

WATER PERMIT NO. 6302-3

Name of Applicant: Richard Lind

Address: 30720 University Rd, Vermillion SD 57069

Phone: 605 253-2546

Amount of Water Claimed: 0.34 add'l cfs

Total Acres: 80

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Clay

Type of Waste Disposal System:

Location: 10 miles north of Vermillion

PRIORITY Date Received: 1-31-2002

Fee: \$225

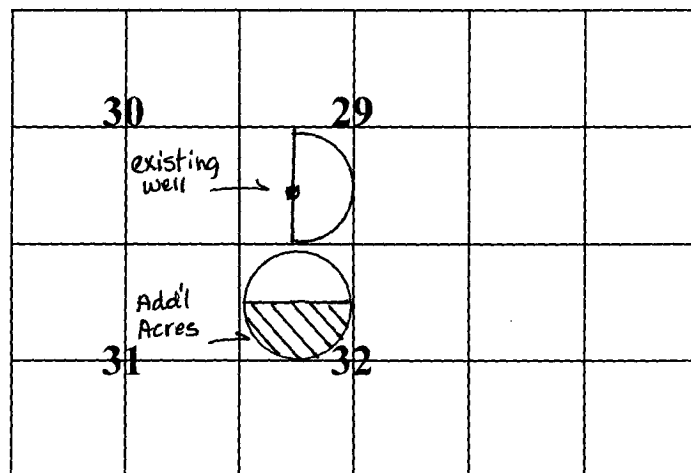
Corrected Application Received: 2-21-2002

Period of Annual Use: April 1 – September 30

Remarks: using existing well authorized by Water Right No. 3197-3 to irrigate 80 add'l acres

Diversion Point: center SW ¼ Sec 29-T94N-R51W

Land to be Irrigated: S ½ NW ¼ Sec 29-
T94N-R51W



Depth of Well: 104

Well Driller: : Schimelfenig Well Drilling

Remarks:

Type of Map: aerial

Prepared by: Mary White, Clay County FSA

Reviewed and the Number Assigned on: 2-21-2002

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 6302-3

Date of first receipt of application January 31, 2002.

Date of return to applicant for corrections, amendments or changes February 1, 2002.

Date of receipt of corrected application February 21, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6302-3 to Richard Lind, 30720 University Road, Vermillion SD 57069 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6302-3 appropriates 0.34 cubic feet of water per second (cfs) from one existing well (Lower-Vermillion:Missouri Aquifer) 104 feet deep located the center of the SW ¼ Section 29 to irrigate 80 acres located in the S ½ NW ¼ Section 32; all in T94N-R51W. Currently, Water Right No. 3197-3 appropriates 1.44 cfs from this well to irrigate the E ½ SW ¼ Section 29 and the N ½ NW ¼ Section 32, T94N-R51W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is January 31, 2002.
4. The date of approval of Permit No. 6302-3 is April 22, 2002.
5. One-fifth of the construction is to be completed on or before October 22, 2004.
6. All construction is to be completed on or before April 22, 2007.
7. Water is to be put to beneficial use on or before April 22, 2011.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

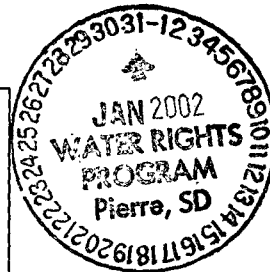
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 31 2002

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>6302-3</u>	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	
	Newspaper <u>Plain Talk</u>	<u>Vermillion SD 57069</u>



Application For Permit To Appropriate Water For Irrigation

Type of Application: New Vested Right ☒ Amendment/Correction to Permit No. 3197-3
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)
S 1/2 NW 1/4 Section 32 T94N-R51W

- Name of Applicant Richard Lind Phone 605 253 2546
(check one) Owner Tenant/lessee
Mailing Address 30720 University RD, Vermillion State S. Dak 57069
(Street, RR, or Box and City) (Zip Code)
0.34 cfs (add'l)
- Amount of water claimed 1.78*CFS or 500 **GPM ***AF Total Acreage 80
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply original well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) well is located in center of SW 1/4 Section 32 T94N-R51W County Clay
- County or counties where water will be used Clay
- Annual period during which water is to be used April - September 30
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
S 1/2 SW 1/4 NW 1/4	40		
N 1/2 SE 1/4 NW 1/4	40		
Sec 32 T94N-R51W			

8. Give a description of the project. (Attach sheet if more space is needed)
We moved pivot point south east, pivoted water to new pivot pad and can run irrigator in complete circle.

STATE OF SOUTH DAKOTA) SS
County of Clay

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Richard Lind, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Richard Lind
Subscribed and sworn to before me this 24 day of Jan 20 02

MARY WHITE

NOTARY PUBLIC
SOUTH DAKOTA

Mary White
Notary Public signature

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: E 1/4 SW 1/4 corner Section 29 Township 7-94 Range 51
 Well owner Richard Lind RR Vermillion
 Date well drilling completed May Purpose of well Irrigation
(Name) (Address) (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer
2	fat top soil	36 ft.
34	yellow clay	Depth to static water level 72 ft.
18	Blue clay	Name of producing aquifer (if known)
50	sand gravel	Total depth of drill hole 104 ft.
		Depth to bottom of casing 86 ft.
		Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
		86' Extra Heavy Steel casing
		12"
		20' length
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
		20' SS Steel Extra Heavy Screen
		Johnson
		12" diameter
		If a flowing well, flow of completed well 2000 G.P.M.

Attach sheet if more space is needed

Schmelfenig Well Drilling
Name of Drilling Contractor

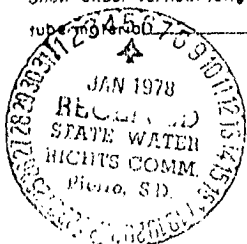
(2) PUMP INSTALLATION

Company name and size of pump _____ HP
 Type of pump _____ Capacity of installed pump _____ G.P.M.
 Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

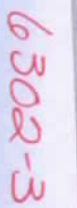
On some wells an air-tight water surface measuring tube is required: See Section 46.400 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed, _____ ft., tube diameter _____



Robert Reiners 647-2316
Name of Pump Installation Contractor
Vermillion S.D. 57039

GLAY COUNTY FBA
121 W Kidder St, #102
Vermillion, SD 57069-3033



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

REC 417088

Pierre, February 21, 2002

RECEIVED OF Richard Lind, Route 1 Box 236, Vermillion, SD 57069-9738
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6302-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6302-3</u> _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	275 00

By Darland E. White
Chief Engineer *gm*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 15, 2001

Richard Lind
30720 University Rd
Vermillion SD 57069-6504

Dear Mr. Lind:

Thank you for returning your 2001 Irrigation Questionnaire. From the additional acreage amounts wrote in on the forms, it appears that you may be irrigating more acres than you have permitted.

Water Right No. 3197-3 authorizes 1.44 cubic feet of water per second (cfs) from a well located in the center of the SW $\frac{1}{4}$ Section 29 to irrigate 140 acres located in the E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 29 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32; all in T94N-R51W. The questionnaire indicated irrigation of an additional 75 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32.

Water Permit No. 6033-3 authorizes 1.78 cfs from a well located in the center of SE $\frac{1}{4}$ Section 30 to irrigate 80 acres located in the E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 30; all T94N-R51W. The questionnaire indicated irrigation of an additional 80 acres in the SE $\frac{1}{4}$ Section 30.

On the enclosed copies of the aerial photos, I have outlined the lands you are permitted to irrigate. If more land is being irrigated, separate applications will need to be filed to include those lands. Enclosed are application forms and an instruction sheet.

If you have any questions or need help completing the application forms, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

2001 Water Management Board Irrigation Questionnaire

Please fill out and return before December 1, 2001

No. 3197-3

RICHARD LIND
30720 UNIVERSITY RD
VERMILLION SD 57069 6504

Any address corrections?

Telephone No. 605-253-2546

Return the completed form to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352

1. Is the system constructed? *yes ☒ no ☐

*Type of system used (check all that apply):

center pivots ☒ towlines ☐ big gun ☐
flood ☐ sprinklers ☐ other ☐

2. Did you irrigate in 2001? *yes ☒ **no ☐

*If yes, number of acres irrigated 220

**If no, list reason(s) in comment section:

Comment Section

3. Is land enrolled in CRP? *yes ☐ no ☒

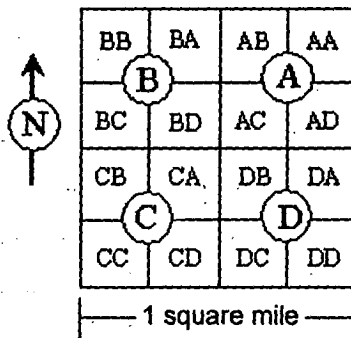
*If yes, through what year?

4. Did you apply chemicals or fertilizer through the system in 2001? yes ☐ no ☒

5. If permitted for more than one water source, circle each source used. 1: GROUNDWATER

2:

3:



Office use only



Acreage permitted for irrigation under No. 3197-3

(see above section map for help reading legal descriptions)

sec 29-T094N-R51W, CA -- 35.00 acres

sec 29-T094N-R51W, CD -- 35.00 acres

sec 32-T094N-R51W, BB -- 35.00 acres

sec 32-T094N-R51W, BA -- 35.00 acres

32

BC-BD 75 acres

edited
on computer
Jm

Please provide your 2001 water use to irrigate the above acreage on the REVERSE side of this form.

For a sample completed questionnaire, please refer to the reverse side of your cover letter.

MONTH IRRIGATED	CROP TYPE	NUMBER OF ACRES IRRIGATED	PUMP RATE IN GALLONS PER MINUTE	DAYS PER MONTH WATER WAS APPLIED	AVERAGE HOURS PER DAY
-----------------	-----------	---------------------------	---------------------------------	----------------------------------	-----------------------

MARCH					
APRIL					
MAY					
JUNE	Corn	80	800	7	22
	Beans	140	800	7	22
JULY	Corn	80	800	15	22
	Beans	140	800	15	22
AUGUST	Corn	80	800	25	22
	Beans	140	800	25	22
SEPTEMBER	Corn	0			
	Beans	140	800	7	20
OCTOBER					

IF MORE ROOM IS NEEDED, PLEASE INCLUDE THE INFORMATION ON A BLANK SHEET OF PAPER



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2002

Richard Lind
30720 University Rd
Vermillion SD 57069-6504

Dear Mr. Lind:

Thank you for submitting the two *Application for a Permit to Appropriate Water* for irrigation use. In order to complete the applications the following is required.

- The application/license filing fee for each application will be \$275.00 (\$550.00 total).
- Enclosed are the maps submitted with the applications. The maps must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office or Clay Co. FSA office). The signature is required on each map because of the changes made since the maps were originally submitted with Permit Nos. 3197-3 and 6033-3.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

REPORT ON WATER PERMIT APPLICATION NOS. 6302-3 & 6303-3

For Richard Lind

March 25, 2002

Application No. 6302-3 proposes to appropriate 0.34 cfs from an existing 104 feet deep well located in the center of the SW $\frac{1}{4}$ of section 29 to irrigate 80 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ of section 32; all in T94N R51W in Clay County. Currently, water right No. 3197-3 appropriates 1.44 cfs from this well to irrigate the E $\frac{1}{2}$ SE $\frac{1}{4}$ of section 29 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ of section 32; all in T94N R51W. This application and the existing right combined will appropriate 1.88 cfs for irrigation of 220 acres.

Application No. 6303-3 proposes to appropriate no additional water from an existing well about 80 feet deep located in the center of the SE $\frac{1}{4}$ of section 30 to irrigate 80 acres located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ of section 30; all in T94N R51W in Clay County. Currently water permit No. 6033-3 appropriates 1.78 cfs from this well to irrigate 80 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of section 30. This application will allow the center pivot to make a full rotation in the SE $\frac{1}{4}$ of section 30. This application and the existing permit combined will appropriate 1.78 cfs for irrigation of 160 acres.

AQUIFER – LOWER VERMILLION MISSOURI (LVM)

The Lower Vermillion Missouri aquifer is predominantly a buried outwash (sand and gravel) which is under slight artesian conditions in this area but is generally under water table conditions in Clay County. The aquifer underlies 100,800 acres and contains an estimated 1.5 million acre-feet of recoverable water in storage in Clay County (Hedges, 1982). The general movement of ground water is from north to south with lateral movement toward the Vermillion River which acts as a discharge/recharge zone for the aquifer (Christensen, 1967).

Logs for the two existing irrigation wells are available. Both logs indicate slight artesian conditions and the well for water permit 6033-3 indicates 30 feet of drawdown when pumping at a rate of 1100 gpm. This equates to a specific capacity of 36.6 gpm/ft of drawdown. Both wells were completed after penetrating the aquifer 50 to 60 feet and not to the bottom of the aquifer.

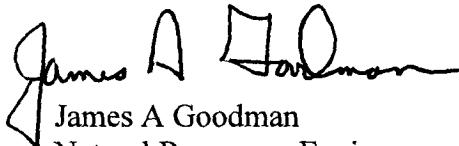
The Water Right Program monitors two observation wells CL-80H and CL-80I, which are, located about 1 $\frac{1}{2}$ miles southeast and 2 $\frac{1}{2}$ miles west of these applications. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. Hydrographs for these two wells are included with this report. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2002).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The two existing water permits/rights are held by the applicant. The two existing irrigation wells are approximately ½ mile apart. Drawdown created by pumping would extend from one well to the other but should not be significant. This is shown by the observation well hydrographs that do not fluctuate very much. Interference is not a concern.

CONCLUSIONS

1. Water is available from the Lower Vermillion Missouri aquifer.
2. The aquifer is under slightly artesian conditions at this site. However, drawdown is not expected to be significant. Interference is not a concern.
3. These are existing wells and the 1997 (for No. 6033-3) well has been constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

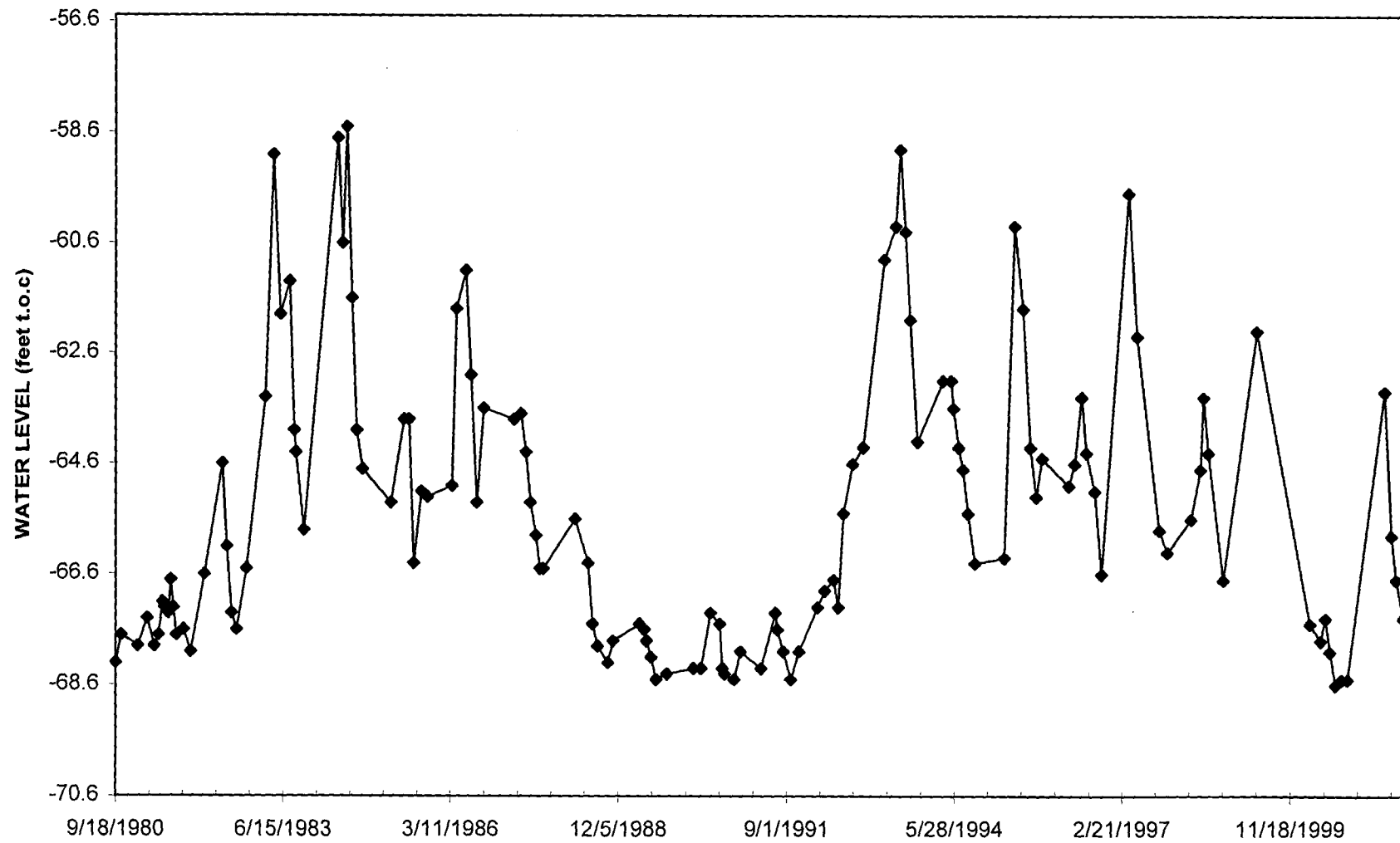
BIBLIOGRAPHY

Christensen, C.M., J.C., Stephens, 1967, Geology and Hydrology of Clay County, South Dakota, Bulletin 19, SD DENR, SDGS, Vermillion, SD, 57069.

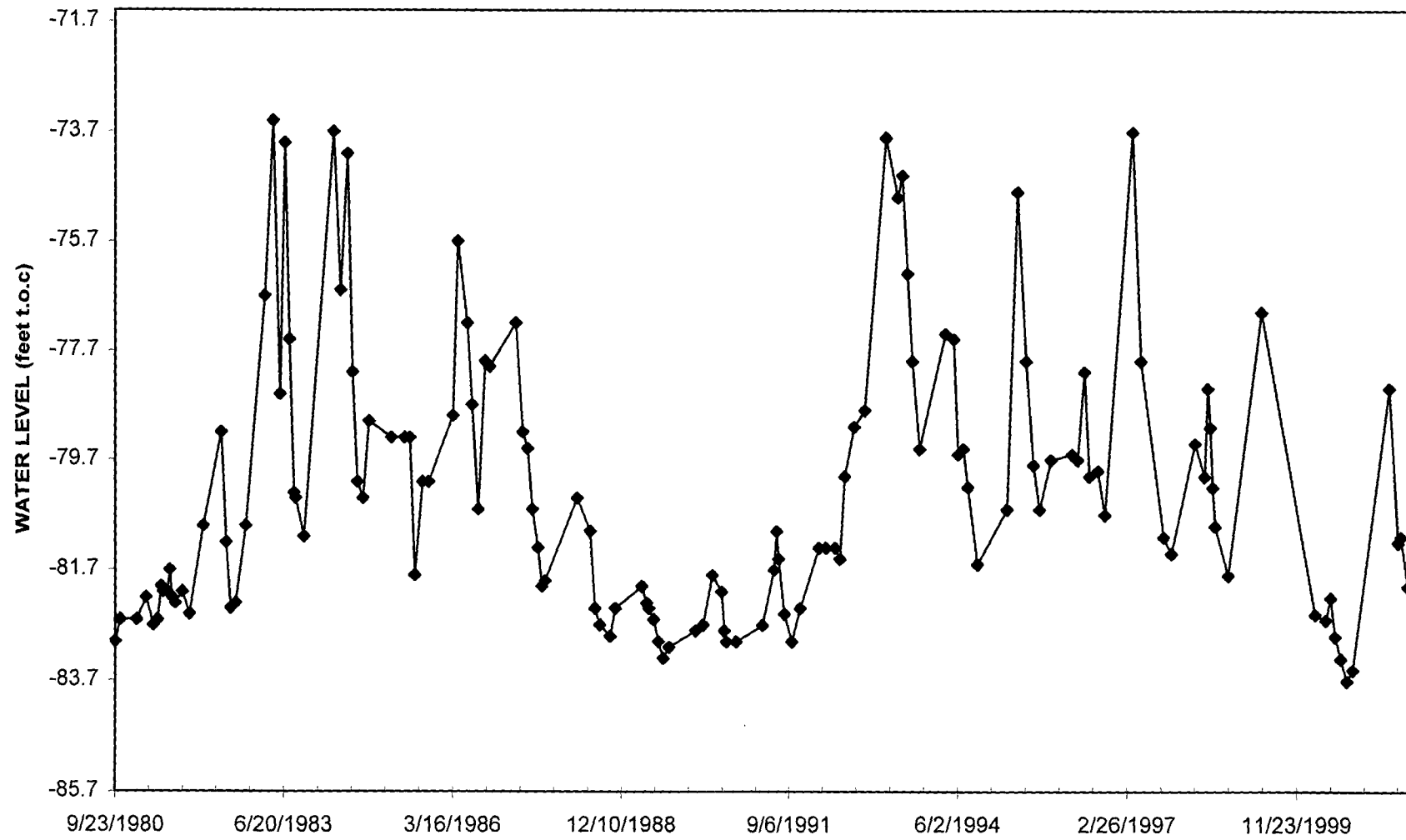
Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2002, Unpublished Observation Well Records for Clay County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
CL-80H



**WATER RIGHTS' OBSERVATION WELL
CL-801**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6302-3, Richard Lind**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6302-3, Richard Lind, 30720 University Road, Vermillion SD 57069.

The Chief Engineer is recommending APPROVAL of Application No. 6302-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
March 27, 2002



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

March 27, 2002

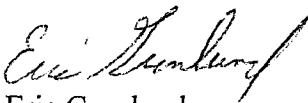
Richard Lind
30720 University Rd.
Vermillion, SD 57069

Dear Mr. Lind:

Water Permit Application Nos. 6302-3 & 6303-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Plain Talk printed at Vermillion, SD (Ph # 605-624-2695). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 27, 2002

Plain Talk
PO Box 256
Vermillion, SD 57069-0256

ATTENTION: Legal Public Notice

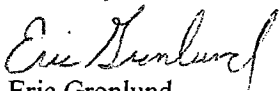
Enclosed is a Notice of Hearing on Application Nos. 6302-3 & 6303-3 to Appropriate Water to be published twice. Please publish the first notice on April 5, 2002 with the second publication 7 days later.

The applicant must verify to you that the notice is to be published, before you make the first publication **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Richard Lind, 30720 University Rd., Vermillion, SD (Ph # 605-263-2546).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

Nos. 6302-3 & 6303-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of March 27, 2002 enclosing Notice of Hearing to Appropriate Water by Application Nos 6302-3 & 6303-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 4, 2002

Richard Lind
30720 University Rd
Vermillion SD 57069

Dear Mr. Lind:

Enclosed is an amended version of the notice regarding the water right permit applications you filed. A copy of this amended notice was sent to the newspaper.

The reason for the amendment is that the description of Application No. 6303-3 did not accurately reflect the project. The paragraph on this application stated the application did not appropriate additional water. Annually you will use more water because you are irrigating more acres. The amended notice states that there is not increase in the diversion rate for the irrigation of the 80 acres.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosure

WATER RIGHT PROGRAM
SOUTH DAKOTA DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Legal notice	Eric Gronlund
COMPANY:	DATE:
Plain Talk	April 3, 2002
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
326-5333 624-2696	2
PHONE NUMBER:	SENDER'S TELEPHONE NUMBER:
	(605) 773-3352
RE:	SENDER'S FAX NUMBER:
Amended public notice of water permit applications for Richard Lind	(605) 773-4068

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ AS YOU REQUESTED

NOTES/COMMENTS:

Last week, we sent you the notice of Mr. Lind's water right permit applications to be published on April 5 and 12, 2002. I became aware of changes in the description of Application No. 6303-3 that are necessary to ensure proper public notice. Please find attached a corrected notice. The only change is in the paragraph describing Application NO. 6303-3.

I'd like the change made in both the April 5th & 12th edition, however, if it is not possible to make this change in the April 5th edition, please still make the change in the April 12th publication.

I apologize for the inconvenience. Thank you.

Instruction to Newspaper - Publish first Notice on April 5, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 6302-3 and 6303-3 to Appropriate Water

Notice is given that Richard Lind, 30720 University Rd, Vermillion SD 57069 has filed the following applications for water permits.

Application No. 6302-3 appropriates 0.34 cubic feet of water per second (cfs) from one existing well (Lower-Vermillion:Missouri Aquifer) 104 feet deep located the center of the SW $\frac{1}{4}$ Section 29 to irrigate 80 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32; all in T94N-R51W. Currently, Water Right No. 3197-3 appropriates 1.44 cfs from this well to irrigate the E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32, T94N-R51W.

Application No. 6303-3 appropriates no additional water from one existing well (Lower Vermillion:Missouri Aquifer) 80 feet deep located in the center of the SE $\frac{1}{4}$ Section 30 to irrigate 80 acres located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 30; all in T94N-R51W. Currently Water Permit No. 6033-3 appropriates 1.78 cfs from this well to irrigate 80 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 30. This application is to allow the center pivot to make a full rotation in the SE $\frac{1}{4}$ of Section 30.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6302-3 and 6303-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 22, 2002.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Candi Jensen

Being first duly sworn, deposes and says: That he/she is a resident of the County of Clay and State of South Dakota; that

THE PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Broadcaster Press, Inc., and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

Notice of Application Nos. 6302-3 and 6303-3 to appropriate water

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as aforesaid

was on Friday, the 5 day of April, 20 02, and that the succeeding publications were severally

on Friday, the 12 day of April, 20 02,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforesaid were

Forty four _____ dollars and 71 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Candi Jensen

Subscribed and sworn to before me

this 10th day of April, 20 02

Joan E. Willison

My Commission Expires
April 17, 2005

Notary Public

NOTICE OF APPLICATION NOS. 6302-3 AND 6303-3 TO APPROPRIATE WATER

Notice is given that Richard Lind, 30720 University Rd., Vermillion, SD 57069 has filed the following applications for water permits.

Application No. 6302-3 appropriates 0.34 cubic feet of water per second (cfs) from one existing well (Lower Vermillion: Missouri Aquifer) 104 feet deep located the center of the SW 1/4 Section 29 to irrigate 80 acres located in the S 1/2 NW 1/4 Section 32, all in T94N-R51W. Currently, Water Right No. 3197-3 appropriates 1.44 cfs from this well to irrigate the E 1/2 SE 1/4 Section 29 and the N 1/2 NW 1/4 Section 32, T94N-R51W.

Application No. 6303-3 proposes to irrigate 80 additional acres located in the W 1/2 SE 1/4 Section 30, T94N, R51W from the existing well authorized by Water Permit No. 6033-3. This existing permit appropriates 1.78 cfs from one well (Lower Vermillion: Missouri Aquifer) 80 feet deep located in the center of the SE 1/4 Section 30 to irrigate 80 acres in the E 1/2 SE 1/4 of Section 30; all in T94N, R51W. This application is to allow the center pivot to make a full rotation in the SE 1/4 of Section 30. No increase in the diversion rate of 1.78 cfs is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6302-3 and 6303-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605)-773-3352" and the appli-

cant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 22, 2002.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these applications.

Steven M. Pirner, Secretary
Department of Environment and
Natural Resources
Publish: April 5 & 12, 2002

Instruction to Newspaper - Publish first Notice on April 5, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 6302-3 and 6303-3 to Appropriate Water

Notice is given that Richard Lind, 30720 University Rd, Vermillion SD 57069 has filed the following applications for water permits.

Application No. 6302-3 appropriates 0.34 cubic feet of water per second (cfs) from one existing well (Lower-Vermillion:Missouri Aquifer) 104 feet deep located the center of the SW $\frac{1}{4}$ Section 29 to irrigate 80 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32; all in T94N-R51W. Currently, Water Right No. 3197-3 appropriates 1.44 cfs from this well to irrigate the E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32, T94N-R51W.

Application No. 6303-3 proposes to irrigate 80 additional acres located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 30, T94N, R51W from the existing well authorized by Water Permit No. 6033-3. This existing permit appropriates 1.78 cfs from one well (Lower Vermillion:Missouri Aquifer) 80 feet deep located in the center of the SE $\frac{1}{4}$ Section 30 to irrigate 80 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 30; all in T94N, R51W. This application is to allow the center pivot to make a full rotation in the SE $\frac{1}{4}$ of Section 30. No increase in the diversion rate of 1.78 cfs is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6302-3 and 6303-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 22, 2002.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 31 2002

Richard Lind
30720 University Road
Vermillion, SD 57069

Dear Mr. Lind:

Enclosed are Water Permit Nos. 6302-3 and 6303-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date 6-12-02

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED

JUL 08 2002

WATER RIGHTS
PROGRAM

FROM:

Richard N Lind

(name)

30270 University Rd.

(address)

Vermillion S.D. 57069

(city, state, zip)

605-253-2546

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6302-3 states that the water use system is to be constructed by6-15-02

(date)

, and water is to be put to beneficial use by 6-15-02

(date)

The water use system was completed on

6-20-02

(date)

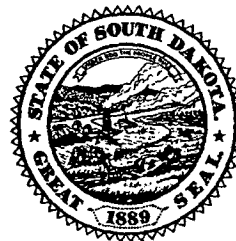
Applying the water to beneficial use was completed on

6-20-02

(date)

You may schedule an investigation so that the water license may be issued.

Richard N Lind
(signature)



Water Right No. 3197-3 & Permit Nos. 6302-3
Vermillion River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, August 24, 200⁴, made a thorough examination of the water use system constructed by Richard Lind of 30720 University Road, Vermillion SD 57069 holder of Water Right No. 3197-3 and Permit Nos. 6302-3, bearing the priority of October 9, 1976 (1.44 cfs) and January 31, 2002 (0.34 cfs) authorizing the diversion of 1.78 cu. ft. per second of the waters of Lower Vermillion:Missouri Aquifer for irrigation purposes, in Clay County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

104 foot deep well equipped with a 40 HP GE motor

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

Well is located at the northern pivot point. Water from the well is conveyed to the northern pivot by approximately 40 feet of aluminum pipe. Water is conveyed to the southern pivot by 1,360 feet of 8" underground aluminum pipe.

C. Works used to apply water to beneficial use:

Two Zimmatic low pressure center pivots with 7 towers (standard quarter section / 132 acreage coverage)

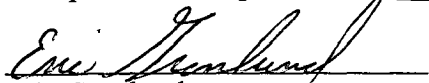
The system is in the following condition good. The point of diversion is located in the approximate center of the SW quarter of Section 29, T94N, R51W (Lat/Lon N 42.98119 W-096.899421). The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation use. Water has been put to beneficial use to the maximum extent as follows: **all in T94N, R51W**

NE 1/4 SW 1/4 Section 29	35 acres	NE 1/4 NW 1/4 Section 32	33 acres
SE 1/4 SW 1/4 Section 29	35 acres	SW 1/4 NW 1/4 Section 32	33 acres
NW 1/4 NW 1/4 Section 32	33 acres	SE 1/4 NW 1/4 Section 32	33 acres

comprising a total of 202 acres of land and the license should be issued for 1.78 cfs.

Applicable permit qualifications have been complied with: Yes

Exceptions to compliance are: none Date Report Completed: January 28, 2005



Eric Gronlund

Natural Resources Engineer

DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR RIGHT No. 3197-3 and PERMIT NO. 6302-3

DATE OF INVESTIGATION:	August 24, 2004
NAME & ADDRESS OF INVESTIGATION CONTACT/RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Richard Lind 30720 University Rd Vermillion SD 57069
NAME & ADDRESS OF PERMIT HOLDER	
DIVERSION POINT LEGAL LOCATION	<u>approximate center of the SW quarter of</u> <u>Section 29, T94N, R51W (Lat/Lon N</u> <u>42.928119 W-096.899421).</u>

Other permit(s) associated with the project: Water Right No. 3197-3 and Permit No. 6302-3
should be incorporated into one water license.

WELL INFORMATION:

- 1) Well Drilling Firm: Schimelfenig Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 104 feet
- 4) Well log is available Yes
- 5) Comment:

Casing:

- 1) Diameter 12 inches
- 2) Length 80 feet
- 3) Type Steel

Screen:

- 1) Type stainless steel
- 2) Length 20 feet
- 3) Static water level 22 feet

Pump:

- 1) Make Layne Bowler
- 2) Model Type10 RM
- 3) Size 4-stage -- 6" pump
- 4) Capacity 800 GPM

Motor:

- 1) Make GE motor
- 2) Model No.
- 3) Horsepower rating 40 hp

SYSTEM TYPE:

Center pivot: Two pivots

- 1) Make both pivots are Zimmatic (north
pivot is a Model 307 -- Serial No. 106515)
- 2) Overall length approx. 1300 feet
- 3) Number of towers 7
- 4) Distance between towers 170 feet
- 5) End gun Yes
- 6) High or low pressure Low
- 7) Capacity 800 GPM

CHEMIGATION EQUIPMENT:

- 1) Does NOT chemigate

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

Information was used from Burt Jones' 1980 inspection report. Back then one pivot was moved between the two parcels of ground. Mr. Lind now has two pivots. The northern pivot makes a windshield wipe rotation while the southern pivot makes full rotation.

Clay

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: E 1/4 SW 1/4 corn Section 29 Township T-94 Range 51
 Well owner: Richard Lind (Name) RR Vermillion (Address)
 Date well drilling completed: May Purpose of well: Irrigation
 (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	ft.
2	fat top soil	36	
34	yellow clay	22	
18	blue clay		
50	sand gravel	104	
		86	

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

86' Extra Heavy Steel casing
 12"
 20' length

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

20' Steel Extra Heavy Screen
 Johnson
 12" diameter

If a flowing well, flow of completed well 2000 G.P.M.

Attach sheet if more space is needed

Schemelfenig Well Drilling
 Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump _____ HP _____
 Type of pump _____ Capacity of installed pump _____ G.P.M.
 Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____



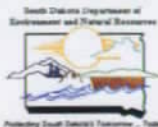
Robert Reiners 647-2316
 Name of Pump Installation Contractor
Lennox SD. 57639

Water Right No. 3197-3 and Permit No. 6302-3, Richard Lind



0 500 1,000 2,000 3,000 4,000 Feet

Well is located approximately 1320 feet east and 1320 feet north of the SW corner of Section 29, T94N, R51W
Lat/Lon N42.928119 W-096.899421



Eric Gronlund
Eric Gronlund
Water Rights Program, DENR
Licensing Investigation - August 24, 1004

Water Permit No. 6302-3, Richard Lind



Pivot Point for System authorized by Water Permit No. 6302-3
(this water permit should be incorporated with Water Right No. 3197-3)

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6302-3

(1) Richard Lind, 30720 University Road, Vermillion SD 57069 made Application No. 6302-3, January 31, 2002 for a water permit to divert 0.34 cubic feet of water per second (cfs) from groundwater (one existing well), Clay County, South Dakota for irrigation purposes. Permit No. 6302-3, with a priority date of January 31, 2002 was approved April 22, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 22, 2007 and for the application to beneficial use of water on or before April 22, 2011.

Water Right No. 3197-3, with a priority date of October 9, 1976, authorized 1.44 cfs from one well to irrigate 140 acres located in the E ½ SW ¼ Section 29 and N ½ NW ¼ Section 32; all in T94N-R51W. The applicable portions of No. 3197-3 are incorporated into this Water License No. 6302-3.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Incorporated Water Right No. 6302-3 is issued a license, bearing priority dates of October 9, 1976 (1.44 cfs) and January 31, 2002 (0.34 cfs) to appropriate 1.78 cfs from groundwater (one well) to irrigate 202 acres.

The diversion point is located: approximate center of the southwest quarter of Section 29-T94N-R51W (SW ¼). The acres authorized for irrigation are as follows:

All in T94N-R51W					
Section 32	NW ¼ NW ¼	33 acres	Section 29	NE ¼ SW ¼	35 acres
	NE ¼ NW ¼	33 acres		SE ¼ SW ¼	35 acres
	SW ¼ NW ¼	33 acres			
	SE ¼ NW ¼	33 acres	Total 202 acres		

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6302-3 including the following now applicable qualifications:

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



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 19 2005

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 19 2005

6302-3

Richard Lind
30720 University Road
Vermillion SD 57069

Dear Mr. Lind:

Enclosed is Water License No. 6302-3. This is the final water right document completing your process of obtaining a Water Right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

NOTE: The applicable portions of No. 3197-3 are incorporated into Water License No. 6302-3.

enclosures

6302-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

November 7, 2011

6302-3
6303-3
7217-3

Thelma R Lind
30720 University Rd
Vermillion SD 57069

Dear Mrs. Lind:

I am writing to acknowledge receipt and thank you for the prompt return of the 2011 irrigation questionnaires. I note from the forms that ownership changes are needed.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$150.00). The check or money order for the fee can be made payable to the Water Rights Program.

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

6302-3

Michael J. McGill
Attorney at Law

106 West Main • P.O. Box 32
Beresford, South Dakota 57004
(605) 763-2057 • Fax: (605) 763-2201
E-mail: mjmc@bmtc.net

RECEIVED
NOV 17 2011
WATER RIGHTS
PROGRAM

November 15, 2011

Genny McMath
Environmental Scientist
Water Rights Program
Dept. of Environment & Natural Resources
Joe Foss Building, PMB 2020
523 E. Capitol
Pierre, SD 57501-3182

Dear Ms. McMath:

I am writing to you on behalf of Thelma Lind. Thelma requested you to take the steps to transfer ownership of water rights numbered 6302-3, 6303-3, and 7217-3. Thelma requested you transfer them into her name. They were formerly owned by Richard Lind.

Pursuant to Richard Lind's Will he transferred everything that he owned at the time of his death into the Richard Lind Revocable Trust dated June 11, 2008.

We have applied for a federal ID number for the Richard Lind Revocable Trust. That number is 26-6583788. Thelma R. Lind is the trustee of the trust.

We apologize for this inconvenience. However, could you change the notice of transfer of ownership forms so as to transfer the ownership to Thelma R. Lind as trustee of the Richard Lind Revocable Trust dated June 11, 2008. Then would you please send the forms back to me so I can meet with Thelma and she can execute those.

Sincerely yours,


Michael J. McGill
MJM/jj

6302-3

RECEIVED

NOV 28 2011

WATER RIGHTS
PROGRAM

Michael J. McGill
Attorney at Law

106 West Main • P.O. Box 32
Beresford, South Dakota 57004
(605) 763-2057 • Fax: (605) 763-2201
E-mail: mjmc@bmtc.net

November 23, 2011

Genny McMath
Environmental Scientist
Water Rights Program
Dept. of Environment & Natural Resources
Joe Foss Building, PMB 2020
523 E. Capitol
Pierre, SD 57501-3182

RE: Water Rights 6302-3, 6303-3, and 7217-3

Dear Ms. McMath:

I enclose a check in the amount of \$150.00 and notice of transfer of ownership forms on the three above referenced water permits. Will you please make the changes on the records in this regard. If you have any questions regarding this matter please call me. Thank you.

Sincerely yours,



Michael J. McGill

MJM/jj

CC: Thelma Lind

RECEIVED

NOV 28 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 6302-3

Date: 11-22-11

I/We request that Water Right No. 6302-3

formerly owned by: Richard Lind

be transferred to: (name & address) Thelma R. Lind and Ronald Lind, as Co-Trustees of the Richard N. Lind Revocable Trust, under agreement dated June 8, 2008, of 30720 University Road, Vermillion, South Dakota, 57069 Telephone No. 605-253-2546

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

202 acres – E ½ SW ¼ Section 29, NW ¼ Section 32, T94N, R51W

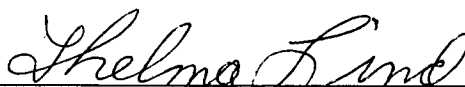
I/We understand that the validity of Water Right No. 6302-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Ronald Lind and Thelma Lind
Co-Trustees of the Richard Lind
Revocable Trust, the new owner, certify that the above information is true and correct.




(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 11/28, 2011

RECEIVED OF Michael J McGill PO Box 32 Beresford SD 57004

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>6302-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05087**

By *Leah E. Erbe*
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 29, 2011

Michael McGill
Attorney at Law
PO Box 32
Beresford SD 57004 0032

RE: Water Right Nos. 6302-3 & 6303-3 and Water Permit No. 7217-3

Dear Mr. McGill:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for the above listed water rights and water permit. The ownership changes have been completed.

Nos. 6302-3, 6303-3 and 7217-3 formerly held by Richard Lind are now held by **Thelma R Lind and Ronald Lind as Co-Trustees of the Richard N Lind Revocable Trust under agreement dated June 8, 2008.**

Enclosed for your records are Receipt Nos. 05087, 05088 and 05089 in the amounts of \$50.00 each. 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

c: Thelma R Lind

File Nos. 6302-3

**Water Rights Program
File Documentation**

NAME OF PERSON OR FILE: Thelma R. & Ronald Lind

ADDRESS: 30720 University RD, Vermillion, SD

DATE: 8/11/2014 TELEPHONE:

RE: Incorrect GPS coordinates in ArcMap

COMMENTS:

While looking through Water Rights Diversion Point locations, I noticed that the location for 6302-3 is incorrect. It should be 42.9281° N, -96.8995° W. I told Genny McMath and the error was corrected.



Adam Mathiowetz
Natural Resources Engineer
DENR-Water Rights Program

6302-3



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<http://denr.sd.gov>

FEB 27 2020

6302-3
7217-3

Thelma R Lind & Ron Lind, Co-Trustees
Richard N Lind Revocable Trust
30720 University Rd
Vermillion SD 57069

Dear Ms. Lind and Mr. Lind:

Enclosed is Water License No. 7217-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Right No. 6302-3 were incorporated into Water License No. 7217-3.