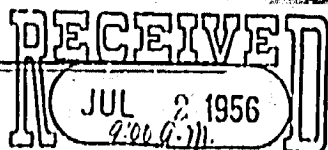


1. Considered September 17, 1956
2. Name of Applicant John N. & Ruth A. Witzelmann 215-5
3. Post Office Address Wardington, S. Dak.
4. Amount of water claimed 2.55 cfs
5. Source of water supply well
6. Water to be used for irrigation
Acres to be irrigated 180
7. Water to be diverted and used in Clay County about
6 miles south of Centerville.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not approved ☐
Action deferred ☐
10. Remarks:

See 214-3 for
additional info on
Sprinklers & Wells.

No. 212-3Water Division No. 2 Vermillion River District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant John H. Litzelman and Earl A. Litzelman
Postoffice address Vermillion, County Clay, State S. Dakota

I. If a corporation

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Employment of Others(b) Cash on hand, \$ 16000.00

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$ 124,750.00 (~~124,750.00~~)2. Name of diversion work John H. and Earl A. Litzelman Diversion Work #23. Amount of water claimed 2.55 cubic feet per second4. Source of water supply WellS 38 degrees-15 E 1687', S.W. 1/4 Sec. 22 Twp. 95 Range 52 Clay County S. Dakota

5. Location of point of diversion

on bank County.

6. Annual period or periods during which water is to be used March Through November

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Combination Sys.(a) Number of acres to be irrigated 180 acres.S.W. 1/4 Sec. 22 Twp. 95 Range 52 Clay County, S. Dakota--160 Acres

(b) Legal subdivisions to be irrigated

S.W. 1/4 Sec. 22 Twp. 95 Range 52 Clay County, S. Dakota--20 Acres

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

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

(a) Nature of use

Name any of the above uses claimed

(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map No. 169-3

8. Estimated cost of work:

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

(b) Pumping plant, \$.....

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

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

Rock, \$.....

(e) Other structures

\$.....

Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....

material used in construction

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

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

(c)* Head gate: Width.....feet; height.....feet;
Material

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	C UADE PER MILE
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....years.

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

12. Choice of newspaper for publication of notice of intention to appropriateVermillion Plain Talk
Vermillion, S. Dakota

STATE OF SOUTH DAKOTA

County ofCLAY.....

} ss.

