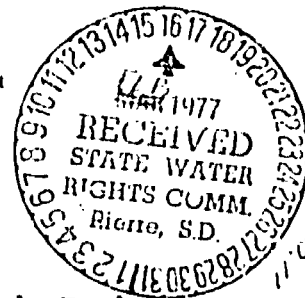


Water Right Number 3782-3

1. Considered 5-26, 19 77
2. Name of Applicant MEYER RANCH
3. Post Office Address SOUTH SHORE
4. Amount of Water claimed 2.2
5. Source of Water supply 93' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 200
7. Water to be diverted and used in GRANT County
about 5N, 2W miles of SOUTH SHORE
8. Proof of Publication
Received 4-19-77
Not Received
9. Application
Approved
Subject to
Not Approved
Action Deferred

10. Remarks:

No. 37B2-3
Map No. 1606-3 Water Division No. 3 WHETSTONE CREEK 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: -Mayer-Ranch- Lakeview Ranch Inc., % Donald Caraway
Postoffice address: South-Shore- RR #1, Marion, IA, State South-Dakota-57263--52302
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: Meyer Ranch #2
4. Amount of water claimed (cubic feet per second): 2.2
5. Source of water supply: ground water
6. Location of point of diversion: a point in the SE 1/4 NE 1/4, Section 28, T120N, R51W

- County Grant
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: 200

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.
SW 1/4, Sec. 28-T120N, R51W	160		
NW 1/4 SE 1/4 Sec. 28-T120N-R51W	40		

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 3 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication: Grant County Review, Milbank, SD
12. Principal Features of the Proposed Water Supply System.

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

Well, pump and motor

This application proposes the addition of one well and adds 200 acres to land covered in Permit No. 2207-3

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

Mainline

C. Works proposed to apply water to beneficial use.

Center pivot sprinkler system

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)
HUGHES) ss.
County of xHUGHESx)

I, Meyer Ranch, 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 Betty Westlund
Subscribed and sworn to before me this 16th day of February, 19 77

Betty Westlund
Notary Public (or other qualified officer)

BETTY WESTLUND, Land/Water Clerk II

WATER RIGHT APPLICATION APPROVAL

Lakeview Ranch, Inc., % Donald Caraway
The Water Rights Commission hereby approves Water Right Application No. 3782-3
MEYER RANCH 52302 SOUTH SHORE Marion, IA
(Applicant) (Post Office Address)
SOUTH DAKOTA 57263 With the following modifications:
(State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application FEBRUARY 16 19 77
Date of return to applicant for correction, amendments or changes required — 19 —
Date of receipt of corrected application — 19 —
Approved MAY 26 19 77, Recorded in Book 18 Page 199
WATER RIGHT PERMIT NO. 3782-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3782-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 16 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 26 19 79
3. The whole of said work is to be completed on or before MAY 26 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 26 19 85
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 2.2 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial 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 MAY 26 19 85; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 9TH day of JUNE 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —
Water License Issued — 19 —

IRRI GATION DRILLING CO., INC.

IRRIGATION DRILLING CO., INC.

Highway 14 East

P. O. Box 1252

Huron, South Dakota 57350

Ph. 352-4597

DRILLING REPORT

Location of Well: 1/4, NE 1/4, Section 28, Township 120, Range 51
Well to be drilled for: Vernon Meyer (Name), South Dakota (State)
Date well drilling started: 12-16-74 (Initiated) 12-16-74

Purpose of well: (domestic, irrigation, industrial, other)

Depth: ft. Casing Diameter: inches
Silt Size: Screen Size: NORTH
Screen Depth: From: ft. to: ft.
Remarks:

REPORT OF FINAL PUMPING TEST
Write Additional Times and Readings on Back of Page

Elapsed Time From Start of Pumping		Water Level		Discharge
O hr.	O min.	ft.	in.	(Static)
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	RECOVERY

Formation: Clay, Silt, Sand, Gravel, Color, Hard or Soft, etc.	Depth (ft.)		Formation (Continued)	Depth (ft.)	
	From	To		From	To
top soil	0	2			
gravel & rocks	2	15			
sand	15	22			
sand & gravel	22	58			
gray till	58	81			
sand	81	93			
clay	93	100			

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

Well #1 - Section 28

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 93'
 (2) Casing, Type Fiberglass Diameter 16" Thickness 1/4"
 (wood, concrete, steel, etc)
 (3) Perforated Screen.
 Type Continuous slot, Diameter 12", Length 10'
 (4) Gravel Pack, Thickness 7", Length of gravel pack 20'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials See attached log

Depth to top of water bearing material 15'

Depth to bottom of water bearing material 58' - 70' - 93' - See log

Thickness of water bearing material 45' or 53' if dug to 93' depth

Depth to water (ground surface to water level) 15'

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

On same owner's property 100 rds. On property owned by others 240 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Note: The well will be dug to 58' and tested. If it does not yield enough water it will be dug to 70' and sand layer at depth between 81 and 93'

Signature of Applicant

SEE PERMIT NO 2207-3
FOR WATER QUALITY DATA

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

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: Alvin A. Smith
3/24/25

Disapproved: _____

NAME: Meyer Ranch by Vernon Meyer
ADDRESS: South Shore, S. Dakota 57263
COUNTY: Grant

LEGAL DESCRIPTION

1. WELL LOCATION: NW 1/4 of NE 1/4 Sec 28 & NE 1/4 of NE 1/4 of 33 - 120-51
2. AREA TO BE IRRIGATED: NE 1/4 of 28, NE 1/4 of 33, and S 1/2 of SE 1/4 28 - 120-51

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (Indicate Type): Center Pivot
4. CROPS TO BE IRRIGATED: Corn & alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Gentle rolling to level
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Sandy loam

WATER QUALITY (To Be Completed by Commission)

7. SAMPLE NO: 74-1014
8. SALINITY: EC = 794 micromhos/cm (med-high)
9. SODIUM: SAR = 0.21 (low)

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

Soil Conservation Service

and:

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

Wayne R. Rasmussen
(Name)

Subscribed and sworn before me this

14 day of February 19 75.

John Eiland

Notary Public

(Title)

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

Submitted by: Vernon Meyer
 Address: South Shore, SD 57263

Date Rec'd: December 19, 1974
 Sample No. 74-1014
 Identification: 011-72'
NE 1/4, Sec. 33, T. 120N, R. 51W

WATER ANALYSIS

Calcium (Ca)	120	ppm*	6.00	me/l**
Magnesium (Mg)	39	ppm	3.20	me/l
Sodium (Na)	10	ppm	0.44	me/l
Potassium (K)	3	ppm	0.08	me/l
Sulfate (SO ₄)	101	ppm	2.11	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	22	ppm	0.62	me/l
Bicarbonate (HCO ₃)	205	ppm	4.68	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	234	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	794	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.21			
Sodium	4.52	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.72			
Others:				

*ppm=parts per million
 **me/l=milliequivalents per liter

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

COMMENTS: Total cations 9.72 me/l
 Total anions 7.41 me/l

By: Shirley Kitten

Service Performed	Amount Due
-------------------	------------

Irrigation analysis

\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-1014

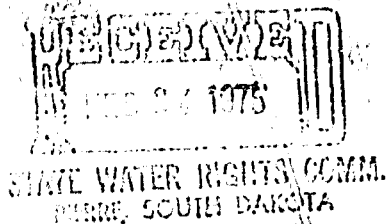
Amount Enclosed \$

Signed



February 19, 1975

Mr. Vernon Meyer
Meyer Ranch
South Shore, SD 57263



Dear Mr. Meyer:

I am now in receipt of your completed WI-1 form and the application materials will be forwarded to the State Conservation Commission in the very near future. A copy of this letter will accompany it.

Your water quality shows an electrical conductivity of 798 micromhos per cm which is in the medium to high range, a sodium absorption ratio of 0.21 which is low. Therefore there is no apparent hazard of irrigating the kind of soil you designate with this water.

The quality of your water for irrigation purposes is designated by an encircled red cross on the outside back cover of Extension Circular 654 which is enclosed for your use.

I wish you success in your irrigation venture.

Sincerely yours,

L. O. Pine

L. O. Pine
Water Quality Lab

LOF:MRB

Enclosure

cc: State Conservation Commission
Mr. Vern Beare, Grant County Agent
Darrel Pahl

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Grant) ss.

I, Clarence Justice hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Grant County Review

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

April 13, 1977

April 20, 1977

Clarence Justice
(Signature)

Foreman
(Title)

April 19, 1977
(Date Signed)

NOTICE INTENT TO
APPROPRIATE WATER

Pierre, S. Dak. 57252
March 30, 1977

Notice is hereby given that
Meyer Ranch, whose post office
address is South Shore, South
Dakota, has made an applica-
tion in accordance with the pro-
visions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
2.2 cubic feet of water per sec-
ond of time from ground water
through the Meyer Ranch No.
2, the point of diversion of
which is to be located in the
SE 1/4, NE 1/4 of Section 28, Twp.
120N, Range 51W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:
SW 1/4, NW 1/4, SE 1/4, Section 28,
T120N-R51W.

This application No. 3782-3
will be considered by the Water
Rights Commission at their off-
ice at Pierre upon the 26th day
of May, 1977, at 11:00 a.m. All
interested persons may appear
and be heard.

Water Rights Commission
By: James Winterton,
Water Rights Specialist.

April 8 April 13



Form 6 - Notice of Intent to Appropriate Water

No. 3782-3

Publish first publication, on or before May 12, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

March 30, 1977

Notice is hereby given that Mayer Ranch
whose post office address is South Shore, 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

2.2 cubic feet of water per second of time from the ground water through the
Mayer Ranch, the point of diversion of which is to be located in the

SE 1/4 NE 1/4
of Section 28, Twp. 120N, Range 51W. Said water to be used for the purpose
of providing irrigation on the following described land:

SW 1/4, NW 1/4 SE 1/4, Section 28-120N-51W

This application No. 3782-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of May, 1977, at 11:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERTON
Water Rights Specialist

BFJ/bw

cc: Mayer Ranch, South Shore, S. Dak. 57263

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7185

PIERRE, December 24, 1977

RECEIVED OF Mike Brownell, RR #1, South Shore, SD 57261
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. _____		
Fee for inspecting Beneficial Use, and issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing transfer of water right No. 3782-3		2 50
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL		2 50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (9Y)

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: ^k December 19, 1979

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

SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, T120N, R51W 200 acres

formerly owned by Meyer Ranch Inc., South Sioux, SD 57263

has been transferred to Mike Brownell, Lake View Ranch Inc., South Shore, SD 57203

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 3782-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of the Board of Water Management as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of GRANT

President, Lake View Ranch, Inc.,

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

LAKE VIEW RANCH, INC.

LAKE VIEW RANCH, INC.

BY: Mike Brunell Vice Pres
(Signed)

(Signed)
Mike Brownell, Vice President

Subscribed and sworn to before me this 19 Day of December, 1979.

M. J. JOHNSON
Notary Public, Grant County, S.D.
My Commission Expires March 5, 1984

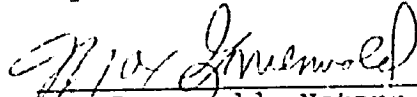
Ma. E. Guerrero
(Notary Public)



STATE OF SOUTH (KOTA)
:SS
COUNTY OF GRANT)

On this the 19th day of December, 1979, before me, Max Gruenwald, the undersigned officer, personally appeared Mike Brownell, who acknowledged himself to be the Vice President of Lake View Ranch, Inc., a corporation, and that he, as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President.

IN WITNESS WHEREOF I hereunto set my hand and official seal.



Max Gruenwald, Notary Public,
Grant County, South Dakota

My Commission Expires: March 5, 1984.



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8517

PIERRE, _____ October 9, 1981

RECEIVED OF Donald Caraway, President; Lake View Ranch, South Shore, SD 57263
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and Issuing Cert. of Construction No. <u>3782-3</u>	-----	50.00
Fee for inspecting Beneficial Use, and Issuing Water License No. <u>3782-3</u>		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL		50.00

WATER RIGHTS COMMISSION

By (Signature)
Chief Engineer, Executive Officer
JOHN HATCH / (b)

Permit No. 3782-3Water Division 3, Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / POSS BING., PIERRE, SOUTH DAKOTA 57501.

I have this day made a thorough examination of the water use system constructed by LAKVIEW
RANCH, INC. of MARION IA holder
of Permit No. 3782-3, bearing date of priority of FEBRUARY 18, 1975 & FEBRUARY 16, 1977 *
authorizing the diversion of 7.2 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in GRANT 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:
N. WELL - 93' DEEP WITH 16" STEEL CASING - 15' SS SCREEN
FAIRBANKS MORSE 8" PUMP (NO TAG) POWERED BY INTERNATIONAL
MODEL #540 85HP DIESEL ENGINE
S. WELL - 72' DEEP WITH 16" STEEL CASING - 15' SS SCREEN
FAIRBANKS MORSE 8" PUMP (NO TAG) POWERED BY CATERPILLAR #3208
85HP DIESEL ENGINE
- B. Works used to transport water to place of use,
N. WELL - 400' OF 8" BURIED PVC PIPE TO PIVOT PAD (N. PIVOT)
S. WELL - 50' OF 10" ALUMINUM LINE TO PIVOT PAD (S. PIVOT)
2800' OF 8" BURIED PVC PIPE TO PIVOT PAD (CENTER PIVOT)
- C. Works used to apply water to beneficial use.
13 TOWER WATER DRIVE CENTER PIVOT (NE PIVOT)
1 TOWER ELECTRIC DRIVE CENTER PIVOT - TOWED BETWEEN
SE & CENTER PIVOT PADS. BOTH SYSTEMS ARE EQUIPPED
WITH NELSON #100 END GUNS

The system is in the following condition: GOODThe point of diversion is located N. WELL: 1815'S & 990' W OF THE NE CORNER, SECTION 28; (AD)S. WELL: 925'S & 1300' W OF THE NE CORNER, SECTION 33, BOTH IN TIZON, R. 51W (A)The works are capable of diverting and conveying to the place of use 4.00 (500 GPM PER PIVOT)cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN TIZON, R. 51W

SECTION 28				SECTION 33			
NW ¹ NE ¹	21 AC	NW ¹ SW ¹	5 AC	NW ¹ SE ¹	31 AC	NW ¹ NE ¹	39 AC
NE ¹ NE ¹	21 AC	NE ¹ SW ¹	39 AC	NE ¹ SE ¹	3 AC	NE ¹ NE ¹	39 AC
SW ¹ NE ¹	39 AC	SW ¹ SW ¹	4 AC	SW ¹ SE ¹	30 AC	SW ¹ NE ¹	20 AC
SE ¹ NE ¹	39 AC	SE ¹ SW ¹	38 AC	SE ¹ SE ¹	7 AC	SE ¹ NE ¹	20 AC

comprising a total of 4.00 acres of land.

* THE APPLICABLE PORTIONS OF PERMIT NE 2207-3 HAVE
BEEN INCORPORATED INTO THIS WATER LICENSE.

Date AUGUST 27, 1981
Dwight J. Hines
(Signature)

Water Rights Division
(605) 773-3352

3702-1

November 16, 1981

Mike Brownell
Lake View Ranch Inc.
RR #1
South Shore, SD 57263

Mr. Brownell:

In writing up your Water License it has been discovered that you do not have soil/water compatibility approval for lands in the SW $\frac{1}{4}$, Section 28 to be irrigated from a well located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33 and land in the N $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28 to be irrigated from a well in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, all in T120N, R51W.

For procedures and required forms contact Martin Gertonsen, State Conservation Commission, Anderson Building, Pierre, SD, 57501 (Phone - 773-3259).

The soil/water compatibility approval must be received before we can issue your Water License and Certificate of Construction.

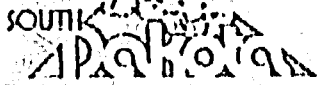
If you have any questions, feel free to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/BW/gy

cc: Martin Gertonsen



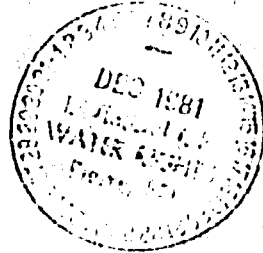
Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 O Pierre, South Dakota 57501
Phone 605/773-3258

December 8, 1981

Donald Caraway
Lake View Ranch
RR 1
Marion, Iowa 52303



Dear Mr. Caraway:

As requested per your letter December 2, 1981 I will try to clarify our procedures for Soil and Water Compatibility. It is required by South Dakota State Law that all irrigators must have Soil and Water Compatibility approval prior to the issuing of a Water Right Permit. You do have several Water Rights on file, however you do not have one for the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 33 and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 28 all in T120 R51 W.

Your confusion may have been caused by the fact that the Department of Water and Natural Resources has issued you a Water Right number for this acreage (3782-1), but they have not approved and cannot approve it without first receiving our Soil and Water Compatibility approval.

If you wish to wait till Spring to submit a water sample to us; your Soil and Water Compatibility approval and Water Right permit will be reconsidered at such time.

If you have any further questions please feel free to contact this office.

Sincerely,

Colleen Fry
Secretary

Department of Agriculture
Conservation Division
Irrigation Program



Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

3782-3

April 6, 1983

Maken Brothers
% Richard Maken
Clark SD 57225

Dear Mr. Maken:

This letter is in reference to Water Permit Nos. 2207-3, 2333-3, 3782-3 and 4334-3 listed in the name of Donald Caraway, Lakeview Ranch, Marion, Iowa. Mr. Caraway contacted our office and indicated he had sold his land to you.

The water right permits should be transferred over to your name. Enclosed please find a notice of transfer for each of the permits. Please check over, date, sign, have notarized and return them to this office with a \$2.50 filing fee for each transfer (total of \$10.00). The transfers will be processed and filed as soon as the forms and fee is received in this office.

In writing up the water license for Permit No. 3782-3, it was discovered that there was no soil/water compatibility approval for lands in the SW $\frac{1}{4}$ and NE $\frac{1}{4}$ Section 28, T120N, R51W from wells in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, T120N, R51W.

LakeView Ranch was notified of this requirement in 1981, but never obtained the required approval from the State Conservation Commission. Permit No. 3782-3 can not be licensed nor is it a valid permit without acquiring the needed soil/water compatibility approval.

Enclosed is a partially completed WI-1 form and an instruction sheet. Please check over the WI-1 form, sign and have notarized. A water sample will need to be obtained for each well. Follow the instructions on the instruction sheet for obtaining the samples. The WI-1 form and water sample should be sent to the Water Quality Lab in Brookings, (see instruction sheet for address).

If you have any questions, please advise.

Sincerely,

GENNY YOUNG
Water Rights Specialist

GYY:ks
enclosures



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

September 9, 1983

2207-3

2333-3

3782-3

4334-3

SECOND NOTICE

Makens Brothers
Richard and/or Michael Makens
Clark SD 57225

Gentlemen:

On April 6, 1983, notice was sent to you concerning the transfer of Water Permit Nos. 2207-3, 2333-3, 3782-3 and 4334-3 in the name of Lake View Ranch, which covers irrigation of portions of Sections 20, 21, 28, 33 and 34, T120N, R51W. To date, we have not heard from you on this matter.

Transfer forms were previously sent to you, enclosed are additional forms. These forms should be signed, dated and notarized before returning them to this office with a filing fee of \$2.50 each (total of \$10.00). The permits can then be transferred to your name(s). If you are not the present owner of the land covered by these Permits, please notify this office. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water, to be filed with this office within ninety days.

The water use system authorized under Permit No. 3782-3 was inspected in August of 1981, and the filing fee (\$50.00) was paid for inspection and issuance of the Water License.

However, as stated to you in our letter dated April 6, 1983, the Water License can not be issued without first obtaining soil/water compatibility approval for lands in the SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, T120N, R51W from wells in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, T120N, R51W.

Enclosed is a partially completed soil/water compatibility application (WI-1) and instruction sheet. Please read over the instruction sheet and complete the application accordingly. A water sample will need to be obtained from each of the wells. The instruction sheet shows the sampling procedures and gives the address for sending the WI-1, water samples and soils information.

If you have any questions concerning the transfers, please contact this office. If you need assistance with the soil/water compatibility application, you may contact the Division of Conservation directly, at the Anderson Building, Pierre SD 57501 (605 773-3259).

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:GY:ks

cc: Jim Stukel, Div of Conservation

NO. 3782-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 10-3-83

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

200 acres - SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, T120N, R51W

formerly owned by Lake View Ranch, Donald Caraway, Marion IA

has been transferred to Richard J. Makens Michael R. Makens
1997 Meadow Court 800 N. Lake Dr.
Bloomfield Hills, MN 48013 Watertown, SD 57201

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 3782-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

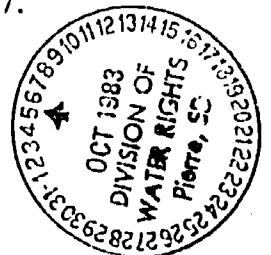
STATE OF SOUTH DAKOTA)
County of Clark) ss.

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

Michael R. Makens
(Signed)

Subscribed and sworn to before me this 3rd Day of October, 1983.

Marilyn J. Swanson
(Notary Public)
Marilyn J. Swanson, Notary Public,
Clark County, South Dakota.
My Com. Expires: June 28, 1987.



RECEIPT

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

Nº 4 9373 -

Pierre, October 5, 1983, 19

RECEIVED OF Michael R. Makens, 800N. Lake Dr., Watertown, SD 57201
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>for WR# 5782-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law) <u>1.00</u>		
Total	2	50

By John Hatch
Chief Engineer JOHN HATCH/ms



**Department of
Water & Natural Resources**

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

No. _____

3782-3
2207-3
4334-3
2333-3

February 14, 1984

Richard J. Makens
1997 Meadow Court
Bloomfield Hills, Minnesota 48013

✓ Michael R. Makens
800 N. Lake Drive
Watertown, South Dakota 57201

Dear Sirs:

Enclosed is receipt No. 4-9373, 4 9374, total of \$10.00
4-9375 & 4 9376 in the amount of \$2.50 each which you
paid for transfer of Water Right No. 3782-3, 2207-3, 4334-3 & 2333-3.

Our records now show ^{both of} you as the owner ^{these} of ~~the~~ Water Rights.

Sincerely,

Genny McMath
Water Resources Analyst

GM:ms
Enc. 4

WNR-821-7/79
Receipt & Notice of filing of Transfer of Water Right

State of South Dakota
Water License No. 3782-3

(1) Mayer Ranch
of South Shore, South Dakota, 57263
made Application No. 3782-3 for a water permit to appropriate
2.2 cubic feet per second of water from groundwater
Grant County, South Dakota for Irrigation purposes.
Permit No. 3782-3, with a priority date of February 16, 1977
was approved May 26, 1977 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before May 26, 1982 and for the application to beneficial use of said
water on or before May 26, 1985.

On December 24, 1979, Water Permit No. 3782-3 was transferred to Lakeview Ranch, Inc.,
South Shore, South Dakota and,

On January 19, 1984, Water Permit No. 3782-3 was transferred to Richard and Michael
Makens, c/o Michael Makens, Watertown, South Dakota

The applicable portions of Water Permit No. 2207-3 have been incorporated into this
Water License No. 3782-3 with priority dates of February 18, 1975 for the NE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28 and NE $\frac{1}{4}$ Section 33; February 16, 1977 for the land in the SW $\frac{1}{4}$ and N $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28, all in T120N, R51W

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 4.00 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is N well - 1815'S and 990'W of the NE
Corner Section 28 (AD); S well - 925'S and 1300'W of the NE Corner Section 33 (AA),
both in T120N, R51W

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T120N, R51W

Section 28	NW $\frac{1}{4}$ NE $\frac{1}{4}$	21 Acres	(AB)	Section 29	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39 Acres	(AB)
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	21 Acres	(AA)		NE $\frac{1}{4}$ NE $\frac{1}{4}$	39 Acres	(AA)
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	39 Acres	(AC)		SW $\frac{1}{4}$ NE $\frac{1}{4}$	20 Acres	(AC)
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	39 Acres	(AD)		SE $\frac{1}{4}$ NE $\frac{1}{4}$	20 Acres	(AD)
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	5 Acres	(CB)		TOTAL	400	ACRES
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	39 Acres	(CA)				
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	4 Acres	(CC)				
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	38 Acres	(CD)				
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	31 Acres	(DB)				
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	8 Acres	(DA)				
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	30 Acres	(DC)				
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	7 Acres	(DD)				

(4) Pursuant to §46-5-30.1 Richard & Michael Makens

of c/o Michael Makens, 800 N Lake Drive, Watertown, South Dakota 57201

the holder(s) and/or owner(s) of Water Permit No. 3782-3 is issued a license to appropriate water, the right to use 4.00 cubic feet per second of water from groundwater (two wells) with a priority date of February 18, 1975 and February 16, 1977 from the location specified in (2) of this license. The water to be conducted on and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 3782-3 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources
JOHN HATCH
January 19, 1984

Department of Agriculture
WI#1
3/82

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation



Office Use Only

4073

WRH

76.7.3

OWNERS NAME: Makens Brothers OWNERS ADDRESS: 611-11-5-114

COUNTY LAND LOCATED IN: Grant PHONE: 800 N. Lake Dr. 57201

TENANT'S NAME AND ADDRESS: Falk Farms Inc
RR-4, Box 69, So. Shore, S.D. 57213

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION NE 1/4 SE 1/4 NE 1/4 Section 28, SW 1/4 NE 1/4 Section 33, T120N, R51W
Depth #1 - 93 feet #2 - 72 feet

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____
Diversion Location: _____

Legal Description	Acres	Legal Description	Acres
NW 1/4 SW 1/4 Section 28, T120N, R51W	5	NW 1/4 SE 1/4 Section 28, T120N, R51W	31
NE 1/4 SW 1/4	39	NE 1/4 SE 1/4	8
SW 1/4 SW 1/4	4		
SE 1/4 SW 1/4	38		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1975

LEGAL DESCRIPTION: NE 1/4, S 1/4 SE 1/4 Section 28, NE 1/4 Section 33, T120N, R51W
IN WHAT NAME: Meyer Ranch, Vernon Meyer, South Shore SD

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: X OTHER: _____ (Specify)

6. CROPS TO BE IRRIGATED: Corn & Wheat

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)	
7. WATER SAMPLE NUMBER: <u>83-0835</u> <u>83-0636</u>	10. ADJUSTED (SAR): <u>0.28</u> <u>0.29</u>
8. SALINITY (EC X 10 ⁶): <u>560</u> <u>560</u>	11. PERCENT SODIUM: <u>3.59</u> <u>3.64</u>
9. SODIUM (SAR): <u>0.13</u> <u>0.13</u>	

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 9 a.m. (p.m.) on Nov 11, 1983, at the following location: well #1 & well #2
by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature: Michael R. Makens

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

4th DAY OF Nov, 1983

William G. Neale (NOTARY PUBLIC)

WILLIAM G. NEALE, Notary Public

Cedron, County, S. Dak.

My Commission Expires August 18, 1985

IMPORTANT
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

Michael R. Makens

APPLICANT'S SIGNATURE

John H. St. John

Director, Division of Conservation

Date: 11-12-84

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

REC. MGMT/FORM

E-1073

Straight Approval

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Maken Brothers - Grant County

LEGAL DESCRIPTION: SW $\frac{1}{4}$ & NW $\frac{1}{4}$ Sec 28-120-51 = 125 acres.

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:



RECOMMENDED MANAGEMENT:

It is recommended that the areas mapped as La Delle silty loam be maintained in grass and that an automatic shut off be used as the pivot passes through this area. Practices such as these will prevent erosion by flooding and bank erosion by the creek.

We also recommend the use of conservation tillage which will reduce wind erosion and conserve moisture in the Renshaw soils which dominate the proposed area.

Signature
DATE



Department of Agriculture

*Received
12/6/83*

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

December 6, 1983

Maken Brothers
800 N Lake Drive
Watertown, SD 57201

Dear Sirs:

In reviewing your soil and water compatibility application for the SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ 28-120-51 = 125 acres, the irrigation staff is recommending a Straight Approval of your application to the State Conservation Commission at their January 12, 1984 meeting. The Straight Approval recommendation has been made because we foresee no potential problems with good management.

MANAGEMENT RECOMMENDATION:

It is recommended that the area mapped as La Delle silt loam be maintained in grass and that an automatic shut off be used as the pivot passes through this area. Practices such as these will prevent erosion by flooding and bank erosion by the creek.

We also recommend the use of conservation tillage which will reduce wind erosion and conserve moisture in the Renshaw soils which dominate the proposed area.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Administrator

cf

cc: Division of Water Rights



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 3782-3

January 25, 1984

Richard & Michael Makens
800 N. Lake Drive
Watertown, South Dakota 57201

Dear Sirs:

Enclosed herewith is, Water License No. 3782-3. This 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 Division

JH:ms

Enclosures

NOTE: The applicable portions of Water Permit No. 2207-3 have been incorporated into this Water License No. 3782-3.

South Dakota Department of
Water & Natural Resources

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

April 12, 1985

Richard & Michael Makens
800 N Lake Dr
Watertown SD 57201

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

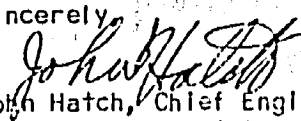
Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 2333-3, 3782-3 & 4334-3. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires 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). 2333-3, 3782-3 & 4334-3 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, 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**

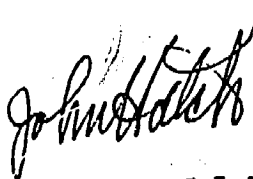
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Michael & Richard Makens
800 N Lake Drive
Watertown, SD 57201

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



SUBJECT: Amendment to Water Permit No(s). 3782-3, 2333-3 & 4334-3.

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). 3782-3, 2333-3 & 4334-3 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 of water for up to one year for the first violation. Please include the enclosed attachment with your permit.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-2181

Attachment to Water Permit No(s). 3782-3, 2333-3 & 4334-3

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). 3782-3, 2333-3 & 4334-3 to add the following qualification:

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

Water Rights Division - DWNR
Conversation or File Documentation

2333-3
File No. 3782-3
4334-3

NAME OF PERSON OR FILE: Mike Maken
ADDRESS: 23225 Northwestern Hwy, Southfield, Michigan COUNTY 48075
DATE: February 28, 1986 TELEPHONE 313-352-4950
RE: Status

COMMENTS:

Mr. Maken indicated they did not irrigate in 1985 but may irrigate in the future depending on if they can get a renter. I indicated to him that the Yearly irrigation questionnaires could be sent to the renter if he wanted to do it that way. He would notify us if he ~~wanted~~ obtained a renter.

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

4/82

NAME: Henry McNeeth



Department of Water & Natural Resources

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

3782-3

5130-3

5173-3

September 9, 1988

Jim Endres
Dakota Home & Land
118 S Maple
Watertown, SD 57201

Dear Mr. Endres:

In response to our telephone conversation, I reviewed our files and found three permits which cover the legal descriptions you inquired about. Water Right No. 3782-3, listed in the names of Richard and Michael Makens, and Permit Nos. 5130-3 and 5173-3 listed in the name of CSS Company (copies enclosed).

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right No. 3782-3, and Water Permit Nos. 5130-3 and 5173-3. The forms should be completed, and signed in the presence of a notary, by the new owner. Upon completion of the forms, please return them to our office with a required filing fee of \$2.50 each (total of \$7.50). The water right and water permits will then be transferred to the proper name.

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

If you have any questions, please contact us.

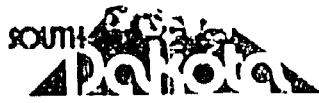
Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure





Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

September 26, 1988

Robert L. Carr
Hwy 59 North
Marshall, Minnesota 56258

Dear Mr. Carr:

Enclosed are receipt Nos. 411424, 411425, and 411426 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 5130-3, 3782-3 and 5173-3.

Our records now show you as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc. 3



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, September 21, 1933

RECEIVED OF Robert L. Carr, Box 59, North, Marshall, WY 56232

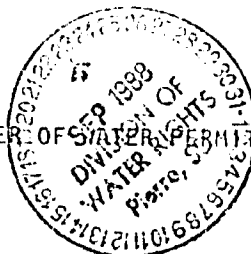
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form Permit No. 3762-3	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (S)

NO. 3782-3

NOTICE OF TRANSFER OF WATER RIGHTS



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: September 21, 1988

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

NE $\frac{1}{4}$, S $\frac{1}{2}$ Section 28, NE $\frac{1}{4}$ Section 33, T120N, R51W

formerly owned by Richard & Michael Makens

has been transferred to Robert L. Carr, Hwy. 59 North, Marshall, MN 56258

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 3782-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

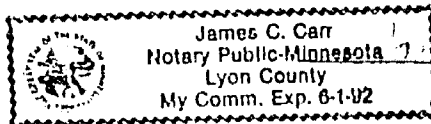
STATE OF SOUTH DAKOTA)
County of _____) ss.

STATE OF MINNESOTA)
County of Lyon) ss.

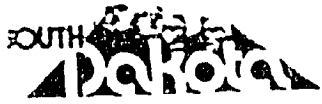
I, Robert L. Carr being first duly sworn on my oath despose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Robert L. Carr
(Signed)

Subscribed and sworn to before me this 21 Day of September, 1988.



James C. Carr
(Notary Public)



Department of Water & Natural Resources

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

5782-3
5130-3
5173-3

February 17, 1989

Robert L. Carr
Hwy 59 No.
Marshall, MN 56258

Dear Mr. Carr:

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

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

The new standards include:

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

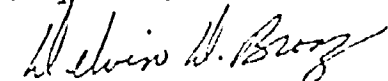


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

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

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division

 **Department of
Water & Natural Resources**

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

October 23, 1989

5130-3

3782-3

5173-3

Randy Spevak
CSS Company
RR #3 Box 138B
Watertown, SD 57201

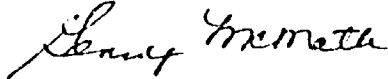
Dear Mr. Spevak:

I am contacting you in regard to the 1989 irrigation questionnaires for Robert Carr, Marshall, MN. Mr. Carr has contacted our office and requested we send the questionnaires directly to you since you are operating the irrigation systems.

Enclosed are three 1989 irrigation questionnaires pertaining to Mr. Carr's water permits. I have included a postage paid envelope for use in returning the forms to our office. The questionnaires must be returned to our office before December 15, 1989.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures

cc: Robert Carr, Hwy 59 N, Marshall, MN 56258





3782-3

February 4, 1997

NOTICE

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCESJOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

TO: CSS FARMS, MILT CARTER, 3334 9TH AVE SW, WATERTOWN, SD 57201

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

SUBJECT: Violation of Water Permit No(s) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3, 2120-3, 3672-3, 4041-3 & 4181-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3, 2120-3, 3672-3, 4041-3 & 4181-3. The request for the Questionnaires was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2120-3, 3672-3, 4041-3 & 4181-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in 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) 3229-3, 3782-3, 4180A-3, 4182-3, 4588-3A, 4604-3, 5166-3, 5173-3, 5174-3, 5338A-3, 5376-3, 5377-3, 5378-3, 5379-3, 5586-3, 5723-3 & 5724-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2120-3, 3672-3, 4041-3 & 4181-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 28, 1997, 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 (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.

378-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 4, 1997

NOTICE

TO: MILT CARTER
CSS FARMS
3334 9TH AVE SW
WATERTOWN SD 57201

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

RE: Failure to Report Chemical Use under Water Permit No(s) 2120-3; 3229-3; 3672-3; 3782-3; 4041-3;
4181-3; 4182-3; 4588-3A; 4604-3; 5166-3; 5173-3; 5174-3; 5332-3; 5338A-3; 5376-3; 5377-3; 5378-
3; 5379-3; 5586-3; 5723-3 & 5724-3

The first notice to file chemigation report(s) for Permit No(s) 2120-3; 3229-3; 3672-3; 3782-3; 4041-3; 4181-3; 4182-3; 4588-3A; 4604-3; 5166-3; 5173-3; 5174-3; 5332-3; 5338A-3; 5376-3; 5377-3; 5378-3; 5379-3; 5586-3; 5723-3 & 5724-3 was dated 10/24/96. Our records indicate that we have not received the 1996 chemigation report for any of the above listed permits. The Water Management Board has directed that owners of water permits who have not submitted the 1996 chemigation report(s) be given notice of violation and hearing before the board. The hearing held by the board is to determine what action is to be taken concerning violation of Administrative Rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical applied.

The hearing will be held at 2:30 PM on March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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 or up to three years for the 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). 2120-3; 3229-3; 3672-3; 3782-3; 4041-3; 4181-3; 4182-3; 4588-3A; 4604-3; 5166-3; 5173-3; 5174-3; 5332-3; 5338A-3; 5376-3; 5377-3; 5378-3; 5379-3; 5586-3; 5723-3 & 5724-3 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 chemigation report(s) is(are) received by this office on/or before February 28, 1997 your name will be deleted from the board agenda.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 East 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.

3782-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 1997

Milt Carter
CSS Farms
3334 9th Ave SW
Watertown, SD 57201

Dear Mr. Carter:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires and chemical reporting forms. You may disregard the February 4, 1997, Notices of Violation.

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

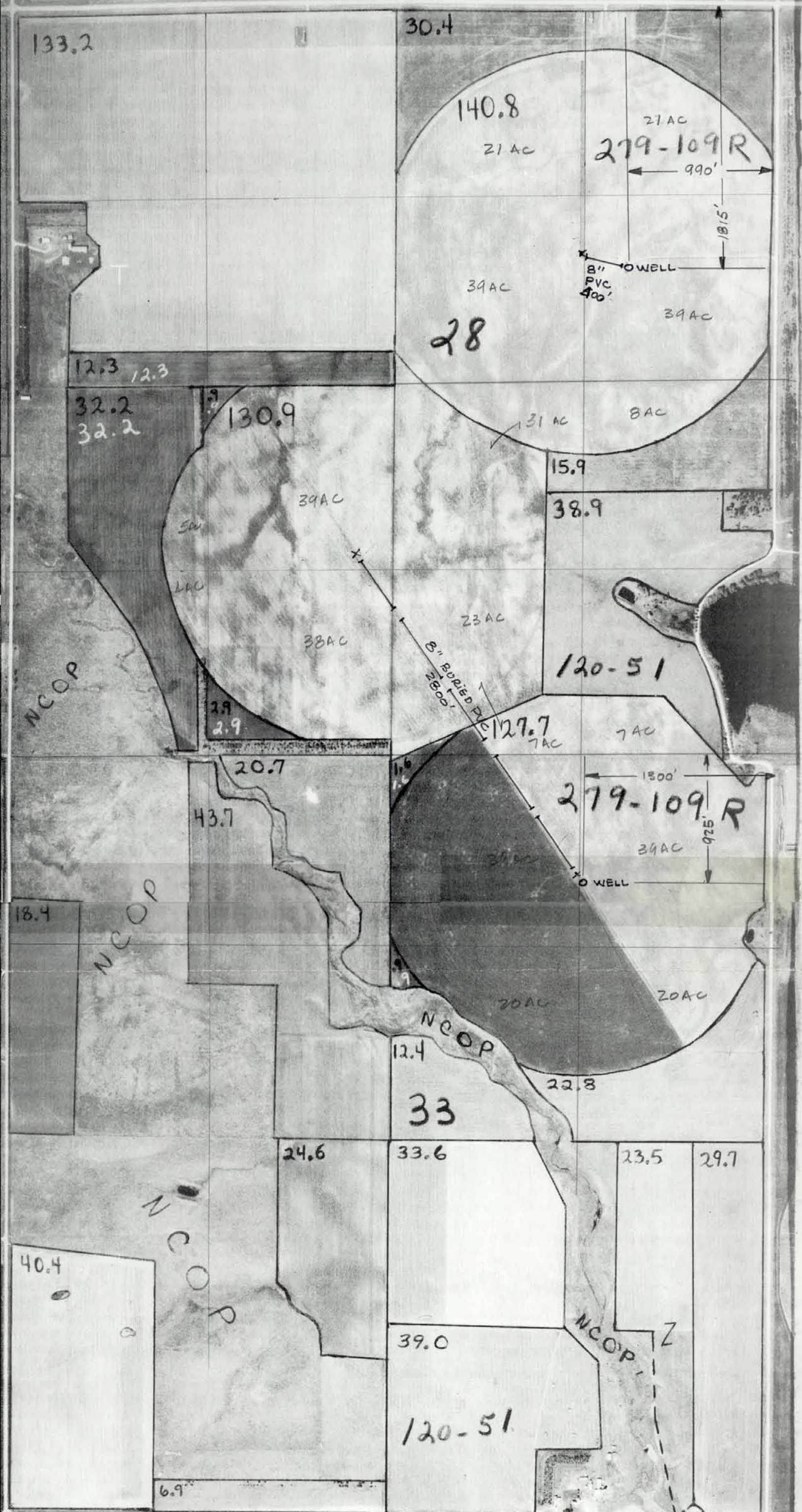
Thank you and if you have any questions, please contact me.

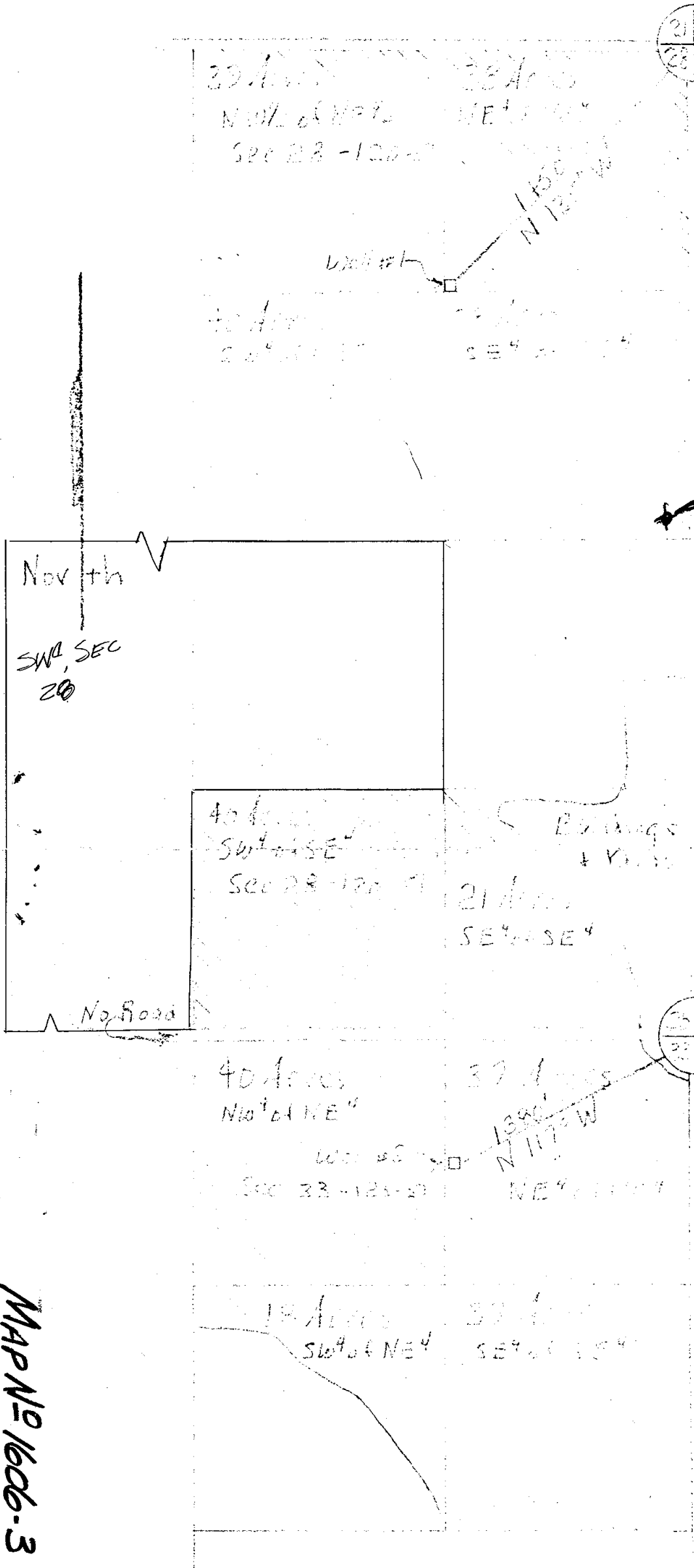
Sincerely,

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

NOT TO SCALE

Map # 16063
Appl. #
2207
3782





MEYER RANCH

IRRIGATION PROJECT # 1

by Vernon Meyer.

South Shore South Dakota

Grant County

Area Irrigated	Acres
NW 1/4 of NE 1/4 Sec 28-120-51	39
NE 1/4 of NE 1/4 Sec 28	38
SW 1/4 of NE 1/4 Sec 28	40
SE 1/4 of NE 1/4 Sec 28	38
SW 1/4 of SE 1/4 Sec 28-120-51	42
SE 1/4 of SE 1/4 Sec 28	21
NW 1/4 of NE 1/4 Sec 33-120-51	40
NE 1/4 of NE 1/4 Sec 33	37
SW 1/4 of NE 1/4 Sec 33	18
SE 1/4 of NE 1/4 Sec 33	37
Total Acres	360

Water Channels - 5 cfs.

Points of Interest - 2 wells

Well #1 - 1450' N 12° W of NE corner Sec 28-120-51

Well #2 - 1380' N 17° W of NE corner Sec 33-120-51

SURVEYOR'S Certificate

I, John L. Wiersma, do hereby certify that this represents a reasonably accurate map of the land of:

Meyer Ranch

South Shore South Dakota

Grant County Feb. 12, 1925

Drawn by John L. Wiersma P.E. #1916

John L. Wiersma

Brookings S.Dak.

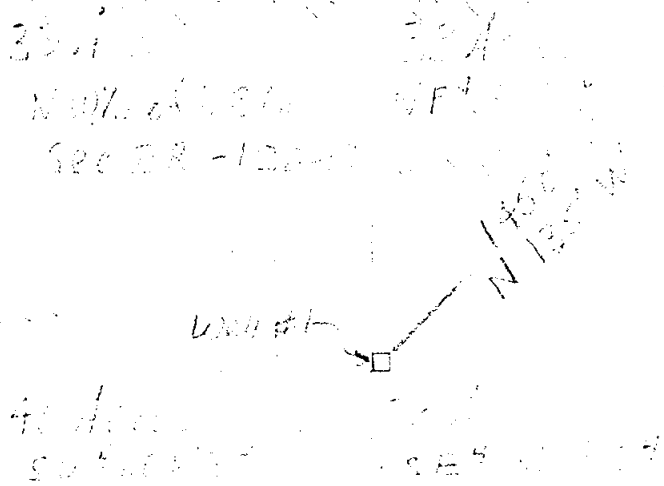
57006

Cross hatch indicates irrigated area

Scale - 8" = 1 Mile

MAP NO 1606-3 APRIL NO 2207-3

3782-3



MEYER RANCH

IRRIGATION PROJECT # 1

by Vernon Meyer.

South Shore South Dakota
Grant County

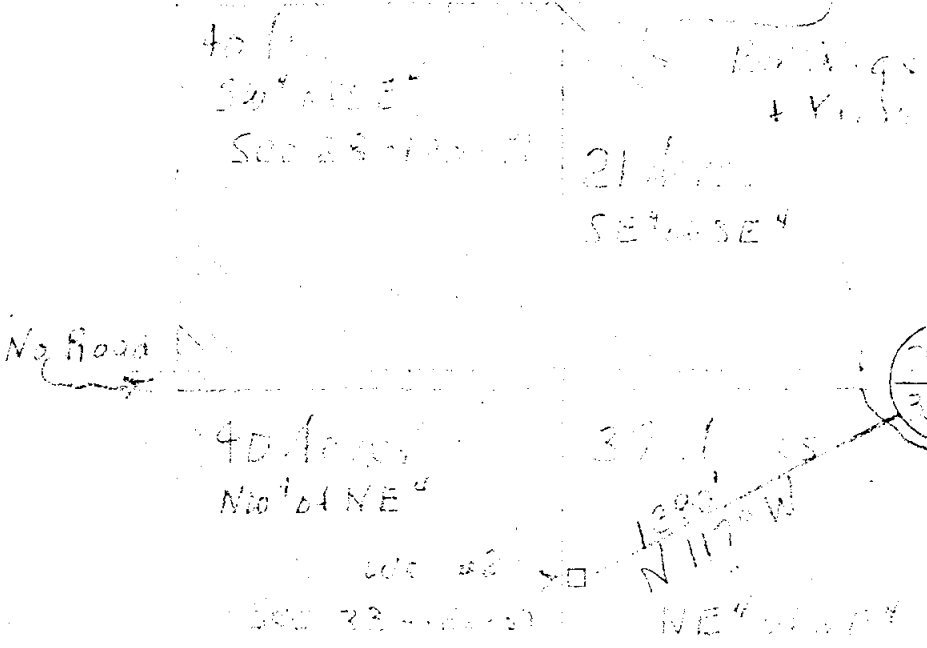
Area Irrigated	Acres
NW 1/4 of NE 1/4 Sec 28-120-51	39
NE 1/4 of NE 1/4 Sec 28	38
SW 1/4 of NE 1/4 Sec 28	40
SE 1/4 of NE 1/4 Sec 28	38
SW 1/4 of SE 1/4 Sec 28-120-51	40
SE 1/4 of SE 1/4 Sec 28	21
NW 1/4 of NE 1/4 Sec 33-120-51	40
NE 1/4 of NE 1/4 Sec 33	37
SW 1/4 of NE 1/4 Sec 33	18
SE 1/4 of NE 1/4 Sec 33	38
Total Area	360

Water Canals - 5 cts.

Points of A. S. W. - 2 wells

Well #1 - 1450' NW 1/4 of NE corner
Sec 28-120-51

Well #2 - 1580' NW 1/4 of NE corner
Sec 33-120-51



Cross hatch indicates
Irrigated Area

Scale - 8" = 1 Mile

SURVEYOR'S Certificate

I, John L. Wiersma, do hereby certify that
this represents a true and correct copy
of the land of:

Meyer Ranch
South Shore South Dakota
Grant County
Drawn by J. L. W.

John L. Wiersma
Brackings S. Dak.
57006

Feb. 12, 1975
P.E. #1916

MAP No 1606.3 APR 21 2207-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 2008

3782-3
5173-3
5586-3

Steve Schaefer
41545 285th St
Hancock MN 56244

Dear Mr. Schaefer:

I am writing in follow-up to your phone conversation with Jim Goodman with our program. Jim requested that I send you transfer forms for filing ownership changes for water rights held by Robert Carr.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing ownership changes on Water Right Nos. 3782-3, 5173-3 and 5586-3. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$7.50). The check or money order for the fee can be made payable to the Water Rights Program.

Currently, the annual irrigation questionnaires are directed to Greg Endres in Watertown. If you wish a change to be made with respect to the irrigation questionnaire mailing, please let me know.

If you have any questions, please contact me.

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

FEB 25 2008

WATER RIGHTS
PROGRAM

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

No. 3782-3

Date: 2-2-08

I/We request that Water Right No. 3782-3

formerly owned by: Robert L Carr

be transferred to: (name & address) WILLOW RUN FARMS FLP, 41545
285TH ST., HANCOCK, MN. 56244

Telephone No. (320) 392-5299

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

400 acres – NE ¼, SW ¼ and SE ¼ Section 28; NE ¼ Section 33, T120N, R51W

I/We understand that the validity of Water Right No. 3782-3 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 WILLOW RUN FARMS FLP, the new owner, certify that the above information is true and correct.

Steve Schaefer TRUSTEE
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/25, 20 08

RECEIVED OF Steven Schaefer 383 Pearl Ave Hancock MN 56214

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3782-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

63046

By

Lincoln E. Ebel
Chief Engineer

Water Right Nos. 3782-3 and 5586-3 Willow Run Farms FLP

On February 25, 2008, Water Right Nos. 3782-3 and 5586-3 were transferred to from Robert L Carr to Willow Run Farms FLP. Based on an inquiry from the new owner, the two water rights were reviewed and found to cover most of the same land.

In an effort to clarify the files and eliminate the overlap in coverage, an investigation was done to determine the actual number of acres irrigated and the diversion rate for each of the three wells.

The following information was obtained during a July 23, 2008 on-site visit (with information provided by the operator of the irrigation systems):

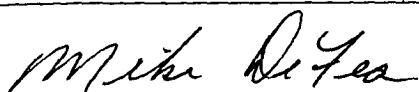
NE well: located 2,345 feet S & 2,410 feet W of the NE corner of Section 28, T120N, R51W (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
& pivot GPS location: Lat: 45.17310 Long: -96.95414
#152 800 gallons per minute
 46 psi
 Valley center pivot - length of pivot with end gun – 1,399 feet

S $\frac{1}{2}$ pivot: 1,495 feet N & 2,520 feet W of the SE corner of Section 28, T120N, R51W (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
#153 GPS location: Lat: 45.16897 Long: -96.95460
 950 gallons per minute
 Valley center pivot

S well: 425 feet S & 1,320 feet W of the NE corner of Section 33, T120N, R51W (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
NE $\frac{1}{4}$ pivot GPS location: Lat: 45.16264 Long: -96.95005
#151 950 gallons per minute
 35 psi
 Valley center pivot – length with end gun 1,387 feet

A total of **420 acres** are irrigated as follows: *(grouped according to pivots)*

Section 28, T120N, R51W	Section 28, T120N, R51W	Section 28, T120N, R51W
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 35.0 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.0 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.0 acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 35.5 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 12.0 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 35.0 acres		
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 35.5 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 6.0 acres	Section 33, T120N, R51W
	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.0 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.0 acres
Sub total 141 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.0 acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.0 acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$ 32.0 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 18.0 acres
		SE $\frac{1}{4}$ NE $\frac{1}{4}$ 18.0 acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 29.0 acres	
	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 23.0 acres	Sub total 139 acres
	Sub total 140 acres	





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 13 2008

3782-3
5586-3

Steve Schaefer, Trustee
Willow Run Farms FLP
41545 285th St
Hancock MN 56244

Dear Mr. Schaefer:

Enclosed is your Reissued Water License No. 5586-3. Water Right Nos. 3782-3 and No. 5586-3 were incorporated into one license (No. 5586-3) to eliminate the double coverage of land reflected in the individual licenses. A map of the area has been included with the license and shows the entire area irrigated along with the locations of the three wells.

For your information SDCL 46-6-27 requires that if the owner of existing wells, such as the wells authorized by Water Right No. 5586-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Also enclosed with the license are Receipt Nos. 03545 and 03546 in the amount of \$2.50 each. These are for the filing fees you paid for the ownership changes of the water rights. If you have any questions, please contact our office.

Sincerely,

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

enclosures