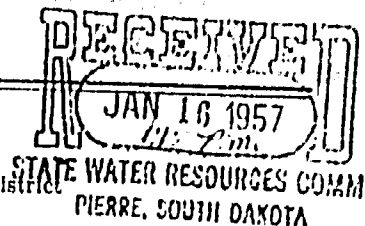


1. Considered March 12, 1957
2. Name of Applicant Harvey C. Anderson # 393-3
3. Post Office Address Yankton S. Dak
4. Amount of water claimed 1.05
5. Source of water supply Thomas River
6. Water to be used for Irrigation
Acres to be irrigated 74.1
7. Water to be diverted and used in Yankton County about
5 miles N E of Yankton
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to ☐
Not Approved ☐
Action deferred ☐

10. Remarks:

No. 793-3Water Division No. 3 James River
(Blanks to be filled by the Engineer for the W. H. 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 HARRY C. ANDERSON
Postoffice address R.R. #2, County YANKTON, State S.D.

- I. If a corporation _____
- (a) Name of same _____
- (b) Date and place of incorporation _____
- (c) Amount of capital stock _____
- (d) Amount paid in _____
- (e) Names and addresses of directors _____

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

- II. Method of accomplishing the work and financial resources of the applicant:
- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

DIRECT LABOR

- (b) Cash on hand, \$ _____
- (c) Treasury stock, \$ _____
- (d) Bonds to be issued, \$ _____
- (e) Other resources, \$ ADEQUATE

2. Name of diversion work HARRY C. ANDERSON IRRIGATION PROJECT #13. Amount of water claimed 1.05 cubic feet per second4. Source of water supply JAMES RIVER5. Location of point of diversion BETWEEN, or at, DIVERSION POINT #1 &DIVERSION POINT #2 ON MAP on West bank YANKTON County.6. Annual period or periods during which water is to be used APRIL 1, through Oct.

7. To be used for:

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

(a) Number of acres to be irrigated 74.1 acres.(b) Legal subdivisions to be irrigated LOT 2, Sec 28 + LOT 5 Sec. 33 Twp. 24.

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

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

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

(a) Nature of use _____
Name any of the above uses claimed

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

Map No. 798-3

8. Estimated cost of work:

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

(b) Pumping plant, \$ 1000⁰⁰

(c) Flumling, \$-----

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

Rock, \$-----

(e) Other structures GATED PIPE \$ 2100⁰⁰

Total, \$-----

9. Description of diversion works:

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

II. Dimensions of works:

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

(b) Reservoir: Capacity when filled ----- feet, ----- at highwater mark ----- acres.

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

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

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ONE years.

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

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

YANKTON PUBLIC OPINION, YANKTON, S.D.

STATE OF SOUTH DAKOTA

County of Yankton

ss.

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

Signed Henry C. Anderson

Subscribed and sworn to before me this

day of January1957

Notary Public (or other qualified officer.)

quarter-quarter line

quarter-quarter corner

quarter line

center of section line

West

East

diversion point #1

diversion point 2

James River

Lot 7, Section 28
Township 94, Range 55
Yankton County, South
Dakota
To be irrigated. 23 Acres
Harry C. Anderson, Owner

Section 28
quarter corner

Section 33

Lot 5, Section 33, Township 94
Range 55, Yankton County, South
Dakota.
To be irrigated. 51.1 Acres
Harry C. Anderson, Owner

5.73° 30' E
553.0'

quarter-quarter line

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

Map No. 298-3
App'l. No. 393-3

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

January 22, 1957

This is to certify that the foregoing application was received by the Commission at 11.0 o'clock

p.m. upon the 16 day of January, 1957

State Water Resources Commission

By:

John Brinner

Chief Engineer, Executive Officer

Number of permit 393.3

Date of first receipt of application January 16, 1957

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

Date of receipt of corrected application , 19

Date from which applicant may claim right January 16, 1957

Approved March 13, 1957, Recorded in Book 4 Page 53

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

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

September 13, 1957

2nd. The whole of said work is to be completed on or before March 13, 1958

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

March 13, 1959

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

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

6th. The amount of the appropriation herein granted shall not exceed 1.05 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before March 13, 1959, said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 2 day of April, 1957

