

1. Considered: 10-7-81 1981 Water Right No. 4722-3A
2. Name of Applicant MORRIS MORTIMER
3. Post Office Address RR - HITCHCOCK, SD 57348
4. Amount of Water Claimed No ADD'L maximum acre feet
5. Source of Water Supply 75' (2 WELLS)
6. Water to be used for IRR acres to be irrigated No ADD'L
7. County BEADLE about 5 miles EAST of HITCHCOCK
8. PROOF OF PUBLICATION: Received 9-1-81 Not Received
- APPLICATION: Approved 10-7-81 Subject to WET-1 Q
- Not Approved Action Deferred

PRIORITY

Dated Received 8-6-81 Application complete-yes no FEE 150⁰⁰

Remarks Wet-1 Q

INTER
ALITY

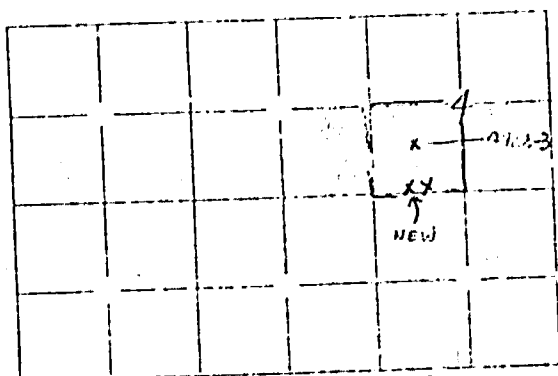
Corrected Application received 8/12/81 Period of Annual Use APRIL - OCTOBER

N/A add'l divisions within see rules - SEC has been notified

Received yes no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes no Remarks

Disapproved Returned



Diversion Point S

South boundary line of SW 4
Section 4 - T113N - R62W

Land to be irrigated

SW 4 Section 4 - T113N - R62W
lands covered under permit
4722-3

11.103

Driller Walden P. P. P. Lic. yes no

Depth 75 feet deep (2)

Remarks

Water Right No. 9 222-3A

MAP Map No. 3932-3A Map located in Water Right X Map title _____
Type of Map Aerial Prepared by SCS

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:
August 13, 1981

[Signature]
(Signed)

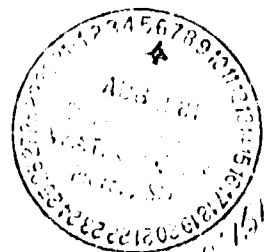
PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS
F.F. & C.
OF LAW,
FINAL
DECISIONS
ETC.
Date
Final Decision, including F.F. & C. of Law were adopted _____
Date
Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____
Remarks _____

No. 4722-3A

Map No. 3932-3A Water Division No. 3 JAMES RIVER, District

Above for Office Use 1016000.5



APPLICATION FOR PERMIT
To Appropriate Water within the State of South Dakota

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion ☒ *11*

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Morris Mortimer Phone No. 2146-2546

Post Office Address RR Hitchcock State S.D. 57348
(Street, RR. or Box) (Town) (Zip Code)

(Street, RR, or Box)

(Town)

State S.D.

57318
(Zip Code)

(Zip Code)

If a corporation show date and place of incorporation

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract

3. Name of diversion work Mortimer Irrigation

4. Amount of water claimed (cubic feet per second) Nil ADD'L

5. Source of water supply Groundwater (2 wells)

6. Location of point of diversion South end SW 1/4 4-113-102

County B. Badle

7. Annual period or periods during which water is to be used April - October

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation

9. For irrigation use, _____ Total number of acres to be irrigated 1160

Mo App'l

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

Land Description	No. Acres Irr.
N2E 1/4 05 S10N 1/4 4-113-62	40
N1W 1/4 08 S10N 1/4 4-113-62	40
E3E 1/4 05 S10N 1/4 4-113-62	40
E3W 1/4 06 S10N 1/4 4-113-62	40

[illegible]

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use _____ years.

11. Choice of count, newspaper for publication of Notice of Intent to Appropriate Water Huron Daily Plainsman

12. Principal Features of the Proposed Water Supply System.

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

Well

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

Pipeline

C. Works proposed to apply water to beneficial use.

Center River

Estimated Total Cost \$ 50,000

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

STATE OF SOUTH DAKOTA)
County of BEADLE) ss.

I, MORRIS E. MORTIMER the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed James G. Perkins.

Subscribed and sworn to before me this 5th day of March, 1981

Notary Public (or other qualified officer) _____

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4722-3A

MORRIS MORTIMER RR-HITCHCOCK
(Applicant) (Post Office Address)
SOUTH DAKOTA 57348 With the following qualifications
(State)

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

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Land covered under this Permit is also covered under Permit No. 4722-3. Combinations of diversions under the two permits shall not exceed the Statutory limit of 1 c.f.s. for each 70 acres of land to be irrigated. Priority date established under 4722-3.

Date of first receipt of application AUGUST 6, 1981
Date of return to applicant for correction, amendments or changes required AUGUST 6, 1981
Date of receipt of corrected application AUGUST 12, 1981
Approved OCTOBER 7, 1981, Recorded in Book 22 Page 302

WATER RIGHT PERMIT NO. 4722-3A

The Water Management Board hereby grants and issues this Water Right Permit No. 4722-3A authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 9, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before OCTOBER 7, 1982
3. The whole of said work is to be completed on or before OCTOBER 7, 1983
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is OCTOBER 7, 1983
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed No ADD'L cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before OCTOBER 7, 1983; said water to be used during the following described annual period: APRIL 1ST to OCTOBER 31ST

Witness my hand this 15Th day of OCTOBER, 1981

THE WATER MANAGEMENT BOARD

By John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

RIVERSIDE

IRRIGATION DRILLING CO.

ROUTE 1

HURON, SOUTH DAKOTA

PH. 377-4207

DRILLING REPORT

Location of Well: 1/4 Sec 11 Township 113 Range 62
 Well to be drilled for Wiggins Mortimer (Name) W. Wiggins (Address) SD (State)
 (County)

Date well drilling started _____ (finished) _____

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

Depth _____ ft. Casing Diameter _____ inches
 Slot Size _____ Screen Size _____
 Screen Depth: From _____ ft. to _____ ft.
 Remarks: _____

NORTH

1 Mile

REPORT OF FINAL PUMPING TEST

Write Additional Times and Readings on back of Page

Date: _____

Elapsed Time From Start of Pumping		Water Level		Discharge
0 hr.	0 min.	ft.	in.	(Static)
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	GPM
hr.	min.	ft.	in.	RECOVERY

Formation (Continued)	Depth (ft.)		Formation (Continued)	Depth (ft.)	
	From	To		From	To
Top Sand	0	2			
Yellow Clay	2	35			
Blue Clay	35	45			
Sandy	45	60			
Clay Sandy	60	65			
Coarse Sand	65	70			
Clay Sand	70	75			

Both Wells

D Well Information

- (1) Drill Hole, Diameter 30", Depth 75'
- (2) Casing, Type Stainless Steel, Diameter 16", Thickness 1/4"
(wood, concrete, steel, etc.)
- (3) Screen, Type Stainless Steel, Diameter 16", Length 15'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 75'

E Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

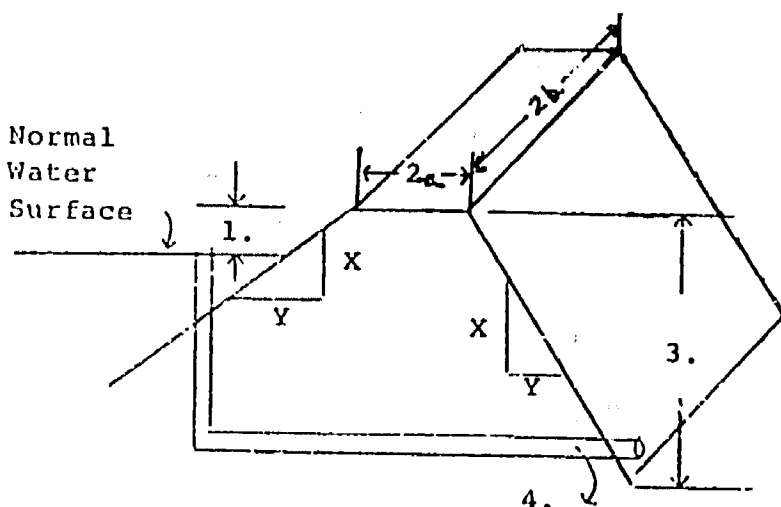
(2) Distance to nearest existing household or livestock watering well

