

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Jan 20, 1984

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

45 acres-S&W Section 15, T116N, R52W

formerly owned by Bert Tesch

has been transferred to Emil Wiese, RR #4, Watertown, SD 57201

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 722-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

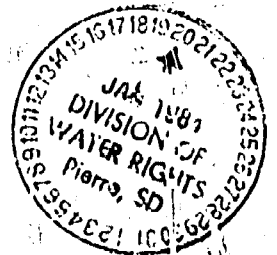
STATE OF SOUTH DAKOTA)
County of Hughes) ss.

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

Emil Wiese
(Signed)

Subscribed and sworn to before me this 20th Day of January, 1984.

Denny McMath
(Notary Public)
Water Rights Specialist



RECEIPT

Division of Water Rights

No 4 9506

South Dakota Department of Water and Natural Resources

Pierre, January 20, 1984, 19

RECEIVED OF Wiese, Edl Wiese, Rich, Watertown, SD 57201

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____

Fee for Filing Transfer Form for WR#722-3A

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Chief Engineer

JOHN HATCH (ins)



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

October 22, 1984

722-3A

Emil Wiese
RR #4
Watertown SD 57201

Dear Mr. Wiese:

Enclosed is your Water License No. 722-3A. Water License No. 722-3 was divided and re-issued as No. 722-3A, Emil Wiese and No. 722-3B, Bert Tesch. Water License No. 722-3A was re-issued for irrigation of 45 acres in the SE 1/4 Section 15, T116N, R52W and authorizes diversion of 0.64 cubic feet per second.

If you have any questions concerning the license or transfer, please contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:GM:ks

enclosures

State of South Dakota

Division of No. 722-3
Into No. 722-3A & 722-3B

RE-ISSUANCE OF Water License No. 722-3A

(1) Bert Tesch
of RR #4, Watertown, South Dakota 57201 was issued water license
made Application No. 722-3 July 1, 1970 for a water permit to appropriate
2.08 cubic feet per second of water from groundwater
Codington County, South Dakota for Irrigation purposes.
Term No. _____, with a priority date of June 10, 1960
~~was approved _____ and is used to apply for division of water with construction of the described~~
~~water supply system to be completed on or before _____ and for the application to beneficial use of said~~
~~water on or before _____~~

Land Irrigated under Water License No. 722-3 has been split and part transferred to a new owner. Water License No. 722-3 is being divided and re-issued as No. 722-3A, Emil Wiese and No. 722-3B, Bert Tesch.

Water License No. 722-3A is being re-issued for Irrigation of 45 acres in the SE $\frac{1}{4}$ Section 15, T116N, R52W and authorizes diversion of 0.64 cfs.

Water License No. 722-3B is being re-issued for Irrigation of 101 acres in the S $\frac{1}{4}$ Section 15, T116N, R52W and authorizes diversion of 1.44 cfs.

and

(2) It is certified that Water License No. 722-3A authorizes diversion of
~~the application has complied with the provisions of South Dakota Stat. Law relating to completion of~~
~~the construction of the water supply system and is entitled to divert~~ 0.64 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, T116N, R52W
(3500'E of the W $\frac{1}{4}$ corner)

and

(3) ~~The application has complied with the provisions of South Dakota State Law relating to the application of water to~~
~~beneficial use to the following extent:~~ **Water License No. 722-3A authorizes irrigation of**

the following land all in Section 15, T116N, R52W

SE $\frac{1}{4}$ 45 acres

(4) Pursuant to §16-5-30.1

Emil Wiese

of **RR #4, Watertown SD 57201**

the holder(s) and/or owner(s) of Water ~~Right~~ No. **722-3A** is issued a license to appropriate water, the right to use
0.64 cubic feet per second of water from **groundwater (gravel pit)** with a priority date
of **June 10, 1960** from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of **Irrigation**

This license is subject to any limitations or qualifications listed in Water ~~Right~~ No. **722-3** and subject
to South Dakota State Law.

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

September 27, 1984

 **Department of
Water & Natural Resources**

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

February 9, 1990

EMIL WIESE
RR #4 BOX 164
WATERTOWN, SD 57201

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 722-3A. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

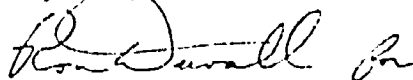
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 722-3A to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

 **Department of
Water & Natural Resources**

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

February 16, 1990

722-3A

Emil Wiese
RR 4, Box 164
Watertown SD 57201

Dear Mr. Wiese:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 722-3A. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall /ks

RON DUVALL
Natural Resources Engineer
Water Rights Division



January 22, 1999

722-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: EMIL WIESE, 45762 175TH ST, WATERTOWN, SD 57201

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 722-3A. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 722-3A to require the Irrigation Water Use Questionnaire to be submitted each year;
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 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

722-3A

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: **EMIL WIESE**
45762 175TH ST
WATERTOWN SD 57201

4a. Article Number **P-378 080 716**

4b. Service Type

☐ Registered	☒ Certified
☐ Express Mail	☐ Insured
☐ Return Receipt for Merchandise	☐ COD

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X *[Signature]*

7. Date of Delivery **NOV 1994**

8. Addressee's Address (Only if requested and fee is paid)

102595-98 B 0229 Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 9, 1999

722-3A

Emil Wiese
45762 175th St
Watertown, SD 57201

Dear Mr. Wiese:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 722-3A.

A questionnaire was completed for you based on your February 8th telephone conversation with Ron Duvall. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

January 14, 2000

NOTICE

TO: EMIL WIESE, 45762 175TH ST, WATERTOWN, SD 57201

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



SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 722-3A. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 1:30 pm, March 1, 2000, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 722-3A to require the Irrigation Water Use Questionnaire to be submitted each year;
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 February 28, 2000, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

722-3A

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EMIL WIESE
45762 175TH ST
WATERTOWN SD 57201

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

2227 670 420



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2000

722-3A

Emil Wiese
45762 175th St
Watertown, SD 57201

Dear Mr. Wiese:

Thank you for calling in about your 1999 irrigation questionnaire. I completed a questionnaire for you based on our phone conversation. The form indicates you did not irrigate in 1999.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Right No. 722-3A. 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
Environmental Scientist
Water Rights Program
(605) 773-3352



722-3A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: EMIL WIESE, 45762 175TH ST, WATERTOWN, SD 57201

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 722-3A. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 722-3A to require the Irrigation Water Use Questionnaire to be submitted each year;
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 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

722-3A

SENDER COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) _____ B. Date of Delivery _____	
1. Article Addressed to: EMIL WIESE 45762 175TH ST WATERTOWN SD 57201		C. Signature X <i>E. Wiese</i> ☐ Agent ☐ Addressee D. Is delivery address different from item 1? ☒ Yes ☐ No If YES, enter delivery address below _____	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
		4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No	

2. **7001 2510 0004 4797 4647**

PS Form 3811, July 1999

Domestic Return Receipt

102521-00-M-0952



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2002

722-3A

Emil Wiese
45762 175th St
Watertown, SD 57201

Dear Mr. Wiese:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit No. 722-3A.

I completed a questionnaire for you based on our January 23rd telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

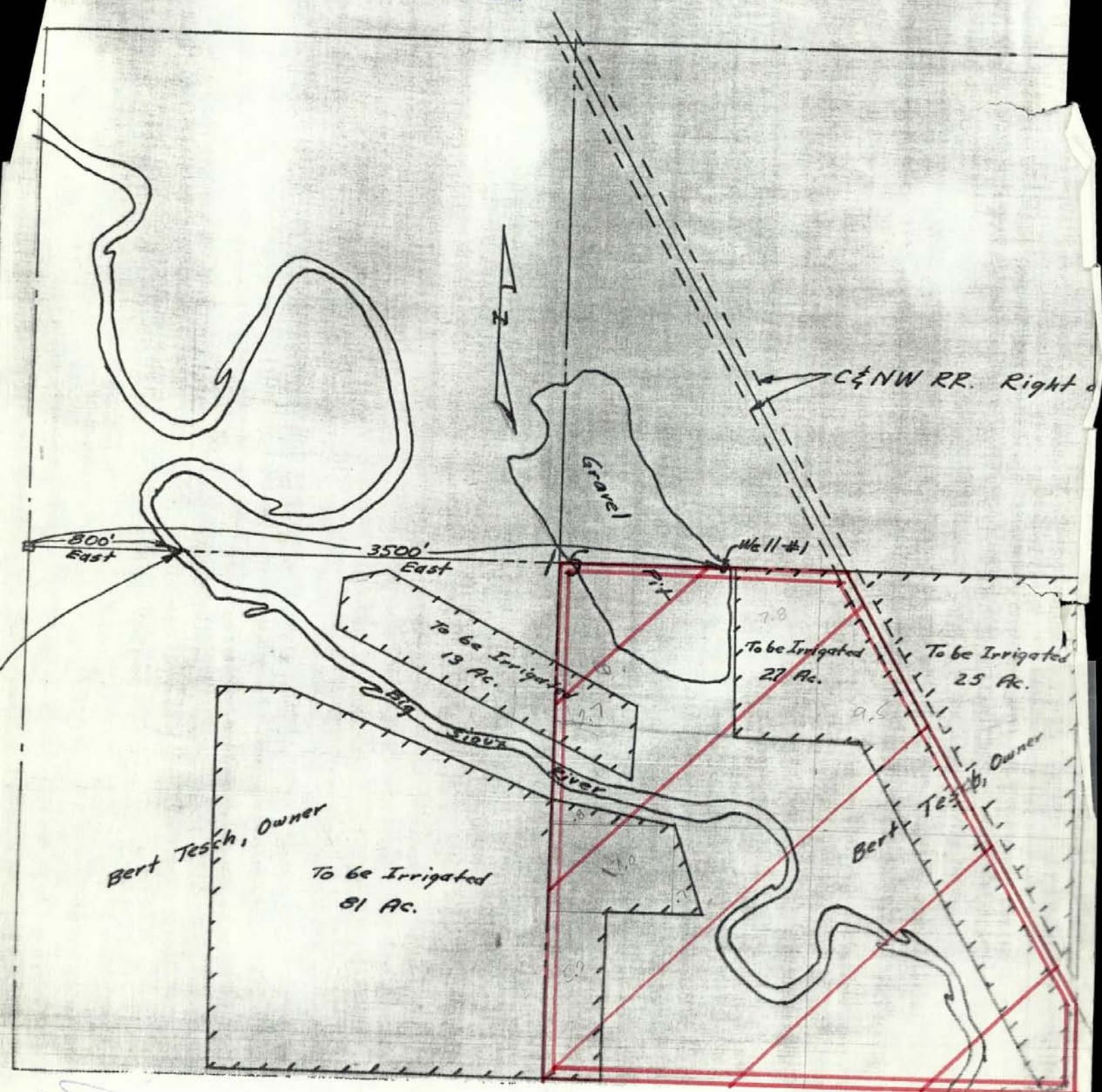
Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

Sec. 15 T116N-R52W

By Kevin C. Larson
Nat. Res. Engineer
Water Rights Div.
1-20-84



Appl. No. 722-3A & 3B



722-3A
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: EMIL WIESE, 45762 175TH ST, WATERTOWN, SD 57201

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 722-3A. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 2, 2006, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 722-3A to require the Irrigation Water Use Questionnaire to be submitted each year;
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 **February 24, 2006**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



722-3A

Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4596

Your item was delivered at 8:17 am on January 27, 2006 in WATERTOWN, SD 57201. The item was signed for by E WIESE.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email [What is this?](#) [Go >](#)

▶ Request Proof of Delivery [What is this?](#) [Go >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 4596

EMIL WIESE
45762 175TH ST
WATERTOWN SD 57201

waiver or signature ☐ YES ☐ NO

Postmark
Here

e mailing.

POSTAL CUSTOMER:

Keep this receipt. For inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 153, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 2006

722-3A

Emil Wiese
45762 175th St
Watertown SD 57201

Dear Mr. Wiese:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 722-3A. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

On your irrigation questionnaire you indicated the land was not irrigated. Our records show you have not irrigated since 1991. Have you discontinued irrigation? In order to maintain a water right, water must be placed to beneficial use for the purpose it was appropriated at least once every three years. This three year period is waived if legal excuse exists for the years of non-use. For informational purposes, I am enclosing excerpts of our water laws and Water Management Board Rules dealing with these issues.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 1, 2009

722-3A

Scott Simon
717 9th St NE
Watertown SD 57201

Dear Mr. Simon:

I appreciate you and Mr. Wiese contacting us regarding the need for an ownership change for Water Right No. 722-3A.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. 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.

I have included a copy of the water right which you may keep for your records. If I can answer 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
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

DEC - 4 2009

WATER RIGHTS
PROGRAM

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

No. 722-3A

Date: 12-2-09

I/We request that Water Right No. 722-3A

formerly owned by: Emil Wiese

be transferred to: (name & address) Scott & Josie Simon

717 9th St. NE

Watertown, SD 57201

Telephone No. (605) 886-1901

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

45 acres - SE 1/4 Section 15, T116N, R52W

I/We understand that the validity of Water Right No. 722-3A 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 Scott Simon, the new owner, certify that the above information is true and correct.

Scott Simon

(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 12/4, 20 09

RECEIVED OF Scott Simon 717 9th St NE Watertown SD 57201

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>722-3A</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. **04257**

By *Michael Erbe*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 1, 2009

722-3A

Scott Simon
717 9th St NE
Watertown SD 57201

Dear Mr. Simon:

I am writing to acknowledge receipt of the ownership change and filing fee you submitted for Water Right No. 722-3A.

The ownership change has been completed. The water right formerly held by Emil Wiese is now listed in the names of "Scott and Josie Simon". Enclosed is your Receipt No. 04257 in the amount of \$50.00 which you paid for filing the ownership change. You may keep this for your records.

If I can answer 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
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

Water Rights Division - DENR

Conversation or File Documentation

Name of Person: **Scott Simon** File No. **LC 722A-3**
Address: **717 9th St NE, Watertown SD 57201** County: **Codington**
Date: **September 17, 2015** Telephone: **(605) 886-1901 hm (605) 228-2509 cell**
RE: **Status of water right.**

Comments:

The 2002 and 2012 Irrigation questionnaires indicated that the irrigation system was not constructed. 722A-3 was transferred to Scott Simon in 2009 and has also indicated that there was sufficient moisture. I spoke with Scott and the land is flood irrigated with a pump and hose from a dugout that intercepts the aquifer. Scott has not irrigated due to sufficient moisture but does have an operating pump and motor and the hose to flood irrigate if needed.

Do not cancel as sufficient moisture has been cited as a legal excuse and irrigation equipment is operational and can be placed on site when needed.



Lynn Beck
Natural Resources Engineer