

1569-3

1. Considered 5.22, 1968
2. Name of Applicant BURL A. L. BELNAN
3. Post Office Address VERMILION
4. Amount of water claimed 4.57
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
- Acres to be irrigated 320
7. Water to be diverted and used in CLAY county
about 5 miles 5 of CENTERVILLE
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1569-3Water Division No. 3 VERMILLION RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

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

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

1. Name of applicant Burl H. Hutchinson
Postoffice address Vermillion, County Clay State S. Dak.

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

3. Amount of water claimed 457 cubic feet per second4. Source of water supply well5. Location of point of diversion Center 1/2 Sect 15 Twp 45 Range 32
on bank County6. 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?

(a) Number of acres to be irrigated 720 acres.(b) Legal subdivisions to be irrigated 1/4 Sect 15 Twp 45 Range 32

(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.) 1 1/2 Sect 15 Twp 45 Range 32

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

(a) Nature of use

None / 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 1121-3

8. Estimated cost of work:

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

(c) Fluming, \$.....

(e) Other structures \$.....

(b) Pumping plant, \$ 6000.00

Rock, \$.....

Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works.

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

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

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

(c)* Head gate: Width.....feet; heightfeet;

Material

(d) Canal: Total lengthmiles.

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 work2 years.

11. Time required for complete application of water to the proposed beneficial use5 years.

12. Choice of newspaper for publication of notice of intention to appropriate Vermillion Star Talk

STATE OF SOUTH DAKOTA

County of Clay } ss.

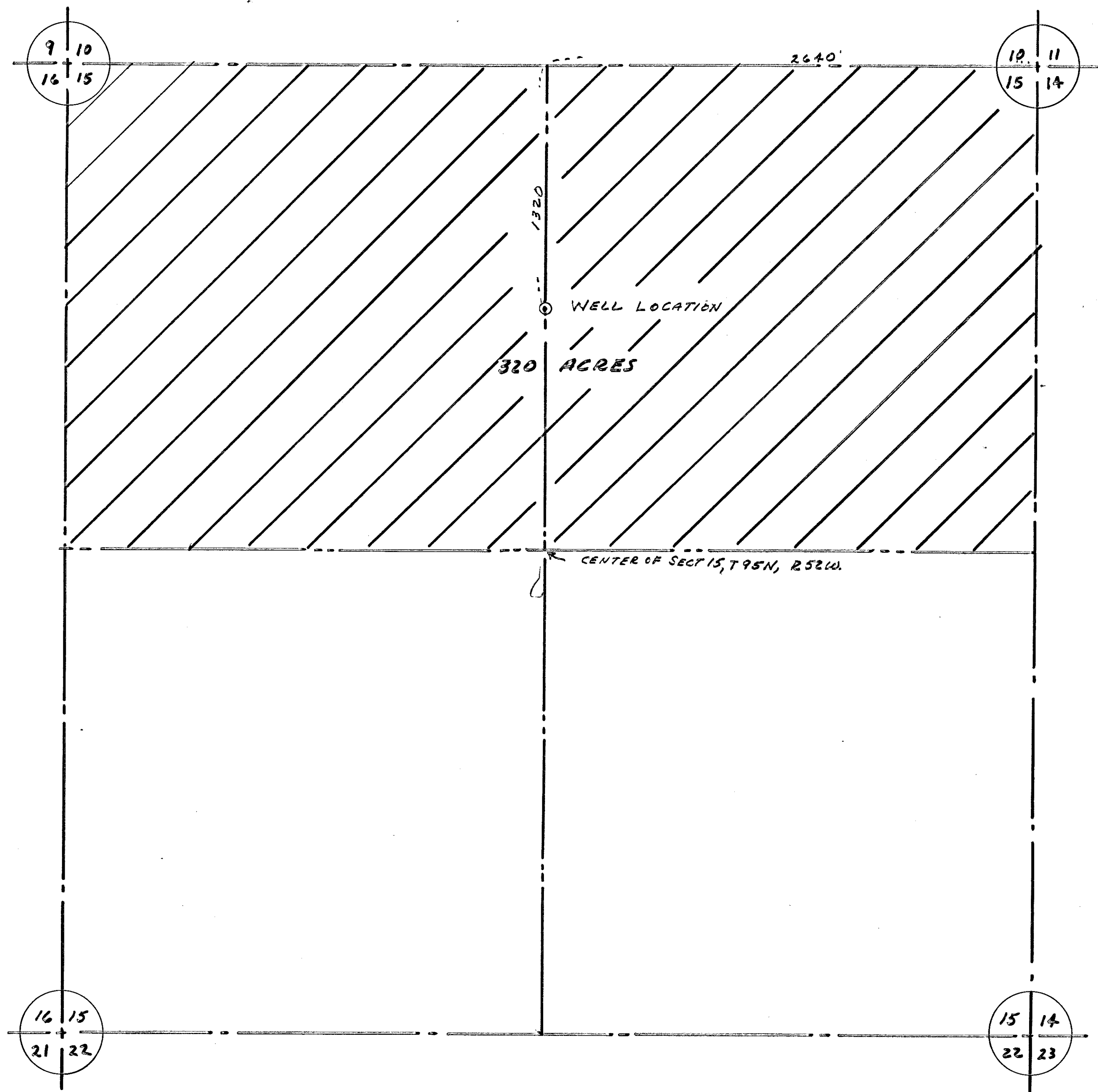
I, Burl A. Litzelman, being first duly sworn on my oath depose and say That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated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

Signed Burl A. Litzelman

Subscribed and sworn to before me this 20 day of April 1968.

Notary Public
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device



AREA BY LEGAL SUBDIVISION
320 ACRES N $\frac{1}{2}$ OF SECTION 15, T95N, R52W, 5TH AM.

SURVEYOR'S CERTIFICATE

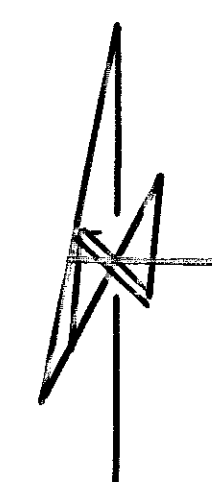
STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE) SS
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF BURL A. LOTZELMAN,
SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON APRIL 20, 1968 FOR WHICH APPLICATION
FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP
IS A TRUE REPRESENTATION THERE OF.
WITNESS MY HAND AND SEAL THIS 20TH DAY OF APRIL 1968

Harlan W. Meyer
REGISTERED LAND SURVEYOR #495

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE) SS
SUBSCRIBED AND SWORN TO BEFORE ME THIS 20TH DAY
OF APRIL 1968

Connie Johnson
NOTARY PUBLIC

MY COMMISSION EXPIRES MARCH 10, 1972



SCALE 1" = 400'

BURL A. LOTZELMAN DEEP WELL PROJECT
SHOWS AREA TO BE IRRIGATED & DIVERSION WELL:
FOR PERMIT TO APPROPRIATE WATER

OWNER
SURVEYOR

BURL A. LOTZELMAN
HARLAN W. MEYER
APRIL 1968

MAP N21161-3 (APPL N21567-3)

Remarks by State Water Resources Commission:

-----The irrigation well approved under this Permit is located near
-----domestic wells which may obtain water from the same aquifer.
-----The irrigation well owner, under this Permit, shall control his
-----irrigation withdrawals so there is not a reduction of needed
-----water supplies in existing domestic wells.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, MAY 27, 1968

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
9 a.m. upon the 22ND day of APRIL, 1968.

State Water Resources Commission

By:

Burton J. Jones
for Chief Engineer, Executive Officer

Number of permit 1569-3

Date of first receipt of application APRIL 22, 1968

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 22, 1968

Approved MAY 22, 1968, Recorded in Book 10 Page 198

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 22, 1969

2nd. The whole of said work is to be completed on or before MAY 22, 1971

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

MAY 22, 1973

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 4.57 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 22, 1973; said water to be used during the following described annual period:

APRIL THRU NOVEMBER
27TH day of MAY, 1968

Witness my hand this

State Water Resources Commission

By:

McCormick
Chief Engineer, Executive Officer

Certificate of Construction issued NOVEMBER 13, 1972

Water License issued NOVEMBER 13, 1972

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 14 1/2", Depth 125'
 Type of casing Steel
 (wood, concrete, steel, etc.)
 Size of casing 34", Thickness of casing _____
 Length of casing 100'. If collection gallery, length, size and depth of
 gallery _____

(b) Screens

Type of perforated screen Tolson Screen
 Size of perforated screen 24" (diameter), 5' (length)
 Thickness of gravel pack 16", length of gravel pack 150'

(c) Water Bearing Materials

Distance to water 60' Character of water bearing materials Coarse Sand Medium Gravel
 Thickness of water bearing material 40'

(d) Pump and Motor

Type of pump Turbine
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump _____ size _____
 Kind of motor _____ (gasoline, electric, diesel, etc.)
 Horsepower 120 Name of Motor _____

(e) Complete well

Capacity 2000 at drawdown of _____ Estimated cost _____

(f) Owner of land upon which well is located Barl H. Litzelman Name
W. M. H. H. S. L. H. Address

(g) Distance to nearest existing wells

On owner's property 200 rods. On property owned by others 300 rods

Form 15.

Permit No. 1569-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Burl A. Litzelmen

_____ the holder _____ of
Permit No. 1569-3, issued upon Application No. 1569-3, bearing date of priority of April 22,
1968 authorizing the diversion of 4.57 cu. ft. per second of the waters of _____
ground water County of Clay, State of South Dakota at _____
a point 1320' South of the N $\frac{1}{2}$ Corner, Section 15, T95N, R52W

_____, for irrigation

purposes, ha. 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 2.0 cu. ft. per second of water.

Date November 13, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1569-3

(1) WHEREAS, On the 22nd day of April A. D. 19 68
Burl A. Litzelman

made Water Right Application No. 1569-3 for a permit to use 4.57 cubic feet per second of the waters of ground water

County of Clay State of South Dakota for irrigation

purpose; and

(2) WHEREAS, On the 27th day of May A. D. 19 68

Permit No. 1569-3 with a date of priority of April 22, 1968

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 22nd day of May A. D. 19 71 and for the application to beneficial use of said water on or before the 22nd day of May A. D. 19 73

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 2.0 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 land in Section 15, 195N, R52W

NE $\frac{1}{4}$ 135 acres

NE $\frac{1}{4}$ 135 acres

Total 270 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 Purl A. Litzeiman

_____ of Vermillion, S.D.

the holder _____ and owner _____ of: id permit No. 1569-3 a water right, dating from April 22, 1968

_____ to use of 2.0 cubic feet per second of the waters of ground water

in the County of Clay and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1320 ft. South of the N $\frac{1}{2}$ Corner, Section 15, T95N, R52W

and conduct to and upon the N $\frac{1}{2}$ Section 15, T95N, R52W, described more fully on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1569-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 13th day of November A. D.
Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRIMES

on or before
(First Publication April 20 1968.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 22 1968.

Notice is hereby given that Burl A. Litzelman whose postoffice address is Vermillion 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 4.57 cubic feet of water per second of time from ~~the~~ ground water through the Litzelman Deep Well the point of diversion of which is to be located ~~near~~ ~~in the~~ center of the N $\frac{1}{2}$ of Section 15 Twp. 95N Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:

N $\frac{1}{2}$, Section 15, T95N, R52W
.....
a ~~XXXX~~ ~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May 1968 at 2:00 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:

~~XXXXXXXXXXXXXXXXXXXX~~

BURTON P. JONES
WaterRights Specialist

cc: Burl A. Litzelman, Vermillion, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Clay } ss.

Adrian Reese being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Vermillion Plain Talk 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 Vermillion County of Clay and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 25, 1968
May 2, 1968
May 7, 1968
May 16, 1968

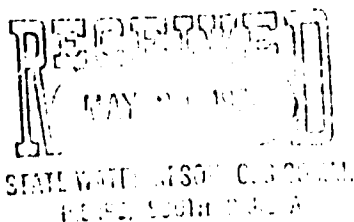
in each and every issue of the full number thereof, the first publication being made on the 25th day of April 1968 and the last publication on the 16th day of May 1968, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ the printer and publisher of the said newspaper.

Adrian Reese

Subscribed and sworn to before me this 17th day of May A. D. 1968.

He M. Mullett

Notary Public _____ County, S. D.



APPROPRIATION OF WATER

Office of State Water Resources Commission,
Pierre, S. Dak., April 22, 1968

Notice is hereby given that Burl A. Litzelman whose postoffice address is Vermillion, 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 4.57 cubic feet of water per second of time from ground water through the Litzelman Deep Well, the point of diversion of which is to be located in the center of the N 1/2 of Section 15 Twp. 95N Range 52W. Said water to be used for the purpose of providing irrigation on the following described land: N 1/2, Section 15, T95N, R52W

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 1968 at 2:00 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 Rights Specialist

Pub: April 25, May 2, 9, 16

Permit No. 1596-3
 Water Division 3 VERMILLION RIVER Water District

REPORT 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 BURL A.
LITZELMAN of VERMILLION holder
 of Permit No. 1596-3, bearing date of priority of APRIL 22, 1968
 authorizing the diversion of 4.57 cu. ft. per second of the waters of GROUND WATER
 for IRRIGATION purposes, in CLAY 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:

118' DEEP WELL W/ 18" STEEL CASING
LAYNE BOWLER 10" PUMP WITH CHRYSLER INDUSTRIAL
#413 MOTOR (PROPANE)

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

80 RODS OF 10" BURIED LINE TO PIVOT
80 " " 10" " " TO 2ND PIVOT

C. Works used to apply water to beneficial use.

1 - 13 TOWER VALVEY SELF PROPELLED SPRINKLER SYSTEM

The system is in the following condition: VERY GOOD

The point of diversion is located 1320' S OF THE N¹/₄ CORNER,
SECTION 15, T95N, R52W

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

Water has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 15, T95N, R52W

NW⁴ 135 ACRES
NE⁴ 135 "

comprising a total of 270 acres of land.

Date SEPTEMBER 5, 1972

Furton Jones
 (Signature)
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

File No. 214-3

Water Rights Division - DWR

Conversation or File Documentation

NAME OF PERSON OR FILE: Don Hunter 215-3

ADDRESS: RR #2, Box 10, Centerville, SD 57014 COUNTY 229-3

DATE: April 22, 1984 TELEPHONE 563-2726 275-3

RE: Status of permits for John & Burl Litzelman, Vermillion, SD 974-3

COMMENTS: 1569-3

Mr. Hunter called and indicated no irrigation had been done on Litzelman's permits during 1984. (spoke with Maxine)

I called Mr. Hunter back, spoke with Mrs. Hunter, she indicated Litzelman's permits should be listed as "ESTATE" for now.

Mr. Hunter is the operator of these systems, further correspondence concerning the permits should be directed to Mr. Hunter.

I requested them (Hunter's) to notify our office at such time as the estate is settled so that the appropriate papers could be filed concerning transfers of the permits.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Henry McMath



Department of Water & Natural Resources

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

March 23, 1987

DON HUNTER-OPERATOR
RR #2 BOX 10
CENTERVILLE, SD 57014

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). 1890-3, 1569-3, 3543-3, 973-3, 974-3, 215-3, 229-3, 214-3. 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). 1890-3, 1569-3, 3543-3, 973-3, 974-3, 215-3, 229-3, 214-3 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.

cc: John/Burl Litzelman, 224 Court, Vermillion SD 57069

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 3, 1987

214-3	974-3
215-3	1569-3
229-3	1890-3
<u>973-3</u>	3543-3

Donald Hunter
RR #2 Box 10
Centerville, SD 57014

Dear Mr. Hunter:

This will acknowledge receipt of and thank you for stopping in our office to complete your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 214-3, 215-3, 229-3, 973-3, 974-3, ~~1569-3~~, 1890-3 and 3543-3, 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
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

cc. John & Burl Litzelman, 224 Court, Vermillion, SD 57069

 **Department of
Water & Natural Resources**

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

February 25, 1988

1569-3
1890-3
3543-3

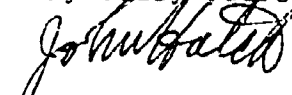
Don Hunter
RR 2, Box 10
Centerville SD 57014

Dear Mr. Hunter:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 1569-3, 1890-3, 3543-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

A circular stamp with a black border. Inside the border, a serial number is printed in a circular path: 293031-12345678910111213141516171819202122232425262728. In the center of the stamp, the text "JUN 1997" is printed above "WATER RIGHTS PROGRAM", which is above "Pierre, SD". A handwritten number "4" is visible above the printed text.

No. 1569-3

Date: 6-24-97

be transferred to: (name & address) David C. DeRoucy Trust P.O. Box 224
Depression L.D. 57069 Telephone No. 605-624-2249

135 acres - NW 1/5 Sec 15-T95N-R52W

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.

STATE OF SOUTH DAKOTA)

County of Clay)

I/We DAVID C. DEROUHEY 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, and that I know of my own personal knowledge that the information herein stated is true.

David C. Schuchman
(Signed)

Subscribed and sworn to before me this 24th day of June, 19 97

Bill Hansen
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

415404

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ June 30, 19 97

RECEIVED OF Riverside Farms (DAVID C. DeRouchey Trust), RR 2, Box 51, Centerville, SD 57014
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>Water Right No. 1569-3</u>		2 50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By *John Hatch* Chief Engineer



1569-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

July 8, 1997

No. 1569-3

Riverside Farms
RR 2, Box 51
Centerville, SD 57014

Dear Sirs:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1569-3.

Our records now show David C. DeRouchey Trust as the owner of Water Right No. 1569-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure

c: David C. DeRouchey Trust, P.O. Box 264, Vermillion, SD 57069
Bill Hansen, 2201 State St., Centerville, SD 57014

WOODS
FULLER
SHULTZ &
SMITH P.C.

LAWYERS
EST. 1887

300 South Phillips Avenue
Suite 300
Post Office Box 5027
Sioux Falls, South Dakota
57117-5027

Telephone (605) 336-3890
Telecopier (605) 339-3357

www.wfss.com

Merle A. Johnson
Richard O. Gregerson
William Taylor
William P. Fuller
Gary P. Thimsen
Bradley C. Grossenburg
James M. Wiederrich
Comet H. Haraldson
J.G. Shultz
Roger W. Damgaard
Frederick M. Entwistle
David C. Kroon
James E. Moore
Kristine Kreiter O'Connell
Elizabeth A. Lewis
Tim R. Shattuck
Melanie L. Carpenter
Susan M. Sabers
William G. Beck
Daniel J. Harmelink
Jennifer L. Wollman
Lisa Marshik Prostrullo
Christopher J. Lent
Gregory S. Starnes
Jeffrey L. Bratkiewicz
Carey A. Miller
Mary A. Akkerman
Mary Ellen Dirksen
J. Vincent Jones

Melvin T. Woods
(1899-1983)
Howell L. Fuller
(1909-1981)
John B. Shultz
(1912-1975)
Francis M. Smith
(1910-2004)

1569-3

July 21, 2004

Lisa Marshik Prostrullo
lprostro@wfss.com

Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

Re: Notices of Transfer of Ownership

Dear Madam or Sir:

Enclosed please find 8 Notices of Transfer of Ownership for Water Right/Permit Numbers: 214-3, 215-3, 229-3, 3543-3, 973-3, 974-3, 1569-3, and 6009-3. Also enclosed is a check in the amount of \$20.00 to cover your filing fees. It is our understanding that you notify the new owner that the transfer has occurred. When you send out that correspondence, please send me a copy of such correspondence for our records. I have enclosed a stamped self addressed envelope for your convenience. Should you have any questions, please do not hesitate to contact me.

Sincerely,

WOODS, FULLER, SHULTZ & SMITH P.C.


Lisa Marshik Prostrullo

Enclosures

cc: Mr. Roger Hansen

RECEIVED
JUL 23 2004
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

JUL 23 2004

WATER RIGHTS
PROGRAM

Water Right/Permit No. 1569-3

Dated: July 16, 2004

We request that Water Right/Permit No. 1569-3 formerly owned by:
David DeRouche Trust be transferred to:

New Owner Name: Roger A. Hansen, d/b/a Hansen Properties
Address: P.O. Box B
City, State, Zip: Centerville, South Dakota 57014 Telephone No.: (605) 563-2212

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

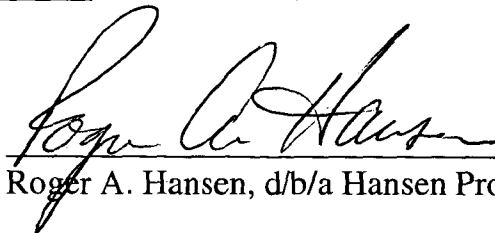
270 acres - N1/2 Sec15-T95N-R52W

☒ We understand that the validity of Water Right/Permit No. 1569-3 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 Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

Roger A. Hansen, d/b/a Hansen Properties, the new owner, certifies that the above information is true and correct.


Roger A. Hansen, d/b/a Hansen Properties

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 23, 2004

RECEIVED OF Lewis & Clark Title Co., PO Box 177, Yankton SD 57078

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2 50	
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>1569-3</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. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law) ?	TOTAL	2.50

No.

001379

By

Darland White
Chief Engineer gm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 27, 2004

Roger A Hansen
Hansen Properties
PO Box B
Centerville SD 57014

Dear Mr. Hansen:

I am writing to acknowledge receipt of the ownership changes for Water Right Nos. 214-3, 215-3, 229-3, 973-3, 974-3, 1569-3 and Water Permit Nos. 3543-3 & 6009-3. The transfer of ownership for each has been completed. The above listed water permits and rights, formerly listed in the David DeRouchey are now listed in the name of Hansen Properties.

Each year we mail irrigation questionnaire to all irrigators in the state with the exception of those with water spreading systems. I am enclosing one of the actual forms submitted last year for your review. This will give you an idea of what type of information you will need to keep track of during the irrigation season. The forms can be completed and returned by regular mail or if you wish, blank forms can be downloaded from our website or filled out on-line and submitted electronically. More information concerning the questionnaires will be sent to you in October, 2004.

The receipts for the filing fees (totaling \$20.00) are being forwarded to Lewis & Clark Title Company in Yankton, SD.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

c: Lisa Marshik Prostrullo w/Woods, Fuller, Shultz & Smith PC
Lewis & Clark Title Company



1569-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 29, 2004

Roger A Hansen
Hansen Properties
PO Box B
Centerville SD 57014

Dear Mr. Hansen:

Enclosed, for your records, are copies of Water Permit and Right Nos. 214-3, 215-3, 229-3, 973-3, 974-3, 1569-3, 3543-3 and 6009-3. I included the ownership changes that were filed with them.

Copies of the same files are also being sent to Ms. Prostrollo for her records.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

c: Lisa Marshik Prostrollo w/Woods, Fuller, Shultz & Smith PC



1569-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6563-3, Roger Hansen**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6563-3, Roger Hansen, Box B, Centerville SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 6563-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

3. 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.
4. Water Permit No. 6563-3 incorporates the applicable portions of Water Permit No. 6009-3 and Water Right No. 1569-3. The non-constructed portion of No. 6009-3 and forfeited portion of No. 1569-3 are cancelled.
5. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 17, 2005

Note: Water Permit No. 6009-3 appropriates 1.94 cfs from one well to irrigate 136 acres in the SW ¼ Section 15, T95N, R52W. This well was also to be used to irrigate the land in the NW ¼ of Section 15 authorized by Water Right No. 1569-3. The well is constructed however the land in the SW ¼ of Section 15 was not developed by the time to complete construction. In addition, Water Right No. 1569-3 is licensed for the irrigation of 270 acres in the N ½ of Section 15, however, the applicant concedes that the NE ¼ of this section has not been irrigated in recent years and is therefore subject to forfeiture for nonuse.