

1. Considered May 15, 1957
2. Name of Applicant Adeline Margaret Rogers = 456-3
3. Post Office Address War 104 S. Dak.
4. Amount of water claimed 22.8 cfs
5. Source of water supply ground water
6. Water to be used for irrigation
Acres to be irrigated 160
7. Water to be diverted and used in Turner County about
6 miles east of War 104.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to _____
Not approved ☐
Action deferred ☐

10. Remarks:

No. 1156-3Water Division No. 3 Vermillion River District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

DENNIS L. & MARY K. JHNEN

TRANSFERRED

1-10-28

1. Name of applicant

Postoffice address

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)

(b) Cash on hand, \$10,000

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work

3. Amount of water claimed 2.28 cubic feet per second

4. Source of water supply

5. Location of point of diversion

on

bank

County.

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

7. To be used for:

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

(a) Number of acres to be irrigated 160 acres.

(b) Legal subdivisions to be irrigated

(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 user 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 16 352-3

8. Estimated cost of work:

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

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

(e) Other structures

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

(b) Pumping plant, \$5000.00

Rock, \$-----

Total, \$-----

\$8000.00

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 -----

material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet; surface area ----- water 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 ----- 5 ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- 3 ----- years.

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

STATE OF SOUTH DAKOTA

County of -----

I, -----

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 -----

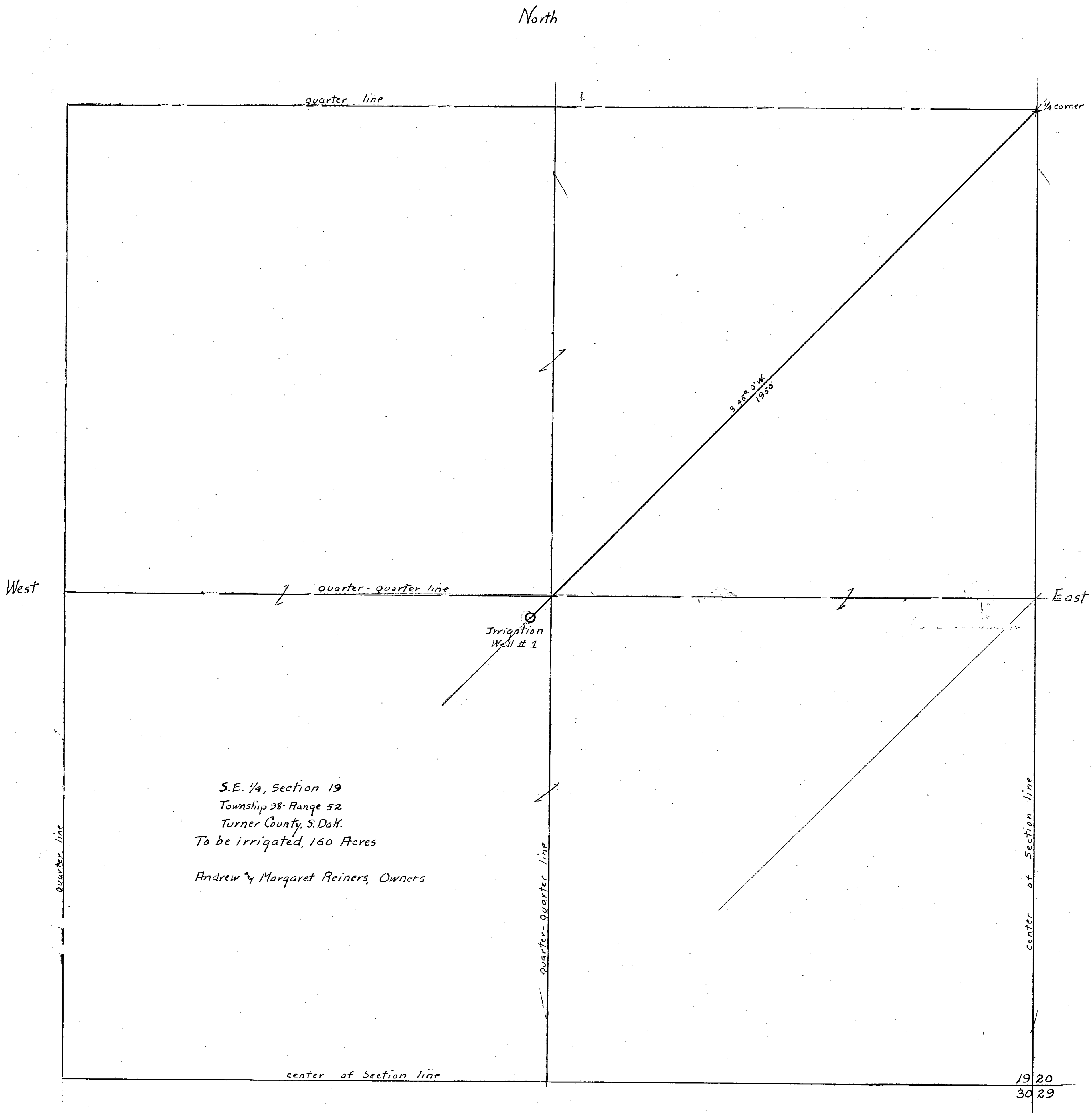
Subscribed and sworn to before me this ----- 12 -----

day of -----

1957

Notary Public (or other qualified officer.)

RECEIVED
APR 22 1957



Andrew & Margaret Reiners Irrigation Project #3
S.E. 1/4 of Section 19, Township 98-Range 52, Turner
County, South Dakota.

I, Ellis V. Nelson, a licensed engineer, hereby certify
that I have made a survey of the S.E. 1/4 of Section
19, Township 98-Range 52, Turner County, South Dakota
and located well #1 for the purpose of irrigation
as indicated on the above plat.
Dated at Sioux Falls, South Dakota, April 19, 1957.

Ellis V. Nelson
Licensed Engineer

State of South Dakota } ss
County of Minnehaha }
On this 19th day of April 1957, before me the
undersigned officer, personally appeared, Ellis V.
Nelson known to me or satisfactorily proven to be
the person whose name is subscribed to the with-
in certificate and acknowledged that he executed the
same for the purpose therein contained.
In witness whereof I hereunto set my hand
and official seal.

Kathleen M. J. J. J.
Notary Public
KATHLEEN M. J. J. J.
Minnehaha County, South Dakota
My commission expires June 4, 1958.

Ellis V. Nelson, Licensed Engineer
Sioux Falls, South Dakota, April 57

Map No. 362-3
Doc No. 147-2

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, April 13, 1957

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock
9 m. upon the 13 day of April, 1957

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Number of permit 456-3

Date of first receipt of application April 13, 1957

Date of return to applicant for correction, amendments or changes required as follows: April 13, 1957

Date of receipt of corrected application April 22, 1957

Date from which applicant may claim right April 13, 1957

Approved May 15, 1957, Recorded in Book 4 Page 80

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

November 15, 1957

2nd. The whole of said work is to be completed on or before May 15, 1962

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

May 15, 1965

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 2.28 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 May 15, 1965; said water to be used during the following described annual period:

March to November inclusive

Witness my hand this 18 day of June, 1957

State Water Resources Commission

By:

Joe Brinner
Chief Engineer, Executive Officer

Certificate of Construction Issued

MAY 8, 1968

Water License Issued

MAY 8, 1968

9. (Continued)

III. Well Specifications

(a) Hole and Excavation

Size of drill or excavation 30", Depth 48'Type of casing Steel
(wood, concrete, steel, etc.)Size of casing 20", Thickness of casing 14 gaLength of casing 48 If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Dempster millSize of perforated screen 20" (diameter), 21' (length)Thickness of gravel pack 5", length of gravel pack 28'

(c) Water Bearing Materials

Distance to water 12' Character of water bearing materialsCoarse gray sand

Thickness of water bearing material

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)Name of pump Western Sand Roller, size 8"Kind of motor Electric
(gasoline, electric, diesel, etc.)Horsepower 60', Name of Motor E. E.

(e) Complete well

Capacity 1150 at drawdown of 40' Estimated cost 2000.00(f) Owner of land upon which well is located Andrew Reeners, NameHurley & Sab
Address

(g) Distance to nearest existing wells

On same owner's property 160 rods. On property owned by others 160 rods

Permit No. 456-3

VERMILLION

Water Division No. 3 RIVER Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Dennis L. and Mary Kay Yhnen

of Hurley, County of Turner, and State of

South Dakota, the holder of Permit No. 456-3, issued upon Application

No. 456-3, bearing date of priority of April 13, 1957, authorizing the diversion of

2.28 cu. ft. per second of the waters of ground water

County of Turner, State of South Dakota, at a point S 45° W,

1950 feet from the E $\frac{1}{2}$ Corner, Section 19, T98N, R52W

, for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of

completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory

condition for diverting and conveying to the place of intended use 2.28 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: SE $\frac{1}{4}$, Section 19, T98N, R52W

Witness my hand this 8th day of May A. D. 1968

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. . . . 456-3 .

WHEREAS, On the 13th day of April A. D. 1957
Andrew and Margaret Reiners

of Hurley County of Turner and State of
South Dakota duly made application (No. 456-3) to us for a permit to use 2.28
cubic feet per second of the waters of ground water
County of Turner, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 18th day of June A. D. 1957
Permit No. 456-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 15th day of
May A. D. 1962 and for the application to beneficial use of said
water on or before the 15th day of May A. D. 1965
and, whereas on the 10th day of January, 1968, Permit 456-3 was transferred
to Dennis L. and Mary Kay Ihnen, and
WHEREAS, On the 1st day of May A. D. 1968
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.28
cubic feet per second of said waters, as evidenced by our Certificate No. 456-3
dated May 8, 1968 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.28 cubic feet per second of water, with date of
priority of April 13, 1957 and,

WHEREAS, On the 1st day of May A. D. 1968
proof was duly made of the application to beneficial use of 2.28 cubic feet per second of said water;
for irrigating the SE 1/4, Section 19, T98N, R52W

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 Dennis L. and May Ray Ihnen
of Hurley the holder S. and owner S. of said permit No. 456-3
a water right, dating from April 13, 1957 to the use of 2.28
cubic feet per second of the waters of ground water
in the County of Turner and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at a point S 45° W, 1950 feet
from the E4 Corner, Section 19, T98N, R52W
and conducted to and in a SE4, Section 19, T98N, R52W

for the purpose of irrigation, subject to any limitations listed in the
Permit to Appropriate Water, and

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

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 8th day of May A. D. Nineteen
Hundred and Sixty-eight

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't. _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

(First Publication ~~not later than April 18, 1957~~)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 13, 1957

Notice is hereby given that ~~Andrew and Margaret R. Iners~~ whose postoffice address is ~~Hurley~~ 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 ~~2.23~~ cubic feet of water per second of time from ~~the~~ ~~box~~ ~~ground water~~ through the ~~Andrew Reiners No. 3~~ the point of diversion of which is to be located on the ~~bank of said stream in the~~ ~~18~~ ~~Section~~ of Section ~~19~~ Twp. ~~98 N~~ Range ~~52 W~~ Said water to be used for the purpose of providing irrigation on the following described land:

~~Sec. 19, T. 98 N., R. 52 W.~~~~and for~~ ~~INTENTION~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the ~~15th~~ day of ~~May~~, 19~~57~~ 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 L. D. Hofmeister
Hurley leader
Hurley, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Turner } ss.

L. D. Holmeister being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Hurley Leader 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 Hurley County of Turner and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Thursday, April 18, 1957
Thursday, April 25, 1957
Thursday, May 2, 1957
Thursday, May 9, 1957

in each and every issue of the full number thereof, the first publication being made on the 18 day of April 1957 and the last publication on the 9 day of May 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was owner the printer and publisher of the said newspaper.

L. D. Holmeister

Subscribed and sworn to before me this 9 day of May A. D. 1957

Notary Public Turner County, S. D.

RECEIVED
MAY 13 1957

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak., April 13, 1957

Notice is hereby given that Andrew and Margaret Reiners whose postoffice address is Hurley, 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 2.28 cubic feet of water per second of time from ground water through the Andrew Reiners No. 3, the point of diversion of which is to be located in the SE $\frac{1}{4}$ of Section 19, Twp. 98N, Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$, Sec. 19, T98N, R52W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of May, 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
(April 18-25 May 2-9)

NOTICE OF TRANSFER OF WATER PERMIT

January 10, 1968

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that Andrew J. Reiners and Margaret Reiners, husband and wife,
owners 1957-1967, and Claude Sherard and Margaret L. Sherard, husband and
wife, owners 1967-1968,

who previously owned the land described below ~~has sold his~~ have their interests to Dennis L. Ihnen and
Mary Kay Ihnen, husband and wife

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 456-3
and as provided for in section 61.0141 of the SDC of 1939 and elsewhere on property described
as the Southeast Quarter (SE1/4) of Section Nineteen (19), Township
Ninety-eight (98), Range Fifty-two (52), Turner County, South Dakota.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at
the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

County of Turner

ss.

I, Dennis L. Ihnen and Mary Kay Ihnen, each 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.

Signed

Dennis L. IhnenMary Kay IhnenSubscribed and sworn to before me this 10th day of January, 1968

Robert J. Haar
Notary Public (Robert J. Haar)

Permit No. 456-3
VERMILLION
 Water Division No. 3 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

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

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

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

DENNIS L & MARY K. JHNEN, of HURLEY

TURNER County, South Dakota, holder of Permit No. 456-3, issued upon Application No. 456-3, bearing date of priority of APRIL 13, 1957, authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 48' WELL WITH WESTERN LAND ROLLER 8" PUMP WITH 4 120 BOWLS, POWERED BY CHRYSLER INDUSTRIAL ENGINE (PROPANE), 3360' OF 8" & 4800' OF 6" PIPE WITH 4 VERMEER 180 BOOMS (PIPE & BOOMS ARE USED INTERCHANGEABLY WITH 455-3 & 457-3)

and the system is in the following condition: GOOD

The point of diversion is located S 45° W, 1950' FROM THE E 1/4 CORNER, SECTION 19, T 98N, R 52W

The works are capable of diverting and conveying to the place of use 2.28 cu. ft. per second of water, which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: SE² SECTION 19, T 98N, R 52W

_____ comprising a total of 160 acres of land.

The domestic use intended comprises _____

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

Witness my hand, this 13th day of MAY, A. D. 1968.

--SEAL--

Denton J. Jones
 Examining Engineer.

WOODS
FULLER
SHULTZ &
SMITH P.C.

LAWYERS
EST. 1887

300 South Phillips Avenue
Suite 300
Post Office Box 5027
Sioux Falls, South Dakota
57117-5027

Telephone (605) 336-3890
Telecopier (605) 339-3357

www.wfss.com

Merle A. Johnson
Richard O. Gregerson
William Taylor
William P. Fuller
Gary P. Thimsen
Bradley C. Grossenburg
James M. Wiederrich
Comet H. Haraldson
J.G. Shultz
Roger W. Damgaard
Frederick M. Entwistle
David C. Kroon
Mark J. Welter
James E. Moore
Kristine Kreiter O'Connell
Elizabeth A. Lewis
Tim R. Shattuck
Melanie L. Carpenter
Susan M. Sabers
William G. Beck
Daniel J. Harmelink
Jennifer L. Wollman
Lisa Marshik Prostrullo
Christopher J. Lent
Jeffrey J. Koerselman
Gregory S. Starnes
Erin C. Snyders
Patrick J. DeWall
Jeffrey L. Bratkiewicz

Francis M. Smith, of
Counsel

Melvin T. Woods
(1899-1983)

Howell L. Fuller
(1909-1981)

John B. Shultz
(1912-1975)

April 9, 2003

Christine K. Lillo, CLAS
clillo@wfss.com

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

RE: Transfer of Ownership / Ihnens to Cooperative Credit Company

To Whom it May Concern:

Enclosed for filing with your office on behalf of attorney Roger Damgaard are
Notices of Transfer of Ownership for Permit Nos. 3903-3, 1348-3, 4152-3, 456-3,
and 510-3 together with our firm check in the amount of \$12.50.

Thank you.

Very truly yours,

WOODS, FULLER, SHULTZ & SMITH P.C.

Christine K. Lillo, CLAS
Paralegal

Enclosure

cc: Cooperative Credit Company

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 11, 2003

RECEIVED OF Woods Fuller Shultz & Smith PC, PO Box 5027, Sioux Falls SD 57117-5027

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>456-3</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.

000750

By

Darland White
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

APR 11 2003

WATER RIGHTS
PROGRAM

Water Right/Permit No. 456-3

Dated: February 26, 2003

We request that Water Right/Permit No. 456-3 formerly owned by:
Dennis and Mary Kay Ihnen be transferred to:

New Owner Name: Cooperative Credit Company
Address: 128 Third Street N.W., P.O. Box 80
City, State, Zip: Sioux Center, Iowa 51250-0080 Telephone No.: (800) 681-1975

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

The Southeast Quarter (SE $\frac{1}{4}$) of Section Nineteen (19), Township Ninety-Eight (98) North, Range Fifty-Two (52) West of the 5th P.M., Turner County, South Dakota.

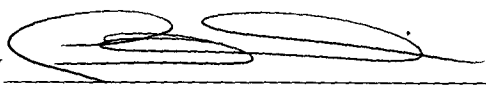
☒ We understand that the validity of Water Right/Permit No. 456-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

Cooperative Credit Company, the new owner, certifies that the above information is true and correct.

COOPERATIVE CREDIT COMPANY

By 
Its CEO

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 15, 2003

Lee Van Veldhuizen
Cooperative Credit Company
PO Box 80
Sioux Center IA 51250-0080

RE: Water Right Nos. 456-3, 510-3, 1348-3, 3903-3 and 4152-3

Dear Mr. Van Veldhuizen:

I am writing to acknowledge receipt of the transfer of ownership forms and filing fees for Water Right Nos. 456-3, 510-3, 1348-3, 3903-3 and 4152-3. The ownership changes have been completed. The water rights, formerly held by Dennis and Mary Kay Ihnen, are now listed in the name of "Cooperative Credit Company".

Each year in October, we mail irrigation questionnaires to irrigators in South Dakota requesting information on the amount of water diverted that specific year. Enclosed is a sample copy of the form. The actual forms that need to be completed and returned to our program will be sent to you next fall.

Receipt Nos. 000747, 000478, 000749, 000750 and 000751, in the amounts of \$2.50 each, are being forwarded by copy of this letter to Woods, Fuller, Shultz and Smith, PC in Sioux Falls, SD.

I have also included copies of the water rights in the event you need them. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

c: Christine K Lillo, Paralegal w/Woods, Fuller, Shultz & Smith PC

WOODS
FULLER
SHULTZ &
SMITH P.C.

LAWYERS
EST. 1887

300 South Phillips Avenue
Suite 300
Post Office Box 5027
Sioux Falls, South Dakota
57117-5027

Telephone (605) 336-3890
Telecopier (605) 339-3357

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Merle A. Johnson
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David C. Kroon
Mark J. Welter
James E. Moore

Kristine Kreiter O'Connell
Elizabeth A. Lewis
Tim R. Shattuck
Melanie L. Carpenter
Susan M. Sabers
William G. Beck
Daniel J. Harmelink
Jennifer L. Wollman
Lisa Marshik Prostrullo
Christopher J. Lent
Jeffrey J. Koerselman
Gregory S. Starnes
Erin C. Snyders
Patrick J. DeWall
Jeffrey L. Bratkiewicz

Francis M. Smith, of
Counsel

Melvin T. Woods
(1899-1983)

Howell L. Fuller
(1909-1981)

John B. Shultz
(1912-1975)

456-3

November 18, 2003

Christine K. Lillo, CLAS
clillo@wfss.com

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

RE: Transfer of Ownership Permit No. 456-3

To Whom it May Concern:

Enclosed for filing with your office is a Notice of Transfer of Ownership for Permit No. 456-3 together with our firm check in the amount of \$2.50. Please transfer the permit from Cooperative Credit Company to Burnette C. Sawyer.

Thank you.

Very truly yours,

WOODS, FULLER, SHULTZ & SMITH P.C.



Christine K. Lillo, CLAS
Certified Paralegal

Enclosures

cc: Mr. Lee Van Veldhuizen

RECEIVED
NOV 20 2003
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 456-3

Dated: November 17, 2003

We request that Water Right/Permit No. 456-3 formerly owned by:
Cooperative Credit Company be transferred to:

New Owner Name: Burnette C. Sawyer
Address: 5206 South Sweetbriar Court
City, State, Zip: Sioux Falls, SD 57108 72855

Telephone No.: (605) 575-2549
480 396 0444

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

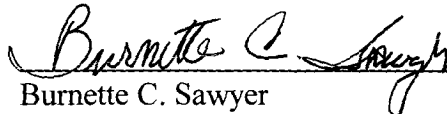
The Southeast Quarter (SE $\frac{1}{4}$) of Section Nineteen (19), Township Ninety-Eight (98) North, Range Fifty-Two (52) West of the 5th P.M., Turner County, South Dakota.

☒ We understand that the validity of Water Right/Permit No. 456-3 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 Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

Burnette C. Sawyer, the new owners, certify that the above information is true and correct.


Burnette C. Sawyer

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 November 20, 2003

RECEIVED OF Woods Fuller, Shultz & Smith, PO Box 5027, Sioux Falls SD 57117

The following amount in fees for services rendered as provided for by law: (Burnette C Sawyer)

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>456-3</u>	2	50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law) _____	TOTAL	2.50

No.

000000

By

Darland E. Eble
Chief Engineer
gm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 20, 2003

456-3

Burnette C Sawyer
5206 S Sweetbriar Court
Sioux Falls SD 57108-2855

Dear Mr. Sawyer:

Thank you for following up on the ownership change for Water Right No. 456-3. The transfer has been completed. The water right formerly listed in the name of Cooperative Credit Company is now listed in your name.

Each year in October, we mail out the annual irrigation questionnaire. ~~Enclosed is a copy of last year's form for your review. This will give you an idea of what type of information you will need to keep track of during the irrigation season.~~

Receipt No. 000919 in the amount of \$2.50 will be forwarded to Woods, Fuller, Shultz & Smith Law. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

c: Christine K Lillo, Woods Fuller, Shultz & Smith, PC w/receipt

McMath, Genny

From: Cloud, Jodi
Sent: Thursday, December 06, 2012 10:59 AM
To: Jacobson, Gail
Cc: McMath, Genny
Subject: Water Permit address change

Ms. Burnette C. Sawyer

#456-3 Permit

The permit was being sent to Paul Peterson who was renting. Ms. Burnette is the owner, she wants the permit sent to her. Ph 605-321-2337

28122 Hwy 19
Hurley, SD 57036

Jodi M. Cloud
Secretary
Department of Environment & Natural Resources
523 E Capitol Avenue
Pierre, SD 57501
605-773-3351



456-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: BURNETTE C SAWYER, 28122 HWY 19, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaires

Our records indicate your 2017 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 456-3 & 3903-3 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) 6433-3 & 7910-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6433-3 & 7910-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 456-3 & 3903-3 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 before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



456-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 2018

Shon, Julie & Burnette Sawyer
28122 Hwy 19
Hurley SD 57036

RE: Irrigation Questionnaires for Water Permit/Right Nos. 456-3, 510-3, 3903-3, 6433-3,
7791-3 and 7910-3

Dear Shon, Julie & Burnette:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for the above listed Water Permits and Water Rights. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath".

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



456-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: BURNETTE C SAWYER, 28122 HWY 19, HURLEY, SD 57036
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaires

Our records indicate your 2018 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 456-3 & 3903-3 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) 6433-3 & 7910-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6433-3 & 7910-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 456-3 & 3903-3 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 before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

456-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 2019

Shon, Julie & Burnette C Sawyer
28122 Hwy 19
Hurley SD 57036

RE: Water Permit or Right Nos. 456-3, 3903-3, 6433-3 & 7910-3 (Burnette Sawyer)
Water Right No. 510-3 (Julie K Sawyer) and
Water Permit No. 7791-3 (Shon Sawyer)

Dear Shon, Julie & Burnette:

I am writing to acknowledge receipt of your 2018 irrigation questionnaires.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for the above listed Water Permits and Water Rights. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, which appears to read "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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: Shon Sawyer, 28122 Hwy 19, Hurley SD 57036
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 456-3, 510-3 & 3903-3 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) 4645A-3, 6433-3, 7791-3 & 7910-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4645A-3, 6433-3, 7791-3 & 7910-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 456-3, 510-3 & 3903-3 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 before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: JDLTIJ**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 7, 2023

Shon Sawyer
28122 Hwy 19
Hurley SD 57036

RE: Water Permit/Right Nos. 456-3, 510-3, 3903-3, 4645A-3, 6433-3, 7791-3 & 7910-3

Dear Mr. Sawyer:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Permit/Right Nos. 456-3, 510-3, 3903-3, 4645A-3, 6433-3, 7791-3 & 7910-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 19, 2024

NOTICE

TO: SHON SAWYER, 28122 HWY 19, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaires

Our records indicate your 2023 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 456-3, 510-3 & 3903-3 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) 4645A-3, 6433-3, 7791-3 & 7910-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4645A-3, 6433-3, 7791-3 & 7910-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 456-3, 510-3 & 3903-3 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 before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: DCALGZ**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 16, 2024

3903-3, 456-3, 6433-3
7910-3 & 4645A-3

Shon Sawyer
28122 HWY 19
Hurley SD 57036

Dear Mr. Sawyer:

I am writing you today to follow up on our telephone conversation from earlier in the week, in regard to transferring ownership of the five water permits/rights held by Burnette C Sawyer, to yourself.

I have enclosed a partially completed "Notice of Transfer of Ownership" form for each permit/right. There is a \$50.00 fee for each transfer, totaling \$250.00. Please complete the highlighted portions of each transfer form and return them in the prepaid envelope with a check made payable to "SD Water Rights Program".

If you wish to pay with a card, you may call our Fiscal Office at 605.773.4216. If you choose to pay over the phone, these forms will still need to be returned.

Please feel free to contact me with any questions.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 23, 2024

456-3, 510-3
3903-3, 4645A-3,
6433-3, 7791-3 & 7910-3

Shon Sawyer
28122 HWY 19
Hurley SD 57036

Dear Mr. Sawyer:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 456-3, 510-3, 3903-3, 4645A-3, 6433-3, 7791-3 & 7910-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 5, 2024

456-3, 3903-3, 4645A-3
6433-3 & 7910-3

Shon Sawyer
45690 280th St
Hurley SD 57036

Dear Mr. Sawyer:

I have received your "Notice of Transfer of Ownership" forms and the required fees. Enclosed are receipts of payment for your records.

Water Right/Permit Nos. 456-3, 3903-3, 4645A-3, 6433-3, and 7910-3 previously owned by Burnette C Sawyer are now listed under yourself and I have updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Water Rights/Permits, 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 rights/permits will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

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

enclosures

RECEIVED

MAR 04 2024

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

MAR 04 2024

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

Ck#

6991

Rec't#

No.

456-3

Date:

2-29-24

I/We request that Water Right No. 456-3

formerly owned by: Burnette C Sawyer, Hurley SD

be transferred to: (name & address)

Shon Sawyer
45690 280th Street
Hurley, SD 57036

Telephone No.

605-351-1416

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

160 acres: SE ¼ Section 19 – T98N – R52W

I/We understand that the validity of Water Right No. 456-3 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 Shon Sawyer, the new owner, certify that the above information is true and correct.



(Signed by new owner)

NOTE: Water permits may be cancelled for non-construction 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 Agriculture and Natural Resources

Date March 4, 2024

RECEIVED OF J & S 45690 280th Street Hurley SD 57036

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>456-3</u>	\$ <u>50.00</u>
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
	\$ <u>50.00</u>

By

Eric Lundberg
Chief Engineer
EL