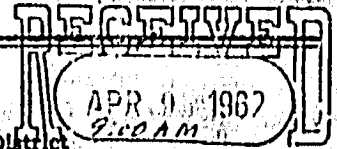


983-3

1. Considered 5-9, 1922
2. Name of Applicant Harvey Dean Cunningham
3. Post Office Address Brown
4. Amount of water claimed 1.1
5. Source of water supply Ground water
6. Water to be used for Irrigation
Acres to be irrigated 77
7. Water to be diverted and used in Brookings County about
2.5 miles of Public
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to ☐
Not Approved ☐
Action deferred ☐

10. Remarks:



No. 983-3
 Water Division No. 3 BIG SIOUX RIVER
 (Blanks to be filled by the Engineer for the W. R. C.)

District
 STATE WATER RESOURCES COM. L.
 PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT To Appropriative Water within the State of South Dakota

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

1. Name of applicant HARVEY GLEN CUNNINGHAM
 Postoffice address SOUTH 24, BROOKINGS, County BROOKINGS, State SOUTH DAKOTA

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)

BY CONTRACT

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

2. Name of diversion work CUNNINGHAM IRRIGATION SYSTEM
 3. Amount of water claimed 1.1 cubic feet per second
 4. Source of water supply WELL
 5. Location of point of diversion 1080 SOUTH, 1320 EAST
OF THE NW 24, T11N R51W on R 51W bank BROOKINGS County.
 6. Annual period or periods during which water is to be used APRIL 1 TO DECEMBER 1
 7. To be used for:

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

(a) Number of acres to be irrigated 77 acres.

(b) Legal subdivisions to be irrigated 5 1/4 OF THE NW 24 T11N R51W

(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 APP NO 632-3

8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$1600.00

(c) Fluming, \$-----

(d) Canal-earth, \$-----

Rock, \$-----

(e) Other structures \$-----

Total, \$3600.00

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-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 ----- years.

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

12. Choice of newspaper for publication of notice of intention to appropriate -----

BROOKINGS REGISTER

STATE OF SOUTH DAKOTA

County of Brookings ss.

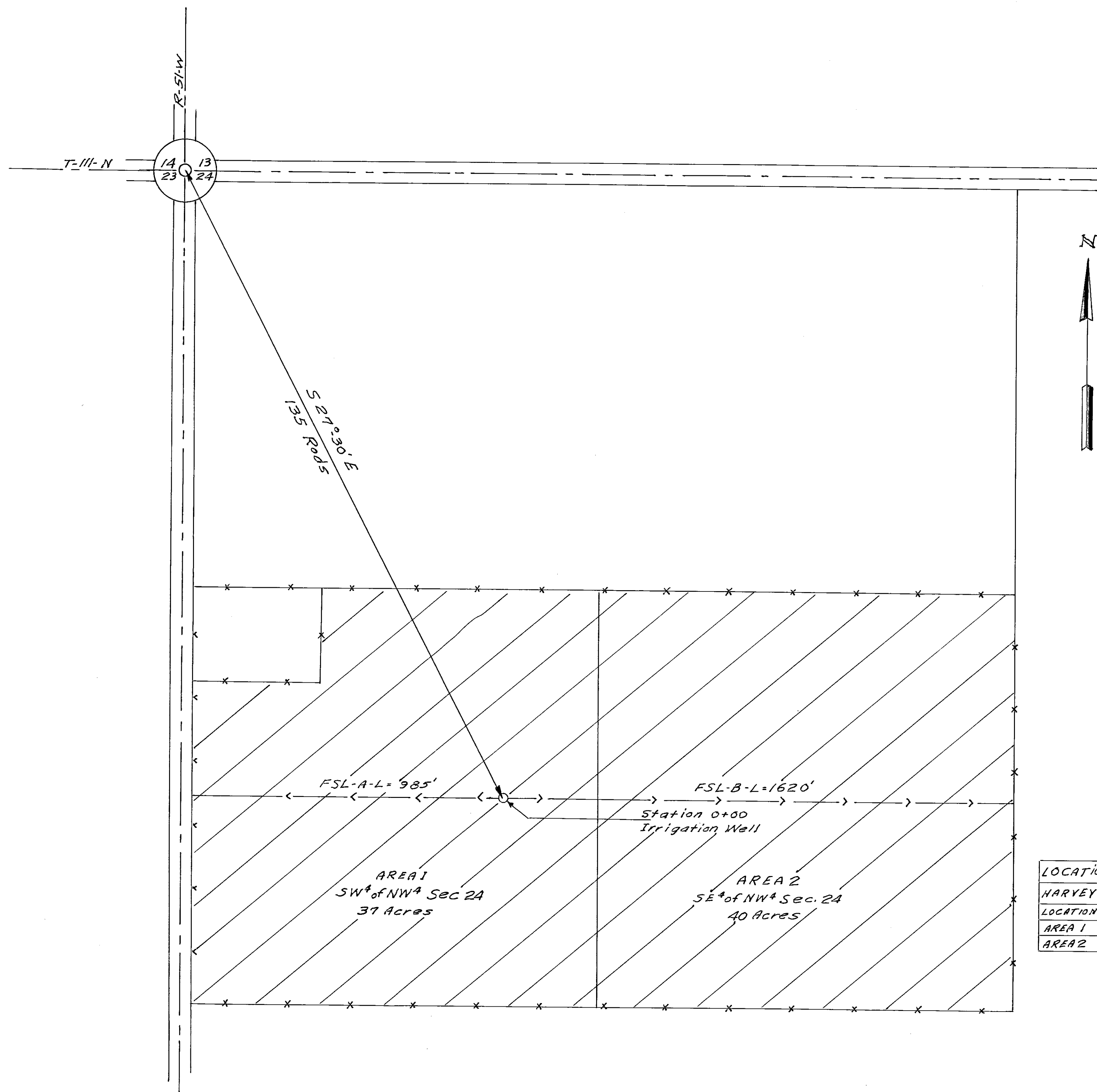
I, Alvin Schultz, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Harry Glen Cunningham

Subscribed and sworn to before me this 20th day of February 1906

Alvin Schultz
Notary Public (or other qualified officer)

*Each diversion must have a headgate or measuring device.



LOCATION OF LAND TO BE IRRIGATED				
HARVEY G. CUNNINGHAM PROJECT NO. 1				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
AREA 1	24	111 N	51 W	37
AREA 2	24	111 N	51 W	40
TOTAL				77

SURVEYOR'S CERTIFICATE

I, Roy J. Gardner, do hereby certify that this map identifies the land of Harvey G. Cunningham Irrigation Project Number 1

Signature *Roy J. Gardner*
 Title: Construction Engineer
 Soil Conservation Service
 U.S. Dept. of Agriculture

Subscribed and sworn to before me this 5th day of April, 1962 A.D.

Harold D. Beradale
 Notary Public

HARVEY G. CUNNINGHAM
 IRRIGATION PROJECT NUMBER 1
 BROOKINGS COUNTY, SO. DAK.
 SCALE 1" = 200'

U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE

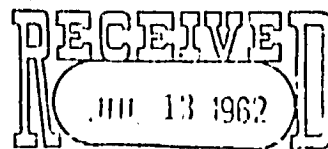
Designed	Date	Approved by
Drawn		Title
Traced	4-5-62	
Checked		Sheet No. of
		Drawing No.

MAP N° 632-3 (APP. N° 983-3)
 U. S. GOVERNMENT PRINTING OFFICE : 1956 O - 371150

Remarks by State Water Resources Commission:

- The well granted under this Permit is located near domestic wells and other --
 -- irrigation wells which may obtain water from the same aquifer. If the well --
 -- covered by this Permit depletes the domestic supplies or interferes with prior --
 -- water rights, restrictions, to the extent necessary, of the capacity of the well --
 -- or periods of operation or other arrangements may be required to protect these --
 -- water supplies.

Form 2A — Wells (Supplement to Form 2)



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 12 inches, Depth 42 Feet
 Type of casing Steel
 (wood, concrete, steel, etc.)
 Size of casing 18 inches, Thickness of casing 12 gauge
 Length of casing 42 ft. If collection gallery, length, size and depth of
 gallery

(b) Screens

Type of coarse screen
 Size of 18 inch (diameter), 17 1/2 ft. (length)
 Thickness of gravel pack 8 inch, length of gravel pack 25 ft.

(c) Water Bearing Materials

Distance to water 7 Feet, Character of water bearing materials medium
coarse gravel

Thickness of water bearing material 35 ft.

(d) Pump and Motor

Type of pump turbine
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump Western, size 6 inch
 Kind of motor electric
 (gasoline, electric, diesel, etc.)
 Horsepower 2.5, Name of Motor W. S.

(e) Complete well

Capacity 750 gallons at drawdown of 30 Feet, Estimated cost

(f) Owner of land upon which well is located Harvey Cunningham
 Name

R R 2 Bruce, S. Dak.
 Address

(g) Distance to nearest existing wells

On same owner's property 60 rods. On property owned by others 112 rods

Remarks by State Water Resources Commission:

- The well granted under this Permit is located near domestic wells and other --
-- irrigation wells which may obtain water from the same aquifer. If the well --
-- covered by this Permit depletes the domestic supplies or interferes with prior --
-- water rights, restrictions, to the extent necessary, of the capacity of the well --
-- or periods of operation or other arrangements may be required to protect these --
-- water supplies.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, JULY 19, 1962

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock
9 a.m. upon the 9TH day of APRIL, 1962

State Water Resources Commission

By:

[Signature]
for Chief Engineer, Executive Officer

Number of permit 983-3

Date of first receipt of application APRIL 9, 1962

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 APRIL 9, 1962

Approved MAY 9, 1962, Recorded in Book 7 Page 157

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 NOVEMBER 9, 1963

2nd. The whole of said work is to be completed on or before MAY 9, 1965

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is MAY 9, 1967

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 1.1 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 MAY 9, 1967; said water to be used during the following describe annual period:

APRIL 1 TO DECEMBER 1

Witness my hand this 19TH day of JULY, 1962

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 24, 1970

Water License issued MARCH 24, 1970

Permit No. 983-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Harvey Glen Cunningham

_____ the holder _____ of
Permit No. 983-, issued upon Application No. 983-3, bearing date of priority of April 9, 1962
_____ authorizing the diversion of 1.1 cu. ft. per second of the waters of _____
ground water County of Brookings, State of South Dakota at _____
a point South 27° 30' East, 135 rods from the NW Corner, Section 24, T111N, R51W.

_____, for irrigation

_____, has 8 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 1.1 cu. ft. per second of water.

Date March 24, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRINES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. . . 983-3

(1) WHEREAS, On the 9th day of April A. D. 19 62

Harvey Glen Cunningham

made Water Right Application No. 983-3 for a permit to use 1.1 cubic feet per second of the waters of ground water

County of Brookings, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 19th day of July A. D. 19 62

Permit No. 983-3, with a date of priority of April 9, 1962

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 9th day of May A. D. 19 65 and for the application to beneficial use of said water on or before the 9th day of May A. D. 19 67

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.1 cubic feet per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following lands in Section 24, T11N, R51W

Acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 37

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40

Total 77 Acres

(5) 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 Harvey Glen Cunningham

_____ of Bruce, South Dakota
the holder _____ and owner _____ of said permit No. 983-3 a water right, dating from April 9, 1962
_____ to use of 1.1 cubic feet per second of the waters
of ground water
in the County of Brookings and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point South 27° 30' East, 135 rods from the NW
Corner, Section 24, T111N, R51W

and conduct to and upon the S½ NW¼, Section 24, T111N, R51W, as described on the face of
this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 983-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 24th day of March A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION.

By:

Chief Engineer, Executive Officer, J.W. GRIMES

on or before April 15, 1962
(First Publication April 15, 1962)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 9, 1962

Notice is hereby given that Harvey Glen Cunningham whose postoffice address is Brucio 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 1.1 cubic feet of water per second of time from ~~XX~~ ground water through the Cunningham Irrigation System, the point of diversion of which is to be located ~~XXXX~~ XXXXXXXXXXXX in the S4 $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24 Twp. 111 N Range 51 W. Said water to be used for the purpose of providing Irrigation on the following described land:

S4 NW4, Section 24, T111N, R51W

~~XXXXXX~~ ----- ~~XXXXXXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 9th day of May, 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: Mr. C. A. Itchell, Publisher
Brookings Register
Brookings, South Dakota

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
BURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Brookings } ss.Charles A. Mitchellbeing duly
sworn, deposes and says the annexed printed copy of Notice
of Intention to Appropriate Water was taken from the -----
Brookings Register----- 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 Brookings County ofBrookings ----- and State of South Dakota;
that the said notice was published in said newspaper on the
following dates:April 11, 1962April 18, 1962April 25, 1962May 2, 1962in each and every issue of the full number thereof, the first
publication being made on the 11th day of April
1962 and the last publication on the 2nd day of
May 1962, upon which days or times
of publication aforesaid the newspaper was regularly pub-
lished, and that during the whole time of said publication he
was Publisher the printer and publisher of
the said newspaper.Charles A. MitchellSubscribed and sworn to before me this 2nd day of May A. D. 1962Wm. MitchellNotary Public Brookings County, S. D.

No. 421—April 11, 18, 25, May 2, 1962
 Appropriation of Water
 Office of State Water Resources Commission
 Pierre, S. Dak., April 9, 1962
 Notice is hereby given that Harvey Glen Cunningham, whose postoffice address is Pierre, 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 1.1 cubic feet of water per second of time from ground water through the Cunningham Irrigation System, the point of diversion of which is to be located in the SW 1/4 of the NW 1/4 of Section 24 Twp. 111 N Range 51W. Said water to be used for the purpose of providing irrigation on the following described land:
 S 1/4 NW 1/4, Section 24, T111N, R51W.
 This application will be taken up by the State Water Resources Commission at their office in Pierre for consideration upon the 9th day of May, 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: HURTON F. JONES
 Water Right Specialist

RECEIVED
 MAY 7 1962

STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

REPORT OF INVESTIGATION

Unlicensed Water Permits Authorized before January 1, 1964

Water Permit No. 983-3. Approval Date May 9, 1962

This Permit authorized the diversion of 1.1 cubic feet
per second of water from Well to irrigate

27 acres in Section 24, Township 11N,

Range 51W, County Brookings.

Name and Address shown on Permit

Harvey Glen Cunningham
Rte 2 Brookings, S.Dak.
Bruce, S.Dak.

Name and Address of present owner of land

Same

WATER PERMITS NOT CONSTRUCTED WITHIN THE FIVE YEAR PERIOD ARE
SUBJECT TO CANCELLATION BY ACTION OF THE WATER RESOURCES COMMISSION

Indicate the following:

1. The irrigation system was never started nor was not completed.
The present landowner has been informed that cancellation of
Water Permit No. _____ will be considered by the Water
Resources Commission and he will be notified of the date, time
and place of such consideration. _____
2. Some questions exists and further consideration is advisable.

- ✓ 3. The irrigation system was completed within the five year period
and is being used. A final inspection should be scheduled.

REMARKS: Was pumping 6-16-69 - Ready for inspection
Didn't see him but talked to Blackletter who
told me he was - Can see well + pipe laid out

Signature Wm H. Ellert

Permit No 983-3Water Division 3 BIG SIOUX RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Harvey Glen
Cunningham of Bruce, South Dakota holder.
 of Permit No. 983-3, bearing date of priority of April 9, 1962
 authorizing the diversion of 1.1 cu. ft. per second of the waters of ground water
 for irrigation purposes, in Brookings County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:
 Irrigation well, 40 feet deep, 18 inch steel casing, Western Turbine Pump,
 4 stage, 30 foot setting.
 U.S. Electric Motors Inc., 25 H.P.

B. Works used to transport water to place of use,
 630 feet of 5 inch aluminum main

C. Works used to apply water to beneficial use.
 Hand moved sprinkler pipe
 1/2 mile, 4 inch
 990 feet of 3 inch

The system is in the following condition: GoodThe point of diversion is located S 27°30' E., 135 rods from the NW Corner of Section 24,
T111N, R51W

The works are capable of diverting and conveying to the place of use 1.1
 cu. ft. per second of water which is to be used for Irrigation purposes

Water has been put to beneficial use to the maximum extent as follows: in Section 24, T111N, R51WSW 1/4 NW 1/4 37 acresSE 1/4 NW 1/4 40 acrescomprising a total of 77 acres of land.Date September 26, 1969

Donald Driscoll
 (Signature)
 DONALD DRISCOLL, Deputy Chief Engineer
 Water Resources Commission



Department of Water & Natural Resources

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

March 23, 1987

HARVEY CUNNINGHAM
RR #2 BOX 123
BRUCE, SD 57220

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 983-3, 2906-3, 2724-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol. Pierre SD.

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

1. Amend Permit No(s). 983-3, 2906-3, 2724-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

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

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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 3, 1987

983-3
2724-3
2906-3

Harvey Cunningham
RR #2 Box 123
Bruce, SD 57220

Dear Mr. Cunningham:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 983-3, 2724-3, and 2906-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

983-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 27, 2023

983-3
2724-3
2906A-3

Terry Cunningham
20474 465th Ave
Bruce SD 57220

Dear Mr. Cunningham:

Thank you for visiting with me about the water rights listed under Harvey's name.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the ownership changes. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed are last year's three irrigation questionnaires. If you could complete and send them back to us, that would be very helpful. Thank you in advance!

If you have any questions, please give me a call.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

PAID

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

MAY 19 2023
Ck# 1065
Rec't# 5019123

No. 983-3

Date: 5-16-23

I/We request that Water Right No. 983-3

formerly owned by: Harvey Cunningham

be transferred to: (name & address) Terry Cunningham
20474 465 Ave Bruce S.D.
57220 Telephone No.

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

77 acres – S ½ NW ¼ Section 24, T111N, R51W

I/We understand that the validity of Water Right No. 983-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Liane Cunningham in care of Terry Cunningham, the new owner, certify that the above information is true and correct.

Liane Cunningham in care of Terry Cunningham
(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.

RECEIVED

MAY 19 2023

OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date May 19, 2023

RECEIVED OF Terry/Tracy Cunningham 20474 465 Ave., Bruce SD 57220

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>983-3</u>	<u>\$50.00</u>
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	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
vm

983-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 24, 2023

983-3
2724-3
2906A-3

Terry Cunningham
20474 465th Ave
Bruce SD 57220

Dear Mr. Cunningham:

I am writing to acknowledge receipt of the transfer forms, filing fees, and irrigation questionnaires.

The ownership changes have been completed. The water rights under Harvey's name are now listed in your name.

Enclosed are the receipts for the filing fees you paid. If you have any questions, please let me know.

Sincerely,

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