

WATER PERMIT NO. 6642-3

Name of Applicant: Thomas Dreesen

Address: 31250 457th Ave, Meckling SD 57069

Phone: 605 624-7611

Amount of Water Claimed: 2.0

Total Acres: 140

Source of Water Supply: groundwater (1 well)

Water to be used for: irrigation

County: Clay

Type of Waste Disposal System:

Location: 3 miles northwest of Meckling

PRIORITY

Date Received: 8-10-05

Application/License Fee: \$300

Corrected Application Received:

Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: center SE ¼ Sec 20-T93N-R53W

Land to be Irrigated: SE ¼ Sec 20-T93N-R53W

Depth of Well: 90 – 120 feet deep

Well Driller:

Remarks:

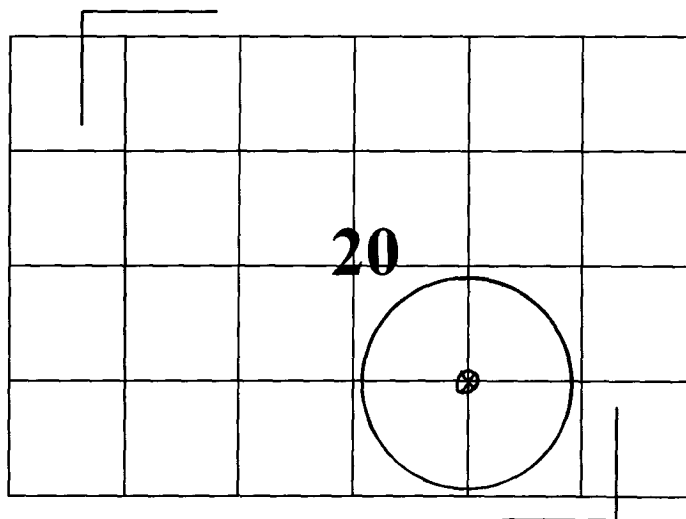
Type of Map: topo

Prepared by: Eric Gronlund

Reviewed and the Number Assigned on: 8-10-05

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

No. 6642-3 (office use only)
Hydrologic Unit 10/70102
Basin Vermillion River
Newspaper Plain Talk, Vermillion

RECEIVED

AUG 10 2005

WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

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

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

- Name of Applicant Thomas Dreesen Phone (605) 624-7611
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 31250 457th Avenue Meckling State SD 57069
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.0 *CFS or 900 **GPM ***AF Total Acreage 140
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply groundwater
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County _____
approximate center of SE 1/4 Section 20, T93N, R53W
20
- County or counties where water will be used Clay
- Annual period during which water is to be used April 1 - October 31
- 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
NW 1/4 SE 1/4 Section 20 T93N, R53W	35		
NE 1/4 SE 1/4 Section 20, T93N, R53W	35		
SW 1/4 SE 1/4 Section 20, T93N, R53W	35		
SE 1/4 SE 1/4 Section 20, T93N, R53W	35		

8. Give a description of the project. (Attach sheet if more space is needed)

Drill a new well at the center point in SE quarter in Section 20. Irrigate cropland with center pivot. Would like to drill well in November

STATE OF SOUTH DAKOTA) SS
County of Hughes

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)

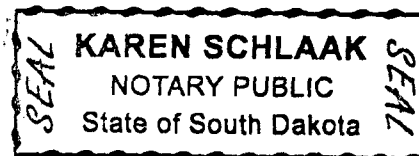
I, Thomas Dreesen, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Thomas Dreesen

Subscribed and sworn to before me this 10th day of August 20 05

Karen Schlaak

Notary Public signature



**SOUTH DAKOTA
WATER PERMIT NO. 6642-3**

Date of first receipt of application August 10, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6642-3 to Thomas Dreesen, 31250 457th Ave, Meckling 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. 6642-3 appropriates 2.0 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 90 - 120 feet deep) located in the center of the SE ¼ Section 20 to irrigate 140 acres located in the SE ¼ Section 20; all in T93N-R53W.
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 – October 31.
3. The date from which applicant may claim right is August 10, 2005.
4. The date of approval of Permit No. 6642-3 is October 17, 2005.
5. One-fifth of the construction is to be completed on or before April 17, 2008.
6. All construction is to be completed on or before October 17, 2010.
7. Water is to be put to beneficial use on or before October 17, 2014.
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. The well authorized by Permit No. 6642-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. 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

NOV 07 2005

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth 90 - 120
- b) Casing Type plastic Diameter 16 Thickness _____
- c) Screen Type plastic Diameter 16 Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property none On property owned by others 1/2mile east

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

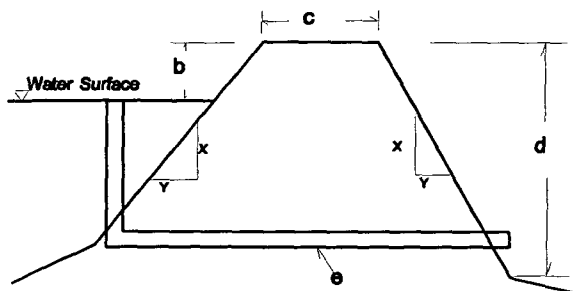
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

2

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date August 10, 20 05

RECEIVED OF Gary Freeburg, Box 188, Gayville SD 57031 (Tom)

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

Fee for Application for Permit No. <u>6642-3</u> to Appropriate Water, to construct and to put water to beneficial use	250	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>6642-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300.00

No.

001918

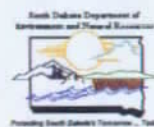
By

Darlene E. Sibley
Chief Engineer
gm



1,500 750 0 1,500 Feet

Well and irrigated acres located in the SE 1/4 Section 20, T93N, R53W



Eric Gronlund
Eric Gronlund
Water Rights Program, DENR

REPORT ON WATER PERMIT APPLICATION NO. 6642-3
For Thomas Dreesen
September 9, 2005

Application No. 6642-3 proposes to appropriate 2.0 cfs (900 gpm) from one well approximately 120 feet deep located in the center of the SE $\frac{1}{4}$ of section 20 to irrigate 140 acres located in the SE $\frac{1}{4}$ of section 20; all in T93N R53W in Clay County.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) that is under predominantly water table conditions in this area but locally can be under artesian conditions. The aquifer underlies 74,500 acres and contains an estimated 1.117 million acre-feet of recoverable water in storage in Clay County (Hedges, 1982). The aquifer extends into Union County to the east, Yankton County to the west, blends into the Upper Vermillion Missouri aquifer to the north and is hydraulically connected to both the Missouri and Vermillion rivers. Also, further east the Missouri Elk Point aquifer directly overlies the Dakota Formation and water from the Dakota is leaking upward into the Missouri Elk Point aquifer in this area. Ground water movement is from northwest to southeast in the area of the application (Christensen, 1967). The hydrogeologic map prepared by Christensen reports the aquifer should be 100 to 125 feet thick in this area. Christensen described the aquifer as follows “On the floodplains of the Missouri and Vermillion Rivers the outwash is overlain by alluvium—gravel, sand, silt, and clay that was transported by the rivers and deposited at places where the velocity of the water was insufficient to maintain the materials in motion. Much of the floodplain alluvium is permeable and forms a single aquifer with the underlying outwash” (Christensen, 1967).

No test wells were drilled for this application. The information available from the county study, area domestic and irrigation wells and the observation wells in the area all indicate that the aquifer is present at this site and should be capable of producing the amount of water needed for this application.

The Water Rights Program monitors three observation wells, YA-80KA, CL-80B and CL-80A, located within a five mile radius of the site of this application. 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. Pumping does not appear to affect the water levels to any significant extent. Hydrographs for these two observation wells are included with this report (Water Rights, 2005). In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals.

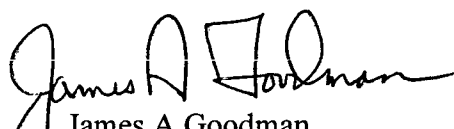
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing irrigation permit Nos. 6610-3 and 6554-3 within a one mile radius of this application. Interference is not a concern. Drawdown created by pumping should

The distance between the two existing wells and this application is sufficient to minimize any potential impacts.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer may be under artesian conditions at this site, however, the behavior of the aquifer will be more like a water table situation. Drawdown is not expected to be significant nor adverse. Interference is not a concern. Historically there have never been any disputes or complaints over water availability from this aquifer in this area.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Even though test holes or wells were not constructed for this application there is sufficient information availability to assess this application.
5. There is a group of seven applications for water from the Missouri Elk Point aquifer in this area. The priority date for this collective group will be determined by the order of application or in other words in order by the permit number.

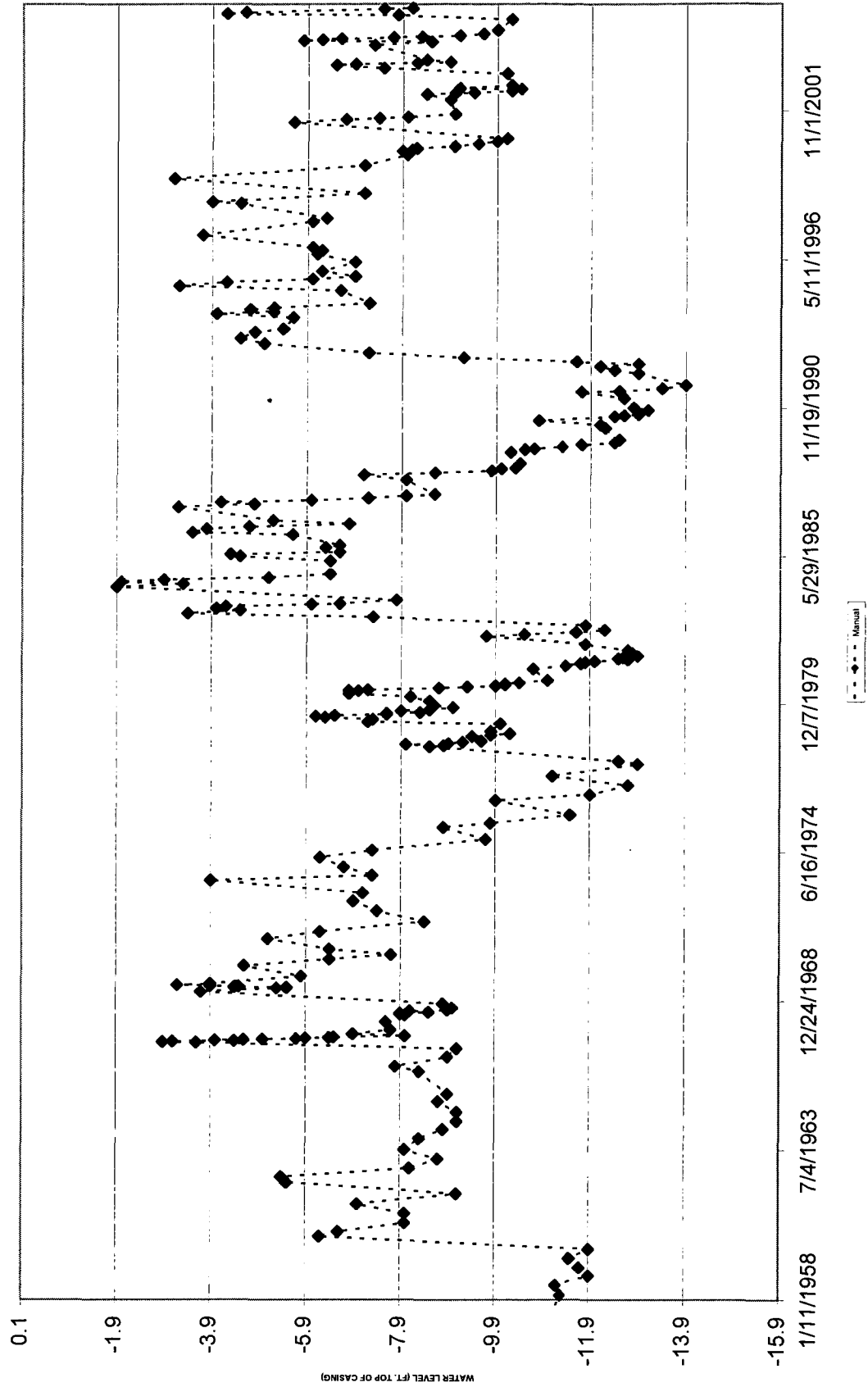


James A Goodman
Natural Resources Engineer

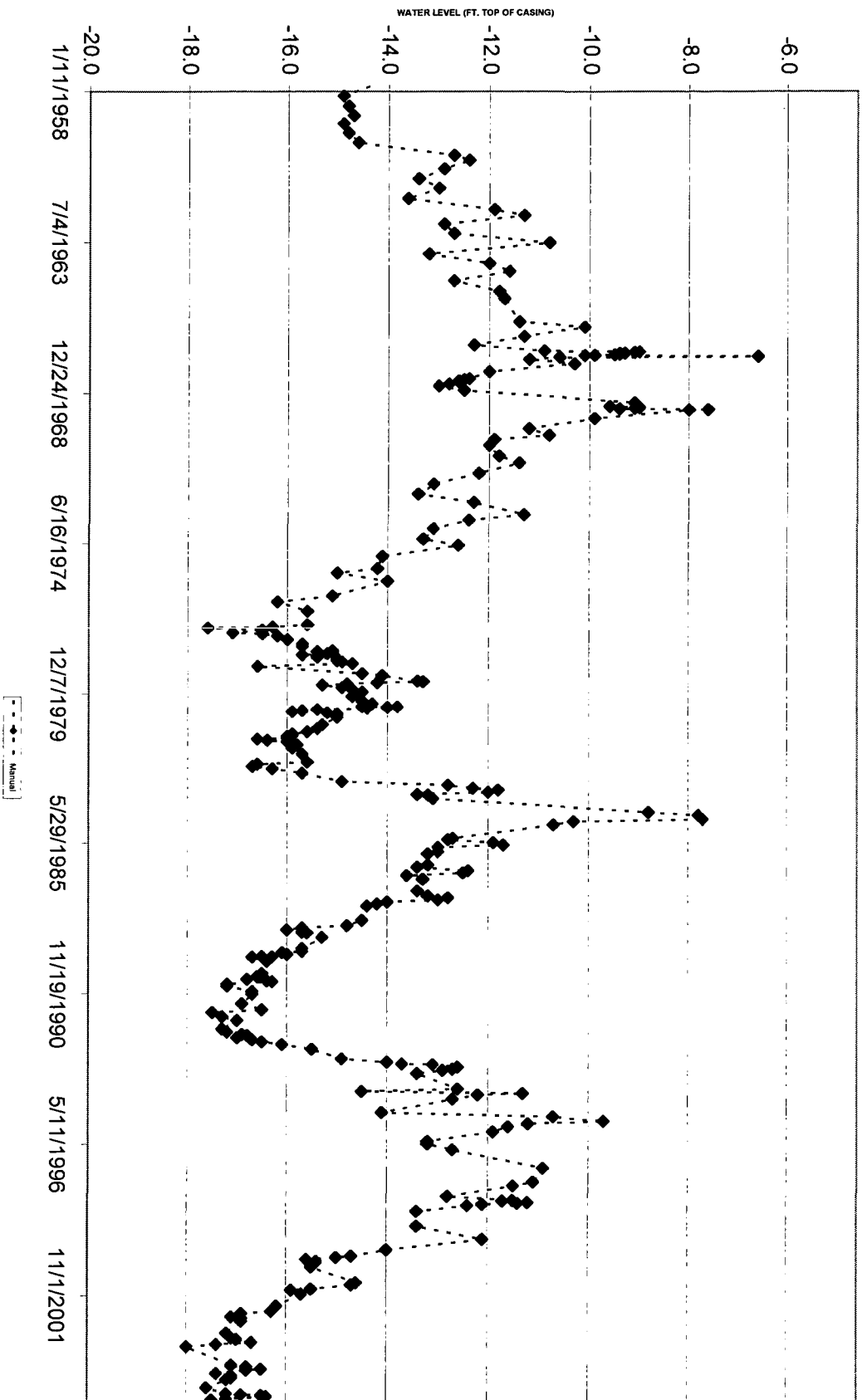
BIBLIOGRAPHY

- Christensen, C.M., J.C. Stephens, 1967, Geology and Hydrogeology of Clay County South Dakota, Part II Water Resources, Bulletin 19, SD DENR, SDGS, Vermillion, SD, 57069.
- Hedges, L.S, and others, 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, 2005, Unpublished Observation Well Data for the Missouri Elk Point Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

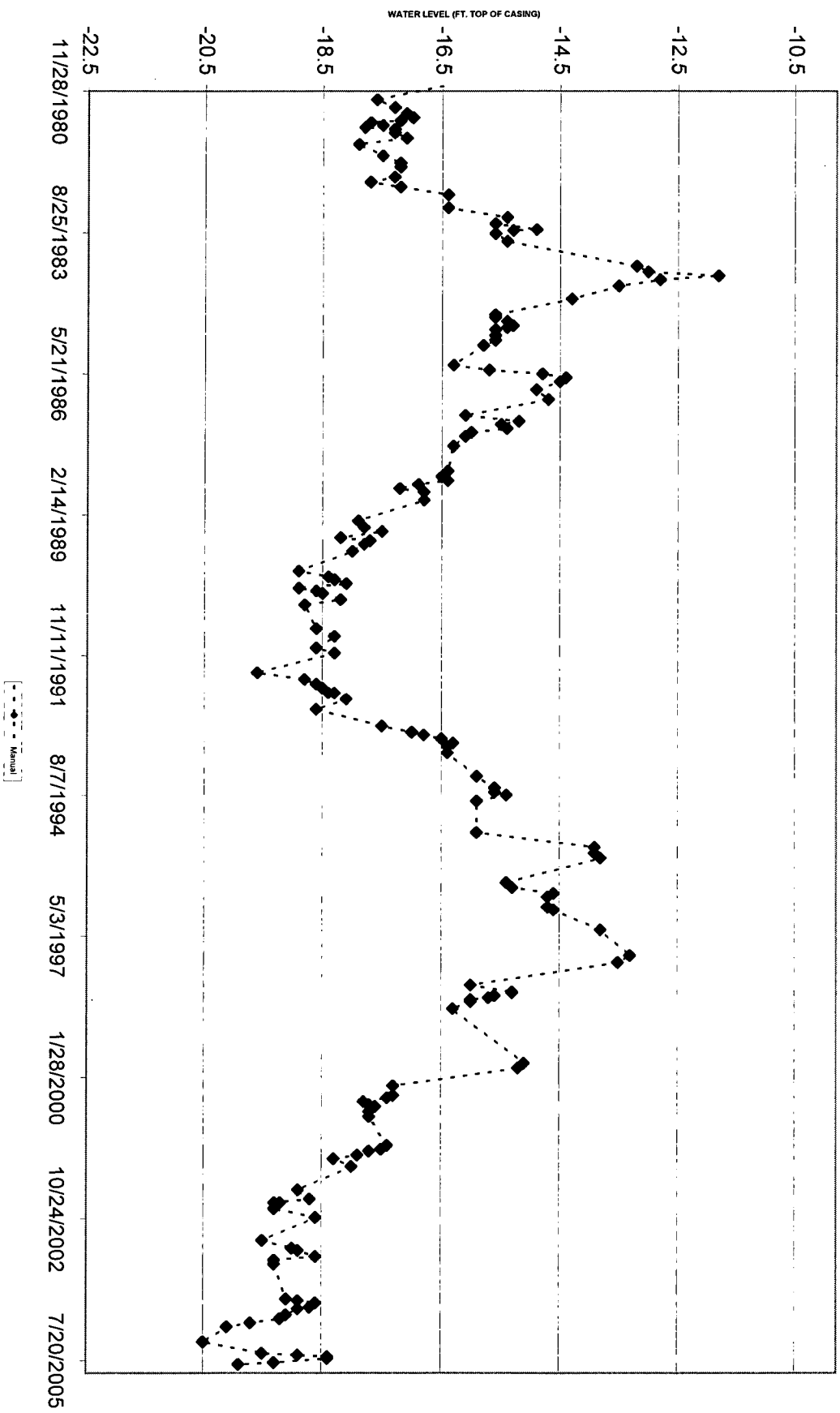
WATER RIGHTS' OBSERVATION WELL
CL-80A



WATER RIGHTS' OBSERVATION WELL
CL-80B



WATER RIGHTS' OBSERVATION WELL
YA-80KA





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6642-3, Thomas Dreesen**

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. 6642-3, Thomas Dreesen, 31250 457th Avenue, Meckling SD 57069.

The Chief Engineer is recommending APPROVAL of Application No. 6642-3 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 qualification:

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. The well authorized by Permit No. 6642-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. 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
September 16, 2005



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

September 19, 2005

Scott Heine
Heine Electric & Irrigation
311 S Robinson Avenue
Hartington NE 68739

Dear Mr. Heine:

The applications that Mr. Dreesen and Mr. Freeburg filed are ready to be public noticed. Please find enclosed a copy of the public notice and the letters that were sent to applicants.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosures

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Shani Bonner

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 APPLICATIONS TO APPROPRIATE WATER

THOMAS DREESEN

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 23rd day of September, 20 05, and that the succeeding publications were severally

on Friday, the 30th day of September, 20 05,

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-three dollars and 23 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.

Shani Bonner

Subscribed and sworn to before me

JOAN E. WILLROTH

this 13th day of Sept, 20 05

SEAL NOTARY PUBLIC SOUTH DAKOTA SEAL

RECEIVED

OCT - 6 2005

WATER RIGHTS PROGRAM

Notary Public

My Commission Expires 04/17/2011

NOTICE OF APPLICATION NOS. 6641-3 AND 6642-3 TO APPROPRIATE WATER

Notice is given that Thomas Dreesen, 31250 457th Ave., Meckling, SD 57069 has filed the following applications for a water permit.

Application No. 6641-3 proposes to appropriate 2.0 cubic feet of water per second (cfs) from one well to be completed into the Missouri: Elk Point Aquifer (approximately 90-120 feet deep) located in the center of the NW 1/4 Section 24 to irrigate 140 acres located in the NW 1/4 Section 24; all in T93N-R53W.

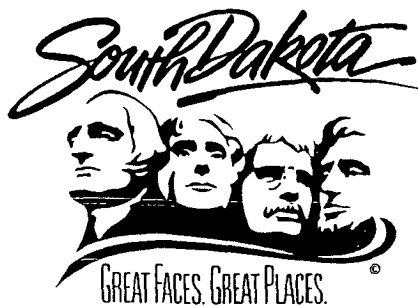
Application No. 6642-3 proposes to appropriate 2.0 cfs from one well to be completed into the Missouri: Elk Point Aquifer (approximately 90-120 feet deep) located in the center of the SE 1/4 Section 20 to irrigate 140 acres located in the SE 1/4 Section 20; all in T93N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6641-3 and 6642-3 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 recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. 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 recommendations. 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 October 17, 2005.

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: September 23 & 30, 2005



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

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

September 19, 2005

Thomas Dreesen
31250 457th Avenue
Meckling SD 57069

Dear Mr. Dreesen:

Water Permit Application Nos. 6641-3 & 6642-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice 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 the reports on the applications 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 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. 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 applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, 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 applications.

Instruction to Newspaper - Publish first Notice on September 30, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 6641-3 and 6642-3 to Appropriate Water

Notice is given that Thomas Dreesen, 31250 457th Ave, Meckling SD 57069 has filed the following applications for a water permit.

Application No. 6641-3 proposes to appropriate 2.0 cubic feet of water per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (approximately 90 - 120 feet deep) located in the center of the NW ¼ Section 24 to irrigate 140 acres located in the NW ¼ Section 24; all in T93N-R53W.

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6641-3 and 6642-3 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 recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. 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 recommendations. 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 October 17, 2005.

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

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

September 19, 2005

Plain Talk
PO Box 256
Vermillion SD 57069-0256

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6641-3 & 6642-3 to Appropriate Water to be published twice. Please publish the first notice on September 30, 2005 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Thomas Dreesen, 31250 457th Ave., Meckling, SD (Ph # 605-624-7611).

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 6641-3 & 6642-3

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

Date _____

We are in receipt of your letter of September 19, 2005 enclosing Notice to Appropriate Water by Application Nos. 6641-3 & 6642-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 07 2005

Thomas Dreesen
31250 457th Ave
Meckling SD 57069

Dear Mr. Dreesen:

Enclosed are Water Permit Nos. 6641-3 and 6642-3 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 8-14-06

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

RECEIVED

AUG 16 2006

WATER RIGHTS
PROGRAM

FROM:

Thomas Dreesen
(name)31250 457th Ave
(address)Meckling, SD 57069
(city, state, zip)605 624-7661
(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. 6642-3 states that the water use system is to be constructed by

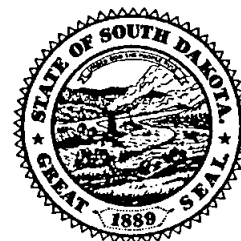
Oct. 17, 2010 , and water is to be put to beneficial use by Oct. 17, 2014 .
(date) (date)

The water use system was completed on June 11, 2006 .
(date)

Applying the water to beneficial use was completed on June 11, 2006 .
(date)

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

Thomas Dreesen
(signature)



Date: 2/28/66

Permit No. 6642-3
Missouri 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, 9/2/2009, made a thorough examination of the water use system constructed by **Thomas Dreesen** of **31250 457th Ave, Meckling SD 57069** holder of Permit No. 6642-3, bearing the priority of 8/10/2005 authorizing the diversion of 2.0 cu. ft. per second of the waters of the **Missouri Elk Point aquifer** for **irrigation** purposes, in **Clay** County.

Inspection contact & relationship **Thomas Dreesen—Permit Holder**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hammond-Wetmore Drilling
- 2) No. of Wells 1
- 3) Depth(s) 110 feet
- 4) Well log is available Yes
- 5) Comment: appears to be an adequate well—log on file

Casing:

- 1) Diameter 16 inches
- 2) Length 80 feet
- 3) Type Plastic

Screen:

- 1) Type Manufactured
- 2) Length 30 feet
- 3) Static water level 21 feet

Pump:

- 1) Make American Marsh
- 2) Model Submersible
- 3) Size 30 hp
- 4) Capacity 700 GPM

Motor:

- 1) Make Grundfos
- 2) Model No. 78355518
- 3) Horsepower rating 30 hp

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

- 1) Type cast iron
- 2) Size 10 inches
- 3) Length ~30 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley 8000
- 2) Overall length 1,398 feet
- 3) Number of towers 7
- 4) Distance between towers ~185 feet
- 5) End gun Yes
- 6) High or low pressure Low
- 7) Capacity 700 GPM

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes
- 3) Exceptions to compliance are: list

The system is in good condition with the point of diversion located as follows: 1,330 feet ~~east~~ and 1,328 feet north of the SE corner of Section 20, Township 93 North, Range 53 West, lat/long N 42.85545 W -97.12698.

The works are capable of diverting and conveying to the place of use 1.56 cu. ft. per second of water of the Missouri Elk Point aquifer which is to be used for crop irrigation. Water has been put to beneficial use to the maximum extent as follows:

Report of Examination of Works

Permit No. 6642-3

NW ¼ SE ¼ 33 acres

NE ¼ SE ¼ 33 acres

SE ¼ SE ¼ 33 acres

SW ¼ SE ¼ 33 acres

**All in Section 20, Township 93 North, Range 53
West**

comprising a total of **132** acres of land and the license should be issued for **1.56** cfs.

All structures, wells and lands on map **Yes**

Comments or other permit(s) associated with the project: **None**

Hayes Haas

Hayes Haas

Natural Resources Engineer

DENR, Water Rights Program

Date report completed: **4/13/2010**

Permit No. 6642-3
Thomas Dreesen



Hayes Haas

1,300
Feet

Hayes Haas
Natural Resources Engineer
DENR Water Rights Program
September 2009

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 28 2010

6642-3

Thomas Dreesen
31250 457th Ave
Meckling SD 57069

Dear Mr. Dreesen:

Enclosed is your Water License No. 6642-3. 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 the owner of an existing well, such as the well authorized by Water Right No. 6642-3, 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,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6642-3**

(1) Thomas Dreesen, 31250 457th Ave, Meckling SD 57069 made Application No. 6642-3, August 10, 2005 for a water permit to divert 2.00 cubic feet of water per second from ground water – one well, Missouri Elk Point Aquifer, Clay County, South Dakota for irrigation purposes. Permit No. 6642-3, with a priority date of August 10, 2005 was approved October 17, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 17, 2010 and for the application to beneficial use of said water on or before October 17, 2014.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on August 16, 2006. The "*Notice*" stated the water use system was completed and water placed to beneficial use on June 11, 2006.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is 1,330 feet west and 1,328 feet north of the SE corner of Section 20, T93N, R53W (approximate center of the SE ¼).

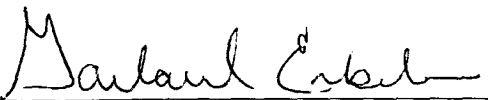
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T93N, R53W Section 20	NW ¼ SE ¼	33 acres
	NE ¼ SE ¼	33 acres
	SE ¼ SE ¼	33 acres
	SW ¼ SE ¼	33 acres
	Total	132 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Thomas Dreesen, 31250 457th Ave, Meckling SD 57069 the holder and/or owner of Water Right No. 6642-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from ground water – one well, Missouri Elk Point Aquifer with a priority date of August 10, 2005 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6642-3 and subject to the following 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.
- The well authorized by Permit No. 6642-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28 (*Well was drilled in February, 2006 by Hammond-Wetmore Drilling; log is on file with the Water Rights Program*).
- 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 28 2010

date



NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

JUN 20 2012

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 6642-3Date: June 19, 2012

I/We request that Water Right/Permit No. 6642-3 formerly owned by:
Thomas Dreesen be transferred to:

New Owner Name: Wade A. Larson, William H. Larson, Sr. & Jane A. LarsonAddress: 31377 454th AvenueCity, State, Zip Vermillion SD 57069 Telephone No. 605-670-0252

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

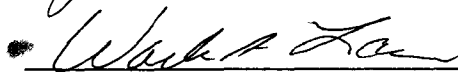
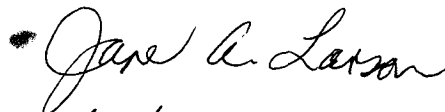
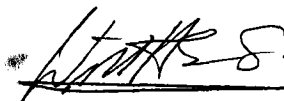
SE1/4 of 20-93-53, Clay County, South Dakota

☒ I understand that the validity of Water Right/Permit No. 6642-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Wade A. Larson et al, 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 6/20, 20 12

RECEIVED OF Clay County Abstract 121 Kidder St # 104 Vermillion SD 57069

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>6642-3</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	

No. **05472**

By *General 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

July 3, 2012

6642-3

Wade A Larson
31377 454th Ave
Vermillion SD 57069

Dear Mr. Larson:

I am writing to acknowledge receipt of the transfer form and filing fee for changing ownership on Water Right No. 6642-3.

The ownership change has been completed. The water right formerly held by Thomas Dreesen is now listed under "**Wade A Larson, William H Larson Sr., and Jane A Larson**".

The receipt for the \$50.00 filing fee is being forward by copy of this letter to Clay County Abstract. If you have any questions, please contact me.

Sincerely,

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

c: Clay County Abstract w/Receipt No. 05472



6642-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2013

NOTICE

TO: WADE A LARSON, 31377 454TH AVE, VERMILLION, SD 57069

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6642-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6642-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6642-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2013

6642-3

Wade A Larson
PO Box 376
Vermillion SD 57069 0376

Dear Mr. Larson:

I am writing to acknowledge receipt of your 2012 irrigation questionnaire. I completed a questionnaire for you based on our January 22nd telephone conversation.

You may disregard the January 18, 2013 "Notice" concerning reporting requirements for Water Right No. 6642-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



6642-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: WADE A LARSON, PO BOX 376, VERMILLION, SD 57069 0376
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6642-3, 6770-3, 6900-3 & 7389-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6642-3, 6770-3, 6900-3 & 7389-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6642-3, 6770-3, 6900-3 & 7389-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

6642-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

February 17, 2015

Wade A Larson
PO Box 376
Vermillion SD 57069 0376

RE: Water Permit or Right Nos. 6642-3, 6770-3, 6900-3 & 7389-3

Dear Mr. Larson:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit or Right Nos. 6642-3, 6770-3, 6900-3 & 7389-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



6642-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: WADE A LARSON, PO BOX 376, VERMILLION, SD 57069 0376
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6642-3, 6770-3, 6900-3 & 7389-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6642-3, 6770-3, 6900-3 & 7389-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6642-3, 6770-3, 6900-3 & 7389-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



6642-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 15, 2017

Wade A Larson
PO Box 376
Vermillion SD 57069 0376

RE: Water Right Nos. 6642-3, 6770-3, 6900-3 & 7389-3

Dear Mr. Larson:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right Nos. 6642-3, 6770-3, 6900-3 & 7389-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

6642-3

DAVENPORT EVANS LAWYERS

DAVENPORT, EVANS, HURWITZ & SMITH, LLP

206 WEST 14TH STREET • P.O. BOX 1030 • SIOUX FALLS, SOUTH DAKOTA 57105-0930
T: (605) 336-2880 • F: (605) 335-3639 • WWW.DEHS.COM

RECEIVED

JUL 21 2017

WATER RIGHTS
PROGRAM

July 19, 2017

KYLE J. GROTELUSCHEN
Direct Dial: 605-357-1246
E-mail: kgrote@dehs.com

PMB 2020
DENR – Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Re: Transfer of Water Permits

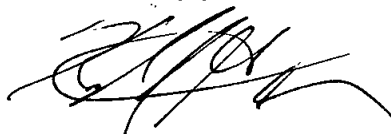
Greetings:

Enclosed are two Notice of Transfer of Ownership forms regarding Permit Nos. 6642-3 and 7389-3. Also enclosed is our firm check in the amount of \$100.00 in payment of the required filing fees.

We would note that the Notice of Transfer of Ownership for permit 7389-3 pertains only to the well located in Section 20, and the permit should be split as previously discussed with Eric Gronlund during our June 19, 2017 telephone call regarding the same. As we understand the Section 17 land will remain the property of the original permit holder Wade Larson.

If you have questions or concerns regarding either notice, or the request to split the 7389-3 permit feel free to contact me on my direct line (605)357-1246.

Sincerely yours,



KYLE J. GROTELUSCHEN
For the Firm

KJG/mmk
Enclosures

Cc: Jay Girotto
Bob Hayes

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

JUL 21 2017

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 6642-3Date: June 19, 2017I/We request that Water Right/Permit No. 6642-3 formerly owned by:WADE A AND JANE A LARSON

be transferred to:

New Owner Name: DGL Farmland Holdings, GPAddress: 18 Crescent KeyCity, State, Zip Bellevue WA 98006 Telephone No. (425) 301-0728

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

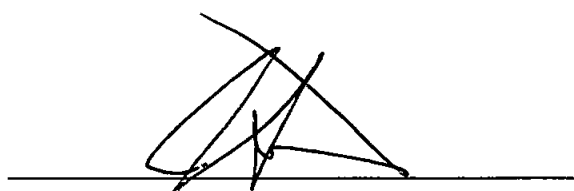
The SE 1/4, Section 20, Township 93 North, Range 53 West of the 5th P.M., Clay County, South
Dakota

☒ I understand that the validity of Water Right/Permit No. 6642-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Jay Giroto, Attorney in fact for, 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 July 31, 20 17

RECEIVED OF Davenport, Evans, Hurwitz & Smith, LLP 206 West 14th Street PO Box 1030 Sioux Falls

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

57101-1030

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>6642-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **08306**

By

Jeanne Goodman
Chief Engineer

272



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

July 24, 2017

6642-3

Jay Girotto
DGL Farmland Holdings GP
18 Crescent Key
Bellevue WA 98006

Dear Mr. Girotto:

Recently we received two "Notice of Transfer of Ownership" forms and the associated filing fees from a law firm in Sioux Falls SD to transfer Water Right No. 6642-3 and portions of Water Right No. 7389-3.

The ownership change for Water Right No. 6642-3 has been completed. The water right formerly held by Wade A Larson, William H Larson Sr., and & June A Larson is now listed in the name of DGL Farmland Holdings GP.

The transfer of Water Right No. 7389-3 is still being processed. This one is more involved since the water right will need to be divided and reissued due to separate ownership.

A receipt for the filing fee for No. 6642-3 is being forwarded by copy of this letter to Davenport, Evans, Hurwitz and Smith LLP. If you have any questions concerning the water right, please get in touch with me. I have included a copy of the water right for your records.

Sincerely,

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

enclosure

c: Davenport Law firm w/Receipt No. 08306

6179-3, 6180-3, 6181-3, 6642-3, 6804B-3, 7389B-3, 8022-3
8023-3, 8024-3, 8025-3, 8211-3, & 8325-3



FARMLAND
OPPORTUNITY

RECEIVED

NOV 01 2023

OFFICE OF
WATER

September 30, 2023

Everyone,

The Farmland Opportunity mailing address/ office changed.

Please send all future USPS, Fedex, UPS, DHL mail and packages to the addresses listed below:

Farmland Opportunity, LLC or [Entity Name] c/o Farmland Opportunity, LLC
1661 Ringling Blvd.
PO Box 2139
Sarasota, FL 34230

If you plan to visit us in person, tell us when you are coming 😊

We are physically located @ 645 S. Orange Ave, Sarasota, FL 34236. DO NOT SEND ANYTHING TO THIS ADDRESS.

Sincerely,

Jay Girotto

Farmland Opportunity LLC
M: 425.301.0728
F: 319.538.0034
jgirotto@farmopp.com

Florida Mailing Address:
1661 Ringling Blvd
PO Box 2139
Sarasota, FL 34230

Iowa Mailing Address:
4926 Autumn Dr
Cedar Rapids, IA 52411

Farmland Opportunity Brokerage PLLC, Cedar Rapids, IA is a licensed broker in Idaho, Illinois, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Washington, Wisconsin