

WATER PERMIT NO. 7243-3

Name of Applicant: Rollin J Morehouse

Address: 8920 W 28th St, St. Louis Park MN Phone: 952 546-1003

Amount of Water Claimed: 2.28 cfs Total Acres: 160

Source of Water Supply: groundwater (2 wells)

Water to be used for: irrigation County: Roberts

Type of Waste Disposal System: NA

Location: 6 miles northwest of Summit

PRIORITY Date Received: 4-1-11 Application/License Fee: \$1,050.00

Corrected Application Received: Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: NW ¼ SE ¼ Sec 10-T122N-
R52W

Land to be Irrigated: SE ¼ Sec 10-T122N-R52W

Depth of Well: 100 feet

Well Driller: Wieber Well Drilling

Remarks:

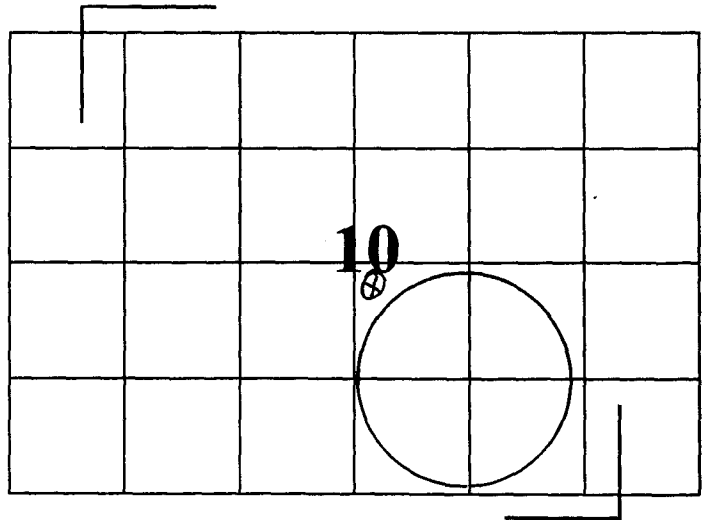
Type of Map: aerial

Prepared by: Kent Werese, Roberts Co FSA

Reviewed and the Number Assigned on: 4-4-11

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



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

Mail to:
PMB 2020
DENR - Water Rights
523 E Capitol Ave
Pierre, SD 57501-3182
ph. (605) 773-3352

(office use only)
No. 7243-3 Hydrologic Unit 10170201
Basin Sioux River
Newspaper Sisseton Courier P.O. Box 169
605-698-7642 Sisseton 57262

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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.)

1. Name of Applicant Rollin J. Morehouse Phone (952) 546-1003
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 8920 West 28th Street St. Louis Park MN 55426
(Address) (City) (State) (Zip Code)
2. Amount of water claimed 2.28 *CFS or 1,025 **GPM ***AF Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Roberts
2 wells in the NW1/4 SE1/4 Section 10-T122N-R52W
5. County or counties where water will be used Roberts
6. Annual period during which water is to be used April to October 31
7. 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
SW1/4 SE1/4 Section 10 - T122N - R52W	40		
SE1/4 SE1/4 Section 10 - T122N - R52W	40		
NW1/4 SE1/4 Section 10 - T122N - R52W	40		
NE1/4 SE1/4 Section 10 - T122N - R52W	40		

8. Give a description of the project. (Attach sheet if more space is needed)
Installation of a permanent well, pump, motor, pipe, and electrical system to support a 160-acre center pivot sprinkler irrigation system for use in growing agricultural crops, primarily corn, soybeans, and small grains in Ortley Township, Roberts County, South Dakota.

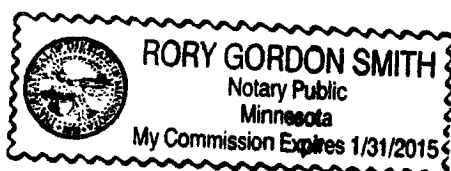
Minnesota
STATE OF ~~SOUTH DAKOTA~~)
County of Hennepin) SS

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

I, Rollin J. Morehouse, 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 Rollin J. Morehouse

Subscribed and sworn to before me this 28 day of March 20 11



[Signature]
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 7243-3

Date of first receipt of application April 1, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7243-3 to Rollin J Morehouse, 8920 W 28th St, St. Louis Park MN 55426 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. 7243-3 appropriates 2.28 cubic feet of water per second from two wells to be completed into the Coteau Lakes Aquifer (approximately 100 feet deep) located in NW ¼ SE ¼ Section 10 for irrigation of 160 acres located in the SE ¼ Section 10; all in T122N-R52W.
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 April 1, 2011.
4. The date of approval of Permit No. 7243-3 is June 27, 2011.
5. One-fifth of the construction is to be completed on or before December 27, 2013.
6. All construction is to be completed on or before June 27, 2016.
7. Water is to be put to beneficial use on or before June 27, 2020.
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 wells 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 wells authorized by Permit No. 7243-3 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

AUG 30 2011

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22 inches Depth 100 feet
- b) Casing Type PVC Diameter 14 inches Thickness Class 200
- c) Screen Type Stainless Steel/PVC Diameter 12 inches Thickness Sch 40/Class 200
- d) Gravel Pack 1/4-3/8" pea rock Length of Gravel Pack 30 feet
- e) Depth to Top of Water Bearing Material 20 feet
- f) Depth to Water (ground surface to water level) 12 feet (estimate)
- g) Distance to nearest existing domestic well:

On applicant's property not applicable

On property owned by others 2700 feet

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) not applicable
- b) System Capacity (gallons) not applicable Year Constructed not applicable
- c) Connected to the City of not applicable Sanitary System

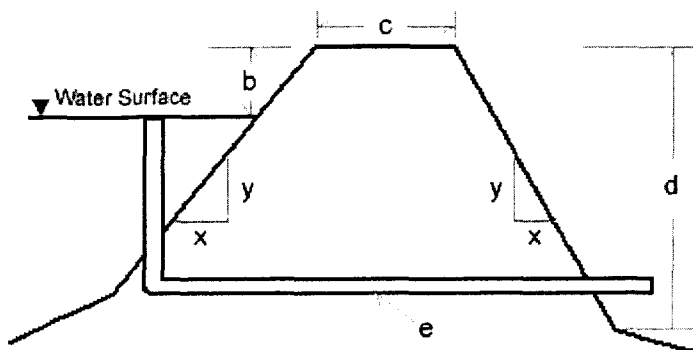
3. Dugout Information

- a) Surface Dimensions not applicable Depth not applicable
- b) Depth to water (ground surface to water level) not applicable

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 not applicable
- c) Crest Width not applicable
Crest Length not applicable
- d) Height not applicable
- e) Primary Outlet Capacity not applicable
If pipe, diameter not applicable
- f) Secondary Spillway Capacity not applicable
Spillway Width not applicable
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream not applicable
Downstream not applicable
- h) Surface Area of Impoundment not applicable
- i) Storage n/a Acre Feet
- j) Drainage Area Above Dam n/a Acres



United States Department of Agriculture
Farm Service Agency

PLSS: 10_122_52
Farm: 1842

1:8,432

Roberts County
2010 Maps



April 07, 2010

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

Wetland Determination Identifiers
 ● Restricted Use
 ▼ Limited Restrictions
 ■ Exempt from Conservation Compliance Provisions

Common Land Units
 Non Cropland

(X) Point of Diversion

2008 Ortho-Photography - Not to Scale

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**WATER RIGHTS
PROGRAM**

ROLLIN MOREHOUSE

1842

2009 Certification Maps

(X) Estimated Well location
 [---] Underground REA Line



Rollin's Farmstead X



South Dakota
 Roberts County

Farm Number APR - 1 2011
 1842

WATER RIGHTS
 PROGRAM

Township-Range-Section
 120N52W10

Legend

- Restricted Use
- ✓ Limited Restrictions
- Exempt from Conservation Compliance Provisions

[---] Field Boundary

[] Tract Boundary

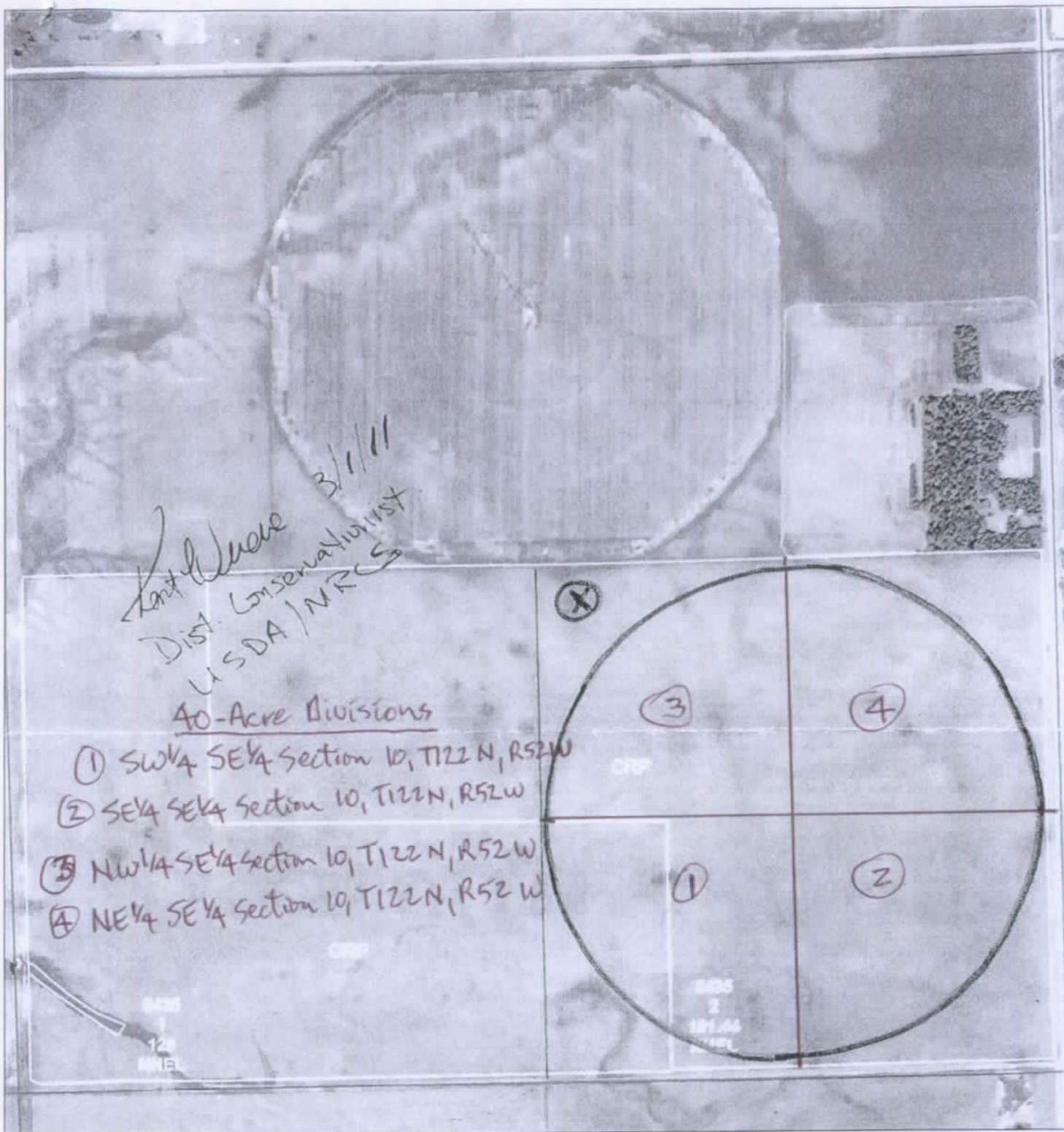


1:8,370

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or a final aerial photograph, rather it depicts the information provided directly from the producer and/or the 2008 certified aerial imagery for South Dakota. The producer accepts the data "as is" and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs for exact wellhead locations and determinations or contact NRC's.

Mar 23, 2009

Dead center would be best, but local sources think water at (X).



United States Department of Agriculture
Farm Service Agency

PLSS: 10_122_52
Farm: 1842

Roberts County

1:8,432

2010 Maps

RECEIVED

April 07, 2010

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APR - 1 2011

WATER RIGHTS PROGRAM

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Common Land Units

- Non Cropland

2008 Ortho-Photography - Not to Scale

⊗ Point of Diversion

SOUTH KOTA WATER WELL COMPLETION REPORT

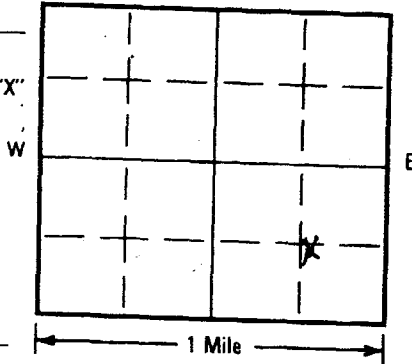
07-92

Location SE 1/4 SE 1/4 Sec 10 Twp 122N Rg 52W

County Roberts

North

Please mark well location with an "X"
test hole # 1



Well Completion Date

10/22/10

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 2000 ft. from unknown (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☒ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe none

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
				<u>4 1/2"</u>
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Wyeber</u>	<u>2</u>	<u>10</u> lb./gal	<u>0</u> ft	<u>160</u> ft
		lb./gal	ft	ft

Describe grouting procedure

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter 4 IN Length 160 FEET

Material Steel
Slot Size 1/2 Set From 0 Feet to 160 Feet

Other information

WAS A PACKER OR SEAL USED? ☐ YES ☐ NO

If so, what material?

Describe packer(s) and location?

DISINFECTION: Was well disinfected upon completion?

YES, How:

NO Why Not?

Laboratory sent to for water quality analysis

Well Owner: Rollin J. Morehouse

Business Name:

Address: 8920 West 28th St
St. Louis Park, MN 55426

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
top soil	0	2
clay	2	6
Sandy fine no good	6	48
good 3/4" gravel	48	61
clay	61	74
sand	74	81
clay no good	81	160

STATIC WATER LEVEL

Feet

If flowing: closed in pressure X PSI

GPM flow through inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced Flowrate GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped

Describe:

☐ Bailed

☐ Other

Pumping Level Below Land Surface

 ft. After Hrs. pumped GPM

 ft. After Hrs. pumped GPM

If pump installed, pump rate GPM

REMARKS

Outley Land
test hole at center of gate.
First of two on the land

This well was drilled under license # 480

And this report is true and accurate.

Drilling firm Wieber Well Drilling

Signature of License Representative:

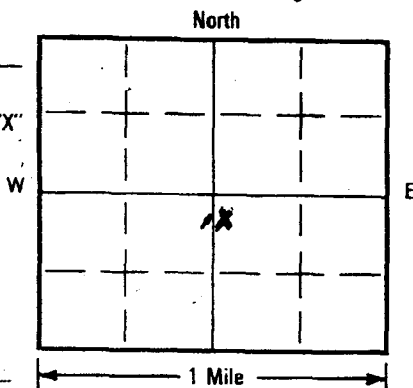
Signature of Well Owner or Equitable Property Holder:

Date:

1-11-2011

SOUTH L. KOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 NW 1/4 Sec 10 Twp 122 N Rg 52 WCounty RobertsPlease mark well location with an "X"
test hole #2

Well Completion Date

10/25/10

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 2000 ft. from unknown (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☒ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	_____ IN	_____ FT	_____ FT	<u>4 1/2</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Wyo-Ben No. of Sacks 5 Grout Weight 10 lb./gal From 0 ft. To 100 ft.
one-step lb./gal ft.

