

Water Right Number 1890-3

1. Considered November 10, 1971

2. Name of Applicant Carl M. Olson

3. Post Office Address Meckling, S.D.

4. Amount of water claimed 7.28

5. Source of water supply ground water

6. Water to be used for irrigation

Acres to be irrigated 510.2

7. Water to be diverted and used in Turner County

about 2 Miles 5 of Centerville

8. Proof of Publication Received 11-8-71

Not received _____

9. Application Approved _____

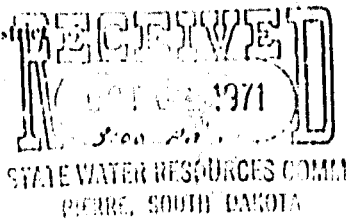
Subject to _____

Not approved _____

Action deferred _____

10. Remarks:

See Letter

No. 1890-3Map No. 1340-3 Water 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 Carl M. Olson
Postoffice address McKong State S. Dak
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Carl M. Olson
4. Amount of water claimed (cubic feet per second) ~~xxxx~~ 7.28 Maximum allowable
5. Source of water supply 2 wells
6. Location of point of diversion Center of S10 1/4 Sect. 34 T96N R52W
+ Center of S6 1/4 Sect. 34 T96N R52W
Turner County S. Dak
7. Annual period or periods during which water is to be used April - October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated ~~xxxxx~~ 510.20

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>S10 1/4 Sect. 34 T96N R52W</u>	<u>160</u>		
<u>S6 1/4 34 T96N R52W</u>	<u>152</u>		
<u>N2 1/4 34 T96N R52W</u>	<u>138</u>		
<u>N10 1/4 34 T96N R52W</u>	<u>10.5</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Center of the Journal
12. Principal Features of the Proposed Water Supply System:

A. Works proposed to divert water from its natural source.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

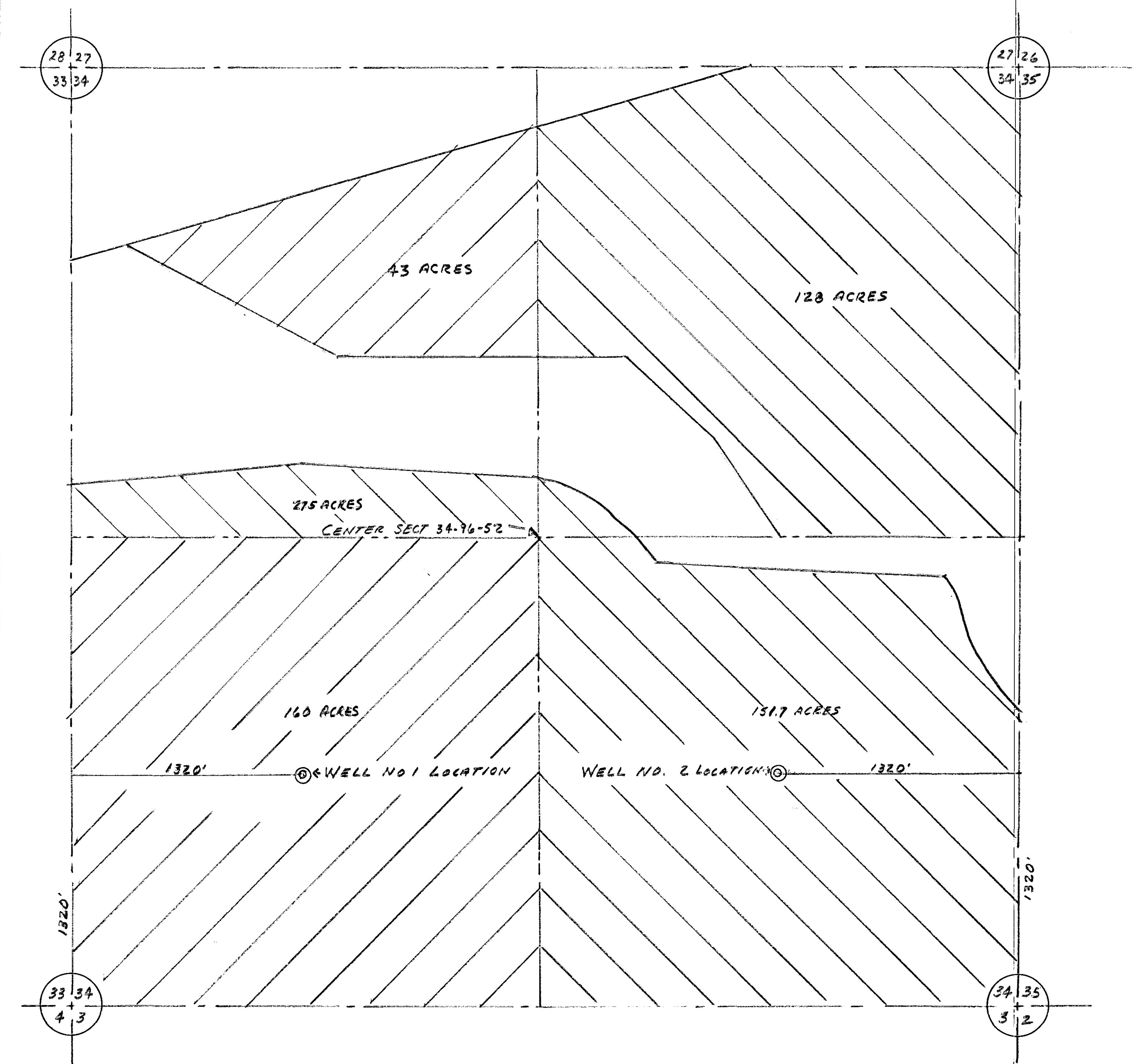
Estimated Total Cost \$50,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of ClayI, EARL M. OLSON the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Earl M. OlsonSubscribed and sworn to before me this 5th day of OCTOBER, 19 71

Notary Public (or other qualified officer)

AREA BY LEGAL SUBDIVISION			
ACRES	SECTION	TWNHP	RNG
70.5	NW 1/4 - 34	96 N	52 W
128.0	NE 1/4 - 34	96 N	52 W
151.7	SE 1/4 - 34	96 N	52 W
160.0	SW 1/4 - 34	96 N	52 W
510.2 TOTAL			



SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) ss
COUNTY OF BEADLE)

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF CARL OLSON,
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON SEPT 25, 1971 FOR WHICH
APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THIS 25TH DAY OF SEPT 1971

Harlan W. Meyer
REGISTERED LAND SURVEYOR #415

SCALE 1" = 40'

CARL OLSON IRRIGATION PROJECT #1
SHOWS AREA TO BE IRRIGATED & WELL LOCATIONS WHERE
WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE
WATER

OWNER CARL OLSON
SURVEYOR HARLAN W. MEYER

SEPT 71

MAP NO 1340-3 (ADDL NO 1890-3)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1890-3
DON HUNTER
CARL M. OLSON MECKLING CENTERVILLE
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications:
 (State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation 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 or in irrigation wells having prior water rights.

Date of first receipt of application OCTOBER 6 19 71
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application — 19 —
 Approved OCTOBER 10 19 71 Recorded in Book 12 Page 45

WATER RIGHT PERMIT NO. 1890-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1890-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is OCTOBER 6 19 71
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 10 19 74
3. The whole of said work is to be completed on or before NOVEMBER 10 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 10 19 76
5. The water appropriated shall be used for the purpose of IRRIGATION
6. 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.
7. The amount of the appropriation herein granted shall not exceed 7.23 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial use served, and if for the irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and 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 NOVEMBER 10 19 76; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 12TH day of NOVEMBER 19 71

WATER RESOURCES COMMISSION

By: [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 31 19 72

Water License Issued OCTOBER 21 19 72

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 3 1/2", Depth 60'
- (2) Casing, Type Concrete Diameter 1 1/2" Thickness 1 1/2"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Slot, Diameter 1 1/2", Length 30'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 10'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Coarse Sand & Gravel

Depth to top of water bearing material 12'

Depth to bottom of water bearing material 60' +

Thickness of water bearing material 50' +

Depth to water (ground surface to water level) 12'

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 100 rds. On property owned by others 100 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Paul M. Olsen
Signature of Applicant

Permit No. 1890-3

Water Diversion No. 3 VERMILION RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Don Hunter

_____ the holder _____ of
Permit No. 1890-3, issued upon Application No. 1890-3, bearing date of priority of October 6,
1971 authorizing the diversion of 7.28 cu. ft. per second of the waters of _____
ground water County of Turner, State of South Dakota at _____
points in the center of the SE $\frac{1}{4}$ and in the center of the SW $\frac{1}{4}$,
Section 34, T96N, R52W
_____, for irrigation

_____ purposes, has s 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 3.88 cu. ft. per second of water.

Date October 31, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1890-3

(1) WHEREAS, On the 6th day of October A. D. 19 71
Carl H. Olson

made Water Right Application No. 1890-3 for a permit to use 7.28 cubic feet per second of the water-
of ground water
County of Turner State of South Dakota, for irrigation

purposes and
(2) WHEREAS, On the 12th day of November A. D. 19 71
Permit No. 1890-3 with a date of priority of October 6, 1971

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 10th day of November A. D. 19 76 and for the
application to beneficial use of said water on or before the 10th day of November A. D. 19 76,

and whereas on the 26th day of October 1972, Permit No. 1890-3 was
transferred to Don Hunter of Centerville, South Dakota,

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 5.0 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 34, T96N, R52W

NW $\frac{1}{4}$	70.5 acres
NE $\frac{1}{4}$	128.0 acres
SW $\frac{1}{4}$	160.0 acres
SE $\frac{1}{4}$	151.7 acres
Total	510.2 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 Don Hunter

of Centerville, S.D.

the holder _____ and owner _____ of said permit No. 1890-3 a water right, dating from October 6, 1971
to use of 5.0 cubic feet per second of the waters
of ground water

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at points in the center of the SE $\frac{1}{4}$ and in the center
of the SW $\frac{1}{4}$, Section 34, T96N, R52W

and conduct to and upon portions of Section 34, T96N, R52W, more fully described on the face
of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1890-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 31st day of October A. D.
Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chie. Engineer, Executive Officer J.W. GRIMES

1890-3

Publish first publication, on or before October 14, 19 71NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 8, 19 71

Carl H. Olson

Notice is hereby given that _____
whose post office address is Lockling, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
7.28 cubic feet of water per second of time from the ground water through the
Olson Irrigation Project, the point of diversion of which ^{is} ~~is~~ ^{are} to be located in the _____

Center of the SE $\frac{1}{4}$ and the Center of the SW $\frac{1}{4}$

of Section 34, Twp. 96N, Range 52W. Said water to be used for the purpose
of providing irrigation on the following described land:

Section 34, T96N, R52W

This application No. 1890-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 10th day of November, 19 71, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialistcc: Donald V. Hunter, Centerville, S.D.
57014

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County FAULKNER) ss.

I, Waldemar Hovnerstad hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Sioux Falls Journal

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 Sioux Falls

County of Faulkner and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

Oct. 11, 1971

Oct. 21, 1971

Oct. 28, 1971

Nov. 1, 1971

[Signature]
(Signature)

Publisher

(Title)

Nov. 6, 1971

(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
October 8, 1971

Notice is hereby given that
Carl M. Olson whose post-
office address is Meckling,
South Dakota, has made an
application in accordance with
the provisions of the water
laws of South Dakota for a
permit to appropriate for
beneficial use 7.28 cubic feet of
water per second of time from

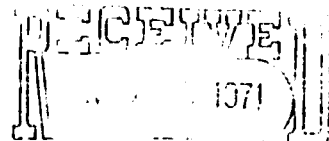
ground water through the Ol-
son Irrigation Project, the
points of diversion of which
are to be located in the Center
of the SE $\frac{1}{4}$ and the Center of
the SW $\frac{1}{4}$ of Section 34, Twp.
96N, Range 52W. Said water
to be used for the purpose of
providing irrigation on the fol-
lowing described land:

Section 34, T96N, R52W.

This application No. 1890-3
will be considered by the Water
Resources Commission at their
office at Pierre upon the 10th
day of November, 1971, at 2:00
P.M. All interested persons may
appear and be heard.

WATER RESOURCES
COMMISSION

By: Burton F. Jones
Water Rights Specialist
(Publish Oct. 14, 21, 28, Nov. 4)



WATER RESOURCES
COMMISSION

Water Division 3 VERMILLION RIVER Water District

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 DON
HUNTER of CENTERVILLE holder
of Permit No. 1890-3, bearing date of priority of OCTOBER 6, 1971
authorizing the diversion of 7.28 cu. ft. per second of the waters of GROUND WATER
for IRRIGATION purposes, in TURNER County.
I have to report on the condition of the same as follows:

A. Works used to divert the water:

Works used to divert the water:
2 WELLS - ONE 57' DEEP & ONE 60' DEEP WITH 18" CONCRETE CASING
BOTH WELLS HAVE 8" WESTERN LAND ROLLER PUMPS,
POWERED BY CHRYSLER INDUSTRIAL #413 MOTORS (PROPANE)

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

C. Works used to apply water to beneficial use.

[illegible]

1-12 TOWER

AREA N OF CREEK IRRIGATED W GATED PIPE PROJECT #214-3

VERY GOOD (MAY ADD ANOTHER)

(Pivot on NE)

AREA NO. 001
The system is in the following condition: VERY GOOD (MAY ADD ANOTHER PAGE IF NEEDED)

The point of diversion is located CENTER OF THE SE⁴ AND CENTER OF THE SW⁴, SECTION 34, T96N, R52W UP TO 5.00 W/ GAT

SW 4, SECTION 34, T96N, R52W UP TO 5.00 W/ GATED PIPE
3.88 FOR PIVOTS

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 SEC. 34, T96N, R52W

NW ⁴	70.5	ACRES
NE ⁴	128.0	"
SW ⁴	160.0	"
SE ⁴	151.7	"

comprising a total of 510.2 acres of land.

Date SEPTEMBER 5, 1972

Barton Lane.
(Signature)
WATER RIGHTS SPECIALIST
WATER RESOURCES COMMISSION

NOTICE OF TRANSFER OF WATER PERMIT

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

Date October 3, 1972

This is to notify you that title to the lands described as follows:

Portions of Section 34, T96N, R52W, described in Water Permit No. 1890-3

formerly owned by Carl Olson, Meckling

has been transferred to Don Hunter, Centerville

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1890-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)

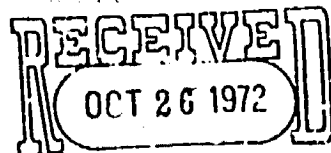
County of Turner) ss.

I, Don Hunter, 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 I know of my own personal knowledge that the information herein stated is true.

(Signed)

Suscribed and sworn to before me this 7th day of Oct, 1972.

(Notary Public)



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

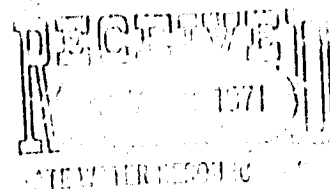
Oct 31-1971

Water Resources Comm.

Water rights Specialist

Mr. Burton T. Jones

Dear Sir:



After reading application for permit to pump 7.28 cu. ft. per second, I became annoyed as to how much the State would allow from a well to be used on any 160 Acres.

Now the project ^{proposed} relating to is Carl M. Olson. Irrigation project, S.E. 1/4 Section 34, Twp. 46N, Range 52W

I have a well just across the road Highway 46 from these two proposed wells, and my permit is for 1 cubic ft per second on 80 Acres. I am concerned because the Vermillion river divided this farm & it seems to me that if the Law has not changed that about 4 cubic ft per second is maximum he should receive & am asking you to check this out & when heard note to keep this in mind.

I want this ^{letter} filed in your office as a complaint when hearing is held regarding this project.

PS
(If I need to appear
please inform me as to date & time
of hearing)

Sincerely

Glenn Jackson

Centerville, Id. 83614

November 2, 1971

Mr. Glen Knutson
Centerville
South Dakota 57014

Dear Mr. Knutson:

Reference is made to your letter regarding the amount of water requested by Carl M. Olson under his Application No. 1890-3.

The application calls for irrigation of 510.2 acres and under the statutes, he is allowed one cubic foot per second for each 70 acres irrigated or the 7.28 c.f.s. as requested in the application. The application calls for irrigation of 171 acres lying north of the Vermillion River.

You are correct in your assumption that if the irrigation covered only two quarters of land, he would be allowed 4.57 c.f.s., but the additional acreage north of the river allows him to claim the additional waters.

The hearing on the application will be at 2:00 P.M., November 10th, here in Pierre if you wish to attend. Should you have further questions, feel free to contact this office.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/bw



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
973-3	3543-3

Donald Hunter
RR #2 Box 10
Centerville, SD 57014

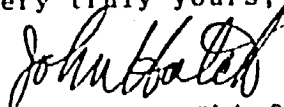
Dear Mr. Hunter:

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, 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



Department of Water & Natural Resources

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

December 13, 1989

1890-3

Jerald Hansen
RR #2 Box 8
Centerville, SD 57014

Dear Mr. Hansen:

Don Hunter has notified our office that he leases his land in Turner County under Water Right No. 1890-3 to you. Water Right No. 1890-3 authorizes irrigation of 510 acres in Section 34, T96N, R52W.

Enclosed is the 1989 irrigation questionnaire and a postage paid envelope. Please complete the irrigation questionnaire as accurately as possible and return it to our office by JANUARY 5, 1990.

If you have any questions, please contact me.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1890-3

Date: 7/1/06

I/We request that Water Right No. 1890-3

formerly owned by: Don Hunter

be transferred to: (name & address) X Ellen Kay Hunter

29616 - 461st Ave.

Centerville, SD 57014

Telephone No. (605) 563-2156

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

510.2 acres - Section 34-T96N-R52W

I/We understand that the validity of Water Right No. 1890-3 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 Two Dollars and Fifty Cents (\$2.50) 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 I, the new owner, certify that the above information is true and correct.

X Ellen Kay Hunter
(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
JUL - 7 2006
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date JULY 7, 2006

RECEIVED OF JBS Hansen Farms, 2201 State Street, 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	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>189C-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No. 02516

By Darland Ebel
Chief Engineer *gm*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

July 11, 2006

1890-3

Ellen Kay Hunter
29616 461st Ave
Centerville SD 57014

Dear Ms. Hunter:

Thank you for following up on the ownership change for Water Right No. 1890-3. The transfer has been completed. The water right formerly listed in the name of Don Hunter is now listed in your name.

The receipt for the filing fee is being forwarded by copy of this letter to JBS Hansen Farms in Centerville. 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

c: JBS Hansen Farms w/Receipt No. 02506

June 28, 2006

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

Dear Mr. Erbele:

I am requesting an additional diversion point to Water Right No. 1890-3. Water Right No. 1890-3 authorizes two wells in the SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 34, T96N, R52W to irrigate 510.2 acres. Since the late 1970's a third well was constructed in the NE $\frac{1}{4}$ of Section 34 to serve the pivot located in this quarter. This well was replaced in 2006. I am requesting authorization for this well to ensure the water right accurately reflects what is in the field. The additional well is constructed into the Parker Centerville Aquifer and no additional water is requested.

Sincerely,



Bill Hansen
Tenant

Approval of an Additional Diversion Point

NAME: Ellen Kay Hunter

ADDRESS: 29616 461st Avenue, Centerville SD 57014

DATE: July 28, 2006 **COUNTY:** Turner **TELEPHONE:**

BACKGROUND:

Water Right No. 1890-3 appropriates 5.0 cubic feet of water per second from two wells completed in the Parker:Centerville Aquifer located in the center of the SE ¼ and SW ¼ Section 34, T96N, R52W for irrigation of 510.2 acres in Section 34. The water right is held by Ellen Kay Hunter and has a priority date of October 6, 1971.

Mr. Bill Hansen, who leases the property, stopped in the Water Rights office to discuss water right permitting issues regarding a letter sent to him in response to a well completion report filed for a well drilled in Section 34. Mr. Hansen stated that three wells have been utilized for irrigation of this property since at least 1978. The two authorized wells in the S ½ of the section and a well drilled in 1978 located in the NE ¼ of the Section 34. This well in the NE ¼ of Section 34 had failed and a new well was drilled in January 2006 to replace this well. Mr. Hansen filed a request for an additional well to the two wells authorized by Water Permit No. 1890-3. This request is made pursuant to SDCL 46-5-13.1 to authorize an additional well.

See map for layout of irrigation under Water Right No. 1890-3.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The wells authorized by Water Right No. 1890-3 are completed into the Parker Centerville aquifer at 57 and 60 feet deep. The well completion reports for the well drilled in 2006 states this additional well is 43 feet deep. At this depth the well is in the Parker Centerville aquifer.

No additional appropriation of water is being requested. The original water permit appropriates 5.0 cfs. Mr. Hanson indicated that the three wells combined will not exceed the 5.0 cfs authorized amount.

- **Review of Existing Diversions**

A review was conducted of existing water rights. There is a substantial amount of irrigation in this vicinity from the Parker Centerville and Upper Vermillion:Missouri aquifers. There are four water rights that appropriate water from the Parker Centerville aquifer in neighboring sections. The additional well replaces a well that has been in place since at least 1978 but was not permitted. This well in the NE ¼ of Section 34 is approximately ½ mile away from the nearest permitting well (No. 1055-3) completed into the Parker Centerville. These wells have operated 28 years with no apparent impairment to one another.

A review of well completion records in the Water Right database of neighboring sections found 1 domestic/stock well constructed into the Parker Center Aquifer owned located in the NW ¼ of Section 34. This well was constructed in 1978 which is the same time as the irrigation well in the NE ¼ was drilled. There has been no apparent conflict between the irrigation well to this domestic well. This review reflects only those well completion reports on file with the Water Rights Program.

CONCLUSION

- The additional well does not appropriate additional water.
- The additional well is constructed into the Parker Centerville Aquifer which is the same water source as the existing well authorized by Water Right No. 1890-3.
- Existing domestic wells and prior water rights should not be adversely impacted by authorizing this additional well.
- There have been no complaints regarding development at this site.
- The abandoned well must be plugged in accordance with SD Well Construction Standards.

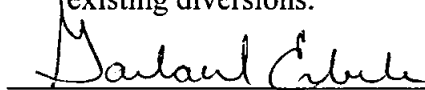
RECOMMENDED ACTION

Based on the above criteria, it is recommended that the additional diversion be authorized under Water Permit No. 1890-3.


Eric Gronlund
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion point does not increase the potential for adverse effects to existing diversions.


Garland Erbele, Chief Engineer
Water Rights Program



0 312.5 625 1,250 1,875 2,500
Feet

Map of Section 34, T96N, R52W. Intended to depict the location of original wells and well that was drilled in 2006. Map depicts only the center pivot irrigation and not the other acres that can be irrigated by other means.



Eric Gronlund
Eric Gronlund
Water Rights Program, DENR



1890-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

August 3, 2006

Ellen Kay Hunter
29616 461th Street
Centerville SD 57014

Bill Hansen
2201 State Street
Centerville SD 57014

Dear Ms. Hunter & Mr. Hansen:

I am writing in regard to request by Mr. Hansen for an additional well to be authorized by Water Permit No. 1890-3. Water Right No. 1890-3 appropriates 5.0 cubic feet of water per second from two wells completed in the Parker:Centerville aquifer located in the center of the SE ¼ and SW ¼ Section 34, T96N, R52W for irrigation of 510.2 acres in Section 34.

Mr. Hansen requested authorization for an additional well on behalf of Ms. Hunter for a well in the NE ¼ Section 34, T96N, R52W. This is for a well that had been in existence since 1978 and was replaced in January 2006. Although existing and being used for numerous years the well was never authorized by Water Right No. 1890-3. The well is completed into Parker Centerville aquifer and the total diversion rate from these three wells does not exceed 5.0 cfs (2,250 gallons per minute) appropriated by Water Right No. 1890-3.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional well is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. The abandoned well must be plugged in accordance with SD Well Construction Standards.

If you have any questions, please contact Eric Gronlund at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

1890-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 1, 2021

1890-3

Ellen Kay Hunter
808 W Main St
Beresford SD 57004

Dear Ms. Hunter:

Enclosed is a "Notice" dated October 22, 2021 concerning the 2021 irrigation questionnaire.

The notice was originally mailed to 29616 461st Ave., Centerville SD. The post office notified us that your address has changed, and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures