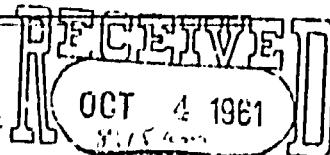


840-3

1. Considered 3-7, 1962
2. Name of Applicant 2. Thompson, David
3. Post Office Address Yuba City
4. Amount of water claimed 0.111
5. Source of water supply Ground water
6. Water to be used for Domestic use for processing plant
Acres to be irrigated
7. Water to be diverted and used in Upshott County about
 miles of Upshott
8. Proof of Publication Received ✓
Not Received
9. Application Approved
Subject to
Not approved
Action deferred
10. Remarks: ✓

No. 840-3
 Water Division No. 3 JAMES R. JEFF District
 (Blanks to be filled by the Engineer for the W. H. 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 STUELPNAGEL'S INC.
 Postoffice address YANKTON, County YANKTON, State So. Dak.

~~Is a corporation~~

(a) Name of same STUELPNAGEL'S INC.
 (b) Date and place of incorporation MARCH - 1947 - YANKTON, So. Dak.
 (c) Amount of capital stock \$100,000.00
 (d) Amount paid in \$10,000.00
 (e) Names and addresses of directors DAN STUELPNAGEL - YANKTON SD
ELVA STUELPNAGEL - YANKTON SD
T. J. MORGANS JR. - SIOUX FALLS SD

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

2. Name of diversion work Stuelpnagel Well #1
1,111 C.F.S.
 3. Amount of water claim 500 GPM cubic feet per second
 4. Source of water supply Ground water
 5. Location of point of diversion 50' W & 10' S of the NE corner lot 15, Block 26,
Lower Yankton, SE 1/4, Sec. 18, T43N R55W bank Yankton County.
 6. Annual period or periods during which water is to be used Continuously
 7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?

(a) Number of acres to be irrigated _____ acres.

(b) Legal subdivisions to be irrigated _____

(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.) TO BE USED IN

FOOD PROCESSING PLANT LOCATED AT 215-MULBERRY ST. YANKTON

11. 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. 598-3

8. Estimated cost of work:

(a) Head Gates, \$----- (b) Pumping plant, \$-----
 (c) Pumping, \$----- (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	ACRE-Feet 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 ----- 5 years.

11. Time required for complete application of water to the proposed beneficial use ----- 4 years.

12. Choice of newspaper for publication of notice of intention to appropriate ----- Press & Dakotan, Yankton, S.D.

STATE OF SOUTH DAKOTA

County of YANKTON ss.

I, DAN STUEBEL, 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

Subscribed and sworn to before me this

3

day of

Oct.

1961

James W. Long
 Notary Public (or other qualified officer)

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 32" , Depth 75'

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

Size of casing 18" , Thickness of casing 2"

Length of casing 75' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen concrete

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

Thickness of gravel pack 14" , length of gravel pack 50'

(c) Water Bearing Materials

Distance to water 30' Character of water bearing materials sand

Thickness of water bearing material 45'

(d) Pump and Motor

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

Name of pump Layne , size 5'

Kind of motor electric G E
(gasoline, electric, diesel, etc.)

Horsepower 6 , Name of Motor G.E.

(e) Complete well

Capacity 200 gal. per drawdown of 20' Estimated cost 32,000.00

(f) Owner of land upon which well is located Stuelpnagel's Inc.
Name

Box 673
Address

(g) Distance to nearest existing wells

On same owner's property rods. On property owned by others 15 rods

DAN STUELPNAGEL INDUSTRIAL WELL
LOCATED IN S.E. 1/4 - SEC. 18 - T. 93 - R. 55

3 ST.

80'

20'

150'

18

17

Industrial Building where Water is to be Used

16

15

WELL

100'

MULBERRY ST.