Describe grouting procedure Full hole top to bottom tremie line to 100'SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☒ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

YES, How: _____

Laboratory sent to for water quality analysis ☒ NO, Why Not? _____Well Owner: Rollin J. Morehouse

Business Name: _____

Address: 8920 West 28th St.
St. Louis Park, MN. 55426

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Black Dirt	0	2
clay yellow	2	6
yellow gravel	6	20
medium gravel good	20	35
coarser gravel	35	40
medium gravel	40	57
medium coarse sand good	57	77
COURSE SAND good	77	100

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: _____☐ Bailed☐ Other

Pumping Level Below Land Surface _____

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

ORLEY Land
 test hole # 2 NW corner
 of quarter - good layer of sand
 All connected

This well was drilled under license # 480

And this report is true and accurate.

Drilling firm Wieber Well Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 1-11-2011

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/1, 20 11

RECEIVED OF Rollin Morehouse 8920 W 28th St St Louis Park MN 55426

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

Fee for Application for Permit No. <u>7243-3</u> to Appropriate Water, to construct and to put water to beneficial use	850 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>7243-3</u>	200 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	1050 00

No. **04957**

By Portland Erbe
Chief Engineer

Water Rights Program - File Documentation

NAME: Rollin J Morehouse

ADDRESS: St. Louis Park MN

DATE: 4-4-11 **COUNTY:** RB **TELEPHONE:** 952 546-1003

RE: Pending applications

COMMENTS:

Eric Gronlund called Rollin J Morehouse regarding his two water permit applications and the amount of water requested. Mr. Morehouse stated the amount of water claimed on the applications was 7 gpm for each acre to be irrigated.

Eric explained the statutory limit of 1 cfs per 70 acres. Mr. Morehouse stated he concurred with changing the amount of water claimed to the statutory limit.



Karen Schlaak
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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. 7243-3, Rollin J Morehouse**

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. 7243-3, Rollin J Morehouse, 8920 W 28th Street, St Louis Park MN 55426.

The Chief Engineer is recommending APPROVAL of Application No. 7243-3 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 wells 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 wells authorized by Permit No. 7243-3 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
June 1, 2011

REPORT ON WATER PERMIT APPLICATION NO. 7243-3

For Rollin J Morehouse

May 27, 2011

Application No. 7243-3 proposes to appropriate 2.28 cfs (1,023 gpm) from two wells to be completed to a depth of approximately 100 feet located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 10 for irrigation of 160 acres located in the SE $\frac{1}{4}$ of section 10; all in T122N R52W in Roberts County and located within the former boundaries of the Sisseton Wahpeton Indian Reservation.

AQUIFER - COTEAU LAKES (COL)

The Coteau Lakes is a primarily surficial outwash (sand and gravel) under water table conditions in this area. The aquifer underlies about 20 square miles in southwestern Roberts County (Gilbertson, 1996). The Coteau Lakes aquifer extends into Day County to the west and into Grant County to the south (Thompson, 2001). Ground water movement is from northwest to southeast across the area of this application. Recharge to the Coteau Lakes aquifer is estimated at a rate of about 4.5 inches per year (Hedges, 1983). Also recharge to the Big Sioux aquifer in Grant and Codington Counties has been estimated at 5.5 inches per year (Putnam, 1996). These rates seem reasonable and would indicate an expected recharge to the Coteau Lakes aquifer of 4,800 to 5,900 acre-feet per year for just the Roberts County portion of the aquifer. Also the size of the aquifer could approach 22 – 25 square miles using the Thompson map of the aquifer. The reported irrigation water use from the Coteau Lakes aquifer in Roberts County has never approached the recharge estimate and is mostly in the 800 to 1700 acre-feet range.

A test well drilled for the applicant indicated sand and gravel from about 6 feet to 100 feet below land surface. No pumping or static water level is available for this test. This test show excellent potential for water development.

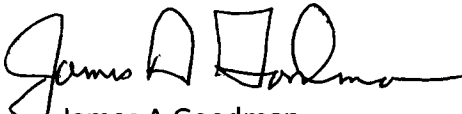
The Water Right Program monitors four observation wells located within two miles of this application and completed into the Coteau Lakes aquifer. Observation well RB-76A is located about one-half mile to the south, observation well RB-76B is located about one mile east, and observation well RB-82B is located about two miles west and observation well RB-77T is located about two miles to the north. Water levels show good response to climatic conditions and very little effect from pumping. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2011). Hydrographs for these observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing Water Right No. 5723-3 (1.89 cfs, 132 acres) located adjacent to this application. The existing irrigation well is located about 1,600 feet northwest of this proposed well site. Interference may occur however because this aquifer is prolific and apparently very thick at this site drawdown should not be significant nor the effects adverse.

CONCLUSIONS

1. Water is available from the Coteau Lakes aquifer.
2. The aquifer is under water table conditions at this site. Drawdown will occur but is not expected to be significant. This is shown by the observation well hydrographs. Interference is not expected to be a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resource Engineer

BIBLIOGRAPHY

Gilbertson, J.P. 1996, Investigation of Ground Water Resources in Portions of Roberts County South Dakota, Open File Report 81-UR, SD DENR, SDGS, Vermillion, SD, 57069.

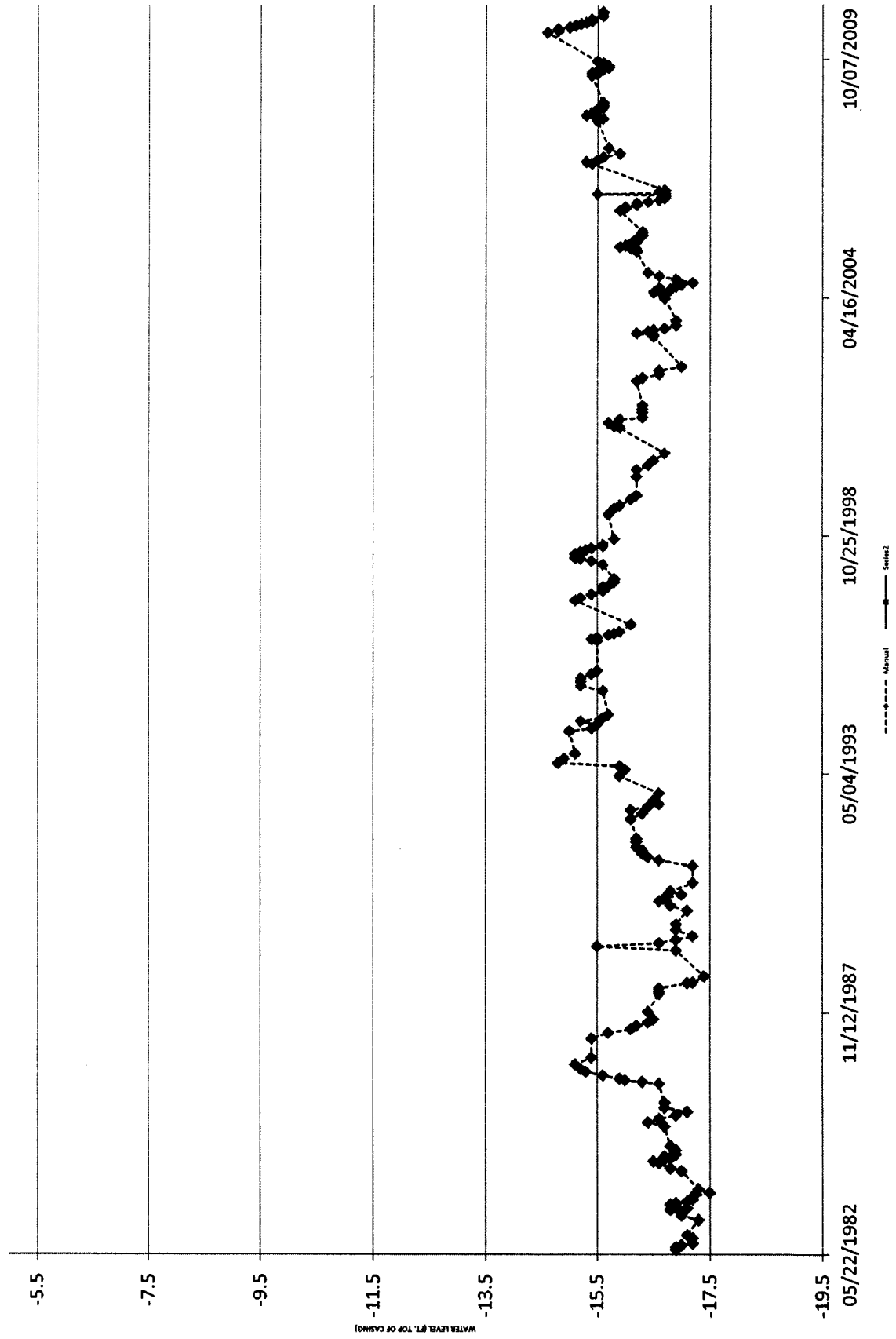
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Putnam, L.D., R.C. Thompson, 1996, Appraisal of the Water Resources of the Big Sioux Aquifer, Codington and Grant Counties, South Dakota, Water-Resources Investigations Report 96-4275, USGS, Rapid City, SD, 57702.

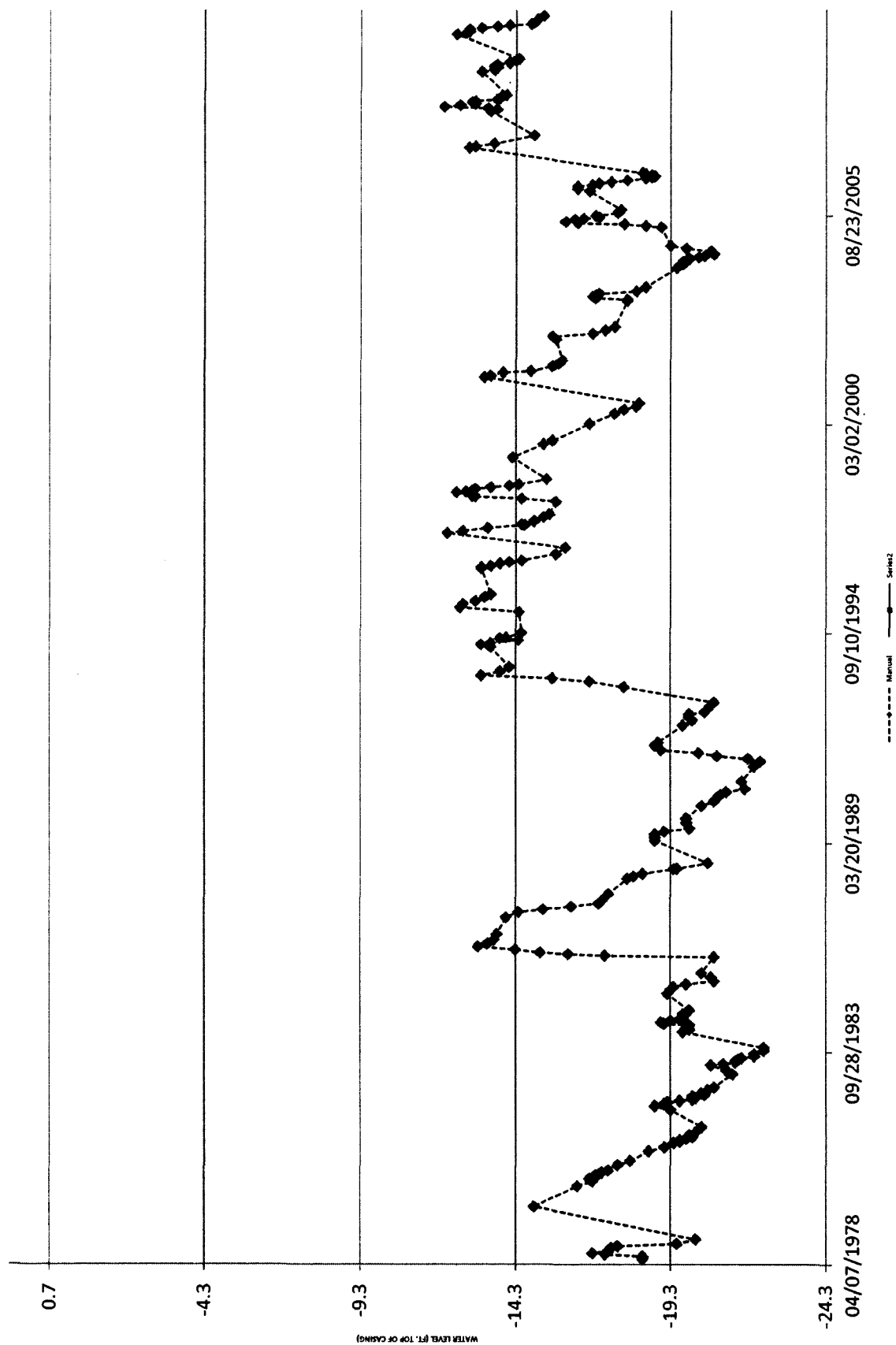
Thompson, R.F., 2001, Water Resources of the Lake Traverse Reservation, South Dakota and North Dakota, and Roberts County, South Dakota, Water-Resources Investigations Report 01-4219, USGS, Rapid City, SD, 57702.

Water Rights, 2011, Unpublished Observation Well Records for Roberts County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

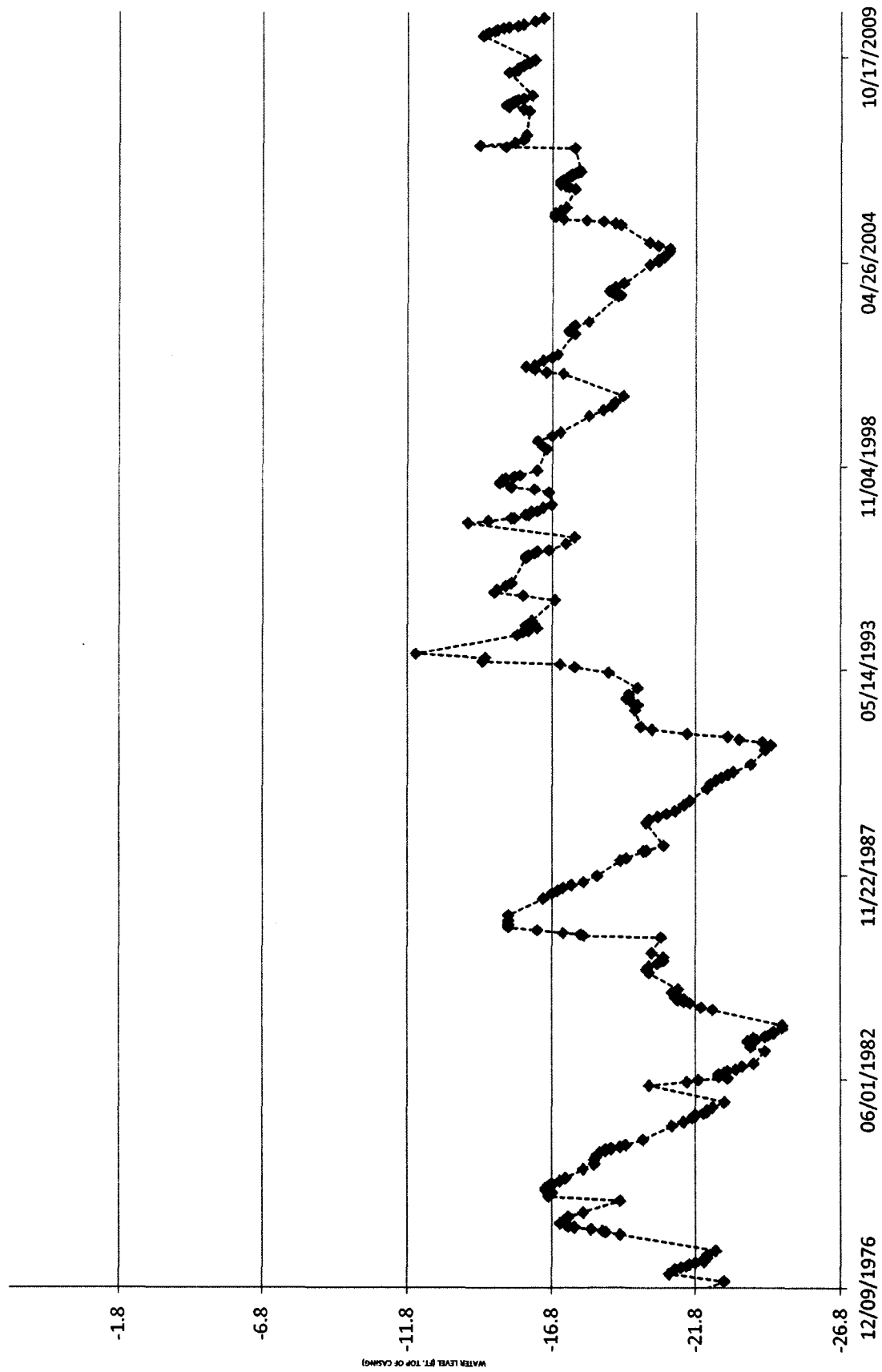
WATER RIGHTS' OBSERVATION WELL RB-82B



WATER RIGHTS' OBSERVATION WELL RB-77T

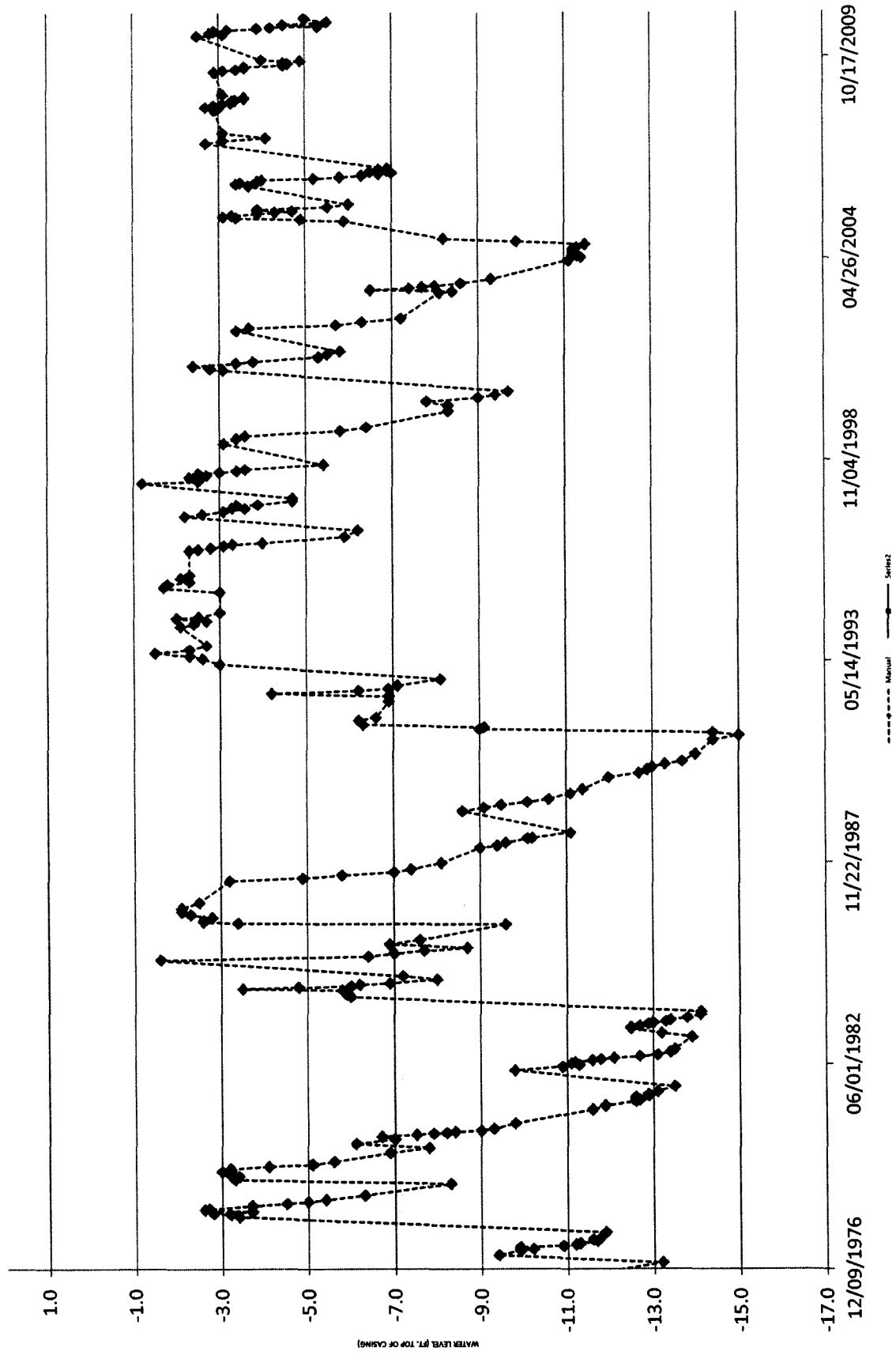


WATER RIGHTS' OBSERVATION WELL RB-76A



WATER RIGHTS' OBSERVATION WELL

RB-76B



RECEIVED

JUN 28 2011

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Roberts)

I, Harley E. Deutsch

certify that the attached printed Notice was
taken

from the _____

Sisseton Courier

printed and published in Sisseton

County of Roberts and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

June 7, 2011

June 14, 2011

Cost of Printing \$37.71

Harley E. Deutsch
(Signature)

President-Vice President

(Title)

June 14, 2011

(Date Signed)

NOTICE OF APPLICATION
NO. 7243-3 TO
APPROPRIATE WATER

Notice is given that Rollin J. Morehouse, 8920 W 28th St., St. Louis Park, MN 55426 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from two wells to be completed into the Coteau Lakes Aquifer (approximately 100 feet deep) located in NW 1/4 SE 1/4 Section 10 for irrigation of 160 acres located in the SE 1/4 Section 10; all in T122N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7243-3 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 this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation 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 June 27, 2011.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, 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 this application.

Steven M. Pirner, Secretary,
Department of Environment and
Natural Resources

Published twice at the total
approximate cost of \$37.71.

(Jun. 7-14--2 wks)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 2, 2011

Sisseton Courier
PO Box 169
Sisseton SD 57262

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7243-3 to Appropriate Water to be published twice. Please publish the first notice on June 7, 2011 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 Rollin J Morehouse, 8920 W 28th St., St. Louis Park MN 55426 (Ph # 952-546-1003).

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-----

No. 7243-3

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

Date _____

We are in receipt of your letter of June 2, 2011 enclosing Notice to Appropriate Water by Application No. 7243-3 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

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

June 2, 2011

Rollin J Morehouse
8920 W 28th St
St Louis Park MN 55426

Dear Mr. Morehouse:

Water Permit Application No. 7243-3 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 Sisseton Courier printed at Sisseton SD (Ph # 605-698-7642). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report 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 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 application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352
eric.gronlund@state.sd.us

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.

Instruction to Newspaper - Publish first Notice on June 7, 2011 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7243-3 to Appropriate Water

Notice is given that Rollin J Morehouse, 8920 W 28th St, St. Louis Park MN 55426 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from two wells to be completed into the Coteau Lakes Aquifer (approximately 100 feet deep) located in NW ¼ SE ¼ Section 10 for irrigation of 160 acres located in the SE ¼ Section 10; all in T122N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7243-3 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 this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation 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 June 27, 2011.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, 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 this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of_____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 30 2011

Rollin J Morehouse
8920 W 28th St
St Louis Park MN 55426

Dear Mr. Morehouse:

Enclosed is Water Permit No. 7243-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

7243-3

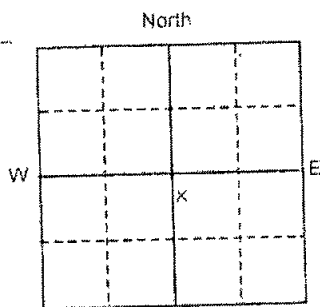
SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ SE ¼ Sec 10 Twp 122 Rg 52

County Roberts

Please mark well
location with an "X"

Well Completion Date

October 9, 2014

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
ft. from (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

mud rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	12.00 IN	0.0 FT	74.0 FT	17.50 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
HS Bentonite	38	Lb/gal	0.0 Ft	64.0 Ft
Red Flint		Lb/gal	64.0 Ft	94.0 Ft

Describe grouting procedure
Pressure Tremmie

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter _____ Inches Length 20.0 Feet

Material Stainless Steel

Slot Size 100 Set From 74.0 Feet to 94.0 Feet

Other information

WAS A PACKER OR SEAL USED? ☐ Yes ☐ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes. How? Chlorine☐ No. Why Not?Lab to which water
quality sample sent for analysis

Well Owner: Rollin Morehouse

Business Name:

Address: 8920 W 28th St

City, State, Zip: St Louis Park MN 55426

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil Brn M	0	3
Sand/Gravel Ylw 18-40slt	3	57
Sand/Gravel Tan 30-40slt	57	94

STATIC WATER LEVEL 30.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: Submersible☐ Bailed☐ Other

Pumping Level Below Land Surface

59.3 Ft After 6.0 Hrs. pumped 1,000.0 GPM

Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

45 21 46.3N

97 09 17.9W

TH #2

RECEIVED

DEC 22 2014

WATER RIGHTS
PROGRAMThis well was drilled under license # 463 and this
report is true and accurate.

Drilling firm: Steffi Drilling & Pump Inc / Kris VanHueveln

Signature of License Representative

Signature of Well Owner or Equitable Property Holder:

Rollin Morehouse

Date: 10/24/14

10-20-14

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

RECEIVED

JUN 9 2015

WATER RIGHTS
PROGRAMDate May 21, 2015TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Rollin J. Morehouse
(name)
8920 West 20th Street
(address)
St. Louis Park, MN 55426 (952) 270-9333
(city, state, zip) (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.

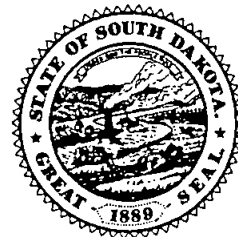
Water Permit No. 7243-3 states that the water use system is to be constructed by
June 27, 2016, and water is to be put to beneficial use by June 27, 2020
(date) (date)

The water use system was completed on December 20, 2014
(date)

Applying the water to beneficial use was completed on May 15, 2015
(date)

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

Rollin J. Morehouse
(signature)





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 30, 2015

7242-3
7243-3
8063-3

Rollin J Morehouse
8920 W 28th St
St Louis Park MN 55426

Dear Mr. Morehouse:

I am writing to acknowledge receipt of the "Notice of Completion of Works" forms that you sent in to let us know that you are completed with your irrigation systems authorized under Water Permit Nos. 7242-3, 7243-3 and 8063-3.

The systems are now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of the projects and the staff inspection has no bearing on your water permits.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

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

7243-3

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

RECEIVED

JUN 29 2015

WATER RIGHTS
PROGRAMDate May 21, 2015TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Rollin J. Morehouse
(name)
8920 West 20th Street
(address)
St. Louis Park, MN 55426 (952) 270-9333
(city, state, zip) (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.

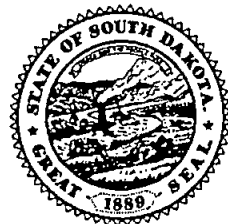
Water Permit No. 7243-3 states that the water use system is to be constructed by
June 27, 2016, and water is to be put to beneficial use by June 27, 2020.
(date) (date)

The water use system was completed on December 20, 2014.
(date)

Applying the water to beneficial use was completed on May 15, 2015.
(date)

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

Rollin J. Morehouse
(signature)



Permit No. 7243-3
James River - Water District

Contact Person & Address: **Rollin Morehouse, 8920 W 28th St, St Louis Park MN, 55426**

Report of Examination of Works

On, **August 29, 2016**, I made a thorough examination of the water use system constructed by **Rollin J. Morehouse** holder of Permit No. **7243-3**, bearing the priority of **April 1, 2011** authorizing the diversion of **2.28** cu. ft. per second of the waters of **ground water, Coteau Lake Aquifer** for **irrigation** purposes, in **Roberts** County.

The system is in the following condition **good**. The point of diversion is located **From SW corner of Sec 10 T122N-R52W(res); 2640 ft E and 2635 ft N** with latitude of **45.36286** and a longitude of **- 97.15496** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **2.22** cu. ft. per second of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

All land is located in **Sec 10 T122N-R52W(res)**

NW ¼ SE ¼ - 35 ac NE ¼ SE ¼ - 35 ac SE ¼ SE ¼ - 35 ac SW ¼ SE ¼ - 35 ac
comprising a total of **140** acres of land and the license should be issued for **2.0** cfs.

Review of Permit Qualifications and Regulations:

- 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**.
- 4) Exceptions to compliance are: **none**

Report On the Specifics of the System

DIVERSION POINT INFORMATION:

Well Information:

- 1) Well Drilling Firm: **Steffl Drilling and Pump Inc** 2) No. of Wells **1** 3) Depth(s) **94** feet 4) Well log is available **yes**

Casing:

- 1) Diameter **12** inches 2) Length **74** feet 3) Type **PVC**

Screen:

- 1) Type **Stainless Steel** 2) Length **20** feet 3) Static water level **30** feet

Pump:

- 1) Make **Grundfos** 2) Model **submersible** 3) Size **NA** 4) Capacity **1000** GPM

Motor:

- 1) Make **Grundfos** 2) Model No. **submersible** 3) Horsepower rating **100** hp

DISTRIBUTION LINES OR CANALS:

- 1) Type **PVC** 2) Size **10** inches 3) Length **1840** feet

SYSTEM TYPE:

Center pivot:

- | | |
|------------------------------------|------------------------------------|
| 1) Make <u>Valley</u> | 2) Overall length <u>1310</u> feet |
| 3) Number of towers <u>7</u> | 4) End gun <u>yes</u> |
| 5) High or low pressure <u>low</u> | 6) Capacity <u>1000</u> GPM |

CHEMIGATION EQUIPMENT:

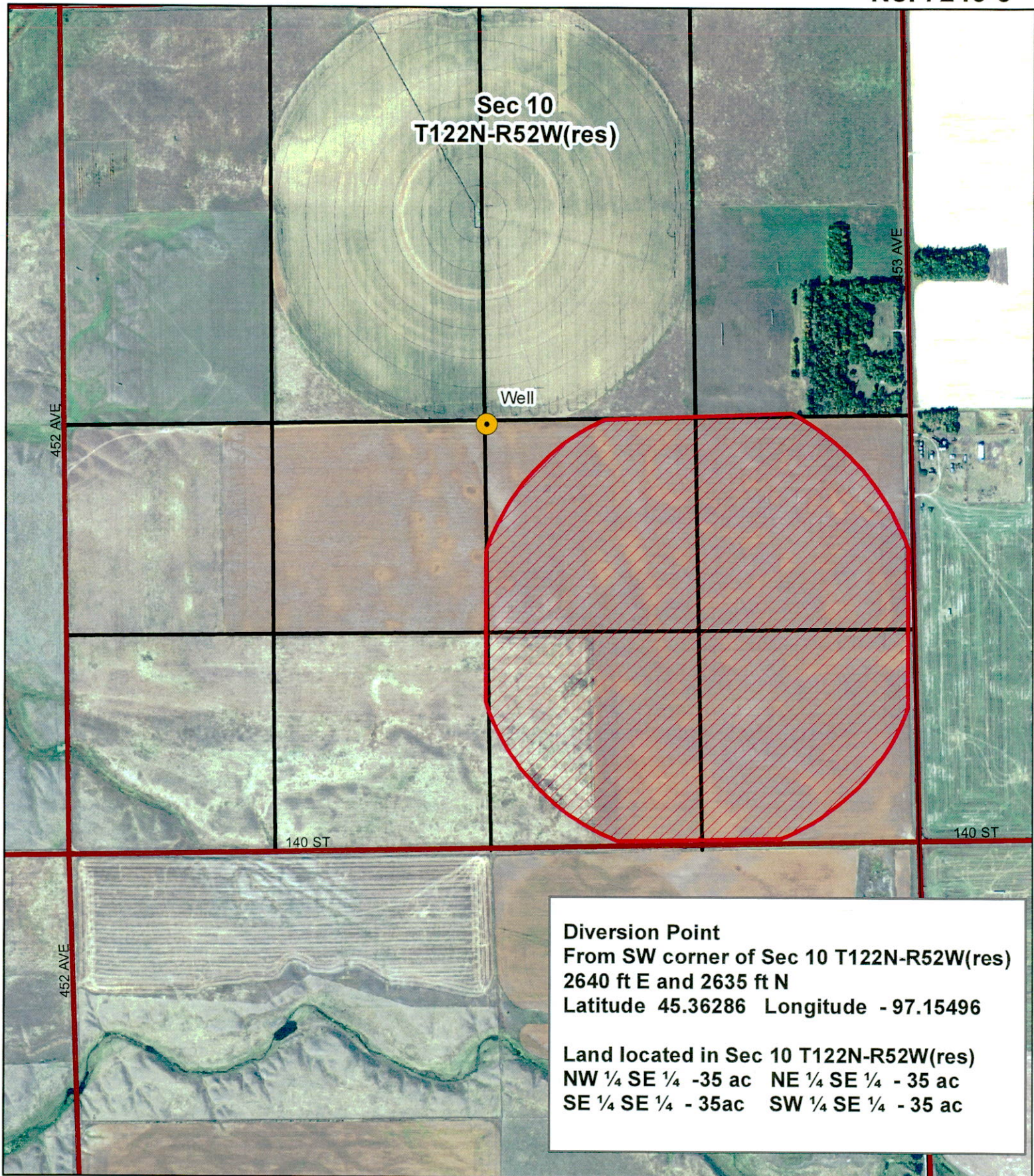
- 1) Does chemigate no)

Comments: none



Mark D. Rath
Natural Resources Engineer III
DENR, Water Rights Program

November 30, 2016



0 370 740 1,480 2,220 2,960 Feet

Mark D Rath
 Mark D Rath
 Natural Resources Engineer
 SD DENR - Water Rights
 11-18-2016



7243-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

FEB 06 2017

7242-3

7243-3

8063-3

Rollin J Morehouse
8920 W 28th St
St Louis Park MN 55425

Dear Mr. Morehouse:

Enclosed are Water License Nos. 7242-3, 7243-3 and 8063-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your licenses are maps prepared by the staff engineer who conducted the investigations.

For your information SDCL 46-6-27 requires that if the owner of any existing wells, such as the wells authorized by Water Right Nos. 7242-3, 7243-3 and 8063-3, constructs replacement wells and does not plan to use the old wells, the old wells are considered abandoned and must be plugged. Also, any wells that are being used or are 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 Licenses, 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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7243-3

(1) Rollin J Morehouse, 8920 W 28th St, St. Louis MN 55426 made Application No. 7243-3, April 1, 2011 for a water permit to divert 2.28 cubic feet of water per second from two wells – Coteau Lakes Aquifer, Roberts County, South Dakota for irrigation purposes. Permit No. 7243-3, with a priority date of April 1, 2011 was approved June 27, 2011 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 27, 2016 and for the application to beneficial use of water on or before June 27, 2020.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on June 29, 2015. The *Notice* stated the diversion system was completed on December 20, 2014 and the water placed to beneficial use on May 15, 2015.

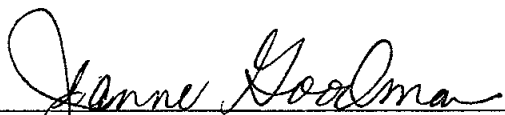
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 7243-3 is issued a license, bearing a priority date of April 1, 2011 to appropriate 2.00 cubic feet of water per second from one well – Coteau Lakes Aquifer to irrigate 140 acres.

The diversion point is located: 2,640 feet east and 2,635 feet north of the SW corner of Section 10-T122N-R52W (center of section) within the former boundaries of the Sisseton Wahpeton Indian Reservation. The acres authorized for irrigation are as follows:

Section 10-T122N-R52W	NW 1/4 SE 1/4	35 acres	
	NE 1/4 SE 1/4	35 acres	
	SE 1/4 SE 1/4	35 acres	
	SW 1/4 SE 1/4	35 acres	Total 140 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 7243-3 including 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. 7243-3 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. *The well was drilled by Steffl Drilling & Pump Inc. in December, 2014. A copy of the log is on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 06 2017

date



7243-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 25, 2017

7242-3
7243-3
8063-3

Rollin J Morehouse
327 Jack Nicklaus Dr
Austin TX 78738-1714

Dear Mr. Morehouse:

Enclosed is a "Notice" dated October 20, 2017 concerning the 2017 irrigation questionnaires.

The notice was originally mailed to 8920 W 28th St, St Louis Park, MN. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures

7243-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date August 10, 2020RECEIVED OF Rollin J Morehouse/Morehouse Farms 327 Jack Nicklaus Drive Austin TX 78738

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	\$
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>7243-3</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law) TOTAL	\$50.00

By Eric GronlundChief Engineer DM

PAID

AUG 10 2020

Ck# 5493

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: ~~PMB 2020~~

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

AUG 10 2020

WATER RIGHTS
PROGRAM

Water Right/Permit No. 7243-3

Date: August 6, 2020

I/We request that Water Right/Permit No. 7243-3 formerly owned by:

Rollin J. Morehouse

be transferred to:

New Owner Name:

Rollin Jay Morehouse & Maureen Brandes Morehouse,
Co-Trustees of the Morehouse Family Trust

Address:

327 Jack Nicklaus Drive

City, State, Zip

Austin

TX

78738

Telephone No. (952) 270-9333

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

See attached Warranty Deed and Certificate of Trust

☒ I understand that the validity of Water Right/Permit No. 7243-3 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, See above, the new owner, certify that the above information is true and correct.

Rollin Jay Morehouse, Trustee
(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.

State of South Dakota, County of Roberts
Filed this 6 Day of July 20 20 At 8:55
O'Clock A M. Book 104 Page 464
By Jay Tasa-Sue Anderson
Register of Deeds Deputy
Fees \$ 30.00

James W Nelson
NOTARY PUBLIC
MINNESOTA
My Commission Expires Jan. 31, 2025

CERTIFICATE OF TRUST

1. **Trust Name.** The following trust (referred to herein as the "Trust") is the subject of this Certificate: The "MOREHOUSE FAMILY TRUST" which was created by Agreement dated June 24, 2020 ("Trust Agreement").
2. **Legal Trust Name.** The full legal name of the Trust for purposes of transferring assets into the Trust, holding title of assets, and conducting business for and on behalf of the Trust, is as follows: Rollin Jay Morehouse and Maureen Brandes Morehouse, Co-Trustees of the MOREHOUSE FAMILY TRUST.
3. **Tax ID Number.** The tax ID number for the MOREHOUSE FAMILY TRUST is the social security number of a Settlor.
4. **Settlors.** The Settlers of this Trust are Rollin Jay Morehouse and Maureen Brandes Morehouse.
5. **Currently Acting Trustee.** The name and address of the current Co-Trustees of the MOREHOUSE FAMILY TRUST are as follows: Rollin Jay Morehouse, 327 Jack Nicklaus Drive, Austin, Texas 78738, and Maureen Brandes Morehouse, 327 Jack Nicklaus Drive, Austin, Texas 78738.
6. **Multiple Trustees.** If three or more trustees are serving the Trust, any vote or action requiring the affirmative consent of multiple trustees will be exercised by a majority of the co-trustees. If the Trust is served by two trustees, unanimous consent or affirmative action is required. Multiple trustees may delegate among themselves administrative and ministerial duties of the Trust such as signing tax returns or matters with regard to transactions with banking or brokerage accounts. If two or more trustees are serving the Trust, the remaining trustee or trustees will continue to serve the Trust if any trustee serving ceases to serve as trustee for any reason.
7. **Trust In Effect.** The Trust is currently in full force and effect. The Trust is revocable, the Trust has not been revoked, and the Trust Agreement has not been modified or amended in any manner that would cause the representations contained in this Certificate of Trust to be incorrect.
8. **Homestead Reservation.** The Settlers or beneficiaries of the Trust have the right to use and occupy real or personal property owned by the Trust as the Settlers' or beneficiary's principal residence, rent free and without charge for life or until the Trust is revoked or terminated, whichever occurs first. Further, any such property (or any interest therein) shall be acquired by an instrument of title that describes the property with sufficient certainty to identify it and the interest acquired, and the instrument shall be recorded in the real property records of the county in which the property is located. This provision shall be construed in accordance with the Settlers' intentions that all eligible real or personal property which is owned by the Trust qualify for the homestead exemption and the Trust which owns such property is a "qualifying trust" as defined and described in Section 11.13(j) of the Texas Tax Code, and if applicable, Section 41.0021 of the Texas Property Code.
9. **Powers of Trustee.** All powers of the Trustees are fully set forth as Exhibit A.
10. **Hold Harmless.** No person or entity paying money to or delivering property to any Trustee shall be required to see to its application. All persons relying on this Certificate of Trust regarding the Trustees and the Trustees' powers over the property of the Trust shall be held harmless for any resulting loss or liability from such reliance.
11. **Third Party Reliance.** Any third party to whom this Certificate of Trust is presented may rely upon an affidavit by the then serving Trustees stating that such Trustees are, in fact, the active Trustees for the Trust. No third party acting in reliance upon this Certificate of Trust or such affidavit shall be

liable for any losses, damages, or claims caused by compliance with any action requested by the Trustees.

12. **Validity of Copies of This Certificate.** A copy of this Certificate of Trust shall be just as valid as the original.

IN WITNESS WHEREOF, the Trustees have signed this Certificate of Trust, effective the day and year first above written and executed by the Trustees on the date set forth below.

Dated to be effective June 24, 2020.

Rollin Jay Morehouse, Trustee
Rollin Jay Morehouse, Co-Trustee

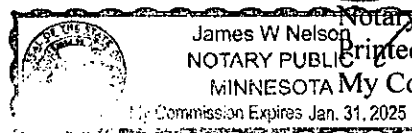
Maureen Brandes Morehouse, Trustee
Maureen Brandes Morehouse, Co-Trustee

State of Minnesota
County of Crow Wing

I HEREBY CERTIFY that on June 24, 2020, before me personally appeared Rollin Jay Morehouse, as Co-Trustee, and, being authorized to do so, acknowledged that the foregoing instrument was signed by Rollin Jay Morehouse, as Co-Trustees, for the purposes therein contained.

WITNESS my hand and notarial seal.

Dated: June 24, 2020.



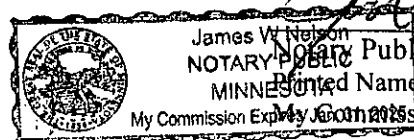
[Signature]
Notary Public, State of Minnesota
Printed Name: _____
My Commission Expires: _____

State of Minnesota
County of Crow Wing

I HEREBY CERTIFY that on June 24, 2020, before me personally appeared Maureen Brandes Morehouse, as Co-Trustee, and, being authorized to do so, acknowledged that the foregoing instrument was signed by Maureen Brandes Morehouse, as Co-Trustee, for the purposes therein contained.

WITNESS my hand and notarial seal.

Dated: June 24, 2020.



[Signature]
Notary Public, State of Minnesota
Printed Name: _____
My Commission Expires: _____

7243-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 10, 2020

7242-3
7243-3
8063-3

Rollin J Morehouse
327 Jack Nicklaus Dr
Austin TX 78738

Dear Mr. Morehouse:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for Water Right Nos. 7242-3, 7243-3 and 8063-3.

The ownership changes have been completed. Nos. 7242-3, 7243-3 and 8063-3 formerly listed under Rollin J Morehouse are now listed as follows:

- **Rollin Jay Morehouse and Maureen Brandes Morehouse, Co-Trustees of the Morehouse Family Trust**

The receipts for the filing fees you paid are enclosed. If I can answer any questions for you, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures



7243-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

October 26, 2021

7242-3

7243-3

8063-3

Rollin & Maureen Morehouse
Morehouse Family Trust
PO Box 222
Deerwood MN 56444 0222

Dear Mr. & Mrs. Morehouse:

Enclosed is a "Notice" dated October 22, 2021 concerning the 2021 irrigation questionnaires.

The notice was originally mailed to 327 Jack Nicklaus Dr., Austin TX. The post office notified us that your address has changed, and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures