

1. Considered: April 7, 19 82 Water Right No. 4879-3
2. Name of Applicant J. C. Mikkelsen
3. Post Office Address 111 Lillian Drive, Mankato, MN 56001
4. Amount of Water Claimed 2.0 maximum acre feet
5. Source of Water Supply 38' well
6. Water to be used for IRR acres to be irrigated 156
7. County Moody about 45 miles of ELKTON
8. PROOF OF PUBLICATION: Received W 4-2-82 Not Received
- APPLICATION: Approved Subject to
- Not Approved Action Deferred

PRIORITY Dated Received 2/26/82 Application complete-yes x no FEE 250.00

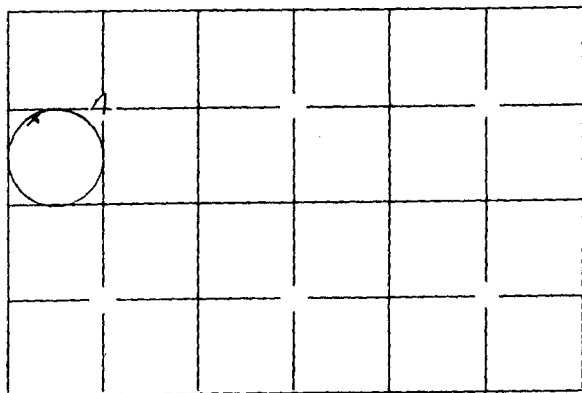
Remarks

Corrected Application received Period of Annual Use April thru Oct.

WATER QUALITY Received yes no APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application-yes no Remarks

Disapproved Returned



Diversion Point

NW 1/4 SW 1/4, Sec. 4-108-47

Land to be irrigated

SW 1/4, Sec. 4-108-47

Driller Grimshaw Drilling Licensed - yes xx no

Depth 38' well

Remarks

MAP Map No. 4081-3 Map located in Water Right x Map file _____
Type of Map Aerial Prepared by Wiersma

+++++

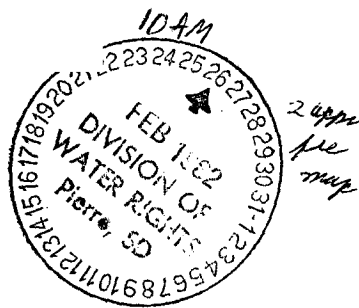
REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:
3/12/82

Billy Wiersma
(signed)

+++++

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

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

No. 4877-3Map No. 4080-3 Water Division No. 3 BIG SIOUX RIVER DistrictAbove for Office Use 10170203

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 _____

Change in Acreage _____ Additional Acreage _____

RFD#1 Box 91

Elkton, SD 57026

1. Name of Applicant J. C. Mikkelson Phone No. 507-388-8219
 Post Office Address Box 277, Elkton, South Dakota State SD 56001 57026
 (Street, RR, or Box) (Town) (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 & Direct Labor3. Name of diversion work J. C. Mikkelson Irrigation Project #14. Amount of water claimed (cubic feet per second) 2.05. Source of water supply Well6. Location of point of diversion 2640' N18° E of SW corner Sec 4-108-47

NW 4 SW 4

County Moody7. Annual period or periods during which water is to be used April through Oct8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 156

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.
NW 4 of SW 4 Sec 4-108-47	39
NE 4 of SW 4 Sec 4-108-47	40
SW 4 of SW 4 Sec 4-108-47	38
SE 4 of SW 4 Sec 4-108-47	39

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 3 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Moody Co. Enterprise

12. Principal Features of the Proposed Water Supply System.

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

Well with deepwell turbine pump

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

Buried closed conduit

C. Works proposed to apply water to beneficial use.

Center pivot irrigation machineEstimated Total Cost \$ 56,000

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 Brookings) ss.

I, J. C. Mikkelson 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 J. C. MikkelsonSubscribed and sworn to before me this 24 day of Feb, 1982

Notary Public (or other qualified officer)

4876-3

~~---Elkton Drive, Newark---~~

(Post Office Address)

With the following qualifications,

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

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

FEBRUARY 26 1982

FEBRUARY 26, 1982

MARCH 16, 1982

APRIL 7, 1982, Recorded in Book _____ Page _____

4877-3

4877-3

- FEBRUARY 26, 1982

- OCTOBER 7, 1984

- APRIL 7, 1987

- APRIL 7, 1990

- ## IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 2.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for 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

APRIL 7, 1990; said water to be used during the following described

APRIL THRU OCTOBER

13TH day of APRIL, 1982

THE WATER MANAGEMENT BOARD

By:

19_____

19_____

D. Well Information

- (1) Drill Hole, Diameter 20", Depth 29'
- (2) Casing, Type PVC, Diameter 14", Thickness 3/8"
(wood, concrete, steel, etc.)
- (3) Screen, Type Cont slot, Diameter 14", Length 10'
- (4) Gravel Pack, Thickness 3", Length of gravel pack 22'

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 18'

Depth to bottom of water bearing material 38'

Depth to water (ground surface to water level) 18'

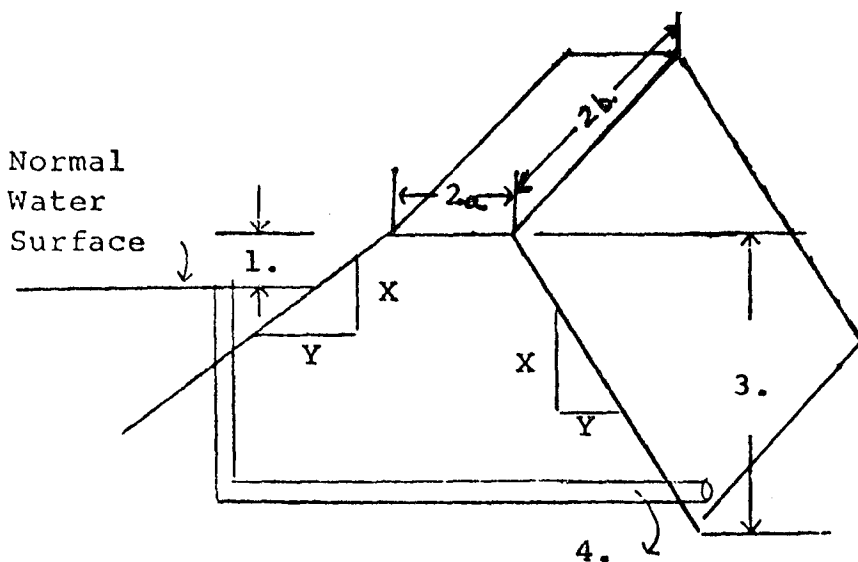
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 160 rds.

On property owned by others 95 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 _____

J. B. Zickel
Signature of Applicant

6/63

Date _____

Signed By _____ Date _____

GRIMSHAW DRILLING CO.

P.O. BOX 81
CHESTER, S.D. 57016

LARRY WOLD
(605) 489-2182

DRILLING
LOG

JAY VAN LIERE
(605) 489-2427

Name JENS Mikkelsen Date 2-17-82

Address 111 Lillian DR., Monks, MN 56001

County Moody ^{SW 1/4} Sec. 4 Twp. 108 Range 47

NO. FT.	DIA.	RATE	CASING	TOTAL
60'	4 1/4"	4.00	—	\$240.00
	1 1/2% EXCISE TAX			3.60

BALANCE DUE: \$243.60

#2 / 0 ft. to 3 ft. Topsoil
3 ft. to 18 ft. Dry Brown Sand
18 ft. to 38 ft. Medium Brown Sand (w.B)
38 ft. to 48 ft. Finer Brown sand w/some clay
48 ft. to 60 ft. Brown + Grey Clay

[1000' NNW of middle]

ft. to ft.

ft. to ft.

STATIC WATER LEVEL 18 ft. Larry M. Wold
DRILLER

REMARKS:

SOIL/WATER COMPATIBILITY APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: J. C. Mikkelsen OWNERS ADDRESS: 111 Lillian Drive
COUNTY LAND LOCATED IN: Moody ⁵⁰⁷ PHONE: 388-8219 Mankato Minn
TENANT'S NAME AND ADDRESS: (If Other Than Owner) 56001

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: NE 1/4 NW 1/4 of SW 1/4 Sec 4 - 108 - 47
2. SURFACE WATER SOURCE —
3. LOCATION OF AREA TO BE IRRIGATED: SW 1/4 Sec 4 - 108 - 48
4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show approximate acres under each type of system)

5. GRAVITY — TOWLINE — CENTER PIVOT X GUN — OTHER (Specify) —
6. CROPS TO BE IRRIGATED corn, alfalfa, beans
7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: —
LAND: —
IN WHAT NAME: —

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

8. SAMPLE NUMBER: 82-0375
9. SALINITY (EC X 10⁶) 650
10. SODIUM (SAR) 0.76 ADJUSTED (SAR) 1.80

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at 3 A.M. on FEB 17, 1982, at the following location: Location of test hole
by D. W. Nelson (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

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

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
24 DAY OF Feb, 1982

John E. Nelson
(NOTARY PUBLIC)

J. C. Mikkelsen
APPLICANT'S SIGNATURE

Jack M. Nelson
Director, Division of Conservation

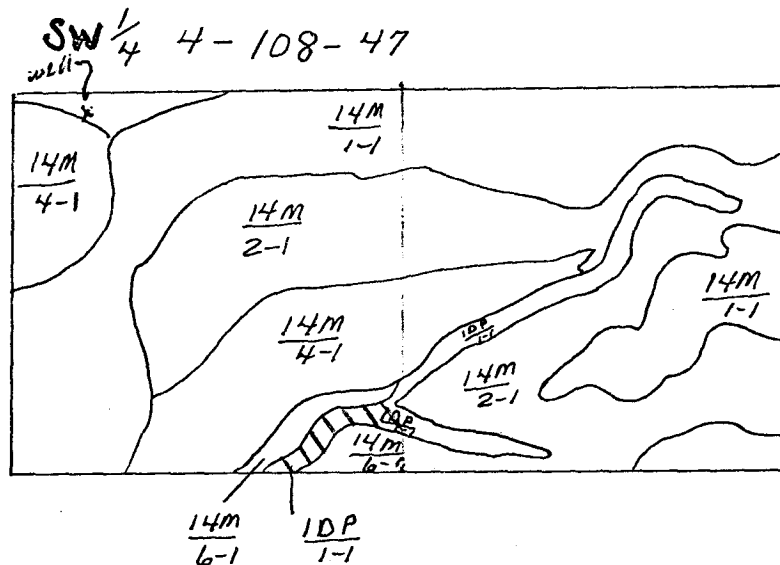
X APPROVED
— DISAPPROVED
— CONDITIONALLY APPROVED

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

Symbol	Capability Unit	Description
$\frac{14M}{1-1}$ 2-1	IIIs3	Moderately deep, well drained soils with 20 to 40 inches of loamy material over sand and gravel on nearly level (0 to 2%) upland slopes. Sandy and gravelly subsoils and substrata limit water storage capacity and rooting depths.
$\frac{14M}{4-1}$ 6-1	IIIs2	Moderately deep, well drained soils with 20 to 30 inches of loamy material over gravel and sand on gently undulating (2 to 6%) slopes. These soils have limited water storage capacity and moderate water erosion hazard.
$\frac{1DP}{1-1}$	II	Deep, loamy, well and moderately well drained soils on bottom lands that sometimes receive beneficial overflow. They have few or no limitations in use.



Preliminary Information Subject to Change - A Standard Soil Survey for Moody County has been started. This section will be surveyed in the spring of 1982.

March 11, 1982

Jens C. Mikkelsen
111 Lillian Dr.
Mankato, MN 56001

Dear Mr. Mikkelsen:

Enclosed is your copy of the laboratory report of analysis for water sample No. 82-0375.

I have plotted the approximate quality of your water by means of a red cross in the chart located on the back cover of the accompanying AES pamphlet #13.

Sample No. 82-0375 is classified as a medium saline, low sodium water. It is suitable as a source for irrigation.

Calcium-bicarbonate and magnesium-bicarbonate are the dominant salts dissolved in this water sample.

All of the soil series found within the SW 1/4 of Section 4-108-47 are compatible with the quality of your water. However, the bottom lands marked with the symbol 1DP/1-1 may pond under irrigation. Persistent wet spots in this area should be maintained in grass or a grass/alfalfa mixture.

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

Sincerely yours,

Michael H. Sanders
Water Quality Lab
Division of Conservation

MHS:ckb
Enclosures
cc: Division of Conservation
D. Pahl, Extension Service
Division of Water Rights



PORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57007

Name:	Jens Mikkelsen	Date Rec'd	Feb 19, 1982
Address	111 Lillian Dr.	Sample No.	82-0375
	Mankato, Mn	Identification	Well
	56001	0108 047 04	c

WATER ANALYSIS

Calcium (Ca)	96	ppm*	4.79	me/l**
Magnesium (Mg)	29	ppm	2.38	me/l
Sodium (Na)	33	ppm	1.43	me/l
Potassium (K)	1	ppm	0.03	me/l
Sulfate (SO4)	33	ppm	0.69	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	118	ppm	3.33	me/l
Bicarbonate (HCO3)	298	ppm	4.88	me/l
Carbonate (CO3)		ppm		me/l
Iron (Fe)		ppm		me/l
Flouride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	0.06	ppm		
Hardness (EDTA asCaCO3)		ppm		g.p.g.***
Total solids		ppm		
Total Cations			8.64	me/l
Total Anions			8.89	me/l
Alkalinity (Methyl Orange)	244	ppm(as CaCO3)		
Alkalinity (Phenolphthalein)		ppm(as CaCO3)		
Electrical Conductivity	650	micromhos per cm at 25 C		
Sodium Adsorption Ratio	0.76	Adjusted SAR	1.80	
Sodium	16.61	% of Cations		
Residual sodium carbonate	0.00	me/l		
pH	7.40			

Others:

*ppm=parts per million

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

**me/l=millequivalents per liter

COMMENTS

By: Shirley Mittan

Service Performed:

Total Cost: \$ 28.00

Irrigation Analysis

Amount Received: 0.00

Balance Due: 28.00

Make checks payable to: "SDSU Water Quality Lab"

Please write lab number on your check!

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8736

PIERRE, February 16, 1902

RECEIVED OF J. C. Nicksen, 111 Lillian Dr., Mankato, MN 56001
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 4877-3 (examination, processing, recording and filing) -----	250	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	250	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH ms

Publish first publication, on or before March 24, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 15, 1982Notice is hereby given J.C. Mikkelsen whose post office

address is 111 Lillian Drive, Mankato, Minnesota, ~~South Dakota~~ has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 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, 46-5-25, 46-5-41 (ground) 46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38; (transfer lands) 46-5-33 thru 46-5-35 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (future use) 74:02:01:23 thru 74:02:01:26 (10,000 AFA) 74:02:07:01 thru 74:02:07:03, for a permit to appropriate for beneficial use

2.0 cubic feet of water per second of time from groundwater (one well) through the J.C. Mikkelsen Irrigation Project #1, the point ~~(s)~~ of diversion which is ~~(are)~~ to be located in the NW 1/4 SW 1/4

of Section 4, Twp. 108N, Range 47W. Said water to be used for purpose of providing irrigation on portions of the following described land:

SW 1/4, Section 4, T108N, R47W

This Application No. 4877-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Bldg. Church & Illinois, Pierre SD, upon the 7th day of April, 1982.

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 Circuit Court and the State Supreme Court as provided by law.

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

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806-2/82

No. 4877-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Moody) ss.

I, Angela Nibbelink, Bookkeeper hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Moody County Enterprise

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 Flandreau

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

March 24, 1982

March 31, 1982

Angela Nibbelink
(Signature)

Bookkeeper
(Title)

March 31, 1982
(Date Signed)

Cost of Printing: 17.26

NOTICE OF HEARING ON APPLICATION
TO APPROPRIATE WATER

Notice is hereby given J.C. Mikkelsen whose post office address is 111 Lillian Drive, Mankato, Minnesota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 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, 46-5-25, 46-5-41; 46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from ground-water (one well) through the J.C. Mikkelsen Irrigation Project No. 1 the point of diversion which is to be located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Twp. 108N, Range 47W. Said water to be used for purpose of providing irrigation on portions of the following described land: SW $\frac{1}{4}$, Section 4 T108N, R47W.

This Application No. 4877-3 will be considered by the Water Management Board at Meeting Room No. 1, Kneip Bldg. Church & Illinois, Pierre, SD upon the 7th day of April, 1982 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 Circuit Court and the State Supreme Court as provided by law.

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

For the Water Management Board
Betty, Westlund, Water Rights Specialist
(March 24 & 31, 1982)



3-13-82

Dear Sir:

In regards to the irrigation permit that Mr. Mickelson is applying for in the SW⁴-4-108-47.

Are you sure there is enough water in this area for another irrigation system on the line that borders my farm?

Sincerely,
Wayne Beers





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

March 22, 1983

4877-3
J C Mikkelsen
111 Lillian Dr
Mankota MN 56001

Dear Sir:

Water Permit No. 4877-3 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,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure



Department of Water & Natural Resources

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

February 21, 1989

2695-3
4877-3

Dave Gullickson
Farmers Implement & Irrigation
Box 29
Brookings, SD 57006

Dear Mr. Gullickson:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Permit Nos. 2695-3 and 4877-3. The forms should be completed and sign in the presence of a notary public by the new owners. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

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 us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosures



SOUTH Dakota Department of
Water & Natural Resources

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

January 29, 1990

4877-3

Larry & Carol Olson
7916 W 116th Terrace
Overland Park, KS 66210

Dear Mr. & Mrs. Olson:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Permit No. 4877-3. The water permit is currently listed in the name of J C Mikkelsen. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50.

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,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NOTICE OF TRANSFER OF OWNERSHIP



4877-3

TO: Chief Engineer
Water Rights Division, DWNR
523 East Capitol
Pierre, SD 57501-3181

Date: _____

I/We request that Water Permit/Right No. 4877-3

formerly owned by: J C Mikkelsen

be transferred to: (name & address) LARRY O. & CAROL J. OLSON
7916 W. 116th terrace, OVERLAND PARK, KS 66210 (telephone No.) 913-345-2581

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

156 acres - SW 1/4 Section 4, T108N, R47W

I/We understand that the validity of Water Permit/Right No. 4877-3 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 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.

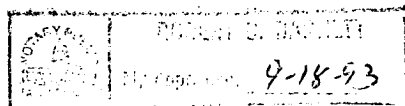
STATE OF SOUTH DAKOTA)

County of _____)

I/We Carol J. & Larry O. Olson 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.

Carol J. Olson
Larry O. Olson
(Signed)

Subscribed and sworn to before me this 1 day of FEB, 19 90.



Robert C. Bennett
(Notary Public)

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 water 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 Water & Natural Resources

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

February 12, 1990

No. 4877-3

Larry O & Carol J Olson
7916 W 116th Terrace
Overland Park KS 66210

Dear Mr. & Mrs. Olson:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 4877-3.

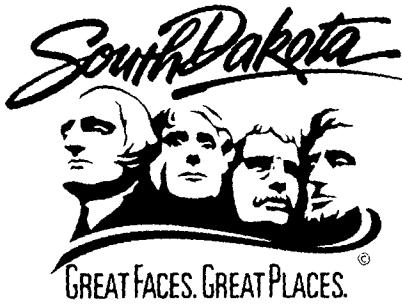
Our records now show you as the owners of this Water Permit.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

KAREN SCHLAACK
Senior Secretary
Water Rights Division
605 773-3352

enclosure



August 28, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Larry Olson
4505 Magnolia Ave South
Sioux Falls SD 57103

Dear Mr. Olson:

I am writing in response to our phone conversation on August 27, 1996, concerning licensing of Water Permit Nos. 4877-3 and 5558-3. Licensing of the permits is the final step in obtaining a water right. Thank you taking some time to go over these permits with me.

As we discussed, the time to complete construction of works authorized by Permit No. 5558-3 will expire on October 1, 1996. You indicated that the permit was not developed, but you were planning on putting a pivot on the property (SE $\frac{1}{4}$ section 4-T108N-R47W) this fall after the corn is harvested. However, since the work needs to be completed prior to this October 1, it will be necessary to apply for an extension of time to complete the project. An application for an extension of time needs to be based on delays caused by physical or engineering difficulties, operation of law, or other exigent circumstances identified by the Water Management Board. In your case, you indicated the work was not completed due to several wet years and problems with drainage on portions of the property. I have enclosed a draft application for your review and, as you requested, I am also sending the partially-completed application to Dave Gullickson with Farmers Implement and Irrigation. I also included on the application a provision to change the location of the well from the proposed location on No. 5558-3 to the existing well specified on No. 4877-3. During our discussion you noted that you were no longer planning on constructing a new well.

I enclosed a set of blank applications with the copy sent to Mr. Gullickson in case you decide that changes are needed in the draft application. Essentially, you only need to complete question No. 8, sign and notarize the draft application, and return it with a \$50.00 application fee. **This needs to be completed prior to October 1, 1996.** I will prepare a map to be used with your application.

Finally, I also need to know the pump rate from your existing well. You believed that Mr. Gullickson would be able to provide this information. If you have any questions, please let me know at (605) 773-3352. Thank you again for your assistance.

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosures

c: Dave Gullickson



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 10, 1998

Permit No. 5558A-3

Larry Olson
4505 Magnolia
Sioux Falls, SD 57104

Dear Mr. Olson:

The investigation of your water use system was conducted on August 11, 1998, by Mark D. Rath, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 4877-3, 5558-3 and 5558A-3. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit Nos. 4877-3 and 5558-3 will be incorporated into 5558A-3.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

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

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, February 7, 19 50

RECEIVED OF Larry O & Carol J. Olson, 7916 W 116th Terrace, Overland Park, KS 66210

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Permit No. 1377-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By [Signature]
Chief Engineer