N

180'

Sec. Line 1033'

465'

I, Maurice Diehl, Registered Land Surveyor, have at the direction of Dan Stuelpnagel, made a survey and plat of a well to be used for industrial purposes, located in Lot 15, Block 26, Lower Yankton, City of Yankton, Yankton County, State of South Dakota, South East 1/4 - Sec. 18 - Township 93 - Range 55, as shown. This plat is to the best of my knowledge and belief, a true description of said project.
I certify that I have executed the above this 5 day of January 1962.

Maurice Diehl
Maurice Diehl Reg. Land Surveyor

STATE OF SOUTH DAKOTA)
S.S.

COUNTY OF YANKTON)
On this the 5 day of January, 1962, A.D. before me James M. Saut, a Notary Public in and for the County of Yankton, State of South Dakota personally appeared Maurice Diehl, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same for the purposes therein contained. In witness whereof I hereunto set my hand and seal.

My Commission Expires: 2-28-64

James M. Saut
Notary Public

MAP N° 598-3
(APPL N° 840-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MARCH 12, 1967

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock
a.m. upon the 4TH day of OCTOBER, 1961.

State Water Resources Commission

By:

Durton Jones
for Chief Engineer, Executive Officer

Number of permit 840-3

Date of first receipt of application OCTOBER 4, 1961

Date of return to applicant for correction, amendments or changes required as follows: October 16, 1961

Date of receipt of corrected application JANUARY 15, 1967

Date from which applicant may claim right OCTOBER 4, 1961

Approved MARCH 7, 1967, Recorded in Book # 7 Page 63

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

SEPTEMBER 7, 1966

2nd. The whole of said work is to be completed on or before MARCH 7, 1967

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

MARCH 7, 1971

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

(egg processing plant)

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 1.11 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 seventeen (17.00) of one cubic foot of water per second of time for each acre of land to which water is actually used in egg processing plant and beneficially applied for irrigation on or before MARCH 7, 1971; said water to be used during the following described annual period:

CONTINUOUSLY

Witness my hand this 12TH day of MARCH, 1967

State Water Resources Commission

By:

Alb. B. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 11, 1967

Water License Issued AUGUST 11, 1967

Permit No. 840-3Water Division No. 3 JAMES RIVER Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Stualpnagels, Inc.of Yankton, County of Yankton, and State of South Dakota, the holder of Permit No. 840-3, issued upon ApplicationNo. 840-3, bearing date of priority of October 4, 1961, authorizing the diversion of 1.11 cu. ft. per second of the waters of ground waterCounty of Yankton, State of South Dakota, at a point 50' W and 10' S of the NE Corner, Lot 15, Block 26, Lower Yanktonfor Commercial use for egg processing plantpurposes, 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 1.11 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 commercial use in egg processing plant.Witness my hand this 11th day of August A. D. 1967

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 840-3 . . .

WHEREAS, On the 4th day of October A. D. 1961

Stuelpnajels, Inc.

of Yankton County of Yankton and State of South Dakota duly made application (No. 840-3) to us for a permit to use 1.11 cubic feet per second of the waters of ground water County of Yankton, State of South Dakota, for commercial purposes; and

WHEREAS, On the 12th day of March A. D. 1962 Permit No. 840-3 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 7th day of March A. D. 1967 and for the application to beneficial use of said water on or before the 7th day of March A. D. 1971 and,

WHEREAS, On the 3rd day of August A. D. 1967 the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.11 cubic feet per second of said waters, as evidenced by our Certificate No. 840-3 dated August 11, 1967 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.11 cubic feet per second of water, with date of priority of October 4, 1961 ~~xxx~~ and,

WHEREAS, On the 3rd day of August A. D. 1967 proof was duly made of the application to beneficial use of 1.11 cubic feet per second of said water; for commercial use in egg processing plant.

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
Stuelpnagels, Inc.

We hereby grant and confirm to _____
of **Yankton** _____ the holder_____ and owner_____ of said permit No. **840-3**

a water right, dating from **October 4, 1961** _____ to the use of **1.11** _____

cubic feet per second of the waters of **ground water** _____

In the County of **Yankton** _____ and State of South Dakota, or so much thereof as may be

necessray for the purposes hereinbelow mentioned, to be diverted at **a point 50' W and 10' S of
the NE Corner, Lot 15, Block 26, Lower Yankton**

and conducted ~~business~~ **an egg processing plant**

for the purpose_____ of **Commercial use , subject to any limitations listed in
the permit to appropriate water.**

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 **11th** _____ day of **August** _____ A. D. Nineteen
Hundred and **Sixty-seven** _____

State Water Resources Commission

By: **J.W.GRIMES**
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA	Water License No. _____
To _____	_____
_____	_____
Source of Supply _____	_____
_____	County _____
Am't _____	c. f. s. _____
Point of Diversion _____	_____
_____	_____
Place of Use _____	_____
_____	_____
Purpose _____	_____
_____	_____
Date of Priority _____	_____
Recorded _____	_____
in Book _____ of _____	Page _____

on or before February 10, 1962
 (First Publication _____)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 23, 1962

Notice is hereby given that Stuolpnagel's Inc. whose postoffice address is Yankton 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 1.11 cubic feet of water per second of time from ~~the ground water~~ through the Stuolpnagel Well #1, the point of diversion of which is to be located ~~on the~~ SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18 Twp. 23N Range 55W. Said water to be used for the purpose of providing ~~irrigation on xxxxx~~ supplies for egg processing plant

~~and for~~ _____ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of March, 1962, 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.

State Water Resources Commission

By:

CC: Fred H. Monfore, Publisher
 Press and Dakotan
 Yankton, S. Dak.

~~Chief Engineer, Executive Officer~~
 MORTON F. JONES
 Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Yankton } ss.

Colin D. Monfore being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____
Daily Press & Dakotan a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the _____
City of Yankton County of _____
Yankton and State of South Dakota; that the said notice was published in said newspaper on the following dates

February 5, 1962; February 12, 1962; and

February 19, 1962; and February 26, 1962.

in each and every issue of the full number thereof, the first publication being made on the 5th day of February 1962 and the last publication on the 26th day of February 1962, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Assistant XX printer and publisher of the said newspaper.

Colin D. Monfore

Subscribed and sworn to before me this 26th day of February A. D. 1962

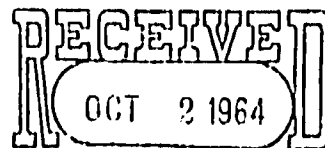
[Signature]

Notary Public Yankton County, S. D.

2/5-12-19-26 No. 840-3
 APPROPRIATION OF WATER
 Office of State Water Resources Commission
 Pierre, S. Dak., January 23, 1962
 Notice is hereby given that Stuehnagel's Inc., whose postoffice address is Yankton, 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 1.11 cubic feet of water per second of time from ground water through the Stuehnagel Well No. 1, the point of diversion of which is to be located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Twp. 93N, Range 65W. Said water to be used for the purpose of providing supplies for egg processing plant.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of March, 1962, 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.
 State Water Resources Commission.
 By: BURTON F. JONES,
 Water Right Specialist.

RECEIVED
 FEB 27 1962

STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

Permit No. 840-3Water Division No. 3 Jas. R. 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.) 215 Mulberry, Yankton, S. D.(Date) October 1, 1964

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

DEAR SIR: Notice is hereby given that on the 1st day of October
1964, at Yankton County of Yankton State of South Dakota,
before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)

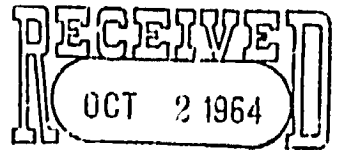
of 200 gal. a minute ~~one foot per second~~ of the waters of _____
_____ in accordance with the terms and conditions of Permit No. 840-3
heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____
Stuelmgel's Incorporated, 215 Mulberry, Yankton Co., Yankton, S. Dak.
2. The use to which said water has been applied is egg processing plant
3. The amount applied to beneficial use is 200 gal. a minute
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) _____

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. 840-3
7. The source of supply from which such water is diverted is _____
8. The date of priority which said user is prepared to establish is _____

(Sign)

Stuelmgel's Inc.
Mr. Stuelmgel, Pres.

Permit No. 840-3Water Division No. 3 Jas. River Water DistrictSTATE WATER RESOURCES COMM.
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.) 215 Nutherry, Yankton, S. D.(Date) October 1, 1964

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 200 gal. per minute ~~XXXX per second~~ of the waters of the state from _____ through the _____ for commercial 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 Stuelmgel's Inc.
2. The postoffice address of such person or the place of business of such corporation is Yankton
County of Yankton State of South Dakota
3. The number of such permit is 840-3 and the date set for the completion of such work is _____
4. Said water to be used for commercial 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 200 gal. per minute ~~cubic foot per second~~.
6. The amount of land for which said water is available is _____ acres, particularly described as follows: _____

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

(Signature of Owners)

Stuelmgel's Inc.
Don Stuelmgel, Pres

Permit No. 840-3
JAMES
 Water Division No. 3 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~~ _____

I have this day made a thorough examination of the diversion works constructed by STUELPNAGELS INC. of YANKTON
YANKTON County, South Dakota, holder of Permit No. 840-3, issued upon Application No. 840-3, bearing date of priority of OCTOBER 4, 1961, authorizing the diversion of 1.11 cu. ft. per second of the waters of GROUND WATER for COMMERCIAL purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 15'-18" WELL WITH MONITOR 6"
SUBMERSIBLE PUMP WITH 5HP ELECTRIC MOTOR
PUMPED INTO 1500 GALLON STORAGE TANK &
PRESSURE SYSTEM

and the system is in the following condition: EXCELLENT

The point of diversion is located 50' W & 10' S OF THE NE CORNER, LOT 15,
BLOCK 26, LOWER YANKTON

The works are capable of diverting and conveying to the place of use 1.11 cu. ft. per second of water, which is to be used for COMMERCIAL USE FOR EGG PROCESSING PLANT

The legal subdivisions to be irrigated are: _____

_____ comprising a total of _____ acres of land.

The domestic use intended comprises _____

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

Witness my hand, this 3RD day of AUGUST, A. D. 1967

—SEAL—

J. L. LUTON
 Examining Engineer

WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

ARTICLES OF INCORPORATION

OF

STUELPNAGEL'S INC.

The undersigned, David H. Stuelpnagel, Daniel H. Stuelpnagel, and F. G. Warren, do hereby make, sign and acknowledge the following Articles of Incorporation for the purpose of forming a corporation under the laws of the State of South Dakota, to-wit:

ARTICLE I.

The name of this corporation shall be STUELPNAGEL'S INC.

ARTICLE II.

This corporation is formed for the purpose of owning and operating a general produce business including the purchasing, processing and selling of poultry of all kinds; owning and operating a hatchery for the purpose of raising and selling of eggs in various forms; operating a refrigerator locker system and rental of individual lockers; manufacturing and processing of various types of animal foods and the selling thereof at retail or wholesale; buying or otherwise acquiring, selling or otherwise disposing of, or hold and deal in real and personal property of all kinds and descriptions; execute and delivery promissory notes or obligations of indebtedness; to mortgage real estate or personal property; to buy, sell or deal in and hold mortgages upon real estate; to lend money and negotiate loans; and to do any and all acts necessary, proper or convenient in the performance of the generally stated purposes of the business as above outlined.

ARTICLE III.

The capital stock of this corporation shall consist of 3000 shares of common capital stock of the par value of \$100.00 each, and preferred stock aggregating par value of Two hundred thousand dollars (\$200,000.00) broken down into certificates, the

terms and conditions of which are to be determined by the common stockholders of the corporation at the date of issuance of such preferred stock.

ARTICLE IV.

The principal place of business of this corporation shall be Yankton, South Dakota. Said corporation may carry on its business at such other places within or without the state of South Dakota, and may maintain branch offices and places of business within and without the said state, as the interests of its business may require.

ARTICLE V.

The term of the corporate existence of this corporation shall be perpetual.

ARTICLE VI.

The affairs and management of this corporation shall be under the direction and control of not less than three (3) nor more than seven (7) directors as determined from time to time by the stockholders, which directors shall be stockholders, and the undersigned David H. Stuelpnagel, Daniel H. Stuelpnagel of Yankton, South Dakota, and F. G. Warren of Sioux Falls, South Dakota, shall be and constitute the first Board of Directors, and shall hold their offices until their successors shall be elected and enter upon the discharge of their duties.

ARTICLE VII.

The liability of any stockholders of this corporation shall never exceed the amount remaining unpaid on his capital stock, and no stock shall be issued except as shall be fully paid for at the date of issuance. The stock so issued and paid for in full shall not be subject to assessments and the holder thereof shall not be liable for any of the debts and obligations of said corporation.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of March, 1947.

The above is a true and correct copy of the Articles of Incorporation of Stuelpnagel's Inc. Yankton, So. Dak.


Pres.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 30, 2024

840-3

DON'T TLL MY WIFE I BOUGHT THIS LLC
1501 Summit St
Yankton SD 57078

To whom it may concern:

During a recent review of water rights appropriating from the Lower James Missouri Aquifer, it was found that the property tied to Water Right No. 840-3 had been sold to you. Presently, Water Right No. 840-3 is held in the name of Stuelpnagels Inc.

Water Right No. 840-3 authorizes the diversion of 1.11 cubic feet of water per second (approx. 500 GPM) from one well for commercial use in an egg processing plant, described as being located in Lot 15, Block 26, Lower Yankton (215 Mulberry St, Yankton SD).

With this letter I am hoping to confirm that water is or is not being put to beneficial use as was authorized by the water right. Is there still an egg processing facility at this location? Are you aware of a well on or near the property?

Pursuant to SDCL 46-5-37, any permit or water rights not put to beneficial use for a period of 3 or more years, are subject to cancellation due to abandonment or forfeiture. Excuse for non-use approved by Administrative Rules 74:02:01:37.2 allows for the well to be maintained as a backup water source or emergency fire prevention, so long as the well is in working order and equipped for immediate use.

If the water right is being actively exercised, a transfer of ownership and fee in the amount of \$50.00 would be required. For your convenience I have enclosed a partially completed form and postage paid envelope.

If the water right has not been maintained, we ask that you inform our office so that we may schedule it for cancellation before the SD Water Management Board.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

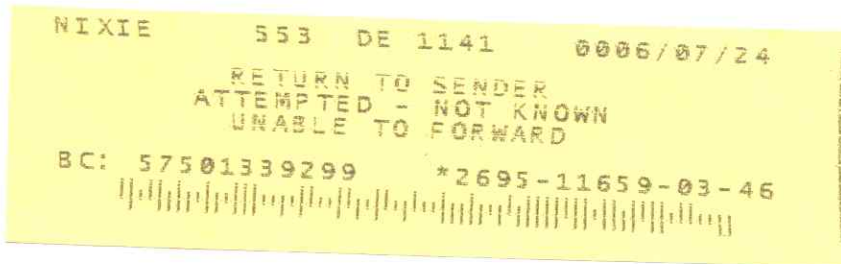
Cc: Stuelpnagels Inc, c/o Richard Ricke, PO Box 673, Yankton SD 57078

840-3

May 30, 2024 letter regarding Water Right No. 840-3 was mailed to Don't Tell My Wife I Bought This LLC

Cc: Stuelpnagels Inc, c/o Richard Ricke (owner of record)

Copy sent to Stuelpnagels Inc was returned in the mail 06/10/2024



Amelia Dwell 6/10/24