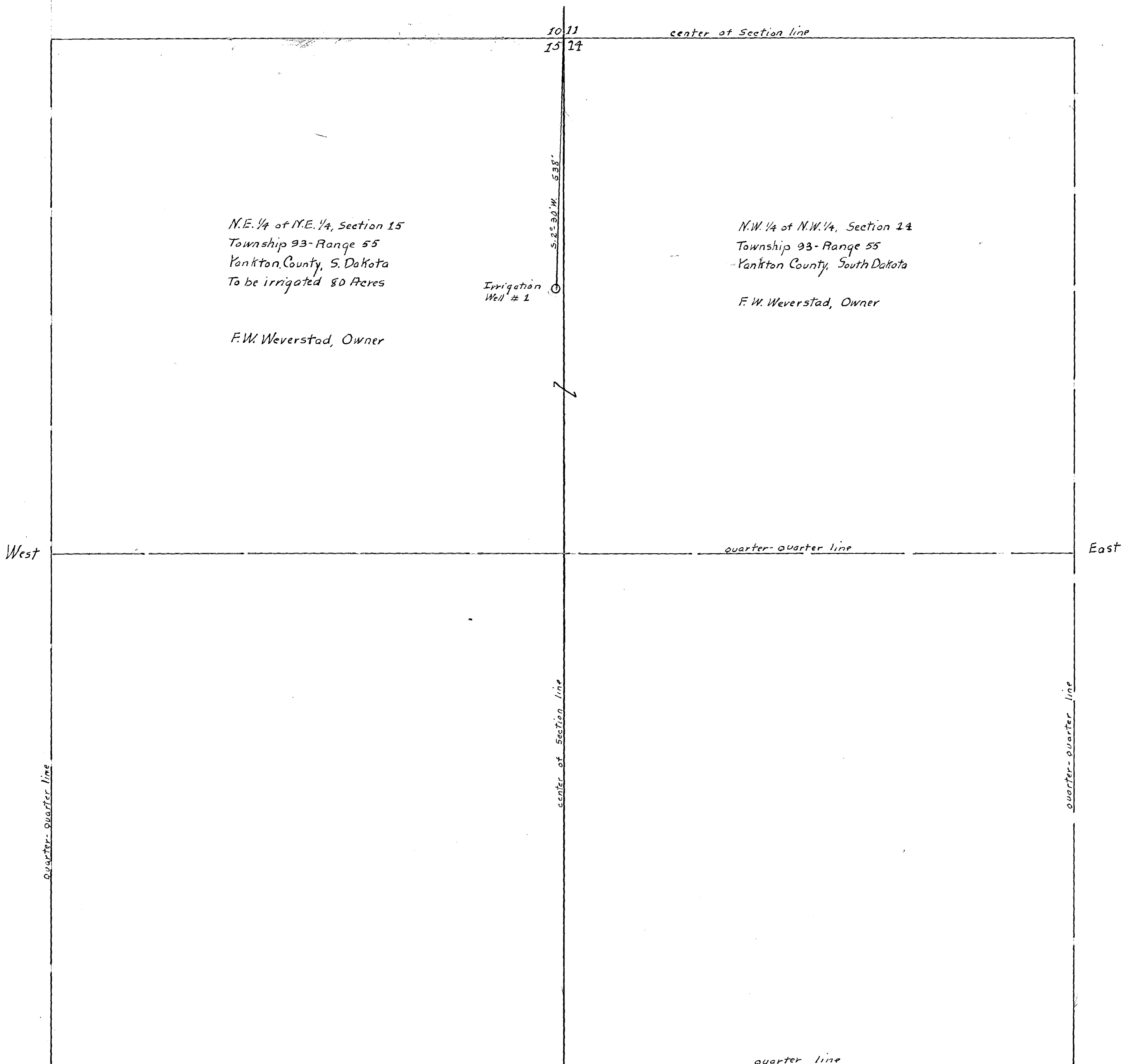
I, W. W. Winters, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated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

Signed W. W. Winters

Subscribed and sworn to before me this 15 day of June 1906.

Edmund K. Schenck
Notary Public (or other qualified officer.)

North



F.W. Weverstad Irrigation Project #1
N.E. 1/4 of N.E. 1/4 of Section 15 Township 93
Range 55 1/4 N.W. 1/4 of N.W. 1/4 of Section 14
Township 93-Range 55, Yankton County,
South Dakota.

I, Ellis V. Nelson, a licensed surveyor, hereby certify
that I have made a survey of the N.W. 1/4 of N.W. 1/4 of
Section 14 1/4 N.E. 1/4 of N.E. 1/4 of Section 15, Township 93-
Range 55, Yankton County, South Dakota and located
irrigation well #1 as indicated on the above plat.
Dated at Sioux Falls, South Dakota, October 17-1956.

Ellis V. Nelson
Licensed Engineer

State of South Dakota } ss.
County of Minnehaha }

On this 17th day of October, 1956 before me the
undersigned officer, personally appeared Ellis V. Nelson
known to me or satisfactorily proven to be the person
whose name is subscribed to the within certificate and
acknowledged that he executed the same for the pur-
pose therein contained.

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

Notary Public
Notary Public
Notary Public

Ellis V. Nelson, Civil Engineer
Sioux Falls, South Dakota Oct. 1956

Map No. 280-3
(App. No. 313-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

January 2, 1957

This is to certify that the foregoing application was received by the Commission at 3:30 o'clock

P.m. upon the 17 day of December, 1956

State Water Resources Commission

By:

John Brinner

Chief Engineer, Executive Officer

Number of permit 373-3

Date of first receipt of application December 17, 1956

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right December 17, 1956

Approved March 12, 1957, Recorded in Book 4 Page 56

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

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

September 12, 1958

2nd. The whole of said work is to be completed on or before March 12, 1960

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

March 12, 1962

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

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

6th. The amount of the appropriation herein granted shall not exceed 1.14 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigating before March 12, 1962, said water to be used during the following described:

from April 1 to November inclusive

Witness my hand this 3 day of April, 1957

State Water Resources Commission

By:

John Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 11, 1967

Water License Issued AUGUST 11, 1967

Permit No. 373-3Water Division No. 3 JAMES RIVER Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Floren W. Neveestad

of Yankton, County of Yankton, State of South Dakota, the holder of Permit No. 373-3, issued upon Application No. 373-3, bearing date of priority of December 17, 1956, authorizing the diversion of

1.14 cu. ft. per second of the waters of ground water, County of Yankton, State of South Dakota, at a point S7°30' W, 638 feet from the NE corner, Section 15, T93N, R55W

for irrigation purposes, having fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.2 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: All in T93N, R55W

<u>NW 1/4 NW 1/4 Section 14</u>	<u>40 acres</u>
<u>NE 1/4 NE 1/4 Section 15</u>	<u>40 acres</u>
Total	<u>80 Acres</u>

Witness my hand this 11th day of August, A. D. 1967.

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 373-3 . . .

WHEREAS, On the 17th day of December A. D. 1956

Floren W. Weber ~~ated~~

of Yankton County of Yankton and State of South Dakota duly made application (No. 373-3) to us for a permit to use 1.14 cubic feet per second of the waters of ground water County of Yankton, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 3rd day of April A. D. 1957 Permit No. 373-3 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 12th day of March A. D. 1960 and for the application to beneficial use of said water on or before the 12th day of March A. D. 1962 and,

WHEREAS, On the 3rd day of August A. D. 1967 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.2 cubic feet per second of said waters, as evidenced by our Certificate No. 373-3 dated August 11, 1967 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.2 cubic feet per second of water, with date of priority of December 17, 1956 ~~work~~ and,

WHEREAS, On the 3rd day of August A. D. 1967 proof was duly made of the application to beneficial use of 1.14 cubic feet per second of said water; for irrigating 80 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, T93N, R55W.

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 Floren W. Weversted
of Yankton the holder and owner of said permit No. 373-3
a water right, dating from December 17, 1956 to the use of 1.14
cubic feet per second of the waters of ground water
in the County of Yankton and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at a point S 2°30' W 638 feet
from the NE Corner, Section 15, T93N, R55W
and conducted to and upon NW 1/4 NW 1/4 Section 14 and NE 1/4 NE 1/4 Sect 15, T93N, R55W

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

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

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

State Water Resources Commission

By:

J. W. GRINES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Yankton } ss.Edw. Nichols being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from theYankton Public Opinion 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 Yankton County of Yankton and State of South Dakota; that the said notice was published in said newspaper on the following dates:January 17, 1957January 24, 1957January 31, 1957February 7, 1957in each and every issue of the full number thereof, the first publication being made on the 17th day of January1957 and the last publication on the 7th day ofFebruary 1957, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was owner the printer and publisher of the said newspaper.Edw. Nichols

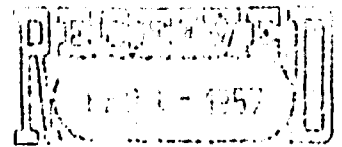
Subscribed and sworn to before me this

7th day of FebruaryA. D. 1957William J. Allen

Notary Public

Yankton

County, S. D.

STATE WATER RESOURCES COMMISSION
SOUTH DAKOTAAPPROPRIATION OF WATER
Office of State Water Resources
Commission,

Pierre, S. Dak., January 2, 1957.

Notice is hereby given that Ernest W. and Lillian Weverstad, of Yankton, postoffice address is Yankton S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.14 cubic feet of water per second of time from Ground Water through the F. W. Weverstad Irrigation Project No. 1, the point of diversion of which is to be located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15 Twp. 93N Range 55W. Said water to be used for the purpose of providing irrigation on the following described land:NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14 all in Township 93N Range 55W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 12th day of March, 1957, at 2:00 P. M. All interested persons may appear and be heard.

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

State Water Resources Commission

By: J. W. Grimes, Chief Engineer
Executive Officer

2-7-4

Permit No. 373-3Water Division No. 3 JAMES RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

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

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

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

FLOREN W. NEVERSTAD, of YANKTONYANKTON County, South Dakota, holder of Permit No. 373-3, issued upon Application No. 373-3, bearing date of priority of DECEMBER 17, 56, authorizing the diversion of 1.14 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes. I have to report on the condition of the same as follows:The diversion works comprise: 99' WELL WESTERN LAND ROLLER 8" PUMP POWERED BY WESTINGHOUSE 25 H.P. ELECTRIC MOTOR - 1200' 8 INCH MAINLINE & 1200' 6" SPIRIG GATED PIPEand the system is in the following condition: EXCELLENTThe point of diversion is located S 2° 30' W, 638' from NE CORNER, SECTION 15, T93N, R55WThe works are capable of diverting and conveying to the place of use 2.2 cu. ft. per second of water, which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are:

NW 1/4 NW 1/4, SECTION 14, T93N, R55W
NE 1/4 NE 1/4, SECTION 15, T93N, R55Wcomprising a total of 80 acres of land.

The domestic use intended comprises _____

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

Witness my hand, this 3RD day of _____AUGUSTA. D. 1967

—SEAL—

Sutton J. Davis
Examining Engineer
WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

SOUTH DAKOTA
Department of
Water & Natural Resources

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

ROBERT L. WEVERSTAD
 RR 2 BOX 196
 YANKTON, SD 57078

NOTICE

Re: Violation of Water Permit No(s). 1026-3 and 1987 Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1026-3. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1026-3 qualification:

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

The hearing will also be to determine if Permit No(s) 3594-3, 2539-3, 373-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

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

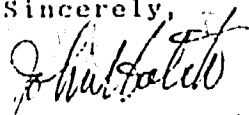
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 1026-3 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s) 3594-3, 2539-3, 373-3 also held by ROBERT L. WEVERSTAD to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "John Hatch", written over the typed name.

John Hatch, Chief Engineer
Water Rights Division

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

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

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

February 4, 1988

373-3
1026-3
2539-3
3594-3

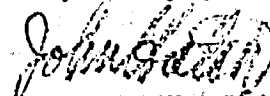
Robert L Weverstad
RR #2 Box 196
Yankton, SD 57078

Dear Mr. Weverstad:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 373-3, 1026-3, 2539-3 and 3594-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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



373-3
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: ROBERT L WEVERSTAD, 4604 BROADWAY, YANKTON, SD 57078

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) 373-3, 2539-3 & 3594-3. 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) 373-3, 2539-3 & 3594-3 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.

373-3

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

ROBERT L. WEVERSTAD
4604 BROADWAY
YANKTON SD 57078

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) <u>Marilyn Weverstad</u>	B. Date of Delivery <u>1-15-00</u>
C. Signature <u>Marilyn Weverstad</u>	
☐ Agent ☐ Addressee	
D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label) Z 227670419



373-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2000

373-3
2539-3
3594-3

Robert L Weverstad
4604 Broadway
Yankton, SD 57078

Dear Mr. Weverstad

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. 373-3, 2539-3 and 3594-3.

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

July 31, 2008

373-3

Duane Potts
Redhawk LLC
810 W 3rd
Yankton SD 57078

Dear Mr. Potts:

I am contacting you in regard to Water Right No. 373-3, currently listed in the name of Floren W Weverstad. Enclosed is a copy for your review. Robert Weverstad advised us that he no longer farmed the land. Through contact with the Yankton County Register of Deeds, I obtained Redhawk LLC as the current owner of the land described in the water right.

If you intend to irrigate the land, the water right should be transferred to your name. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. 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 you do not intend to irrigate, please contact us. Under SD Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water right. I have included excerpts of SD Water Laws and Water Management Board Rules dealing with these issues.

Thank you in advance for your assistance in updating the water right.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

RECEIVED

AUG 14 2008

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 373-3

Date: 8-9-08

I/We request that Water Right No. 373-3

formerly owned by: Floren W Weverstad

be transferred to: (name & address) Redhawk, LLC

810 West 3rd St. Yankton, SD 57028

Telephone No. 605-665-6617

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

80 acres - NW 1/4 NW 1/4 Section 14 and NE 1/4 NE 1/4 Section 15, T93N, R55W

I/We understand that the validity of Water Right No. 373-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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

Redhawk, LLC, Duane J Potts
(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 8-14, 20 02

RECEIVED OF Redhawk LLC, 810 W 3rd St, Yankton SD 57078

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>373-3</u>	2	50
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.

03720

By

Garland Ekeley

Chief Engineer

KS



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 14, 2008

373-3

Duane Potts
Redhawk LLC
810 W 3rd
Yankton SD 57078

Dear Mr. Potts:

I am writing to acknowledge receipt of the transfer or ownership form and filing fee you submitted for changing ownership of Water Right No. 373-3. The transfer has been completed. The water right, formerly held by Floren W Weverstad is now listed under the name of Redhawk LLC.

Enclosed is your Receipt No. 03720 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

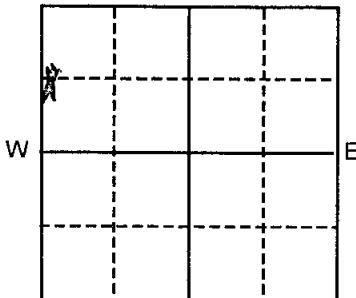
enclosure

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW 1/4 NW 1/4 Sec 14 Twp 93N Rg 55WCounty YanktonNorth sec 14 & 15

Please mark well location with an "X"

Well Completion Date 6-4-14

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?

2000 ft. from septic tank

(identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1160</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>90</u> FT	<u>28</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>	<u>60</u>	Lb/gal	<u>0</u> Ft	<u>90</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

pumped down w/ pressure grouter

SCREEN:

☒ Perforated pipe ☐ Manufactured
Diameter 16 Inches Length 60 FeetMaterial PVCSlot Size .085 Set From 90 Feet to 150 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?Chlorine
☐ No, Why Not?
 Lab to which water quality sample sent for analysis
Well Owner: Deane Potts

Business Name:

Address: 55597 Hwy 121City, State, Zip: Yankton, SD 57078

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Silt brown clay</u>	<u>0</u>	<u>3</u>
<u>brown clay</u>	<u>3</u>	<u>12</u>
<u>Sand + gravel</u>	<u>19</u>	<u>43</u>
<u>Coarse golden gravel</u>	<u>43</u>	<u>47</u>
<u>blue clay</u>	<u>47</u>	<u>90</u>
<u>Coarse sand + fine gravel</u>	<u>90</u>	<u>130</u>
<u>Coarse gravel + ROCKS</u>	<u>130</u>	<u>147</u>
<u>hard black shale</u>	<u>147</u>	<u>150</u>

STATIC WATER LEVEL 24

FEET

If flowing: closed in pressure

PSI

GPM flow

through

Inch pipe

Controlled by

☐ Valve☐ Reducers☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: pumped w/ turbine pump + engine
☐ Bailed
☐ Other

Pumping Level Below Land Surface

40 Ft. After 1 Hrs. pumped 850 GPM44 Ft. After 2 Hrs. pumped 1050 GPMIf pump installed, pump rate: 1000 GPM

REMARKS

This well was drilled under license # 444 and this report is true and accurate.Drilling firm: Christensen Well + SupplySignature of License Representative: Cody W. Christensen

Signature of Well Owner or Equitable Property Holder:

RECEIVED

Date: 12-15-14

JAN 02 2015

WATER RIGHTS PROGRAM

Water Rights Program - File Documentation

NAME: Duane Potts, Redhawk LLC

ADDRESS: Yankton

DATE: 2-3-15 **COUNTY:** YA **TELEPHONE:**

RE: Well Completion Report

COMMENTS:

I talked with Duane Potts regarding a well completion report filed by Christensen Well & Irrigation. Mr. Potts stated this well is a replacement well for the well authorized by Water Right No. 373-3.

The new well was drilled close to the old well and is located on the section line between the NE 1/4 Sec 15 and NW 1/4 Sec 14; all in T93N-R55W. They are approximately the same depth.

Mr. Potts further stated he had talked with Eric Gronlund prior to having the well drilled.



Karen Schlaak
Water Rights Program