On same owner's property _____ rds.

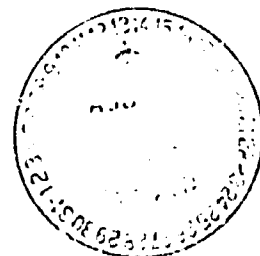
On property owned by others _____ rds.

G Water Storage Dams

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



1. Freeboard _____
- 2a Crest width _____ b length _____
3. Height of Dam _____
4. Outlet dimensions:
 - Pipe diameter _____
 - Spillway width _____
- X & Y slope:
 - Upstream _____
 - Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____



No. 4722-3A

Publish first publication, on or before August 21, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 13, 1981

Notice is hereby given that Morris Mortimer whose post office address is Hitchcock, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use no add'l cubic feet of water per second of time from groundwater Mortimer Irrigation (two wells) through the to add additional, XXX point(s) of diversion of which is (are) to be located in the XXXXXX on the south boundary line of SW 1/4

of Section 4, Twp. 113N, Range 62W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW 1/4, Section 4, T113N, R62W (lands covered under Permit No. 4722-3)

This Application No. 4722-3A will be considered by the Water Management Board at Staurolite Inn, Brookings SD upon the 7th day of October, 1981

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Morris Mortimer
RR
Hitchcock SD 57348

BETTY WESTLUND
Water Rights Specialist

WN-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Beadle) ss.

I, Linda Schlotter hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Huron Daily Plainsman

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 Huron

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

8-21-81

8-28-81

Linda Schlotter
(Signature)

bookkeeper
(Title)

8-28-81
(Date Signed)

Cost of Printing: \$11.30

F.P. 8-21-81 L.P. 8-21-81
NOTICE OF HEARING
ON APPLICATION
TO APPROPRIATE WATER
Pierre, South Dakota 57501
August 13, 1981

Notice is hereby given that
Morris Mortimer, whose post
office address is Hitchcock, South
Dakota, has made an application
in accordance with the provisions
of SDCL 46-1-1 thru 46-1-9, 46-1-14;
46-2-1 thru 46-2-13; 46-5-1
thru 46-5-8; 46-5-10 thru 46-5-21, 46-
5-41; 46-6-3, 46-6-5, 46-6-5.1, 46-6-6, 1,
46-6-10, 46-6-14 and Board Rules
ARSD 52:01:01 thru 52:01:11; 13,
for a permit to appropriate for
beneficial use an additional cubic feet of
water per second of time from
groundwater (two wells) through
the Mortimer Irrigation to add
additional points of diversion on an
existing permit of which are to be
located on the south boundary line
of SW 1/4 of Section 4, Twp. 113N,
Range 61W. Said water to be used
for the purpose of providing
irrigation on portions of the
following described land:

SW 1/4, Section 4, T113N, R61W
(lands covered under Permit 113,
4722-31)

This Application No. 4722-3A will
be considered by the Water
Management Board at Slaughter
inn, Brookings, SD, upon the 21st
day of October, 1981, at 10 A.M.
The Board is authorized to make a
determination on this application
at the hearing. All interested
persons may appear and be heard.
Any person who may be affected
by a Board decision who desires to
present evidence or cross-examine
witnesses according to SDCL 1-24
may notify the Board in writing
prior to the hearing or orally at the
hearing.

This hearing is an adversary
proceeding. Any person has the
right to be present or to be rep-
resented by a lawyer. These and
other due process rights will be
forfeited if they are not exercised
at the hearing. Decisions of the
Board may be appealed to the
Courts as provided by law.

Any handicapped person wishing
to attend this hearing can contact
the Water Rights Division, DWR, at
Joe Foss Building, Pierre SD,
prior to the hearing date for
assistance to assure access to the
hearing.

Water Management Board
Betsy Wustlund
Water Rights Specialist
Nc. 411 (adv.)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8421

PIERRE, August 13, 1901

RECEIVED OF Morris Montinen, Mitchell SD 57308

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

Fee for Application for Permit to Appropriate Water No. 4722-3A (examination, processing, recording and filing)	150	00
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		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

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

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

July 27, 1982

Jack Heimbuch
RR, Box 124
Hitchcock SD 57348

Dear Mr. Heimbuch:

Enclosed are receipt Nos. 8915 thru 8920 in the amount of \$2.50 each which you paid for the transfer of Water Permit Nos. 1608-3, 4722-3, 4722-3A, 4723-3, 4723-3A, 4794-3.

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

Sincerely,

KAREN SCHLAAK
Administrative Secretary

enclosures

NO. 4722 3A

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: July 27, 1982

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

SW $\frac{1}{4}$ Section 4, T113N, R62W

formerly owned by Morris Mortimer

has been transferred to Jack Heimbuch, RR Box 124, Hitchcock

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 4722-3A as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Hughes) ss.

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

Jack Heimbuch
(Signed)

Subscribed and sworn to before me this 27th Day of July, 1982.

Garry Young
(Notary Public)
Water Rights Specialist

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8917

PIERRE, July 27, 1983

RECEIVED OF Heimbuch Farms, Hitchcock SD 57548
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 <u>Permit No. 4722-3A transfer</u>	2	0
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 (ks)



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

March 22, 1983

4722-3, 4722-3A, 4723-3, 4723-3A
Jack Heimbuch
RR Box 124
Hitchcock SD 57348

Dear Sir: 4722-3, 4722-3A

Water Permit No. 4723-3, 4723-3A was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

File No.
4722-3
4722-3A
4723-3A
4723-3
4724-3

WATER RIGHTS DIVISION
Conversation or File Documentation

NAME OF PERSON OR FILE: Jack Heimbuch

ADDRESS: RR#1 Box 124 Hitchcock
COUNTY: Beadle

DATE: 7-8-86

TELEPHONE:

RE: Suspended W.R. & Transfer

COMMENT:

Inspection of Jack Heimbuch's suspended water rights was done at 12:30 P.M., 7-2-86. At this time none of the land on the permits mentioned above were being irrigated. Upon further investigation it was discovered that Mr. Heimbuch's land had been sold to Larry Lovett and Thomas H. Tobin. It is also believed that Mr. Lovett and Mr. Tobin are irrigating the land.

NAME:

Michael Jensen

Improper notice - permits not suspended.

1608-3 - Jack Heimbuch is also owned by Lovett & Tobin



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

WATER RIGHTS DIVISION
(605) 773-3352

1608-3
4722-3
4722-3A
4723-3
4723-3A
4794-3

July 31, 1986

Thomas Tobin, Attorney
P.O. Box 1456
Aberdeen, South Dakota 57401

Dear Mr. Tobin:

Please find enclosed copies of a Notice of Transfer of Water Permit form. These forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 for each, total of \$15.00.

Upon receipt of the enclosed forms and the \$2.50 filing fee for each, total of \$15.00 the permits will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms,
Enc.6

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 2, 1986

Jack Helmbuch
RR 1, Box 124
Hitchcock, SD 57348

NOTICE

Re: Violation of Water Permit No(s). 4723-3 A, 4722-3
A, 4723-3, 1608-3, 4794-3, and 4722-3 and 1985 Irrigation Questionnaire
Requirements.

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 4723-3 A, 4722-3 A, 4723-3, 1608-3, 4794-3, and 4722-3. The request for the questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board of violation of Water Permit No(s). 4723-3 A, 4722-3 A, 4723-3, 1608-3, 4794-3, and 4722-3 qualification:

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

The hearing will also be to determine if Permit No(s). 4723-3 A, 4722-3 A, 4723-3, 4794-3, and 4722-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:00 p.m., May 14, 1986, in Room 216, Joe Foss Building, Pierre, South Dakota.

The hearing(s) 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:

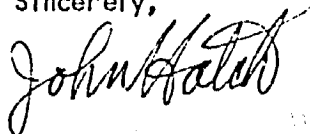
1. Suspend Permit No(s). 4723-3 A, 4722-3 A, 4723-3, 1608-3, 4794-3, and 4722-3 until either the 1985 Questionnaire is submitted or for the period of up to one year;

Jack Helmbuch
April 2, 1986
Page 2

2. Amend Permits No(s). 4723-3 A, 4722-3 A, 4723-3, 4794-3, and 4722-3 also held by Jack Helmbuch to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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

Sincerely,



John Hatch - Chief Engineer
Water Rights Division
(605) 773-3352

Note: If the questionnaire(s) are received in this office before the May 14th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

032 :03KS.WR



Department of Water & Natural Resources

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

May 16, 1986

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Jack Heimbuch
RR 1 Box 124
Hitchcock SD 57348

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

John Hatch
by Del Briz

SUBJECT: One Year Suspension of Water Permit No(s). 4722-3,
4722-3A, 4723-3, 4723-3A, 4794-3 If the 1985
Irrigation Questionnaire Is Not Received By
June 1, 1986

Pursuant to the provisions of the notice dated April 2, 1986 and following the Hearing May 14, 1986, the Water Management Board ordered:

That Water Permit No(s). 4722-3, 4722-3A, 4723-3, 4723-3A, 4794-3 be suspended until December 31, 1986, unless the required 1985 Irrigation Water Use Questionnaire is received by June 1, 1986.

Suspension of a permit means water may not be pumped during the 1986 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

Equal Opportunity Employer

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: August 19, 1986

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

SW 1/4 Section 4, T113N-R62W

formerly owned by Jack Heimbuch, RR#1, Box 124, Hitchcock, SD

has been transferred to Thomas M. Tobin and Larry Lowert 1208 Apollo Ave., Aberdeen SD
(please include complete mailing address) 57401
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4722-3A as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Brown) ss.

I, Thomas M. Tobin 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.

Thomas Tobin
(Signed)

Subscribed and sworn to before me this 19th Day of August, 1986.

Jim Schweitzer
(Notary Public)
3-20-86



RECEIPT

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

410530

Pierre, August 20, 1976

RECEIVED OF Thomas Jobin, 1208 Apollo Ave., Aberdeen, SD 57401

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

Fee for Application for Permit No. <u> </u> to Appropriate Water, to construct works and to put water to beneficial use <u> </u>	
Fee for Application for Permit No. <u> </u> to Appropriate Water for Future Use <u> </u>	
Fee to retain Future Use Permit No. <u> </u> after period of seven years.	
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u> </u>	
Fee for Filing Transfer Form <u>4722-3 A</u>	2 50
Fee for Filing Extension Request <u> </u>	
Fee for Certified Copy of <u> </u>	
Fee for Print Copy of Map <u> </u>	
Fee for Certifying <u> </u>	
Fee for <u> </u>	
(Any Other Work Provided by Law)	
Total	2 50

By John Hatch
Chief Engineer

JOHN HATCH/MS



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

1608-3
4722-3
4723-3
4723-3A
4794-3
4722-3A

August 21, 1986

Thomas M. Tobin
1208 Apollo Avenue
Aberdeen, South Dakota 57401

Dear Mr. Tobin:

Enclosed are receipt Nos. 410525, 410526, 410527, 410528, 410529 and 410530 in the amount of \$2.50 each total of \$15.00 which you paid for transfer of Water Right Nos. 1608-3, 4722-3, 4723-3, 4723-3A, 4794-3 and 4722-3A.

Our records now show Thomas M. Tobin and Larry Lovett as the owners of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.6

Equal Opportunity Employer