

Water Right Number 3823-3

1. Considered 5-25, 77
2. Name of Applicant JOHN W CURRY
3. Post Office Address ELK POINT
4. Amount of water claimed 2.0
5. Source of water supply 140' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 150
7. Water to be diverted and used in UNION County
about 7N, 2E Miles of ELK POINT
8. Proof of Publication
Received 4-25-77
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

Map No. 3085-3 Water Division No. 3 BIG SIOUX RIVER
(Blanks to be Filled by the Engineer for the W. H. C.)



APPLICATION FOR PERMIT

To Appropriative Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

- Name of Applicant John W. Curry
Post-office address RR1 GERRARD State S. DAKOTA
If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) contract
- Name of diversion work J. CURRY #3
- Amount of water claimed (cubic feet per second) 2
- Source of water supply well
- Location of point of diversion A POINT N269°E, 1380' FROM THE SE CORNER, SECTION 8, T92N, R49W
N1W 4NE 4 County UNION
- Annual period or periods during which water is to be used May 1 - Sept 15
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
- For irrigation use, Total number of acres to be irrigated 150

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>S. 1/4 SE 1/4 Sec 8</u>	<u>6.5</u>		
<u>S. 1/4 SW 1/4 Sec 8</u>	<u>10</u>		
<u>N. 1/4 NE 1/4 Sec 17</u>	<u>6.5</u>		
<u>N. 1/4 NW 1/4 Sec 17</u>	<u>10</u>		

Attach sheet if more space is needed

- Time required to complete construction of water supply system 2-5 years. Additional time required to complete application of water to the proposed beneficial use _____ years.
- Choice of news paper for Notice of Intent to Appropriative Water publication Leader-Courier-Elk Point
- Principal Features of the Proposed Water Supply System.
 - Works proposed to divert water from its natural source.
 - Works proposed to transport water to place of use.
 - Works proposed to apply water to beneficial use. center-pivot

Estimated Total Cost \$ 45,000

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

STATE OF SOUTH DAKOTA

County of Union

I, John W. Curry 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 John W. Curry

Subscribed and sworn to before me this 16 day of February 1977

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3823-3

JOHN W. CURRY
(Applicant)

R.R.#1, ELK POINT
(Post Office Address)

SOUTH DAKOTA 57025
(State)

With the following modifications:

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 18, 19 77

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

Date of receipt of corrected application APRIL 1, 19 77

Approved MAY 25, 19 77, Recorded in Book 18 Page 232

WATER RIGHT PERMIT NO. 3823-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3823-3 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 18, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 25, 19 79
3. The whole of said work is to be completed on or before MAY 25, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25, 19 82
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 2.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purpose, said appropriation must be limited to not more than 3 acre feet 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 25, 19 82; said water to be used during the following described annual period: MAY 1 - SEPTEMBER 15

Witness my hand this 13th day of JUNE, 19 77

WATER RIGHTS COMMISSION

By:

John K. Fick
Chief Engineer, Executive Officer

Certificate of Construction Issued May 16, 19 80

Water License Issued May 16, 19 80

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 30, Depth 140
 (2) Casing, Type Plastic Diameter 1 1/2 Thickness 1/2"
 (wood, concrete, steel, etc)
 (3) Perforated Screen.
 Type Wire mesh, Diameter 1 1/2, Length 30
 (4) Gravel Pack, Thickness 14, Length of gravel pack 50

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials Sand Water bearing sand
100 - 120" gravel

Depth to top of water bearing material 35

Depth to bottom of water bearing material 105

Thickness of water bearing material 70

Depth to water (g. round surface to water level) 22

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

On same owner's property 50 rds. On property owned by others 120 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.

[Signature]
 Signature of Applicant

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME JOHN W. GURRY
ADDRESS ELL POINT, SOUTH DAKOTA 52025
COUNTY UNION

LEGAL DESCRIPTION

1. WELL LOCATION 1280 FT WEST @ 219' S. G.H. FROM SW CORNER SEC. 8
2. LOCATION OF AREA TO BE IRRIGATED S² S² SEC. 8 and N² 11² SEC. 17

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED CORN SOYBEANS ALFALFA

WATER QUALITY

5. SAMPLE NUMBER 77-357
6. SALINITY (EC X 10⁶) 796 (mod. h₂O)
7. SODIUM (SAR) 0.47
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0.05

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from Union County Conservation District,
County Extension Office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true
and correct.

John W. Gurry
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
16 DAY OF February 19 11.

[Signature]
(TITLE OR SEAL)

[Signature]
APPROVED/RECEIVED

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: John W. Curry Date Rec'd March 2, 1977
Address: Elk Point, SD 57025 Sample No. 77-357
Identification Well
SW 1/4, Sec. 8,

WATER ANALYSIS

Calcium (Ca)	101	ppm*	5.05	me/l**
Magnesium (Mg)	30	ppm	2.46	me/l
Sodium (Na)	21	ppm	0.91	me/l
Potassium (K)	4	ppm	0.10	me/l
Sulfate (SO ₄)	70	ppm	1.46	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.12	me/l
Bicarbonate (HCO ₃)	461	ppm	7.56	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)	378	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	796	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.47			
Sodium	10.66	% of cations		
Residual sodium carbonate	0.05	me/l		
pH	7.74			

Others:

*ppm==parts per million

**me/l==millequivalents per liter

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

COMMENTS: Total cations 8.52 me/l
Total anions 9.13 me/l

By: Shirley Nittan

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-357

Amount Enclosed \$

Signed

March 16, 1977

Mr. John W. Curry
Ell Point, SD 57025

Dear Mr. Curry:

Your water sample (Lab. No. 77-357) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

The WI-1, soils information, and a copy of the water analysis are being forwarded to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:clb
Enclosures

cc: State Conservation Commission

D. Pahl, Extension Service

P.S. The large area of soil 42E must be kept in permanent grass-alfalfa.

WATER LICENSE NO. 3823-3

(1) WHEREAS, On the 18th day of February A. D. 1977
John W. Curry

made Water Right Application No. 3823-3 for a permit to use 2.0 cubic feet per second of the waters of groundwater (one well)

County of Union State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 25th day of May A. D. 1977

Permit No. 3223-3 with a date of priority of February 26, 1977

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 25th day of May A. D. 1982 and for the application to beneficial use of said water on or before the 25th day of May A. D. 1982

and

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.0 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

to irrigate the following lands, all in T92N, R49W

Section 3

SW 1/4 65

SE 1/4 SW 1/4 10

Section 17

SW 1/4 62

NE 1/4 NW 1/4 10

TOTAL 147 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to John W. Curry

_____ of Elk Point SD
the holder _____ and owner _____ of said permit No. 3823-3 a water right, dating from February 18, 1977
_____ to use of 2.0 _____ cubic feet per second of the waters
of groundwater (one well)

in the County of Union _____ and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point south 269° east, 1380' from the SE
corner, Section 8, T92N, R49W

_____ and conduct^{ed} to and upon portions of land in Section 8 and 17, T92N, R49W more fully
described on the face of this License.

for the purpose of irrigation

Subject to any Limitations listed in Water Right Permit No. 3823-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 16th day of May _____ A. D.
Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch
Chief Engineer, JOHN HATCH

Permit No. 3823-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That John W. Curry

_____ the holder _____ of
Permit No. 3823-3, issued upon Application No. 3823-3, bearing date of priority of February 18,
1977, authorizing the diversion of 2.00 cu. ft. per second of the waters of _____
groundwater (one well) County of Union, State of South Dakota at _____
a point south 269° east, 1380' from the SE corner, Section 8, T92N, R49W
_____, for irrigation

_____ purposes, to 5 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit, that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.52 cu. ft. per second of water

Date May 16, 1980


JOHN HATCH, Chief Engineer
Water Rights, WHD

Publish first publication, on or before May 12, 1977NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 11, 1977Notice is hereby given that John W. Careywhose post office address is Box 1, Elk Point, 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 use2.0 cubic feet of water per second of time from the Trout Creek through theJ. Carey & S, the point of diversion of which is to be located in the _____Box 1, Elk Pointof Section 17, Twp. 02N, Range 4 W. Said water to be used for the purpose of providing irrigation on the following described land:S 1 SW 1/4, SE 1 SW 1/4, Section 87-N 02E, NW 1/4 NW 1/4, Section 17-T02N-R4 W

This application No. 3825-3 will be considered by the Water Rights Commission at their office at Pierre upon the 15th day of May, 1977, at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERKON
Water Rights Specialist

BFJ/bw

cc: John W. Carey, R. R. # 1, Elk Point, South Dakota 57025

No. 3823-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Ernest E Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader-Courier

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
Elk Point of

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

April 14, 1977

April 21, 1977

Ernest E Emerson
(Signature)

Publisher
(Title)

April 21, 1977
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
April 11, 1977

Notice is hereby given that
John W. Curry, whose post add-
ress is Elk Point, South Dakota,
has made an application in accor-
dance with the provisions of the
water laws of South Dakota for a
permit to appropriate for bene-
ficial use 2.0 cubic feet of water
per second of time from ground
water through the J. Curry #3
the point of diversion, which
is to be located in the W4 NE4
of Section 17, Twp. 92N, Range
49W. Said water to be used for
the purpose of providing irriga-
tion on portions of the following
described land:

S1 SE1, SE1 SW1, Section 8,
N1 NE1, NE1 NW1, Section 17-
T92N, R49W, 18N, 18E.

This application No. 3823-3
will be considered by the Water
Rights Commission at their off-
ice at Pierre upon the 25th day
of May, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION

By James Winterton
Water Rights Specialist
Pub. April 14, 21.



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7235

RECEIVED OF John W Curry, Box 729, Elk Point, SD 57025 PIERRE, January 21, 1930
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) _____	3823-3		
Fee for inspecting Construction, and issuing Cert. of Construction No. _____	3823-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. _____	3823-3		
Fee for issuing Location Certificate-Dry Draw, No. _____			
Fee for filing _____			
Fee for certified copy of _____			
Fee for Print copy of map _____			
Fee for Certifying _____			
Fee for _____ (any other work as provided by law)			
TOTAL		50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (EY)

Permit No. 3823-3Water Division 3 Big Sioux River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

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

I have this day made a thorough examination of the water use system constructed by John W. CURRY of ELK POINT holder of Permit No. 3823-3, bearing date of priority of FEBRUARY 18, 1977 authorizing the diversion of 3823-3 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in Union 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:

140' DEEP WELL WITH 16" PLASTIC CASING
FAIRBANKS MORSE 8" PUMP - SIZE 11M - 2 STAGE - 12" BOWLS
POWERED BY CATERPILLAR #3208 DIESEL MOTOR - 150 HP

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

C. Works used to apply water to beneficial use.

VALLEY 1300' CENTER PIVOT SYSTEM - ELECTRIC DRIVE
WITH 200' END GUN

The system is in the following condition: GoodThe point of diversion is located S 269° E, 1380' FROM THE SE CORNER, SECTION 8, T92N, R49WThe works are capable of diverting and conveying to the place of use 2.22 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 T92N, R49W

SECTION 8	S ² SE ⁴	6.5 ACRES
	SE ⁴ SW ⁴	10 "
SECTION 17	N ² NE ⁴	6.7 "
	NE ⁴ NW ⁴	10 "

comprising a total of 14.7 acres of land. 2.0

Date July 26, 1979
[Signature]
(Signature)

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

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

John W Curry
RR 1
Elk Point SD 57025

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). 2357-3, 2358-3, 3850-3, 3823-3. 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.

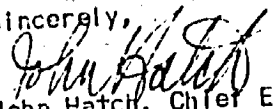
The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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). 2357-3, 2358-3, 3850-3, 3823-3 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: John Curry
RR #1
Elk Point, SD 57025

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

John Hatch

SUBJECT: Amendment to Water Permit No(s). 2358-3, 3850-3, 2357-3 & 3823-3.

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). 2358-3, 3850-3, 2357-3 & 3823-3 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.

South Dakota Department of
Water & Natural Resources

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

Attachment to Water Permit No(s). 2358-3, 3850-3, 2357-3 & 3823-3

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). 2358-3, 3850-3, 2357-3 & 3823-3 to add the following qualification:

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



Department of Water & Natural Resources

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

January 3, 1989

3823-3

Darmon Staum
RR #1 Box 244
Elk Point, SD 57025

Dear Mr. Staum:

In response to your telephone conversation with Ron Duvall, with our office, enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 3823-3. Also enclosed is a copy of the water right for your review.

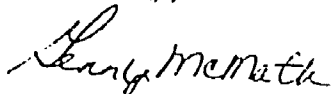
Please complete the transfer form and sign in the presence of a notary. Upon completion, return the form to our office with a required filing fee of \$2.50. The water right will then be transferred to your name.

I have included a copy of the 1988 irrigation questionnaire pertaining to Water Right No. 3823-3. Please complete the form and return to our office as soon as possible.

Recently, I wrote to you concerning the filing fee needed for the transfer of Water Right No. 3515-3 (Claribel Mohler). You telephoned our office and indicated you had mailed the fee along with the "transfer notice" and questionnaire for Water Right No. 3515-3. I have rechecked our files and was unable to find the fee. If you have the cancelled check back, please send us a copy of it so we can correct our files.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, T92N, R49W

formerly owned by John W Curry

has been transferred to Darmon Staum, RR 1, Box 244, Elk Point SD 57025

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

Water Right Permit No. 3823-3 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 Union) ss.

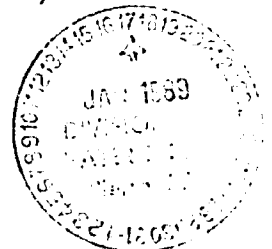
i, Darmon Staum being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Darmon Staum
(Signed)

Subscribed and sworn to before me this 13th Day of January, 1989.

Phyllis Linnogren
(Notary Public)

My Commission Expires 11-30-95



RECEIPT

Division of Water Rights

411589

South Dakota Department of Water and Natural Resources

Pierre, January 17, 1989

RECEIVED OF John W. Curry & Darmon Staum, RR1 Box 244, Elk Point SD 57025
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 _____	5 00	
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>Water Right No. 3823-3 & 3515-3</u>		
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	5 00

By

Chief Engineer

SOUTH



Department of

Water & Natural Resources

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

January 30, 1989

Darmon Sloun
RR1 Box 244
Elk Point, SD 57025

Enclosed is Receipt No. 411589 in the amount of \$ 2.50 which you paid for transfer of Water Right No. 3823-2.

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

Sincerely,

Marie B. Arthur
Water Rights Division
(605) 773-3352



CONSERVATION PLAN MAP

UNION COUNTY Conservation District

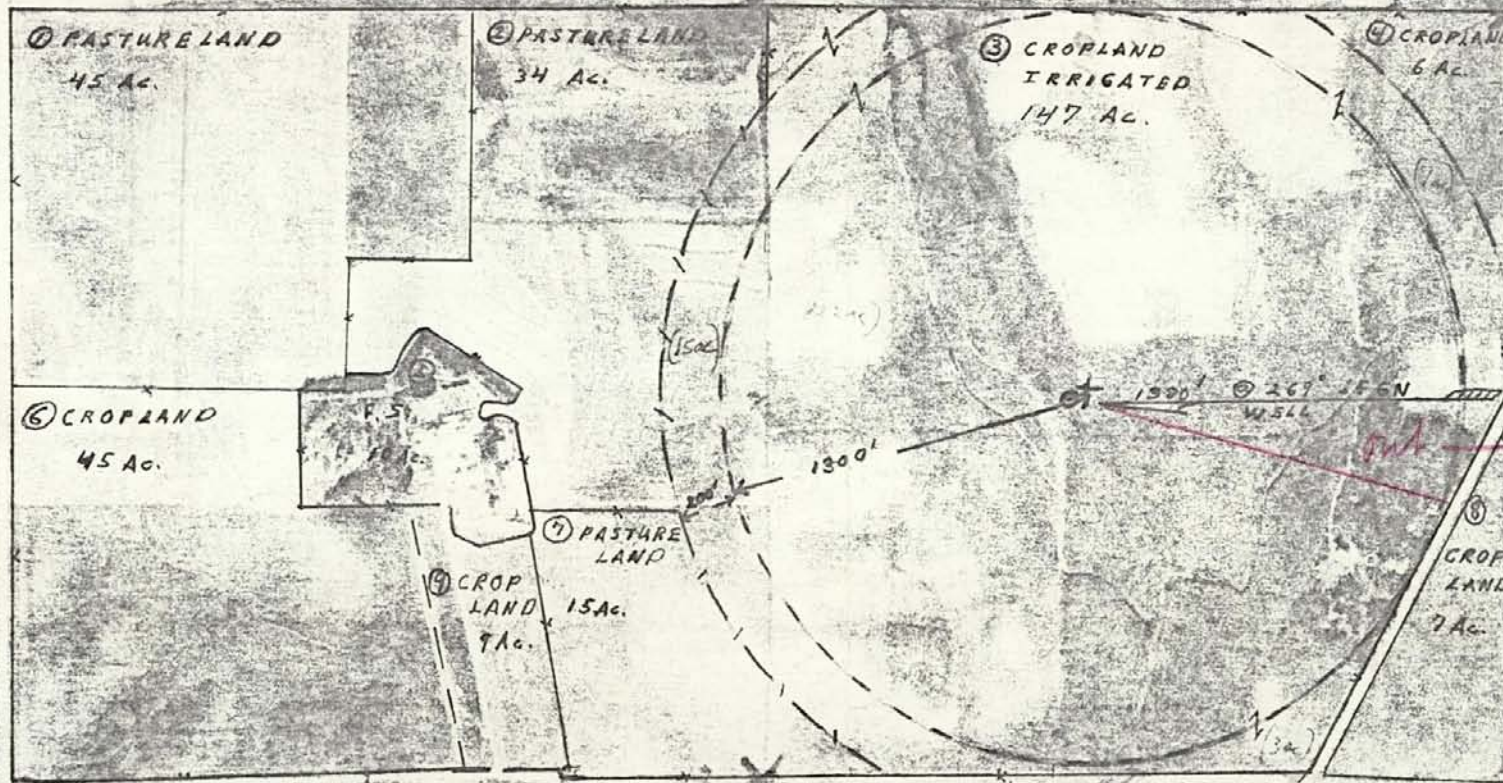
Owner JOHN W. GARRY Operator

County UNION State S. D. Photo Nos.

Date prepared 2-15-77 Approx. Scale 8" = 1 mile

PREPARED BY U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE

Howard P. Wagner, District Conservationist



MAP NO. 3823-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 10, 2025

3112-3, 3137-3
3515-3, 3823-3

Kyle Limoges
32061 477th Ave
Elk Point SD 57025

Dear Mr. Limoges:

This letter is intended to follow up on our recent telephone conversation where you requested to have Water Right Nos. 3112-3, 3137-3, 3515-3 & 3823-3 to yourself.

Please find enclosed, partially completed "Notice of Transfer of Ownership" forms for Water Right Nos. 3112-3, 3137-3, 3515-3 & 3823-3.

There is a fee of \$50.00 for each transfer, totaling \$200.00 for the transfer of all 4 water rights.

Please review each transfer form, complete the highlighted portions, and return the forms with the appropriate fees in the prepaid envelope.

Checks should be made payable to "SD Water Rights". You may also submit payment over the phone by calling out Fiscal Office at (605) 773-5559.

If you have any questions or concerns while reviewing the "Notice of Transfer of Ownership" forms, please contact me via telephone or email.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

RECEIVED

FEB 25 2025

OFFICE OF
WATER

EMAILED SHANNON
2.25.25

3823-3

PAID

FEB 25 2025

Ck# 1643

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 3823-3

Date: 2-18-25

I/We request that Water Right/Permit No. 3823-3 formerly owned by:
Darmon Staum - Elk Point SD be transferred to:

New Owner Name: Kyle Limoyes
Address: 32061 477th Ave mobile: 605-659-3432
City, State, Zip: Elk Point, SD 57025 email: Kyle.Limoyes@gmail.com

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

Section 8-T92N-R49W
S 1/2 SE 1/4 - 65 ac
SE 1/4 SW 1/4 - 10 ac

TOTAL: 147 acres

Section 17-T92N-R49W
N 1/2 NW 1/4 - 62 ac
NE 1/4 NW 1/4 - 10 ac

☒ I understand that the validity of Water Right/Permit No. 3823-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

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

I, Kyle Limoyes, the new owner, certify that the above information is true and correct.


(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

Date February 25th 2025

RECEIVED OF Kyle Limoges 32061 477th Ave Elk Point SD 57025

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 #3823-3 #3137-3 #3515-3 #3112-3	\$200.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$200.00

By

Eric G. [Signature]

Chief Engineer

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**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 25, 2025

3823-3, 3137-3, 3515-3, and 3112-3

Kyle Limoges
32061 477th Ave
Elk Point, SD 57025

Dear Mr. Limoges:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fees you submitted for Water Right Nos. 3823-3, 3137-3, 3515-3, and 3112-3. Enclosed is a receipt of payment for your records.

Water Right Nos. 3823-3, 3137-3, 3515-3, and 3112-3 previously held by Darmon Strum and Bankers Trust Co are now listed under yourself. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Water Rights (copies enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Water Rights will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Miranda Smith
Water Rights Program
605 773-3352
Miranda.Smith@state.sd.us

NOTE: The validity of Water Right Nos. 3823-3, 3137-3, 3515-3, and 3112-3 have not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures