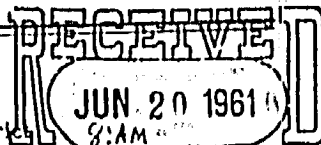


782-3

1. Considered 219, 1961
2. Name of Applicant Raymond A. Stumbis
3. Post Office Address Albany
4. Amount of water claimed 2.0
5. Source of water supply ground water
6. Water to be used for irrigation
Acres to be irrigated 160
7. Water to be diverted and used in Frank County about
5 S 1011 miles of Frank
8. Proof of Publication Received 1st
Not Received _____
9. Application Approved PP
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. ~~5863~~ 782-3Water Division No. 3 JAMES RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Raymond Steinhilber
 Postoffice address Lulu, S.D., County Spink, State S.D.

- I. If a corporation
- (a) Name of same
 - (b) Date and place of incorporation
 - (c) Amount of capital stock
 - (d) Amount paid in
 - (e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Contract

- (b) Cash on hand, \$
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$

2. Name of diversion work Steinhilber #1
3. Amount of water claimed 2 cubic feet per second
4. Source of water supply Well
5. Location of point of diversion 500' North 500' West of S.E. corner Sec. 21 114-64 - S.W. 1/4 on SPINK County.
6. Annual period or periods during which water is to be used April thru November
7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 160 acres.(b) Legal subdivisions to be irrigated S.W. 1/4 Sec. 21 114-64 Garfield Tp.

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use

Name any of the above uses claimed

(b) Amount of power to be generated

horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAP NO 586-3

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$..... Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

(a) Dam: Height feet; length at bottom feet; length at top feet; thickness at bottom feet; thickness at top feet; slope at front water face; slope at back face
 material used in construction

(b) Reservoir: Capacity when filled acre feet. Surface area at highwater mark acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET ACRE-FOOT CAPACITY

(c)* Head gate: Width feet; height feet;
 Material

(d) Canal: Total length miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet

(Give dimensions where reductions in size are made.)

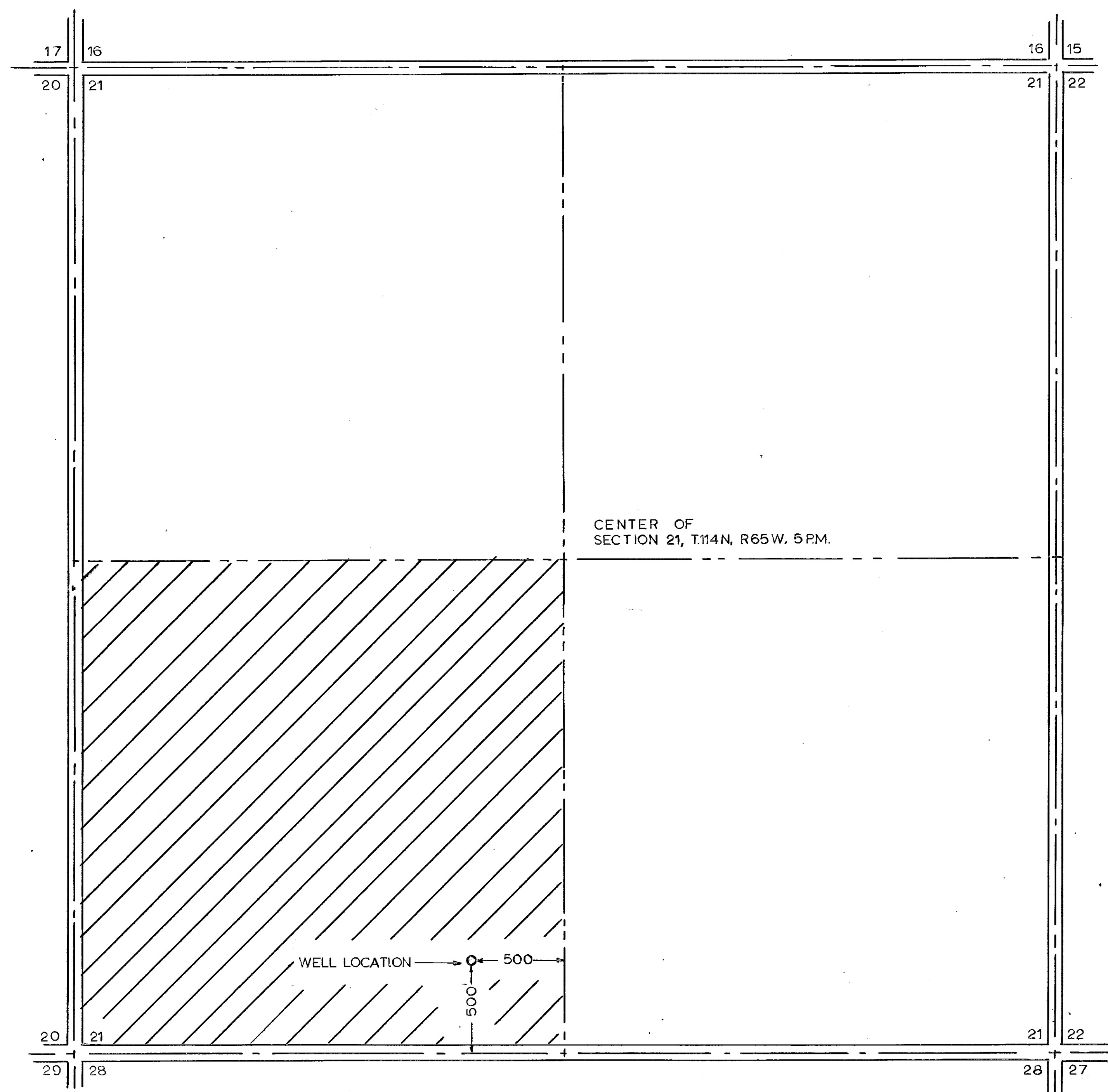
10. Time required for completion of work 3 years.
 11. Time required for complete application of water to the proposed beneficial use 3 years.
 12. Choice of newspaper for publication of notice of intention to appropriate

Redfield Press Redfield So
 STATE OF SOUTH DAKOTA } ss.
 County of

I,, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed *Raymond Stein*
 Subscribed and sworn to before me this 17 day of June 1961
John J. [Signature]
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



AREAS BY LEGAL SUBDIVISION TO BE IRRIGATED

S.W.1/4 160 ACRES
SECT. 21, T.114N, R.65W, 5PM.

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE)

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT, AT THE REQUEST OF THE SOLE OWNER RAYMOND STEINBIS I HAVE SHOWN THE WELL LOCATION TO BE USED FOR IRRIGATION WATER SUPPLY WITHIN HIS OWNERSHIP BOUNDARIES AS OF THIS DATE FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THERE OF
WITNESS MY HAND AND SEAL THIS 25th DAY OF MAY 1961.

Harlan W. Meyer
REGISTERED LAND SURVEYOR

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE)

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC WITHIN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED HARLAN W. MEYER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

WITNESS MY HAND AND NOTARY SEAL THIS 25th DAY OF MAY 1961.

Lorraine C. Gause
NOTARY PUBLIC

MY COMMISSION EXPIRES 9-29-67

MAP
SHOWING AREA AND WELL LOCATIONS WHERE WATERS WILL
BE DIVERTED FOR PERMIT TO APPROPRIATE WATER FOR
IRRIGATION WATER PURPOSES
OWNER: RAYMOND STEINBIS
DATE: MAY 1961

SCHOELL and MADSON
ENGINEERS SURVEYORS
Huron, South Dakota

MAP N° 586-3
(APPL. N° 782-3)

Remarks by State Water Resources Commission:

This well is located near domestic wells which may obtain water from the same aquifer. If the well covered by this Permit to appropriate water depletes the domestic water supply, restrictions, to the extent necessary, of the capacity of this well or periods of operation or other arrangements may be required to protect the domestic water supply.

STATE OF SOUTH DAKOTA

County of

Hughes

SS.

Pierre, South Dakota,

August 3, 1961

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock

a.m. upon the 20th day of June, 1961.

State Water Resources Commission

By:

Burton E. Jones
Chief Engineer, Executive Officer

Number of permit 782-3

Date of first receipt of application June 20, 1961

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right June 20, 1961

Approved July 19, 1961, Recorded in Book 6 Page 303

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

January 19, 1963

2nd. The whole of said work is to be completed on or before July 19, 1964

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

July 19, 1964

4th. The water appropriated shall be used for the purpose of irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.0 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before July 19, 1964; said water to be used during the following described annual period:

April thru November

Witness my hand this 3rd day of August, 1961

State Water Resources Commission

By:

John Grimmer
Chief Engineer, Executive Officer

Certificate of Construction issued NOVEMBER 9, 1962

Water License issued NOVEMBER 9, 1962

Form 2A — Wells (Supplement to Form 2)

B. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 32", Depth 123'

Type of casing Concrete
(wood, concrete, steel, etc.)

Size of casing 18", Thickness of casing 2 1/2"

Length of casing 122'. If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Slotted

Size of perforated screen 18" (diameter), 70' (length)

Thickness of gravel pack 6", length of gravel pack 122'

(c) Water Bearing Materials

Distance to water 40'. Character of water bearing materials
med to loose sand & gravel

Thickness of water bearing material 82'

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)

Name of pump Fairbanks, size 8"

Kind of motor Elec.
(gasoline, electric, diesel, etc.)

Horsepower 30, Name of Motor H. S.

(e) Complete well

Capacity at drawdown of Estimated cost 5000.00

(f) Owner of land upon which well is located Raymond Steinert
Name

105 Des Plaines Lane
Address Roselle, Illinois

(g) Distance to nearest existing wells

On same owner's property No rods. On property owned by others 740 rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 782-3

WHEREAS, On the 20th day of June A. D. 1961
Raymond Steinbis

of Tulare County of Spink and State of
South Dakota duly made application (No. 782-3) to us for a permit to use 2.0
cubic feet per second of the waters of ground water
County of Spink, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 3rd day of August A. D. 1961
Permit No. 782-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 19th day of
July A. D. 1964 and for the application to beneficial use of said
water on or before the 19th day of July A. D. 1964
and,

WHEREAS, On the 22nd day of August A. D. 1962
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.0
cubic feet per second of said waters, as evidenced by our Certificate No. 782-3
dated November 9, 1962 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.00 cubic feet per second of water, with date of
priority of June 20, 1961 and

WHEREAS, On the 22nd day of August A. D. 1962
proof was duly made of the application to beneficial use of 2.0 cubic feet per second of said water;
for irrigation of 160 acres in the SW $\frac{1}{4}$ Section 21, T114N, R64A

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Raymond Steinbig
of Tulare the holder... and owner... of said permit No. 782-3
a water right, dating from June 20, 1961 to the use of 2.00
cubic feet per second of the waters of ground water
In the County of Spink and State of South Dakota, or so much thereof as may be
necessray for the purposes hereibelow mentioned, to be diverted at a point 500 feet N and 500 feet W
of the S $\frac{1}{4}$ corner, Section 21, T114N, R64W
and conducted to and upon the SW $\frac{1}{4}$ Section 21, T114N, R64W
for the purpose... of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 9th day of November A. D. Nineteen
Hundred and Sixty-Two

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Ac't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 782-3Water Division No. 3 James River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Raymond Stainbia

of Tulare, County of Spink, and State of South Dakota, the holder of Permit No. 782-3, issued upon Application No. 782-3, bearing date of priority of June 20, 1961, authorizing the diversion of 2.0 cu. ft. per second of the waters of ground water

County of Spink, State of South Dakota, at a point 500 feet N and 500 feet W of the SE $\frac{1}{4}$ corner, Section 21, T114N, R64W

for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.0 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: for irrigating the SW $\frac{1}{4}$ Section 21, T114N, R64W

Witness my hand this 9th day of November A. D. 1962

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

On or before

June 22

61

(First Publication _____, 19____)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 20

19__ 61

Notice is hereby given that Raymond Steinbis whose postoffice address is Tulare S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from ~~xxx~~ Ground water through the Steinbis #1, the point of diversion of which is to be located on the ~~xxxx~~ SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21 Twp. 114 N Range 65 W. Said water to be used for the purpose of providing irrigation on the following described land:

SW $\frac{1}{4}$ Section 21, T 114 N, R 65 W

~~xxxx~~~~xxxx~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of July, 1961, at 2 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

CC: Harold Jones, Publisher
Redfield Press
Redfield, S. Dak.

State Water Resources Commission

By:

~~CONFIDENTIAL - NOT FOR PUBLICATION~~
Burton F. Jones
Water Right Specialist

NOTE: If this notice is not received in time for publication in this week's paper, please return it, and we will advertise it for the following meeting of the Commission.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Spink } ss.Harold D. Jones being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the -----

Redfield Press a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theCity of Redfield County ofSpink and State of South Dakota; that the said notice was published in said newspaper on the following dates:June 22, 29; July 6, 13in each and every issue of the full number thereof, the first publication being made on the 22nd day of June1941 and the last publication on the 13th day ofJuly 1941, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was Editor the printer and publisher of the said newspaper.Harold D. JonesSubscribed and sworn to before me this 13th day of July A. D. 1941Margaret E. JonesNotary Public Spink County, S. D.RECEIVED
JUL 31 1961STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

No. 94

APPROPRIATION OF WATER

Office of State Water

Resources Commission

Pierre, S. Dak., June 20, 1931

Notice is hereby given that Raymond

Steinble, whose postoffice address is

Tulare, S. Dak., has made an appli-

cation in accordance with the pro-

visions of the water laws of South

Dakota for a permit to appropriate

for beneficial use 2.0 cubic feet of

water per second of time from ground

water through the Steinble No. 1, the

point of diversion of which is 50 ft

located in the SE¹ of the SW¹ of

Section 21, Twp. 114 N, Range 63 W.

Said water to be used for the purpose

of providing irrigation on the follow-

ing described land:

SW¹, Section 21, Twp. 114 N, Range

R 64 W.

This application will be taken up by

the State Water Resources Commission

at their office at Pierre for consider-

ation upon the 19th day of July, 1931,

at 2 P.M. All interested persons may

appear and be heard.

Appropriate action will be taken by

the Water Resources Commission after

suitable time has elapsed for the con-

sideration of any or all information

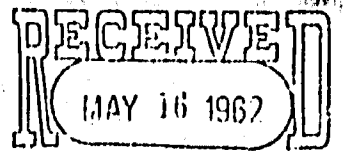
presented.

State Water Resources Commission

By: Burton F. Jones

Water Right Specialist

(June 22-July 13)

Permit No. 782-3Water Division No. 3 James River

Water District

STATE WATER RESOURCES COM. PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Tulare, South Dakota(Date) 1 May 1962

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of

2 cu. ft. per second of the waters of the state from
through the

for irrigation purposes

In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is

Raymond E. Steinbis

2. The postoffice address of such person or the place of business of such corporation is Tulare

County of Spink State of South Dakota

3. The number of such permit is 782-3 and the date set for the completion of such work is

25 June 1962

4. Said water to be used for irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 2 cubic feet per second.

6. The amount of land for which said water is available is 160 acres,
particularly described as follows: sw 1/4 21-114-64 Spink County, South Dakota

I hereby certify that the facts set forth in the above notice are true.

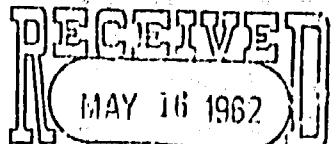
Raymond E. Steinbis

(Signature of Owners)

Raymond E. Steinbis

Alia

Permit No. 782-3

Water Division No. 3 James River Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Tulare, South Dakota(Date) 1 May 1962

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____

19____, at _____ County of _____ State of South Dakota,

before _____
(Examining Engineer or Officer) proof will be submitted of the application to beneficial useof 2 cubic feet per second of the waters of Steinbis # 1 well_____ In accordance with the terms and conditions of Permit No. 782-3
heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

Raymond E. Steinbis Tulare, South Dakota2. The use to which said water has been applied is irrigation3. The amount applied to beneficial use is 2 cubic feet per second4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) SW1, Sec 21-114-64 Spink County, South Dakota

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

6. The right to take the water from such works is based upon permit No. 782-37. The source of supply from which such water is diverted is Well8. The date of priority which said user is prepared to establish is 1 July 1962(Sign) Raymond E. Steinbis

Permit No. 782-3Water Division No. 3 James River Water District**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____, 19____, I have this day made a thorough examination of the diversion works constructed by Raymond Stein his, of Spink County, South Dakota, holder of Permit No. 782-3, issued upon Application No. 782-3, bearing date of priority of June 20, 1962, authorizing the diversion of 2 cu. ft. per second of the waters of Groundwater for Irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: One well, 18" dia. cased concrete casing
1710' of 8" gated pipe, 600' of main line 8" Layne Bowler pump
ser. # 21334, 1760 R.P.M. run by an Allis Chalmers engine
ser. # PU 82584W.

and the system is in the following condition: Good

The point of diversion is located SW 1/4 Sec. 21-114-64

The works are capable of diverting and conveying to the place of use 2.0 cu. ft. per second of water, which is to be used for Irrigation

The legal sub-divisions to be irrigated are: SW 1/4 Sec. 21-114-64

comprising a total of 160 acres of land.

The domestic use intended comprises _____

The utilization for power, mining, or other beneficial uses comprises: _____

Witness my hand, this 22 day of August, A. D. 1962.

—SEAL—

William H. Myers
Examining Engineer.

January 29, 1980

Allen Gross
Hitchcock, SD 57348

Dear Mr. Gross:

This will acknowledge the receipt of your 1979 Irrigation Questionnaire.
The information will be very helpful.

On the questionnaire, you indicated that you rent land from Mr. Raymond Steinbis, and inquired as to the amount of acres covered under permit by Mr. Steinbis. Mr. Steinbis has a water right covering the entire SW $\frac{1}{4}$ of Section 21, T114N, R64W.

If you have any further questions, feel free to contact this office.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

*Copy of letter
sent to Mr. Gross
on 2/15/80*

McMath, Genny

From: Kim [spinkdoe@nvc.net]
Sent: Thursday, August 02, 2001 11:51 AM
To: Genny.McMath@state.sd.us
Subject: Re: land ownership

Genny
Mr. Steinbis is still the owner & the address I have is: 16078 Whipple Road
Sycamore, IL 60178. Let me know if you need anything else. Kim

----- Original Message -----
From: <Genny.McMath@state.sd.us>
To: <spinkdoe@nvc.net>
Sent: Thursday, August 02, 2001 11:18 AM
Subject: land ownership

- > I am currently in the process of reviewing a water right held by Raymond
- > Steinbis. My records indicate the land has been in CRP for the last ten
- > years. Since we have had no contact with Mr. Steinbis over the last ten
- > years, I wanted to check with you to see if he still owned the land and if
- > he was still at the same address.
- >
- > The legal description is: SW 1/4 Section 21, T114N, R64W - Spink County
- >
- > The name and address we have on file are: Raymond Steinbis, 370 Parkside
- > Drive, Sycamore, IL, 60178
- >
- >
- > If you would, please let me know whether or not the land is still owned by
- > Mr. Steinbis and if not, who the new owner(s) is and their address. If
- > Mr. Steinbis still owns the land, do you have a more current address for
- > him?
- >
- > Thanks for any assistance you could offer.
- >
- > Genny McMath
- > Environmental Scientist
- > Water Rights Program
- > (605) 773-3352

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 782-3, Raymond Steinbis

ADDRESS: 16078 Whipple Rd, Sycamore IL 60178

COUNTY: Spink County

DATE: February 2 & 3, 2012 TELEPHONE:

RE: Call to FSA office regarding status of SW ¼ Section 21, T114N,R64W in CRP

I contacted the FSA office in Redfield at 472-0102 and spoke with Terry.

Terry indicated that the SW ¼ Section 21, T114N, R64W came out of CRP in 2010 and Mr. Steinbis re-enrolled in the program in 2011. The duration of the contract is 10 years.

I asked if their records indicate whether the land was in CRP prior to 2000. She indicated that the records did not indicate it being in CRP prior to 2000. However, the irrigation questionnaires on file for Water Right No. 782-3 state that the land was in a Federal Reserve Program in 1989 and CRP in 1990

NAME: Eric Steinhilber



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 16, 2013

denr.sd.gov

Raymond Steinbis
1607 Whipple Rd
Sycamore IL 60178

Dear Mr. Steinbis:

You hold Water Right No. 782-3 appropriating 2.0 cubic feet of water per second (900 gpm) from one well completed into the Tulare:Western Spink Hitchcock Aquifer (TWSH) for irrigation of 160 acres located in the SW ¼ Section 21, T114N, R64W. The Spink County FSA office indicates this land is enrolled in the Conservation Reserve Program until 2021.

This letter is to inform you on December 5, 2013, the Water Management Board determined the TWSH Aquifer fully appropriated in its final decision denying a number of new applications for irrigation from the aquifer. This Board decision impacts the ability to protect your water right from forfeiture for nonuse when the land authorized for irrigation is enrolled in an acreage reserve or production quota program. The exception to forfeiture for nonuse provision only applies if the water source is not fully appropriated and if the withdrawal does not prevent approval of new permits from that source. Below is the applicable state statute.

46-5-37.2. Exceptions to forfeiture for nonuse. The provisions of § 46-5-37 notwithstanding, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if the water source is not fully appropriated, if the withdrawal from use does not prevent approval of new permits from the same source, and if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.

State law provides that a water right is subject to forfeiture for nonuse if any person entitled to the use of appropriated water fails to use beneficially any part of the water for the purpose for which it was appropriated, for a period of three years. The unused water shall revert to the public and shall be regarded as unappropriated public water. Based on state law, you have three years to either proceed with irrigation of the land or apply to transfer the acres to a new location as provided by water rights law. Failure to do so will result in the water right being subject to cancellation.

Please feel free to contact me if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

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

Water Right/Permit No. 782-3

Date: _____

RECEIVED
JUN - 2 2014
WATER RIGHTS
PROGRAM

I/We request that Water Right/Permit No. 782-3 formerly owned by:Raymond Steinbis

be transferred to:

New Owner Name: Wayne BingerAddress: 37923 183 stCity, State, Zip Tulare S.O. 57476 Telephone No. 605-596-4352
450-0255

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

☒ I understand that the validity of Water Right/Permit No. 782-3 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, Wayne Binger, the new owner, certify that the above information is true and correct.

Raymond Steinbis

Wayne Binger
(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.

2009-07

I, ²⁰⁰⁹⁻⁰⁷ Raymond Steinbis, wish to have water permit # 782-3 transferred to Wayne Binger. I have no use for this permit on my land as it is in CRP and will be for several years.

Wayne has been a Tennant of mine for many years and I would like to see him receive this permit.

Thanks for your consideration.

Raymond Steinbis 05-19-2014

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 6/2, 20 14

RECEIVED OF Wayne Binger 37923 183rd St Tulare SD 57476

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>782-3</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. **06873**

By *James Handman Jr*
Chief Engineer



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



June 9, 2014

782-3

Wayne Binger
37923 183rd St
Tulare SD 57476

Dear Mr. Binger:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 782-3.

The ownership change has been completed. Water Right No. 782-3, formerly held by Raymond Steinbis is now listed in your name.

Enclosed for your records is Receipt No. 06873 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosure