

DAVENPORT EVANS

LAWYERS

DAVENPORT, EVANS, HURWITZ & SMITH, LLP

206 WEST 14TH STREET • P.O. BOX 1030 • SIOUX FALLS, SOUTH DAKOTA 57101
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

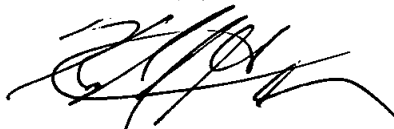
Greetings:

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. 7389-3Date: June 19, 2017I/We request that Water Right/Permit No. 7389-3 formerly owned by:WADE 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:

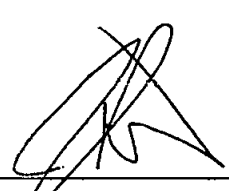
The NW 1/4, Section 20, Township 93 North, Range 53 West of the 5th P.M., Clay County, South
Dakota

☒ I understand that the validity of Water Right/Permit No. 7389-3 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 21, 20 17

RECEIVED OF Davenport, Evans, Hurwitz & Smith LLP 206 W 14th St 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>7389-3</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. **08307**

By

Jeanne Goodman
Chief Engineer

um



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 02 2017

7389-3
7389B-3

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

Dear Mr. Girotto:

Enclosed is Water License No. 7389B-3.

On July 21, 2017, an ownership change was filed with Water Right No. 7389-3. Based on the ownership change, the water license was divided and reissued to reflect separate ownership as follows:

- **No. 7389A-3 – Wade A Larson, PO Box 376, Vermillion SD 57069** authorizing diversion of 1.60 cfs from one well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17 to irrigate 137 acres in the SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, T93N, R53W;
- **No. 7389B-3 – DGL Farmland Holdings, GP, 18 Crescent Key, Bellevue WA 98006** authorizing diversion of 1.51 cfs from one well located in the approximate center of the NW $\frac{1}{4}$ Section 20 to irrigate 129 acres located in the NW $\frac{1}{4}$ Section 20, T93N, R53W.

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

The receipt for the filing fee is being forwarded by copy of this letter to Davenport, Evans, Hurwitz & Smith LLC in Sioux Falls SD. If you have any questions, please contact our office.

Sincerely,


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

enclosures

c: Kyle J Groteluschen w/Davenport, Evans, Hurwitz & Smith LLP w/Receipt No. 08307

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 7389B-3
DIVISION OF NO. 7389-3 INTO 7389A-3 & 7389B-3

(1) Wade A Larson, PO Box 376, Vermillion SD 57069 was issued Water License No. 7389-3, October 11, 2016 for a water right to divert 3.11 cubic feet of water per second (cfs) from ground water, two wells, Missouri Elk Point Aquifer, Yankton County, South Dakota for irrigation purposes. Water License No. 7389-3, with a priority date of July 23, 2012 was issued to the permit holder for diversion of water with construction of the described water supply system and application to beneficial use of water completed.

Water Right No. 7389-3 authorizes diversion of 3.11 cfs from two wells located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17 and approximate center of the NW $\frac{1}{4}$ Section 20 to irrigate 266 acres located in the S $\frac{1}{2}$ Section 17 and the NW $\frac{1}{4}$ Section 20, all in T93N, R53W.

On July 21, 2017, an ownership change was filed with Water Right No. 7389-3 to transfer the land located in the NW $\frac{1}{4}$ Section 20, T93N, R53W. Based on the ownership change, the water license is being divided and reissued to reflect separate ownership as follows:

- **No. 7389A-3 – Wade A Larson, PO Box 376, Vermillion SD 57069** authorizing diversion of 1.60 cfs from one well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17 to irrigate 137 acres in the SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, T93N, R53W;
- **No. 7389B-3 – DGL Farmland Holdings, GP, 18 Crescent Key, Bellevue WA 98006** authorizing diversion of 1.51 cfs from one well located in the approximate center of the NW $\frac{1}{4}$ Section 20 to irrigate 129 acres located in the NW $\frac{1}{4}$ Section 20, T93N, R53W.

(2) It is certified that the water right has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.51 cubic feet of water per second for beneficial use. The location of the diversion point:

- 1,350'E and 1,340'S of the NW corner of Section 20, T93N, R53W (approximate center of NW $\frac{1}{4}$)
Latitude 42.86275, Longitude -97.13685

(3) The water right 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:

Section 20, T93N, R53W	NW $\frac{1}{4}$ NW $\frac{1}{4}$	28 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	34 acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	34 acres
Total		129 acres

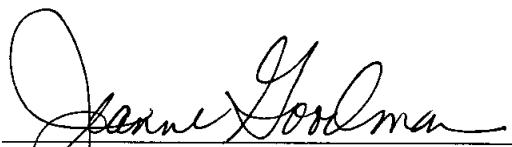
(4) Pursuant to South Dakota Water Law 46-5-30.1 DGL Farmland Holdings, GP, 18 Crescent Key, Bellevue WA 98006 the holder and/or owner of Water Right No. 7389B-3 is issued a license to appropriate water, the right to use 1.51 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer) with a priority date of July 23, 2012 from the location specified in (2) of this license for irrigation purposes.

Reissued Water License No. 7389B-3

Page 2

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7389-3 and subject to the following qualifications:

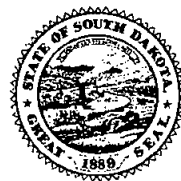
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Water Permit No. 7389-3 (**7389B-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. *The well was drilled by Hammond Wetmore Drilling LLC in May, 2013. A copy of the well log is on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



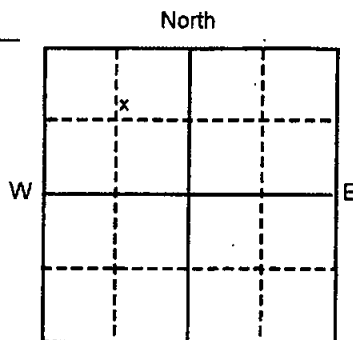
Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 02 2017

date



SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location NE ¼ NW ¼ Sec 20 Twp 93N Rg 53WCounty ClayPlease mark well
location with an "X"

Well Completion Date

May 11, 2013

← 1 Mile →

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
1,300.0 ft. from Septic Tank (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well
METHOD OF DRILLING:
bucket method

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	88.0 FT	22.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	20	9.5 Lb/gal	0.0 Ft	80.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Tremie Method

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 20.0 Feet
Material PVCSlot Size .050 Set From 88.0 Feet to 108.0 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?☒ No, Why Not? Not RequiredLab to which water
quality sample sent for analysisWell Owner: Wade Larson

Business Name:

Address: 31377 454th AveCity, State, Zip: Meckling SD 57069

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	2
Sandy Clay Mix	2	70
Clay Gravel Mix	70	88
Sand & Little Gravel	88	90
Sandy Gravel	90	108

STATIC WATER LEVEL 23.0 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:☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

JUN 12 2013

WATER RIGHTS
PROGRAMThis well was drilled under license # 666 and this
report is true and accurate.Drilling firm: Hammond-Wetmore Drilling, LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 6/2/13

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 7389-3**

I have this day, April 13, 2016, made a thorough examination of the water use system constructed by Wade A Larson, 501 Oakmont Dr, Vermillion SD 57069 of Permit No. 7389-3, bearing the priority of July 23, 2012 authorizing the diversion of 3.11 cu. ft. per second of the waters of Missouri:Elk Point Aquifer for irrigation purposes, in Clay County.

Inspection contact & relationship **Wade A Larson, permit holder**
to permit holder, if applicable:

A. Works used to divert the water:

Well #1 Information (SW ¼ Sec 17-T93N-R53W):

- 1) Well Drilling Firm: Hammond-Wetmore Drilling, LLC
- 2) No. of Wells 1
- 3) Depth(s) 100 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 16 inches
- 2) Length 40 feet
- 3) Type PVC

Screen:

- 1) Type PVC Manufactured
- 2) Length 60 feet
- 3) Static water level 18 feet

Pump:

- 1) Make Unknown
- 2) Model Submersible
- 3) Capacity 700 GPM

Motor:

- 1) Make Unknown
- 2) Model No. Submersible
- 3) Horsepower rating 40 hp

Well #2 Information (NW ¼ Sec 20-T93N-R53W):

- 1) Well Drilling Firm: Hammond-Wetmore Drilling, LLC
- 2) No. of Wells 1
- 3) Depth(s) 108 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 16 inches
- 2) Length 88 feet
- 3) Type PVC

Screen:

- 1) Type PVC Manufactured
- 2) Length 20 feet
- 3) Static water level 23 feet

Pump:

- 1) Make Unknown
- 2) Model Submersible
- 3) Capacity 700 GPM

Motor:

- 1) Make Unknown
- 2) Model No. Submersible
- 3) Horsepower rating 40 hp

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 2030 feet

Comments: See map for approximate location.

C. Works used to apply water to beneficial use:

Center pivot #1 (SW ¼ Sec 17-T93N-R53W):

- 1) Make Valley
- 2) Overall length 1110 feet
- 3) Number of towers 6
- 4) End gun Yes
- 5) Capacity 700

Center pivot #2 (SE ¼ SW ¼ & SW ¼ SE ¼ Sec 17-T93N-R53W):

- 1) Make Valley
- 2) Overall length 910 feet
- 3) Number of towers 5
- 4) End gun Yes
- 5) Capacity 700

Center pivot #3 (NW ¼ Sec 20-T93N-R53W):

- 1) Make Valley
- 2) Overall length 1300 feet
- 3) Number of towers 7
- 4) End gun Yes
- 5) Capacity 700

Comments: Center Pivot's #1 & #2 fed from Well #1 are set up so that only one center pivot can be operated at a time.

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, began irrigating in 2013.

List any extended period of nonuse: None

- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: Well #1-East 1150', North 1150' from SW Corner of Sec 17-T93N-R53W; Lat 42.86962/Long -97.13766; SW ¼ SW ¼ Sec 17-T93N-R53W;
Well #2-East 1350', South 1340' from NW Corner of Sec 20-T93N-R53W; Lat 42.86275/Long -97.13685; approximate center of NW ¼ Sec 20-T93N-R53W.

Report of Examination of Works
Permit No. 7389-3

2. The works are capable of diverting and conveying to the place of use 3.11 cfs or 1400 gpm of water from two wells which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Sec 17-T93N-R53W.

NW ¼ SW ¼ - 25 ac

SW ¼ SW ¼ - 34 ac

SW ¼ SE ¼ - 26 ac

Sec 20-T93N-R53W.

NW ¼ NW ¼ - 28 ac

SW ¼ NW ¼ - 34 ac

NE ¼ SW ¼ - 15 ac

SE ¼ SW ¼ - 37 ac

NE ¼ NW ¼ - 34 ac

SE ¼ NW ¼ - 33 ac

comprising a total of 266 acres of land and the license should be issued for 3.11 cfs or 1400 gpm from two wells.

3. All structures, wells and lands on map Yes

F. Comments or other permit(s) associated with the project:

Permit holder stated that S ½ NW ¼ Sec 20-T93N-R53W was owned by Charles Amant and they irrigate for him and his renter.

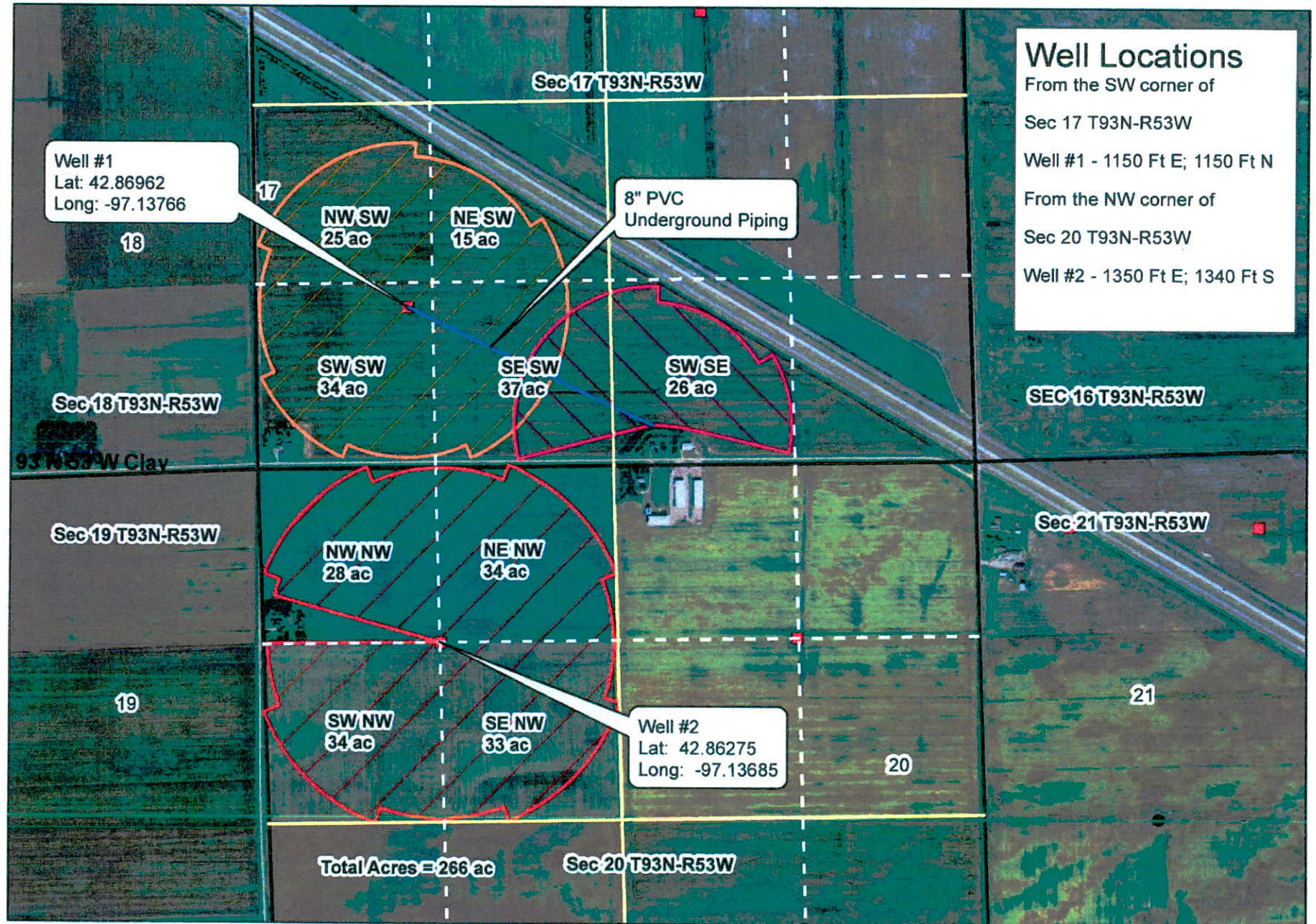
Three acres in SE ¼ SW ¼ Sec 17-T93N-R53W are overlapped by Center Pivot's #1 & #2.

Harold Holoch

Harold Holoch, PE
Engineer Water Rights Inspector
DENR, Water Rights Program

Date report completed: August 12, 2016

7389-3



Well Locations

From the SW corner of

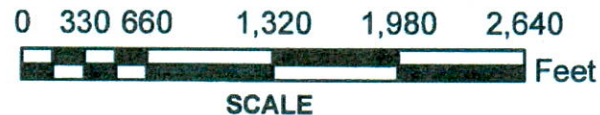
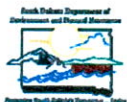
Sec 17 T93N-R53W

Well #1 - 1150 Ft E; 1150 Ft N

From the NW corner of

Sec 20 T93N-R53W

Well #2 - 1350 Ft E; 1340 Ft S



Harold Holoch
Harold Holoch, PE
Water Rights Inspector
August 11, 2016

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