

214B-3

1. Considered JANUARY 22, 1975
2. Name of Applicant RAYMOND DINES
3. Post Office Address BRUCE
4. Amount of water claimed 3.30
5. Source of water supply GROUND WATER (30')
6. Water to be used for IRRIGATION  
Acres to be irrigated 2.36
7. Water to be diverted and used in BROOKINGS county  
about 5N, 1E miles of BRUCE
8. Proof of Publication  
Received 12-20-74  
Not received \_\_\_\_\_
9. Application  
Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action deferred \_\_\_\_\_
10. Remarks:  
ADDITIONAL WARNING

RECEIVED  
DEC 2 1974  
7:46APPLICATION FOR PERMIT STATE WATER RIGHTS COMM.  
PIERRE, SOUTH DAKOTA

## To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Raymond Dinos  
Postoffice address Brulee, South Dakota, State SD

2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of others

3. Name of diversion work Dinos Irrigation Project

4. Amount of water claimed (cubic feet per second) 3.3

5. Source of water supply 2 wells 1/3 mile connected

6. Location of point of diversion Well #1 25° 75' N 121° W and Well #2 27° 00' N 121° W, 8 sec. NE corner of Sec 20 - 112-5-6

7. Annual period or periods during which water is to be used May through 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 23.6

10. 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.
NE 1/4 of SE 1/4 Sec 20 NE 1/4 of SE 1/4 Sec 20	3.9
NE 1/4 of SE 1/4 Sec 20 NE 1/4 of SE 1/4 Sec 20	3.8
SW 1/4 of SE 1/4 Sec 20 SW 1/4 of SE 1/4 Sec 20	4.0
SE 1/4 of SE 1/4 Sec 20	3.9

Attach sheet if more space is needed

11. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use 1-1/2 to 2 years.

12. Choice of newspaper for Notice of Intent to Appropriate Water publication Brookings Register

## 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. Two interconnected wells with turbine pumps electrically driven

B. Works proposed to transport water to place of use. closed polybutene pipe

C. Works proposed to apply water to beneficial use. E-Z Rain hose pull with hydraulic sprinklers

Estimated Total Cost \$ 30,000

Attachments: 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 Brulee

I, Raymond Dinos, 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 Raymond Dinos

Subscribed and sworn to before me this 1st day of November 1974

Notary Public (or other qualified officer)

## WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2148-3RAYMOND DINES

(Applicant)

BRUCE

(Post Office Address)

SOUTH DAKOTA 57220

(State)

With the following modifications:

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.

DECEMBER 21974

Date of first receipt of application

Date of return to applicant for correction, amendments or changes required

Date of receipt of corrected application

Approved JANUARY 23, 1975, Recorded in Book 13 Page 151WATER RIGHT PERMIT NO. 2148-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2148-3 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 DECEMBER 2, 1974
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23, 1977
3. The whole of said work is to be completed on or before JANUARY 23, 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23, 1983
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 3.3 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 uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 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 JANUARY 23, 1983, said water to be used during the following described annual period: MAY THRU OCTOBER

Witness my hand this

24<sup>th</sup>

day of

JANUARY 1975

WATER RIGHTS COMMISSION

By:

Raymond Dines

Chief Engineer, Executive Officer

Certificate of Construction Issued

August 2, 1979

Water License Issued

August 2, 1979

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 20", Depth 30'  
(2) Casing, Type Schell (wood, concrete, steel, etc) Diameter 12" Thickness 1/4"  
(3) Perforated Screen, Type Johnson Trigater, Diameter 12", Length 16"  
(4) Gravel Pack, Thickness 2", Length of gravel pack 20'

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 and gravel  
10' to 30' - blue clay below 30'

Depth to top of water bearing material 10'

Depth to bottom of water bearing material 30'

Thickness of water bearing material 20'

Depth to water (ground surface to water level) 10'

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

On same owner's property 150 rds. On property owned by others 20 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.

Note - there will be two wells 140' apart  
interconnected for one water supply. The  
wells will be identical.

  
Signature of Applicant

RECEIVED  
NOV 26 1974

November 18, 1974

STATE WATER RIGHTS COM  
PIERRE, SOUTH DAKOTA

Mr. Raymond Oines  
Bruce, SD 57220

Dear Mr. Oines:

We have received the WI-1 form for your application of a water use permit in parts of E<sub>1</sub> of Sec 29 T112N R50W.

You will find enclosed the original of the water analysis report. A copy of this report and the WI-1 and a copy of this letter are being sent to the State Conservation Commission.

The water analysis shows an electrical conductivity of 626 micromhos per centimeter, which is medium for total salinity, and of only 0.20 for a sodium adsorption ratio which is very low. Thus, there is no water quality problem that will give any difficulty that we can foresee on the soils that you intend to irrigate.

The soils which you have on this piece of land are primarily Vienna sandy loam and Volga silty clay loam and Fordville loam. These soils are all suitable for irrigation with this kind of water and there should be no problem.

You will find enclosed a copy of Extension Circular 654 with the approximate quality of your water designated by an encircled red cross on the back cover.

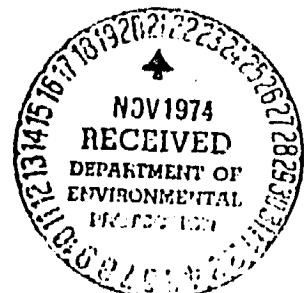
Sincerely yours,

*L. O. Fine*  
L. O. Fine  
Water Quality Lab

LOF:111

Enclosures

CC: State Conservation Commission  
Al Aho, Brookings County Agent  
Darrel Pahl



Conservation  
Commission  
Form WI #1

FOR COMMISSION USE ONLY

Irrigation System: \_\_\_\_\_

Water Quality: \_\_\_\_\_

Soils Capability: \_\_\_\_\_

Approved 100% 1/2/79

Disapproved: \_\_\_\_\_

STATE CONSERVATION COMMISSION  
SUPPORTING INFORMATION  
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE  
WITH SDCL 46-6-3 AS AMENDED  
(This Form Required for Proposed Well Irrigation Only)

NAME: Raymond Dines  
ADDRESS: Belle Fourche, South Dakota  
COUNTY: Belle Fourche

LEGAL DESCRIPTION

1. WELL LOCATION: SW 1/4 of NE 1/4 Section 20 - 1/2 - 50
2. AREA TO BE IRRIGATED: Parts of E 1/2 of Sec 20 - 1/2 - 50

TYPE OF IRRIGATION

3. GRAVITY \_\_\_\_\_ SPRINKLER (Indicate Type): 105 ft. fall
4. CROPS TO BE IRRIGATED: corn and alfalfa

LAND CAPABILITY FOR IRRIGATION 0-2% for ridge soils, and Fort Pierre

5. PERCENTAGE OF SLOPE: 0-3 + 3-5% for valley soils
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Vienna sandy loam, II  
Valley silty clay loam, somewhat gravelly, drainage, III  
Fort Pierre loam, sandy loam, II

WATER QUALITY (To Be Completed by Commission)

7. SAMPLE NO: 74-845
8. SALINITY: EC = 6.26 me mhos/cm (millim)
9. SODIUM: SAR = 6.20 (low)

I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

Brookings County S.D. Section 26, 1/468 E. 1/4 S. 1/4, Balfour  
and:

that the legal description for the location of the well and land to be irrigated is true and correct.

Raymond B. Unruh

Subscribed and sworn before me this

14 day of November 1974.

John E. Ladd  
Notary Public

(Title)

**REPORT OF ANALYSIS**  
**Water Quality Laboratory**  
**Water Resources Research Institute**  
**South Dakota State University**  
**Brookings, South Dakota 57006**

Submitted by: Raymond Cline  
Address: Bruce, SD 57220

Date Rec'd: October 12, 1974  
Sample No.: 74-395  
Identification: Well-301  
NFT, Sec. 20, T. 112N, R. 50W

**WATER ANALYSIS**

Calcium (Ca)	89	ppm*	4.45	me/l**
Magnesium (Mg)	30	ppm	2.45	me/l
Sodium (Na)	9	ppm	0.28	me/l
Potassium (K)	2	ppm	0.06	me/l
Sulfate (SO <sub>4</sub> )	44	ppm	0.92	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.17	me/l
Bicarbonate (HCO <sub>3</sub> )	346	ppm	5.63	me/l
Carbonate (CO <sub>3</sub> )		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO <sub>3</sub> )		ppm		g.p.g.***
Alkalinity (Methyl Orange)	284	ppm (as CaCO <sub>3</sub> )		
Alkalinity (Penolphthalein)	0	ppm (as CaCO <sub>3</sub> )		
Electrical Conductivity	626	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.20			
Sodium	5.16	% of cations		
Residual sodium carbonate	0.09	me/l		
pH	7.45			
Others:				

\*ppm=parts per million

\*\*\*g.p.g.=grains per gallon

\*\*me/l=milliequivalents per liter

COMMENTS: Total cations 7.36 me/l  
Total anions 6.77 me/l

By: Shirley Kistmu

Service Performed	Amount Due
Irrigation analysis	.60 FWD

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-395	Amount Enclosed \$
	Signed

## STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 2148-3

(1) WHEREAS, On the 2nd day of December A.D. 1974  
Raymond Olnes

made Water Right Application No. 2148-3 for a permit to use 3.3 cubic feet per second of the waters of ground water (two wells)

County of Brookings, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 23rd day of January A.D. 1975  
Permit No. 2148-3, with a date of priority of December 2, 1974

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 23rd day of January A.D. 1980, and for the application to beneficial use of said water on or before the 23rd day of January A.D. 1983

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 1.23 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,

to irrigate portions of land in Section 20, T112N, R50W as follows:

NW $\frac{1}{4}$  NE $\frac{1}{4}$  39 acres

NE $\frac{1}{4}$  NE $\frac{1}{4}$  38 "

SW $\frac{1}{4}$  NE $\frac{1}{4}$  40 "

SE $\frac{1}{4}$  NE $\frac{1}{4}$  39 "

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

NE $\frac{1}{4}$  SE $\frac{1}{4}$  14 "

SE $\frac{1}{4}$  SE $\frac{1}{4}$  26 "

TOTAL 236 acres

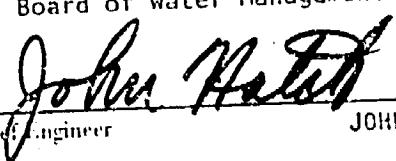
(5) NOW, THEREFORE, By the virtue of power only vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Raymond Olnes of Bruce, SD the holder and owner of said permit No. 2148-3 a water right, dating from December 2, 1974 to use of 1-23 cubic feet per second of the waters of ground water (two wells) in the County of Brockings and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Well #1-(north) 2975 feet N 121° West; Well #2 (south) 3170 feet N 127° West of NE corner, Section 20, T112N, R50W and convey <sup>ed</sup> to and upon portions of land in Section 20, T112N, R50W more fully described on the face of this license for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2148-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota this 2nd day of August A.D. Nineteen Hundred and seventy-nine

Board of Water Management

By:

  
John Hatch

Chief Engineer

JOHN HATCH

Permit No. 2148-3

Water Diversion No. 3 Big Sioux River Water District

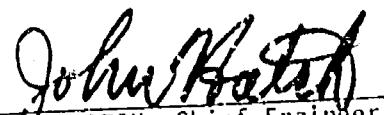
**CERTIFICATE OF CONSTRUCTION**

This is to Certify, That Raymond Oines

the holder        of  
Permit No. 2148-3, issued upon Application No. 2148-3, bearing date of priority of         
December 2, 1974 authorizing the diversion of 3.3 cu. ft. per second of the waters of         
ground water (two wells) County of Brookings, State of South Dakota at         
Well #1-(north) 2975 feet N 121° West; Well #2-(south) 3170 feet N 127° West of  
NE corner, Section 20, 1112N, R50W  
      , for Irrigation

purposes, has        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 1.23 cu. ft. per second of water

Date August 2, 1979

  
JOHN HATCH, Chief Engineer  
Water Rights, WMD

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Brookings ) ss.

I, James N. McEllan Jr. hereby  
certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the Brookings Daily 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 Brookings of Brookings

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

December 12, 1974

December 19, 1974

No. 144- Dec. 12 & 19  
NOTICE  
INTENT TO APPROPRIATE WATER  
Pierre, South Dakota 57501

December 2, 1974

Notice is hereby given that Raymond  
Gines whose post office address is  
Bruce, 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 3.3 cubic feet of water  
per second of time from ground water  
through the Oines Irrigation Project  
No. 1, the points of diversion of which  
are to be located in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of  
Section 20, Twp. 112N, Range 50W. Said  
water to be used for the purpose of  
providing irrigation on all or portions  
of the following described land: NE $\frac{1}{4}$ ,  
NW $\frac{1}{4}$ , SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 20,  
T112N, R50W

This application No. 2148-3 will be  
considered by the Water Rights  
Commission at its office at Pierre upon  
the 22nd day of January, 1975, at 2:30  
P.M. All interested persons may  
appear and be heard.

WATER RIGHTS COMMISSION  
By: BURTON F. JONES  
Water Rights Specialist

James N. McEllan Jr.  
(Signature)  
Editor - Brookings Register  
(Title)

Dec 19 1974  
(Date Signed)

RECEIVED  
DEC 20 1974

STATE WATER RIGHTS COMM.  
PIERRE, SOUTH DAKOTA

Form 3 - Notice of Intent to Appropriate Water

No. 214E-3

Publish first publication, on or before January 8, 1975

**NOTICE  
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

2 December 2, 1974

Notice is hereby given that Raymond Oines,

whose post office address is Bruce, 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 3.3 cubic feet of water per second of time from the ground water through the Oines Irrigation Project #1, the point<sup>s</sup> of diversion of which<sup>s</sup> is to be located in the \_\_\_\_\_

SW 1/4 NE 1/4

of Section 20, Twp. 112N, Range 50E. Said water to be used for the purpose of providing irrigation on the following described land:

NE 1/4, NW 1/4, SW 1/4, SE 1/4, Section 20, T112N, R50E

This application No. 214E-3 will be considered by the Water Rights Commission at its office at Pierre upon the 22nd day of January, 1975, at 2:30 P.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES  
Water Rights Specialist

BFJ/eb

cc: Raymond Oines, Bruce, S.D. 57220



# Department of Natural Resource Development

## WATER RIGHTS COMMISSION

Office Building Number 2, Pierre, South Dakota 57501

Phone 605/224-3151

January 24, 1975

Raymond Oines  
Bruce  
South Dakota 57220

Dear Mr. Oines:

Enclosed herewith is your Water Right Permit No. 2148-3 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 2148-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Rights Commission when you have completed the system and/or have put the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a water right.

Respectfully,

WATER RIGHTS COMMISSION

DONALD DRISCOLL  
Chief Engineer

DD/BFJ/bw

Encl: As stated

P.S. As we discussed by telephone recently, I am concerned that this proposed diversion of ground water may have quite a serious affect on your neighbor's domestic well located about 20 rods from the proposed irrigation well. Please note the well interference qualification on your Water Permit No. 2148-3.

# RECEIPT

## WATER RIGHTS COMMISSION

State of South Dakota

No 4 5967

PIERRE, July 26, 1979

RECEIVED OF Raymond Oines, Bruce, SD 57220

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. _____	(examination, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. _____	<u>2148-7</u>	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. _____	<u>2149-3</u>		
Fee for issuing Location Certificate-Dry Draw, No. _____			
Fee for filing _____			
Fee for certified copy of _____			
Fee for Print copy of map _____			
Fee for Certifying _____			
Fee for _____ (any other work as provided by law)			
		TOTAL	<u>50</u> <u>00</u>

WATER RIGHTS COMMISSION

By John Hatch  
Chief Engineer, Executive Officer

JOHN HATCH qy

Raymond Davis

5-11-78 Well #1 North - Dipper 30 ft/min.  
well 12 ft. water level.

Each well pumping 275.9 ft<sup>3</sup>

Dump 550 gpm

Pipe 6" aluminum - 4700 ft

Well #2 - 81 Cbar 30 ft/min - 1750 RPM

ID" R 2.933 - 02 - 800 N 2075327

Blow

Well 230 ft opa!

Well #1 45 Cbar 30 ft/min 1750 RPM

ID" R 2.95-02-800 R-2096901

Dump 300 gpm

EF Ram Model M154 R-1146132-2

Melson Ram Model P 200

Set # 010208 Nozzel 14

Permit No. 2148-3Water Division 3 Big Sioux 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 Raymond Oines of Bruce, South Dakota, 57220 holder of Permit No. 2148-3, bearing date of priority of December 2, 1974 authorizing the diversion of 3.3 cu. ft. per second of the waters of Two Wells 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:

Well #1 North, USE!ec., ID# R 2985-02-500. R 2046901  
30 HP, 1750 RPM  
Pump: (S. name) Pumping 275 gpm.  
Well #2 South- USE!ec., ID# R 2935-02-500. R 2046897  
30 HP, 1750 RPM  
Pump: (S. name) Pumping 275 gpm

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

4700 ft 6" dia. Aluminum Pipe  
Wells inter-connected by 6" dia pipe  
660 ft 43" dia Flexible Hose

## C. Works used to apply water to beneficial use.

EZ Rain Model MK54, Ser# 56132-2 with Nelson Gun  
Model P-700, Ser# CC 10205, Nozzle 1.4"

The system is in the following condition: Good  
The point of diversion is located Well #1 (North) 2975 ft N 121° W, and Well #2 (South)

3170 ft N 127° W at the NE corner section 20 T112N R50W.

The works are capable of diverting and conveying to the place of use 1.23

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. 20 T112N R50W

NE $\frac{1}{4}$  - 39 Ac., NE $\frac{1}{4}$  NE $\frac{1}{4}$  - 38 Ac., SE $\frac{1}{2}$  NE $\frac{1}{4}$  - 40 Ac.;  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  - 39 Ac., NW $\frac{1}{2}$  SE $\frac{1}{4}$  - 40 Ac.; NE $\frac{1}{2}$  SE $\frac{1}{4}$  - 14 Ac.,  
SE $\frac{1}{2}$  SE $\frac{1}{4}$  - 26 Ac..

comprising a total of 236 acres of land.

Well #1 = depth 30 ft  
to water 12 ft  
pumping 275 gpm

Well #2 = depth 30 ft  
to water 12 ft  
pumping 275 gpm

Date December 22, 1975  
LeRoy J. Mornagh  
(Signature)

File No. 2148-3

Water Rights Division -DENR  
Conversation or File Documentation

NAME OF PERSON OR FILE: Earl Hamer

ADDRESS: RR #2 Box 60, Brookings, SD 57006 COUNTY: Brookings

DATE: October 6, 1992 TELEPHONE: (605) 693-4456

RE: Irrigation of land under Water Permit No. 2148-3

COMMENTS:

Mr. Raymond Oines (RR #2 Box 14, Bruce, SD 57220) notified our office on his 1991 irrigation questionnaire that he had retired and was no longer farming. He indicated Earl Hamer now farms the land.

I called and spoke with Mr. Hamer about irrigation of land under Water Permit No. 2148-3. He indicated he does farm the land however Raymond Oines still owns the land.

Mr. Hamer stated it would be fine to mail the yearly irrigation questionnaires directly to him.

Genny McMath  
Genny McMath  
Natural Resources Analyst  
DENR, Water Rights Division

ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Joseph A. Halseth  
503 S. 3rd  
Arlington, SD 57212

2148-3

4a. Article Number

P 318 052 666

4b. Service Type

Registered       Insured

Certified       COD

Express Mail       Return Receipt for Merchandise

7. Date of Delivery

7-8-94

8. Addressee's Address (Only if requested and fee is paid)

DOMESTIC RETURN RECEIPT

2148-3

I also wish to receive the following services (for an extra fee):

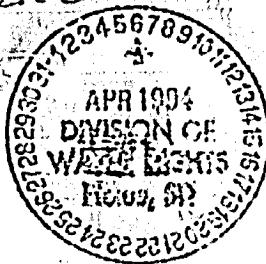
1.  Addressee's Address
2.  Restricted Delivery

Consult postmaster for fee.

Thank you for using Return Receipt Service.

2148-3

Cirlington So Dak  
April 5-1994



Dear Sir:

This is to inform you  
that I bought the land from  
Mary P. Kramer  
at a public auction Sept 11 1993  
I want to keep the irrigation  
permit.

Please advise if the permit is  
still in effect.

Legal Description N. E. 1/4 of Sec 20  
T - 112 N R 50 West  
Brookings County So Dak.

Yours truly  
Joseph A. Haleeth  
503 S 3rd  
Cirlington So Dak  
57212

Renter  
Shane Bent  
Ellen Pickard  
R.R. 2 Box 64  
Brookings So Dak



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

April 8, 1994

2148-3

Joseph A Halseth  
503 S 3rd  
Arlington, SD 57212

Dear Mr. Halseth:

I am writing to acknowledge receipt of your letter of April 6th concerning purchase of land from Mary P Kramer. The land you purchased in the NE 1/4 Section 20, T112N, R50W is authorized under Water Right No. 2148-3, listed in the name of Raymond Oines (copy enclosed).

Enclosed is a "Notice of Transfer of Ownership" form for use in filing an ownership change. Please complete the form, sign in the presence of a notary public and return it to our office with the required filing fee of \$2.50.

The water right also covers irrigation of land in portions of the SE 1/4 of Section 20, T112N, R50W. Do you also own this land or was it sold to another party? If you do not own the land, the water right will be split up to reflect separate ownership.

You inquired as to whether or not the water right was still in effect. I, as a staff member, am unable to tell you whether or not the permit is valid. This would be a matter for the Water Management Board to address. I can tell you that a permit or right will remain valid as long as the water is beneficially used, for the purpose it was appropriated, at least once every three years. I am enclosing excerpts of SDCL 46-5 (dealing with abandonment and/or forfeiture of a water permit or right) and Water Management Board General Rules (dealing with Legal excuse for nonuse of water and exceptions to nonuse of water). These are highlighted in yellow.

If, after reading the enclosed laws and/or rules, you have concern over the validity of the water right, and you would like the Water Management Board to review the matter, please contact us.

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

Sincerely,

*Genny McMath*  
Genny McMath  
Environmental Scientist  
Water Rights Division

encl



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

July 7, 1994

SECOND NOTICE  
Permit No. 2148-3

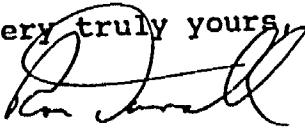
Joseph A. Halseth  
503 S. 3rd  
Arlington, SD 57212

Dear Mr. Halseth:

On April 5, 1994, you contacted our office about purchase of land in the NE $\frac{1}{4}$  Section 20, T112N, R50W. This land is described in Water Right No. 2148-3. On April 8th, we mailed a "Notice of Transfer of Ownership" form to you, a copy of Water Right No. 2148-3 and also excerpts of SD Water Laws and the Water Management Board Rules. To date we have not heard from you on this matter.

Enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath, (605) 773-3352.

Very truly yours,  


RON DUVALL  
Natural Resources Engineer  
for John Hatch, Chief Engineer  
Water Rights Division

enclosure

# Ericsson, Ericsson & Leibel

Richard L. Ericsson

Jay M. Leibel

Attorneys & Counselors at Law

P.O. Box 406

100 N. Egan Avenue

Madison, SD 57042

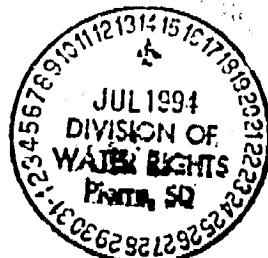
605-256-4597

Fax 605-256-2424

L.F. Ericsson (1909-1979)

Robert R. Spencer (1925-1986)

July 12, 1994



Dept. of Environment  
and Natural Resources  
Joe Foss Bldg.  
523 E. Capitol  
Pierre, South Dakota 57501

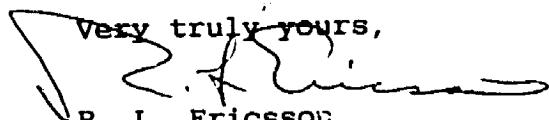
RE: Water Permit No. 2148-3

Attn: Ron Duvall

Dear Mr. Duvall:

Pursuant to your letter of July 7th, 1994, please find enclosed herein Notice of Transfer of Ownership for the above Permit. Also enclosed is a check payable to the State of South Dakota in the amount of \$2.50 to cover the filing fees as required under SDCL 46-2-13.

By all means, if you have any questions, you may contact the undersigned or Mr. Halseth at his address as shown on the enclosed form.

Very truly yours,  
  
R. L. Ericsson  
FOR THE FIRM

RLE:so

Encls.

## NOTICE OF TRANSFER OF OWNERSHIP

No. \_\_\_\_\_

TO: Chief Engineer  
 Water Rights Division, DWNR  
 523 East Capitol  
 Pierre, SD 57501-3181

Date: July 12, 1994I, We request that Water Permit/Right No. 2148-3formerly owned by: Mary P. Kramerbe transferred to: (name & address) Joseph A. Halseth, 503 S. 5rd, Arlington, South Dakota 57212(telephone No.) (605) 983-5784

Title to the following described land(s)/property has been transferred as described above:  
 The Northeast Quarter (NE $\frac{1}{4}$ ) of Section Twenty (20), Township One Hundred Twelve (112) North, Range Fifty (50), West of the 5th P.M., Brookings Co., SD

I, We understand that the validity of Water Permit/Right No. 2148-3 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).

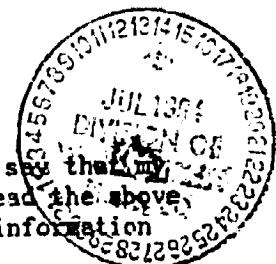
You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA )  
 )  
 County of Lake )

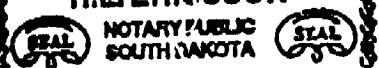
I/We Joseph A. Halseth being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Joseph A. Halseth  
 (Signed)



Subscribed and sworn to before me this 12th day of July, 1994.

R.L. ERICSSON



My comm. 6-25-78

R.L. Ericsson  
 (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 water 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.

**4a. SER:**

Check Items 1 and/or 2 for additional services.

Check Item 3, and 4a & b.

Print your name and address on the reverse of this form so that we can return this card to you.

Attach this form to the front of the envelope, or on the back if space does not permit.

Print "Return Receipt Requested" on the envelope below the article number. The Return Receipt will show to whom the article was delivered and the date received.

**3. Article Addressed to:**

EARL HAMER, MGR  
RR 2 BOX 60  
BROOKINGS, SD 57006

**5. Signature (Addressee)****6. Signature (Agent)**

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

**4a. Article Number**

Q 837 692 706

**4b. Service Type**

<input type="checkbox"/> Registered	<input type="checkbox"/> Insured
<input checked="" type="checkbox"/> Certified	<input type="checkbox"/> COD
<input type="checkbox"/> Express Mail	<input type="checkbox"/> Return Receipt for Merchandise

**7. Date of Delivery**

FEB

10

1995

**8. Addressee's Address (Only if requested and fee is paid)**



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181

February 7, 1995

EARL HAMER, MGR  
RR 2 BOX 60  
BROOKINGS SD 57006

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 2148-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No 2148-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing 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.

If the questionnaire is received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV  
Water Rights Division  
605 773-3352

CC: RAYMOND OINES, RR 2 BOX 14, BRUCE, SD 57220



Brookings, SD  
Feb 13, 1995

Dept. of Environment  
523 S. Capitol  
Pierre, SD

Re: Permit # 2148-3

Please be advised that I no longer  
have an interest in the land involved in  
this water use permit.

The property is now owned by  
Joseph A. Halsted, 503 S. 3rd St.,  
Milington, S.D. and was operated in  
1994 by James Richard, RR 2, Box 64,  
Brookings, SD.

Sincerely,  
E. R. Kramer

**WATER RIGHTS PROGRAM  
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Raymond Oines COUNTY: Brookings

DATE: October 16, 1995

RE: status of ownership on 2148-3 - Raymond Oines

**COMMENTS:**

Water Right No. 2148-3 authorizes irrigation of the E 1/2 of Section 20, T112N. R50W.

In April, 1994, a letter was received from Joseph Halseth, regarding land he purchased in the NE 1/4 Section 20, T112N, R50W. In July, 1994, a transfer notice was filed by R L Ericsson, Attorney, for Mr. Halseth, for a portion of land described in Water Right No. 2148-3 (NE 1/4 Sec 20).

(Not certain of the exact date..)after receiving the transfer notice for the NE 1/4, i attempted to contact Mr. Halseth to see if he knew who purchased the SE 1/4 and if the land was still irrigated. His wife informed me that Mr. Halseth had just passed away and I could try and call the attorney to obtain the information.

October 16, 1995, I contacted the Brookings County Register of Deeds to find out who now owned the E 1/2 Section 20. Ownership of the land is as follows:

NE 1/4       $\Rightarrow$       Joseph Halseth (deceased, but no further recording of ownership)

SE 1/4       $\Rightarrow$       divided as follows:  
E 1/2 SE 1/4      Phyllis A Miser  
NW 1/4 SE 1/4      Ray Oines Jr & Julie Oines

\*\*\*      SW 1/4 SE 1/4      Florence Steinbach  
Lourraine Perry  
Philo Frykman  
Pricilla Christensen

\*\*\* the four people listed as owning the SW 1/4 SE 1/4 were listed as owning an undivided 1/4 interest in the SW 1/4 SE 1/4. However, this land is not part of Water Right No. 2148-3 and status does will not need to be determined.

prior to trying to transfer the water right several different ways - should obtain information on status or irrigation system(s)

*Genny McMath*

Genny McMath  
Environmental Scientist



December 29, 1995

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

2148-3

R L Ericsson  
Ericsson, Ericsson & Leibel  
PO Box 406  
Madison, SD 57042-0406

Dear Mr. Ericsson:

Enclosed, for your records, is a receipt in the amount of \$2.50 which you paid for filing a "Notice of Transfer of Ownership" with Water Right No. 2148-3. The transfer was actually effective a year ago when it was filed, and I just realized the receipt and verification of transfer was not forwarded to you. I apologize for the delay in getting them to you.

Water Right No. 2148-3 describes irrigation of the E 1/2 of Section 20, T112N, R50W. The portion transferred to your client (Joseph Halseth) was the NE 1/4 of the section. Lowell Summa has recently contacted our office to obtain information on transferring the NE 1/4 to his name. We are still trying to determine ownership of the SE 1/4.

I contacted the Brookings County Register of Deeds to obtain ownership of the SE 1/4 of Section 20. They have the land in the SE 1/4 being owned by three other people. Our intent is to conduct a field inspection (probably next summer) to determine how much of the land is still being irrigated. Depending on the extent of irrigation being done, the water right can be divided and reissued to reflect separate ownership.

If you have any information that may help us concerning the status of Water Right No. 2148-3, please contact me. Thank you for your assistance in this matter.

Sincerely,

Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

December 29, 1995

2148-3

Lowell Summa  
501 S Broadway  
Larchwood, IA 51241

Dear Mr. Summa:

Enclosed, as we discussed, is a partially completed transfer form for use in filing an ownership change on Water Right No. 2148-3. Water Right No. 2148-3 covers irrigation in the E½ of Section 20, T112N, R50W. It is my understanding that you only own the NE¼ of the Section.

Please complete the transfer form in the area marked "*transferred to: (name and address)*". Once completed, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

All pertinent records will be transferred to your name upon receipt of the form and filing fee. If you have any questions, please contact me.

Sincerely,

Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-3352

enclosure

# NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2148-3

Date: 1-3-96



I/We request that Water Right No. 2148-3

formerly owned by: Joseph Halseth

be transferred to: (name & address) Lowell W. Summa and Katharine J. Summa, Trustees of the Lowell W. Summa Living Trust, Box 273, Larchwood, Iowa 51241 Telephone No. 712-477-2754

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

NE 1/4 Section 20, T112N, R50W

I/We understand that the validity of Water Right No. 2148-3 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 attached to cover the filing fees as required under SDCL 46-2-13.

IOWA  
STATE OF SOUTH DAKOTA )  
)

County of LYON )

I/We Lowell W. Summa, Trustee 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.

Lowell W. Summa, Living Trust  
by Lowell W. Summa, Trustee  
(Signed)

Subscribed and sworn to before me this 3rd day of January, 19 96.

M. A. Bontje  
(Notary Public) M. A. Bontje

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.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181

June 26, 1996

2148-3

Lowell W Summa  
Box 273  
Larchwood, IA 51241

Dear Mr. Summa:

Enclosed is your receipt in the amount of \$2.50 which you paid for transferring a portion of Water Right No. 2148-3. The water right reflects ownership of the NE $\frac{1}{4}$  Section 20, T112N, R50W as being owned by "Lowell W Summa and Katharine J Summa, Trustees of the Lowell W Summa Living Trust".

The transfer of this portion of the water right became effective the day you filed the transfer form (January 5, 1996). I have been trying to determine the extent of irrigation and ownership of the SE $\frac{1}{4}$  of Section 20, also covered under the water right. This process has taken too long and I feel the only way to update the water right will be to conduct a field investigation of the land described in the water right. This will help us determine if the water right will need to be divided and reissued to reflect separate ownership, or simply reissued for the portion still being irrigated.

Thank you for your patience in this matter. If you have any questions, please contact me.

Sincerely,

Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-3352

enclosure

# RECEIPT

2148-3

414218

## Division of Water Rights

### South Dakota Department of Environment and Natural Resources

Pierre,

July 14, 1994

RECEIVED OF R. L. Ericsson, Attorney at Law, PO Box 406, Madison, SD 57042  
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 \_\_\_\_\_ Water Right No. 2148-3

2 50

Fee for Filing Extension Request \_\_\_\_\_

Fee for \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

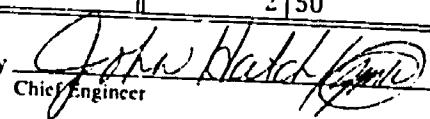
(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer



2148-33  
414741

**RECEIPT**  
Division of Water Rights  
South Dakota Department of Environment and Natural Resources

Pierre.

January 5, 1996

RECEIVED OF Katharine J. Stump, 501 S. Broadway, Larchwood, IA 51241  
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. \_\_\_\_\_ Water Right No. 2148-3  
Fee for Filing Transfer Form \_\_\_\_\_  
Fee for Filing Extension Request \_\_\_\_\_  
Fee for \_\_\_\_\_

2 50

(Any Other Work Provided by Law)

Total	2 50
By	<i>John Hatch</i>
Chief Engineer	

**RAYMOND DINES**  
 Irrigation Project #1  
 Bruce South Dakota  
 Brookings County

The two wells will  
 be connected as  
 one unit

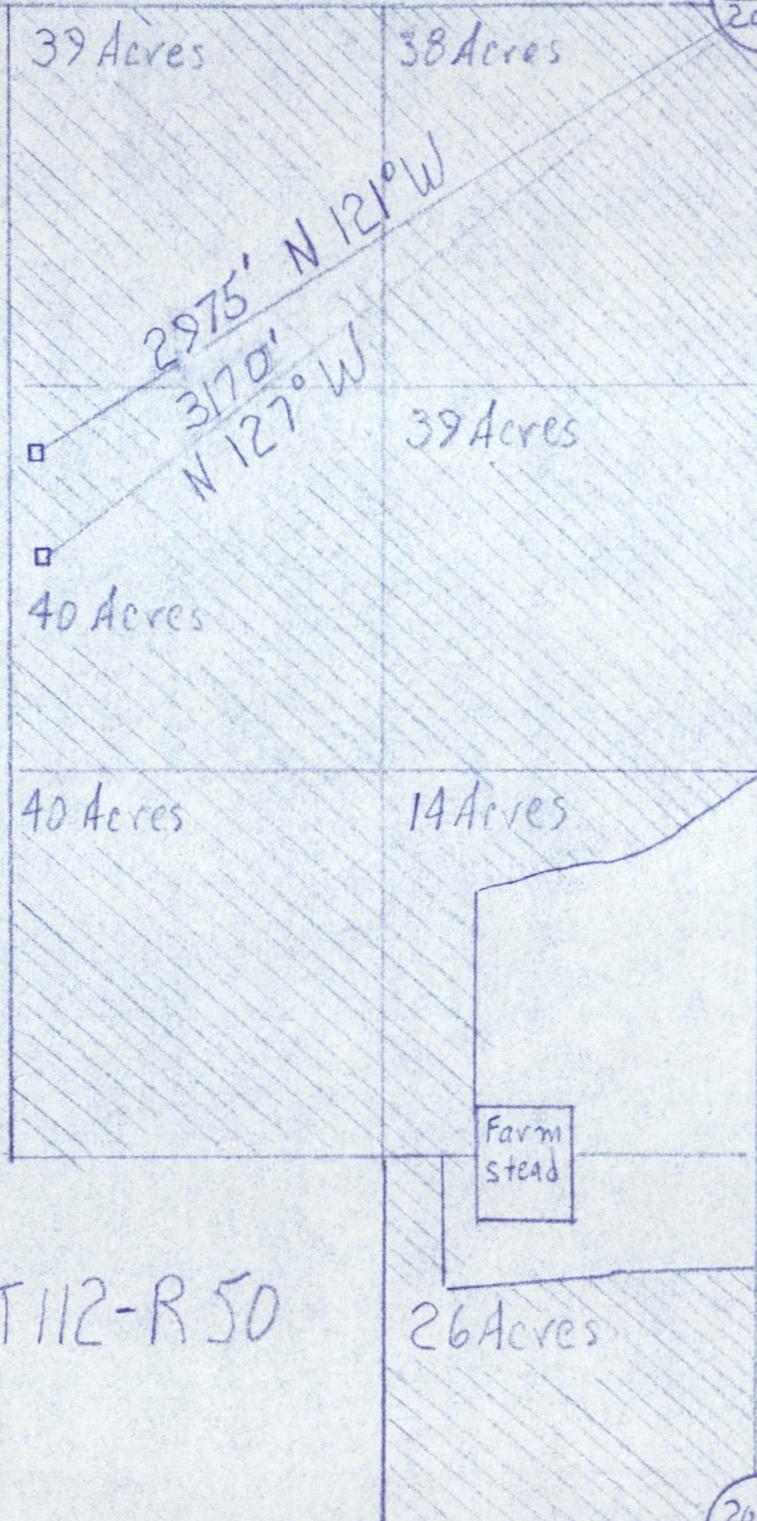
Well #1

Well #2

Scale - 8" = 1 Mile

Cross hatch indicates  
 Irrigated Area

T 112-R 50



Land Description	Acres Irrigated
NW 1/4 of NE 1/4 Sec 20 - 112-50	39
NE 1/4 of NE 1/4 Sec 20	38
SW 1/4 of NE 1/4 Sec 20	40
SE 1/4 of NE 1/4 Sec 20	39
NW 1/4 of SE 1/4 Sec 20 - 112-50	40
NE 1/4 of SE 1/4 Sec 20	14
SE 1/4 of SE 1/4 Sec 20	26
Total Acres	236

Water Claimed 3.3 cfs

**Surveyor's Certificate**

I, John L. Wiersma, do hereby certify that  
 This map identifies a reasonably accurate  
 record of the land of:

Raymond Dines  
 Bruce - South Dakota      Brookings County  
 Brookings, S.D.  
 John L. Wiersma  
 P.E. # 1816

Brookings, South Dakota

MAP NO 1542-3 APPN NO 2148-3



2148-3

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

April 13, 2006

Jay Peterson  
2591 C Pioneer Ave  
Suite C  
Vista CA 92081

Dear Mr. Peterson:

I am writing in regard to a well driller's report filed by Lacey Well Drilling, Inc. The report shows a new well located in the SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 20-T112N-R50W was completed for you, on December 8, 2005.  
 $SW\frac{1}{4} NW\frac{1}{4}$

A review of our files indicates Jerald A Peterson holds Water Right No. 5170-3 for one well located in the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 20; to irrigate 136 acres located in Section 20; all T112N-R50W.

Is this a replacement well for the well authorized by Water Right No. 5170-3 or an additional well?

South Dakota Codified Law 46-5-13.1 provides that a point of diversion (well) may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Once we know the status of this new well, we can determine if an additional permit is required. If you have any questions, please contact Eric Gronlund or me.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
605 773-3352  
[karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

## Water Rights Program - File Documentation

---

NAME: Jerald A Peterson

ADDRESS: 46727 197<sup>th</sup> St, Brookings SD 57220

DATE: 4-25-06 COUNTY: BG TELEPHONE: 605 873-2636

cell 605 695-3163

RE: Well Completion Report

### COMMENTS:

Jerald A Peterson called regarding my letter dated 4-13-06 to Jay Peterson, his son. Jerald indicated that the legal description on the completion report is wrong. It should be SW ¼ NE ¼ Section 20-T112N-R50W. The well is an additional well for Water Right No. 2148-3 which is now owned by Jay Peterson, 2770 LaMiranda Dr., Vista CA 92081.

Water Right No. 2148-3 authorized 1.23 cfs (550 gpm) from 2 wells to irrigate land in the E ½ Section 20. Jerald indicated that Jay only owns the NE ¼ Section 20. The wells are located in the NE ¼. The land located in the SE ¼ is owned by several people and has not been irrigated for several years.

Jerald stated the two wells have slowly deteriorated over the years and they needed the additional well to reach the 800 gpm capacity of their system. I told him that the original permit wasn't for 800 gpm.

After review, it was determined that they would need to file an application for the additional well and additional water. We determined that 0.81 cfs and 156 acres remained on Water Right No. 2148-3. The new application would need to include the additional well and request an additional 1.41 cfs (for a total of 2.22 cfs which is the statutory limit for 156 acres). After the ownership of the SE ¼ Section 20 is determined, that portion of the water right may be subject to possible cancellation. I have contacted the Director of Equalization on 4-26-06.



Karen Schlaak  
Environmental Scientist



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

April 26, 2006

Joyce Dragseth, Director of Equalization  
601 4<sup>th</sup> St  
Suite 102  
Brookings SD 57006

Dear Ms. Dragseth:

Enclosed is a map outlining portions of the SE ¼ Section 20-T112N-R50W, Brookings County. The land is covered under Water Right No. 2148-3. It is my understanding that the land is no longer irrigated and subject to cancellation.

Could you give me the names and addresses of the current owners of the land outlined on the map? Enclosed is a postage prepaid envelope for your use.

If you have any questions, please contact me. Thank you for your help.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
605 773-3352  
[karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

enclosure

**RECEIVED**  
**MAY - 4 2006**  
**WATER RIGHTS**  
**PROGRAM**

Key: 08000 11250 20410 Assessor's Level values  
 20-112-50 BROOKINGS COUNTY Own/  
 Taxpayer Name: RUCKDASCHEL, ALVIN G & SUSAN Occ  
 Second Name: Y  
 Mailing Address: 19977 468TH AVE  
 BRUCE SD 57220  
 Property Address: 19977 468TH AVE  
 BRUCE

F2 Board Levels  
 F3 Soils F4 Sales  
 F5 5 Yrs Taxable\$  
 F6 Special Assmnts  
 F8 Tax F9 FAQs  
 F10 Prv \$ F11 Log  
 Special Asmnt: Others:

Registered MH#: Leased Site? Inspected On: 0/00/00  
 DISTS: Sch 08 Tax 00 Fire 00 Xmpt: NAI X ESCRW

ParentRP# Legal Dsc1: E 1/2 SE 1/4

2: 3:  
 4: 5:  
 6: 7:

DESC	CLSS	# ACRES	#LOTS	#BLDS	F&T	VALUE	EXEMPT	CODE	FINAL VAL
------	------	---------	-------	-------	-----	-------	--------	------	-----------

Ag Land	A	8000			62800				62800
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Ag Bldg	A1			1	5200		5200	AG	
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Non-Ag Land

Non-Ag Bldg	A1-S			1	24600				24600
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Other Bldgs

Date Last Changed 1/28/03

VALUE FREEZE : Year: Land : Bldg : Qry Flag:  
 Comments: Temp Flag:

key: 080000 11250 20415 Assessor's Level Values

20-112-50 BROOKINGS COUNTY Own/  
 Taxpayer Name: RUCKDASCHEL, ALVIN G & SUSAN Occ  
 Second Name:  
 Mailing Address: 19977 468TH AVE  
                   BRUCE SD 57220  
 Property Address:

F2 Board Levels  
 F3 Soils F4 Sales  
 F5 5 Yrs Taxable\$  
 F6 Special Assmnts  
 F8 Tax F9 FAQs  
 F10 Prv \$ F11 Log  
 Special Asmnt: Others:

Registered MH#: Leased Site? Inspected On: 0/00/00  
 DISTS: Sch 08 Tax 00 Fire 00 Xmpt: NAI ESCRW

ParentRP# Legal Dsc1: NW 1/4 SE 1/4

2: 3:  
 4: 5:  
 6: 7:

<u>DESC</u>	<u>CLSS</u>	<u># ACRES</u>	<u>#LOTS</u>	<u>#BLDS</u>	<u>F&amp;T</u>	<u>VALUE</u>	<u>EXEMPT</u>	<u>CODE</u>	<u>FINAL VAL</u>
Ag Land	A	4000				42200			42200

Ag Bldg

Non-Ag Land

Non-Ag Bldg

Other Bldgs

Date Last Changed 9/13/01

VALUE FREEZE : Year: Land : Bldg : Qry Flag:  
 Comments: Temp Flag:

**DIVISION OF NO. 2148-3  
INTO 2148A-3 AND 2148B-3**

The water right is being divided and reissued to reflect separate ownership.

- No. 2148A-3 – Jay Peterson: authorizing diversion of 0.81 cfs to irrigate 156 acres located in the NE  $\frac{1}{4}$  Section 20-T112N-R50W with a priority date of December 2, 1974.
- No. 2148B-3 – Alvin G & Susan Ruckdaschel: authorizes 0.42 cfs to irrigate 80 acres located in the E  $\frac{1}{2}$  SE  $\frac{1}{4}$ , NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 20-T112N-R50W with a priority date of December 2, 1974. Issuance of No. 2148B-3 is being withheld until a determination is made by the Water Management Board on whether or not the water right has been abandoned and/or forfeited and subject to cancellation.