State Water Resources Commission

By:

John Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 26, 1969

Water License Issued SEPTEMBER 26, 1969

WATER LICENSE NO. 393-3

(1) WHEREAS, On the 16th day of January A. D. 19 57
Harry C. Anderson

made Water Right Application No. 393-3 for a permit to use 1.05 cubic feet per second of the waters
of the Missouri River

County of Yankton, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 2nd day of April A. D. 19 57

Permit No. 393-3, with a date of priority of January 16, 1957

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 13th day of March A. D. 19 58 and for the

application to beneficial use of said water on or before the 13th day of March A. D. 19 59

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 1.05 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.

for irrigating the following described land:

Section 28, T94N, R55W

Lot 5 23.0 acres

Lot 7 51.1 acres

Total 74.1 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 Harry C. Anderson

of Yankton

the holder and owner of said permit No. 293-3 a water right, dating from January 16, 1957

to use of 1.02 cubic feet per second of the waters

of the James River

in the County of Yankton and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at between a point 866 feet, S 88° E. of the S 1/4 corner,

and a point 853 feet, S 73° 30' E. of the S 1/4 corner, Section 28, T94N, R55W

and conduct to and upon lots 5 and 7, Section 28, T94N, R55W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 293-3 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 September A. D.

Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 393-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Harry C. Anderson

_____ the holder _____ of
Permit No. 393-3, issued upon Application No. 393-3, bearing date of priority of January 16, 1957 authorizing the diversion of 1.05 cu. ft. per second of the waters of the James River County of Yankton, State of South Dakota ~~at~~ between a point 866 feet, S 88° E. of the S1/16 corner, and a point 853 feet, S 73° 30' E. of the S 1/4 corner, Section 28, T94N, R55W, for irrigation

_____ purposes, has a 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 2.0 cu. ft. per second of water.

Date September 26, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1-24-80

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

Lot 5 23.0 acres; Lot 7 51.1 acres, add in Section 28, T94N, R55W

formerly owned by Harry C Anderson, RR #2, Yankton, SD 57078

has been transferred to Elizabeth Anderson, RR #2, Box 335, Yankton, SD 57078

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 393-3 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 Yankton) ss.

I, Elizabeth Anderson 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.

Elizabeth Anderson
(Signed)

Subscribed and sworn to before me this 24th day of January, 1980.

James M. D. [Signature]
(Notary Public)

My Comm. Exp. 4-1-87

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7264

PIERRE, January 28, 1980

RECEIVED OF Elizabeth Anderson, RR #2, Box 335, Yankton, SD 57078

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. 393-3		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 (97)

Permit No. 393.3
 Water Division 3 JAMES 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 HARRY C. ANDERSON of YANKTON holder...
 of Permit No. 393.3, bearing date of priority of JANUARY 16, 1957
 authorizing the diversion of 1.05 cu. ft. per second of the waters of THE JAMES RIVER
 for IRRIGATION purposes, in YANKTON 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:

GORMAN-RUPP 64AG 6" PUMP P.T.O. w/
JOHN DEERE TRACTOR

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

1900' OF 6" GATED PIPE

C. Works used to apply water to beneficial use.

LAND PARTIALLY LEVELLED

The system is in the following condition: GOOD

The point of diversion is located BETWEEN A POINT 866 FEET, S88° E OF THE S 1/4 CORNER,
AND A POINT 853 FEET S73°30' E OF THE S 1/4 CORNER, SECTION 28, T94N, R55W.

The works are capable of diverting and conveying to the place of use 2.0
 cu. ft. per second of water which is to be used for IRRIGATION

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

SECTION 28, T94N, R55
LOT 5 230 ACRES
LOT 7 51.1 "

comprising a total of 74.1 acres of land.

Date SEPTEMBER 17 1969
Durston Jones
 (Signature)
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMM.

REPORT OF INVESTIGATION

Unlicensed Water Permits Authorized before January 1, 1964

Water Permit No. 393-3 Approval Date March 13, 1954

This Permit authorized the diversion of 1.05 cubic feet
per second of water from James River to irrigate

74.1 acres in Section 33, Township 94N.

Range 55W, County Yankton.

Name and Address shown on Permit Harry Anderson.
Yankton, S.D.

Name and Address of present owner of land Same.

WATER PERMITS NOT CONSTRUCTED WITHIN THE FIVE YEAR PERIOD ARE
SUBJECT TO CANCELLATION BY ACTION OF THE WATER RESOURCES COMMISSION

Indicate the following:

1. The irrigation system was never started nor was not completed.
The present landowner has been informed that cancellation of
Water Permit No. will be considered by the Water
Resources Commission and he will be notified of the date, time
and place of such consideration.
2. Some questions exists and further consideration is advisable.
2. ☒ The irrigation system was completed within the five year period
and is being used. A final inspection should be scheduled.

REMARKS: Used each year except this.

Contact Date. 8-8-69

Signature W. H. Leavelle

(First Publication before February 8, 1957)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 22, 1957

Notice is hereby given that Harry C. Anderson whose postoffice address is Yankton S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.05 cubic feet of water per second of time from the James River through the Irrigation System, the point of diversion of which is to be located on the westerly bank of said stream between a point in Lot 5, Sec 33 and a point in Lot 7, Sec 28 of Section 28

all in Twp. 94N Range 55 W Said water to be used for the purpose of providing irrigation on the following described land:

Lot 5, Sec 33 and Lot 7, Sec 28 all in T 94N, R 55 W

~~XXXXXX~~ XXXXXX

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

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

State Water Resources Commission

By:

J. W. Grimes,

Chief Engineer, Executive Officer

cc-Yankton Public Opinion
Yankton, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Yankton

ss.

Earl Nicholas

being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the

Yankton Public Opinion a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theCity of Yankton County ofYankton and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

Feb. 7, 1957Feb. 14, 1957Feb. 21, 1957Feb. 28, 1957in each and every issue of the full number thereof, the first publication being made on the 7th day of Feb.1957 and the last publication on the 28th day ofFeb. 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication hewas owner the printer and publisher of the said newspaper.Earl NicholasSubscribed and sworn to before me this 1 day of March A. D. 1957Notary Public Yankton County, S. D.No. 3933
APPROPRIATION OF WATER
Office of State Water Resources Commission.

Pierre, S. D., January 22, 1957
 Notice is hereby given that Harry C. Anderson, whose postoffice address is Yankton S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.05 cubic feet of water per second of time from the James River through the irrigation system, the point of diversion of which is to be located on the westerly bank of said stream between a point in Lot 5, Sec 33, and point in Lot 7 of Section 28 all in Twp. 94N Range 55 W. Said water to be used for the purpose of providing irrigation on the following described land: Lot 5, Sec 33 and Lot 7, Sec 28 all in T 94N, R 55 W.

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

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

State Water Resources Commission

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

2-28-4

Water Rights Division - DWNR

File No. 393-3

Conversation or File Documentation

NAME OF PERSON OR FILE: Elizabeth AndersonADDRESS: RR2, Box 192, Yankton SD 57078 COUNTY YanktonDATE: 2/19/86 TELEPHONE _____RE: Spoke to Thomas Lane

COMMENTS:

License No. 393-3 was inspected on June 5, 1985, for the purpose of updating records regarding James River diversions. The total acreage being irrigated has been reduced by 10.1 acres. An error was also made during the licensing of Permit No. 393-3. Lot 5 is located in sec. 33 not in sec. 28. The total acreage currently being irrigated is 64.0 acres with an allowable diversion rate of .91 cfs.

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: Ron D. Durrell

Permit No. 393-3James River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Elizabeth Anderson
of RR 2, Box 192, Yankton SD 57078 holder ofPermit No. 393-3, bearing the priority of January 16 19 57 authorizing
the diversion of 1.05 cu. ft. per second of the waters of the James River
for irrigation purposes, in Yankton County.I have to report on the conditions of the same as follows: pump: PTO drive, Gorman Rupp, bin
A. ☐ rks used to divert the water: use with John Deere tractor

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

gated pipe; length - 1900 ft
size - 6 in

C. Works used to apply water to beneficial use:

Acreage has been partially
levelled.The system is in the following condition goodThe point of diversion is located James River; any point between 1290 ft N and 1775 ft W;
1800 ft W and 265 ft S from the SE corner of sec 28-T94N-R55W.The works are capable of diverting and conveying to the place of use 2.00cu. ft. per second of water which is to be used for irrigation

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

	Acres
<u>SW 1/4 SE 1/4 (Lot 7) sec 28-T94N-R55W</u>	<u>22.0</u>
<u>NE 1/4 NW 1/4 (Lot 5) sec 33-T94N-R55W</u>	<u>28.0</u>
<u>NW 1/4 NE 1/4 (Lot 5) sec 33-T94N-R55W</u>	<u>14.0</u>

comprising a total of 64.0 acres of land and the license should be issued for .91 yrsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date June 5, 1985Ron Duvall
(Signature)

State of South Dakota

REISSUANCE OF Water License No. 393-3

(1) Harry C. Anderson
of Yankton, South Dakota was issued Water License No. 393-3
made Application No. _____, September 6, 1969 ^{right} for a ~~water permit~~ to appropriate
1.05 cubic feet per second of water from the James River,
Yankton County, South Dakota for irrigation purposes.

Water License 393-3, with a priority date of January 16, 1957
Permit No. _____, was approved _____ and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before _____ and for the application to beneficial use of said
water on or before completed.

On January 28, 1980, Water Right No. 393-3 was transferred to Elizabeth Anderson.

Water License No. 393-3 dated September 6, 1969 authorizes diversion of 1.05 cfs from the James River to irrigate 74.1 acres. Based upon a June 5, 1985 inspection of the water use system, the License is being reissued to reflect what is actually being irrigated.

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 0.97 cubic feet per second of water for beneficial use. The location of the diversion point(s) is any point between 1290 ft N and 1775 ft N; 1800 ft W and 265 ft S from the SE Corner of Section 28, T94N, R55W

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 T94N-R55W

Section 28	SW $\frac{1}{4}$ SE $\frac{1}{4}$	22.0 Acres	(Lot 7)
Section 33	NE $\frac{1}{4}$ NW $\frac{1}{4}$	28.0 Acres	(Lot 5)
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	14.0 Acres	(Lot 5)
	TOTAL	64.0 ACRES	

(4) Pursuant to §46-5-30.1 Elizabeth Anderson

of RR#2, Box 192, Yankton, South Dakota 57078

the holder(s) and/or owner(s) of Water ^{Right} Permit No. 393-3 is issued a license to appropriate water, the right to use 0.91 cubic feet per second of water from the James River with a priority date of January 16, 1957 from the location specified in (2) of this license. The water to be conducted to 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 ^{Right} Permit No. 393-3 and subject to South Dakota State Law.

John Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

NOV 25 1986

393-3

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

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

Water Rights Division
605 773-3352

NOV 25 1986

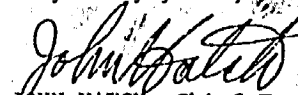
Elizabeth Anderson
RR#2, Box 192
Yankton, South Dakota 57078

Dear Mrs. Anderson:

Enclosed is your Water Right License No. 393-3. The water license has been reissued to the extent of what is actually being used. The relicense is based on a June 5, 1985 inspection of your water use system.

If you have any questions concerning the enclosed Water License, please contact us.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure

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

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

January 29, 1988

ELIZABETH ANDERSON
RR 2 BOX 192
YANKTON, SD 57078

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

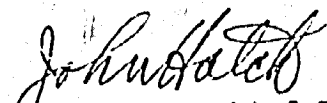
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 393-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of 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 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 393-3 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.


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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

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

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

February 9, 1988

393-3

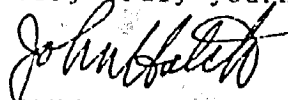
Elizabeth Anderson
RR 2, Box 192
Yankton SD 57078

Dear Ms. Anderson:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 393-3 and the hearing date before the Water Management Board.

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

Very truly yours,



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



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 4, 1991

393-3

Elizabeth Anderson
RR #2 Box 192
Yankton, SD 57078

Dear Ms. Anderson:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Right No. 393-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



February 16, 1994

ELIZABETH ANDERSON
RR 2 BOX 192
YANKTON SD 57078

393-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 393-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 393-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before April 1, 1994, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

ELIZABETH ANDERSON
RR 2 BOX 192
YANKTON SD 57078

5. Signature (Addressee)

Elizabeth Anderson

6. Signature (Agent)

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 837 692 504

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-12-94

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.



393-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 22, 1994

393-3

Elizabeth Anderson
RR #2 Box 192
Yankton, SD 57078

Dear Ms. Anderson:

I am writing to acknowledge receipt of your 1993 Irrigation questionnaire. The questionnaire was completed for you based upon our February 18th telephone conversation. You may disregard the February 16, 1994, Notice of Violation of the Requirement to Submit the 1993 Irrigation Questionnaire.

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

If you have any questions, please contact me.

Sincerely,

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

REDUCTION RATIO

ROLL NUMBER

DATE MICROFILMED

CAMERA OPERATOR SIGNATURE



393-3

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

January 30, 1996

NOTICE

TO: ELIZABETH ANDERSON, RR 2 BOX 192, YANKTON, SD 57078 9625

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

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 393-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am. March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 393-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

ELIZABETH ANDERSON
RR 2 BOX 192
YANKTON SD 57078-9625

4a. Article Number

2-348 318 816

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☒ Certified
- ☐ Insured
- ☐ COD

7. Date of Delivery

1-31-96

8. Addressee's Address (Only if requested and fee is paid)**5. Received By: (Print Name)**

Elizabeth Anderson

6. Signature: (Addressee or Agent)

X Elizabeth Anderson

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?



393-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 1996

393-3

Elizabeth Anderson
RR 2 Box 192
Yankton, SD 57078-9625

Dear Mrs. Anderson:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 Irrigation Questionnaire.

I completed a questionnaire for you based on your January 31st telephone conversation with Ron Duvall. 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 for calling and if you have any questions, please contact me.

Sincerely,

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



393-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: ELIZABETH ANDERSON, 4001 BROADWAY AVE, YANKTON, SD 57078

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 393-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 1:30 pm, March 1, 2000, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 393-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

393-3

SENDER COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) <u>1-19-00</u> B. Date of Delivery	
1. Article Addressed to: ELIZABETH A. IDERSON 4001 BROADWAY AVE YANKTON SD 57078		C. Signature ☐ Agent ☐ Addressee X <u>Elizabeth Anderson</u> D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below:	
2. Article Number (Copy from service label) <u>212271670309</u>		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
PS Form 3811, July 1999		4. Restricted Delivery? (Extra Fee) ☐ Yes	

Domestic Return Receipt

102593-90-M-1789

McMath, Genny

From: Frost, Cheryl
Sent: Monday, January 24, 2000 9:28 AM
To: McMath, Genny

Genny,

A Velma Lane called regarding a Notice that her mother received about not submitting her Irrigation Questionnaire. Below is the Permit # and the name that it is under, and they **DID NOT** irrigate because of all the moisture. In fact, after the crop was put in, it flooded.

W.P. #393-3: Elizabeth Anderson.

If you have any questions, you can call that Velma Lane at 665-5167.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 25, 2000

393-3

Elizabeth Anderson
4001 Broadway Ave
Yankton, SD 57078

Dear Mrs. Anderson:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. A questionnaire was completed for you based on our phone conversation with Velma Lane. The questionnaire reflects that the land was not irrigated in 1999 due to excessive natural moisture.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Right No. 393-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

NOT TO SCALE





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 18, 2012

393-3

Velma Lane
1101 Yvonne Dr
Yankton SD 57078

Dear Ms. Lane:

I am contacting you in regard to Water Right No. 393-3 listed in the name of Elizabeth Anderson. A copy of the water right is enclosed.

One of the last pieces of communication in the file is when you called in 2000 and indicated no irrigation was done due to the crop being flooded. A notation was made that you were the contact person if there were any questions. Our records show the land has been in CRP for the past 10 years.

The purpose of my letter is to update the water right. We need to find out current ownership; if the land has been reenrolled in CRP; and if not, will the land will be irrigated. Please give me a call concerning the water right, or if it is easier, please answer the questions on the next page and return it to us in the envelope provided.

I look forward to hearing from you. Thank you in advance for your help.

Sincerely,

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

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

393-3

RECEIVED

MAY 23 2012

WATER RIGHTS
PROGRAM

Water Right No. 393-3, Elizabeth Anderson

Current ownership of the land (name and address):

(If other than Elizabeth Anderson – a transfer of ownership will need to be filed)

Velma Lane Lou ELLA MACHIN

Has land been re-enrolled in CRP

Yes ☒ If yes, through what year 9-30-2020

No ☐

If no, will the land be irrigated? Yes ☐ * No ☐ **

*If the land will be irrigated, we will resume sending irrigation questionnaires to the current owner.

** If the land will not be irrigated, Water Right No. 393-3 will be scheduled for cancellation consideration. Cancellation of the water right does not preclude a new permit for the project in the future.

RECEIVED

MAY 23 2012

WATER RIGHTS
PROGRAM

Quit Claim Deed

Lou Ella Machin, a married person, grantor of 2505 Capital, Yankton, South Dakota 57078, for and in consideration of One Dollar (\$1.00) and other valuable and sufficient consideration CONVEY AND QUIT CLAIM to Lou Ella Machin, Trustee of Lou Ella Machin Revocable Living Trust, dated January 6, 1998, grantee of 2505 Capital, Yankton, South Dakota 57078, the following described real estate in the county of Yankton, South Dakota, to-wit:

An undivided half interest in and to:

Lot five (5), Section Thirty-three (33) and Lot Seven (7) Section Twenty-eight (28), Township Ninety-four (94), Range Fifty-five (55), Yankton County, South Dakota consisting of 23 acres and 51.1 acres, both more or less and is also known as "Gumbo Place".

and

The Southeast Quarter (SE¼) of Section Twenty-five (25) Township Ninety-four (94) North, Range Fifty-six (56), Yankton County, South Dakota.

Subject to a life estate in Elizabeth Anderson

EXEMPT FROM
TRANSFER FEE
DATE 2-9-98

EXEMPT FROM TRANSFER FEE SDCL 43-4-22 (15)

Dated this 4th day of February, 1998.

Lou Ella Machin
Lou Ella Machin

State of South Dakota)

:§

County of Yankton)

On this 4 day of February, 1998, before me, the under-signed officer, personally appeared Lou Ella Machin, Known to me or satisfactorily proven to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

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



Celia Miner
Notary Public

My Commission Expires: 9-3-98
State of South Dakota, County of Yankton, ss
Filed for Record

Feb 9, 1998

at 9:00 o'clock A M., and Recorded in

Book 394 Page 431

Lynette R. Larson

Num 1 Alpha 1
Margin 1 Tran 1
Paid 1 Seal 1
27048

return to:

Prepared by: Johnson, Heidsprien, Miner, Markow & Jonlow, L.L.P. • P.O. Box 65000 • Yankton, SD 57078 • (605) 665-5009



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 24, 2012

393-3

Velma Lane
1101 Yvonne Dr
Yankton SD 57078

Dear Ms. Lane:

Thank you for sending in the information concerning ownership of the land described in the water right and also enrollment of land in CRP for another term.

With reference to the land being enrolled in CRP, we will hold up mailing annual irrigation questionnaires to you until 2020. If you decide to sell the land prior to the end of enrollment in CRP, please get in touch with us.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Thank you in advance for your help.

Sincerely,

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

RECEIVED

MAY 30 2012

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 393-3

Date: 5-29-12

I/We request that Water Right No. 393-3

formerly owned by: Elizabeth Anderson

be transferred to: (name & address) Velma Lane 1101 Yvonne Dr
Lou Ella Machin 2505 Capitol St Yankton, S.D.
Yankton, S.D. Telephone No. 605-665-5167

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

64 acres - SW 1/4 SE 1/4 Section 28 (Lot 7); NE 1/4 NW 1/4 & NW 1/4 NE 1/4 Section 33 (Lot 5), all in

T94N, R55W

I/We understand that the validity of Water Right No. 393-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Velma Lane, the new owner, certify that the above information is true and correct.
Lou Ella Machin

Lou Ella Machin 5-29-12
Velma Lane 5-29-12
(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 5/30, 20 12

RECEIVED OF Velma Lane 1101 Yvonne Dr Yankton SD 57078

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	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>393-3</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	50 00

No. **05448**

By *Salud E. White*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 30, 2012

393-3

Velma Lane
1101 Yvonne Dr
Yankton SD 57078

Dear Ms. Lane:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 393-3.

The ownership change has been completed. Water Right No. 393-3 formerly held by Elizabeth Anderson is now listed as follows:

- Velma Lane, 1101 Yvonne Dr, Yankton SD 57078, and
- Lou Ella Machin, 2505 Capital St., Yankton SD 57078.

Enclosed for your records is your Receipt No. 05448 in the amount of \$50.00. We will be contacting you again near the end of the enrollment in CRP to find out if the water right needs updating. If you have any questions, please contact me.

Sincerely,

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

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

enclosure

393-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 7, 2020

393-3

Larry Lane
44165 307th St
Yankton SD 57078

Dear Mr. Lane:

Thank you for calling concerning the ownership change needed for Water Right No. 393-3.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

As we discussed, I will update our records to show the land was re-enrolled in CRP. When you return the transfer form, please attach a note to me reflecting when the land will be out of CRP.

Thank you in advance for helping update the water right. If you have any questions, let me know.

Sincerely,

A handwritten signature in blue ink that reads 'Genny McMath'.

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

Enclosure

393-3

NOTICE OF TRANSFER OF OWNERSHIP

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

No.

393-3

Date:

10/26/20

PAID
OCT 29 2020

CK# 3185

\$50

I/We request that Water Right No. 393-3

formerly owned by: Velma Lane and Lou Ella Machin

be transferred to: (name & address)

Harry Lane
44165 307th St Yankton SD 57018

Telephone No. 605-665-6734

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

64 acres – SW ¼ SE ¼ Section 28 (Lot 7); NE ¼ NW ¼ & NW ¼ NE ¼ Section 33 (Lot 5), all in

T94N, R55W

I/We understand that the validity of Water Right No. 393-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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

Harry Lane

(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 October 29, 2020

RECEIVED OF Larry Lane, 44165 307th St, Yankton SD 57078

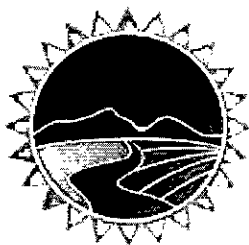
The following amount in fees for services rendered as provided for by law:

The following amount in fees for services rendered as provided for by law.		
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		\$
Fee for Application for Permit No. _____ to Appropriate Water for Future use		\$
Fee to retain Future Use Permit No. _____ after period of seven years.		\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		\$
Fee for Filing Transfer Form <u>Water Right No. 393-3</u>		\$50.00
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	\$50.00

The CRIP is
enrolled until
2030

LL

By Eric Gronlund
Chief Engineer *KCS*



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 2020

393-3

Larry Lane
44165 307th St
Yankton SD 57078

Dear Mr. Lane:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for Water Right No. 393-3.

The ownership change has been completed. Water Right No. 393-3 formerly held by Velma Lane and Lou Ella Machin is now listed in your name.

Also received was your note about re-enrollment into CRP. I have put a note in the file indicating the land is in CRP until 2030. If anything changes prior to that, such as ownership or address changes, let us know.

Enclosed is a receipt for the filing fee you paid for the ownership change. You may keep this for your records.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

Enclosure