

1. Considered May 15, 1957
2. Name of Applicant Claude & Lucille Sherard # 457-3
3. Post Office Address Hurley, S. Dak.
4. Amount of water claimed 114 cfs
5. Source of water supply ground water
6. Water to be used for irrigation
Acres to be irrigated 80
7. Water to be diverted and used in Thurman County about
6 miles east of Hurley.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to _____
Not approved ☐
Action deferred ☐

10. Remarks:

No. 7-3

Water 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

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

1. Name of applicant Charles - Lucille - Sherard
Postoffice address Hurley, County Turner, State S. Dak.

I. If a corporation

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

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

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

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

direct labor - contract

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

(c) Treasury stock, \$ _____

- (d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Claude Sherard 3#3. Amount of water claimed 200 1/4 cubic feet per second4. Source of water supply Well5. Location of point of diversion 1/4 Sec 1, T 12 N, R 15 W

on _____ bank _____ County.

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

7. To be used for:

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

- (a) Number of acres to be irrigated
- 80
- acres.

- (b) Legal subdivisions to be irrigated
- N 1/2 SW 1/4 19-98-52

(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. 353-3

8. Estimated cost of work:

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

(b) Pumping plant, \$-2055,00

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

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

Rock, \$-----

(e) Other structures

Sprinkler System \$8000,00

Total, \$-101000,60

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-----at back face-----

material used in construction-----

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

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

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

Material-----

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work-----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 *Lincoln*

SS.

Wm. Lucille Shepard & Claude Shepard, 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

Claude Shepard

Subscribed and sworn to before me this

12th

day of

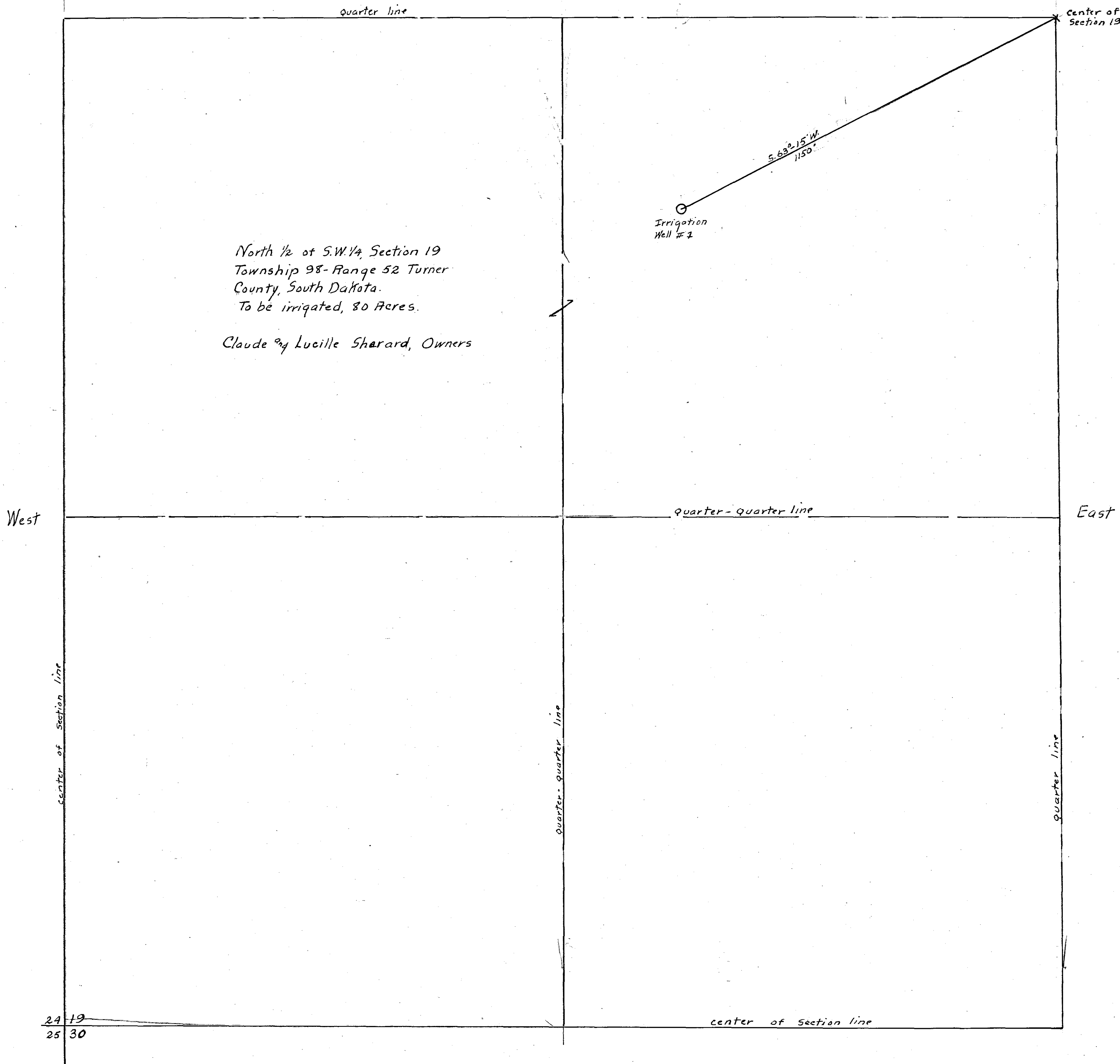
April

1957

Frank G. Breen

Notary Public (or other qualified officer.)

North



Claude & Lucille Sherard Irrigation Project #3
North 1/2 of S.W. 1/4, 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 north 1/2 of S.W. 1/4
Section 19, Township 98-Range 52, Turner County, South
Dakota and located irrigation well #1 as indicated
on the above plat.

Dated at Sioux Falls, South Dakota, April 20-1957

Ellis V. Nelson
Licensed Engineer

State of South Dakota } ss
County of Minnehaha }

On this 20th 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 within certificate and
acknowledged that he executed the same for the pur-
pose therein contained.

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

Raymond M. Linsley
Notary Public
RAYMOND M. LINSLEY
Minnehaha County, South Dakota
My commission expires June 6, 1958

Ellis V. Nelson, Civil Engineer
Sioux Falls, S. Dakota, April 57

Map No. 353-3
(App. No. 457-3)

Remarks by State Water Resources Commission:

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 a.m. upon the 13 day of April, 1957

State Water Resources Commission

By:

J. J. Bruner

Chief Engineer, Executive Officer

Number of permit 457-3

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 161

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, 1959

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 applied shall be used for the purpose of irrigation

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

6th. The amount of the appropriation herein granted shall not exceed 1.14 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before May 15, 1965; said water to be used during the following described annual period:

March 1 to November inclusive

Witness my hand this 14 day of October, 1957

State Water Resources Commission

By:

J. J. Bruner

Chief Engineer, Executive Officer

Certificate of Construction issued MAY 8, 1968

Water License issued MAY 8, 1968

9. (Continued)

III. Well Specifications

(a) Well and casing

Size of drill hole or excavation 30" Depth 52'

Type of casing Steel
(wood, concrete, steel, etc.)

Size of casing 20" Thickness of casing 14 ga

Length of casing 52 If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Dempster Mill

Size of perforated screen 20" 21'
(diameter) (length)

Thickness of gravel pack 5" length of gravel pack 38'

(c) Water Bearing Materials

Distance to water 11 Character of water bearing materials

Coarse gray sand & gravel

Thickness of water bearing material

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)

Name of pump Western Sand Pumps 8"
size

Kind of motor Electric
(gasoline, electric, diesel, etc.)

Horsepower 60 Name of Motor E. E.

(e) Complete well

Capacity 1200 at drawdown of 36' Estimated cost 2000.00

(f) Owner of land upon which well is located Claude Sherard
Name

Wurley S D
Address

(g) Distance to nearest existing wells

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

Permit No. 457-3

VERMILLION

Water Division No. 3 RIVER Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Raymond Ihnen

of Hurley, County of Turner, and State of South Dakota, the holder of Permit No. 457-3 issued upon Application No. 457-3, bearing date of priority of April 13, 1957, authorizing the diversion of 1.14 cu. ft. per second of the waters of ground water County of Turner, State of South Dakota, at a point S 63° 15' W., 1150 feet from the C $\frac{1}{4}$ 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 1.14 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: N $\frac{1}{4}$ SW $\frac{1}{4}$, 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...457-3....

WHEREAS, On the 13th day of April A. D. 1957
Claude and Lucilla Sherard
 of Hurley County of Turner and State of
South Dakota duly made application (No 457-3) to us for a permit to use 1.14
 cubic feet per second of the waters of ground water
 County of Turner, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 14th day of October A. D. 1957
 Permit No. 457-3 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 1st day of May, 1968, Permit 457-3 was transferred to
 Raymond 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 1.14
 cubic feet per second of said waters, as evidenced by our Certificate No. 457-3
 dated May 8, 1968 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 1.14 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 1.14 cubic feet per second of said water;
 for irrigating the NW 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 Raymond Ihner
of Hurley the holder and owner of said permit No. 457-3
a water right, dating from April 13, 1957 to the use of 1.14
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 63° 15' W, 1150 feet
from the center 1/4 corner, Section 19, T98N, R52W
and to, over, to and upon N 1/2 SW 1/4, 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
accepted 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 10, 1957**)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., **April 13**, 19**57**

Notice is hereby given that **Claude and Lucille Sherard** 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 **1.14** cubic feet of water per second of time from ~~the~~ **ground water** through the **Claude Sherard No. 3**, the point of diversion of which is to be located on the ~~bank of said stream~~ in the **SW** 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:

N $\frac{1}{2}$; SW $\frac{1}{4}$, Sec 19, T 98 N, R 52 W~~and for~~~~purposes.~~

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 **Mr. L. D. Hofmeister**
Hurley Leader
Hurley, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Turner } ss.

L. D. Hoffmeister 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 Owzer the printer and publisher of the said newspaper.

L. D. Hoffmeister

Subscribed and sworn to before me this

9 day of

May A. D. 1957

Notary Public

Turner

County, S. D.

APPROPRIATION OF WATER
 Office of State Water Resources
 Commission, 113

Pierre, S. Dak., April 13, 1957

Notice is hereby given that Claude and Lucille Sherard 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 1.14 cubic feet of water per second of time from ground water through the Claude Sherard No. 3, the point of diversion of which is to be located in the SW $\frac{1}{4}$ of Section 19, Twp. 98N, Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:

N $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 19, T98N, R 52W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day 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)

68-3
457-3

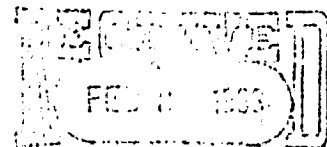
RUDOLPH & BOGUE
ATTORNEYS AT LAW
216 EAST 8TH STREET
CANTON, SOUTH DAKOTA 57013

BLAINE O. RUDOLPH
RICHARD BOGUE

February 7, 1968

AREA CODE 605
TELEPHONE 697-7693

J.W.Grimes, Chief Engineer
State Water Resources Commission
Pierre, South Dakota



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Re: Raymond Ihnen
Permit No. 457-3
Permit No. 288-3

Dear Mr. Grimes:

Mr. Ihnen is purchasing the property involved in above two water permits.

He has actually purchased an undivided one-half interest in the NW $\frac{1}{4}$ 19-98-52, Turner County and is purchasing the other one-half interest on a contract for deed.

Mr. Ihnen is also purchasing the NW $\frac{1}{4}$ of Section 19, Township 98, Range 52, on a contract for deed.

I would like to inquire what Mr. Ihnen should do in respect to the water rights and permits in connection with these pieces of property. Should these permits be transferred to his name virtue of an assignment from the persons to whom they were issued or should they be renewed in his name? I can secure assignments from the people in whose names the permits were issued if this is the proper procedure.

Mr. Ihnen's sons purchased some other property from Claude Sherard. I understand that this other property is to be surveyed in March in connection with the water rights and if this is necessary in connection with the above property Mr. Ihnen would like it done at the same time.

I would appreciate hearing from you as soon as possible. If you desire to give me a ring, feel free to do so.

Very truly yours,

~~RUDOLPH AND BOGUE~~

By: 

BLAINE O. RUDOLPH

BOR:mm

NOTICE OF TRANSFER OF WATER PERMIT

MAY 1, 1968

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

This is to notify you that

CLAUDE & LUCILLE SHERARD

who previously owned the land described below has sold his interests to

RAYMOND TURNER

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 457-3
and as provided for in section 01.0141 of the SDC of 1939 and elsewhere

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, Robert J. Hare

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

Raymond Turner

Subscribed and sworn to before me this

1st

day of

MAY

1968

Robert J. Hare
Notary Public

Permit No. 457-3
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 RAYMOND IHNEN of HURLEY
TURNER County, South Dakota, holder of Permit No. 457-3, issued
 upon Application No. 457-3, bearing date of priority of APRIL 13, 1957, authorizing the
 diversion of 1.14 cu. ft. per second of the waters of GROUND WATER for IRRIGATION
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 52' WELL WITH 6" BERKELEY
CENTRIFUGAL PUMP POWERED BY CHRYSLER
INDUSTRIAL PROPANE ENGINE, 400' OF 8", 640' OF 6"
AND 880' OF 5" PIPE WITH 2 VERMEER 180 BOOMS
(PIPE & BOOMS USED INTERCHANGEABLY WITH PERMIT 288-3)
 and the system is in the following condition: GOOD

The point of diversion is located S 63° 15' N, 1150 FEET FROM THE
Q 1/4 CORNER, SECTION 19, T98N, R52W

The works are capable of diverting and conveying to the place of use 2.00 cu. ft. per second of water,
 which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: N 25W, SECTION 19, T98N, R52W

comprising a total of 80 acres of land.

The domestic use intended comprises

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

Witness my hand, this 1st day of MAY, A. D. 1965

—SEAL—

Durston Jones
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

Water Resources Engineer
605 773-3352

March 7, 1984

NOTICE

Dear Sir:

The Water Management Board has directed that all owners of Water Permits not in compliance with the requirement:

"All Irrigation Permit owners (....shall submit the Irrigation Questionnaire mailed to them each year by the Chief Engineer."

be notified of this requirement.

Our records show we have not received the 1983 Irrigation Questionnaire for your Permit. The questionnaire was requested:

- 1) November, 1983 initial request
- 2) December, 1983 followup request

Owners of Water Permits not in compliance with the annual Irrigation Questionnaire requirement are being given until April 2, 1984 to submit the 1983 questionnaire. The Board will consider disciplinary action April 25, 1984 including amending those permits for which the 1983 questionnaire has not been received by April 2 with the following qualification:

"This Permit amended April 25, 1984 is subject to the Irrigation Questionnaire being submitted each year."

Amendment of a Permit will mean that a Permit can be suspended for up to one year for continued violation of the Irrigation Questionnaire requirement.

The hearing before the Water Management Board April 25, 1984 will be at 10:45 am, Room 216, Joe Foss Building, Pierre SD. The amendment may be made pursuant to SDCL 46-1-14.

Enclosed is an additional questionnaire. Please advise if you have any questions, or you do not believe our records are correct.

Very truly yours,

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division

enclosure

Equal Opportunity Employer

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

Joe Foss Building Water Rights Division
523 East Capitol 605 773-3352
Pierre, South Dakota 57501-3181

March 14, 1984

288-3
457-3
1664-3
4645-3

Raymond Ihnen
Box 45
Chancellor SD 57015

Dear Mr. Ihnen:

This letter will acknowledge receipt of and thank you for the return of your 1983 Irrigation Questionnaires. A notice was sent March 7, 1984 regarding the Irrigation Questionnaire submittal violation of Permit No. 4645-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation. Notice was also sent to you concerning possible Board action to amend Water Right Nos. 288-3, 457-3 and 1664-3 if the questionnaires were not received. Our records now show that you have returned your 1983 Irrigation Questionnaires and are no longer in violation.

Please disregard the notices sent to you dated March 7, 1984. Your name has been deleted from the agenda pertaining to these hearings.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:GM:ks

Equal Opportunity Employer



457-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 27, 1995

No. 288-3

457-3

1664-3

4645-3

Dennis Ihnen
27965 459th Ave.
Hurley, SD 57036

Dear Mr. Ihnen:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 288-3, 457-3, 1664-3 and 4645-3. The water rights are currently listed in the name of Raymond Ihnen.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 per transfer, a total of \$10.00.

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

If you have any questions, please contact me.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

457-3

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 457-3

Date: April 4, 1995

We request that Water Right No. 457-3

formerly owned by: Raymond Ihnen, RR #1 Box 21, Hurley, SD 57036

be transferred to: (name & address) Dennis and/or MaryKay Ihnen 27965 459th Ave

Hurley SD 57036

(Telephone No) 605-238-5646

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

N 1/4 SW 1/4 Section 19, T98N, R52W

We understand that the validity of Water Right No. 457-3 has not been determined by this transfer action. If we have any questions on validity, 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 at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Turner)

We Dennis &/or MaryKay 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 that I know of my own personal knowledge that the information herein stated is true.

Dennis Ihnen
(Signed)

MaryKay Ihnen

Subscribed and sworn to before me this 19th day of April, 1995.

Danille Liden
(Notary Public)

DANILLE LIDEN
Notary Commission Expires Nov. 7, 2002

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

414480

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre,

April 24, 19 95

RECEIVED OF Mary Kay Ilmen, 29965 459th, 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 Water Right No. 457-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Chief Engineer

John W. Hatch

457-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 12, 1995

No. 288-3
457-3
1664-3
4645-3

Dennis and Mary Kay Ihnen
27965 459th Ave.
Hurley, SD 57036

Dear Mr. and Ms. Ihnen:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 288-3, 457-3, 1664-3 and 4645-3.

Our records now show you as the owner of Water Right Nos. 288-3, 457-3, 1664-3 and 4645-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

L

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 457-3

Date: 8-28-06

I/We request that Water Right/Permit No. 457-3 formerly owned by:

Dennis Ihnen

be transferred to:

New Owner Name:

Roger Ihnen

Address:

PO Box 213

City, State, Zip

Lennox SD 57059

Telephone No. 605-647-2102

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

The North 12.82 acres in the Southwest Quarter (SW 1/4) in Section 19, Township 98 Range 52, Turner County, South Dakota comprising 12.82 acres.

☒ I understand that the validity of Water Right/Permit No. 457-3 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.

I, Roger Ihnen, the new owner, certify that the above information is true and correct.

Roger Ihnen

(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 September 1, 20 06

RECEIVED OF Roger Innen, PO Box 213, Lemmon SD 57039

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>457-3</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.

2567

By

Darlene E. Eide

Chief Engineer

gm



457-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 12, 2006

288-3
457-3
1664-3

Roger Ihnen
PO Box 213
Lennox SD 57039-0213

Dear Mr. Ihnen:

I am writing to acknowledge the ownership changes you filed for Water Right Nos. 288-3, 457-3 and 1664-3. The transfers have been completed. The water rights formerly held by Dennis and Mary Kay Ihnen are now listed in your name.

Enclosed are your Receipt Nos. 02567, 02568 and 02569 in the amounts of \$2.50 each which you paid for the filing fees. You may keep these for your records.

If you have any questions, please contact me.

Sincerely,

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

enclosures