I,John H. Liljelund, 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

.....John H. Liljelund

Subscribed and sworn to before me this

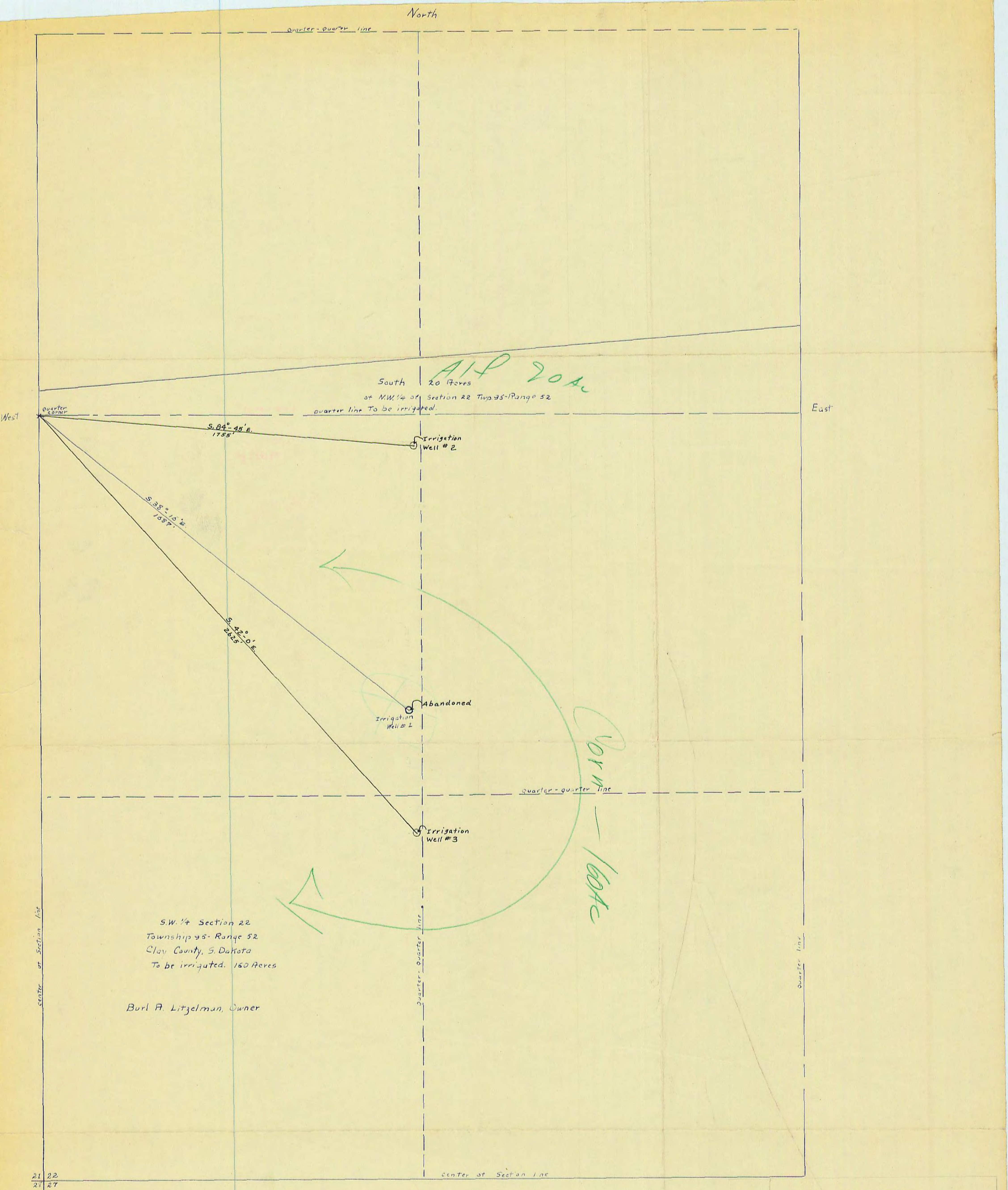
29

day of

June

1956

Notary Public (or other qualified officer.)



Burl A. Litgelman Irrigation Project #2
in W 1/2 of Section 22 Township 95-Range 52
Clay County, South Dakota

I Ellis V. Nelson, a licensed engineer hereby certify
that I have made a survey of S.W. 1/4 and the South 20 Acres
of NW 1/4 of Section 22, Township 95-Range 52, Clay County
South Dakota and located irrigation well # 2 as indi-
cated on the above plat.

Dated at Sioux Falls, South Dakota June 21, 1956

Ellis V. Nelson
Licensed Engineer

State of South Dakota } ss.
County of Minnehaha }

On this 21st day of June 1956 before me, the
undersigned officer, personally appeared Ellis V. Nelson
known to me or satisfactorily proven to be the person
whose name is subscribed to the within certificate
and acknowledged that he executed the same for the
purpose therein contained.

In witness whereof I hereunto set my hand
and official seal.

Notary Public

SURVEYORS CERTIFICATE

I, Carl G. Weisz, DO HEREBY CERTIFY THAT THIS MAP
IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE
BURL A. LITGELMAN IRRIGATION PROJECT NO. 2, IRRIGATION WELLS
NO. 2 AND 3 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION
SERVICE FOR THE CLAY COUNTY SOIL AND WATER CONSERVATION
DISTRICT.

SIGNATURE: Carl G. Weisz

TITLE: Construction Engineer
U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 22 DAY OF
June, 1962 A.D.

Notary Public
MY COMMISSION EXPIRES January 30, 1964

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of

Sioux Falls

SS.

Pierre, South Dakota,

July 11

1956

This is to certify that the foregoing application was received by the Commission at 9:05 o'clock

a m. upon the

7

day of

July

19

56

State Water Resources Commission

By:

George H. Rimes

Chief Engineer, Executive Officer

Number of permit 215-3

Date of first receipt of application

July 7

1956

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

July 2

1956

Approved

September 17

19

56

Recorded in Book

3

Page

182

(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

April 18, 1959

2nd. The whole of said work is to be completed on or before

October 18

1961

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

October 18

1965

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 2.555 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 October 18, 1965; said water to be used during the following described annual period:

March to November inclusive

Witness my hand this

18

day of

October

19

56

State Water Resources Commission

By:

George H. Rimes

Chief Engineer, Executive Officer

Certificate of Construction Issued

19

Water License Issued

19

9. (Continued)

John F. and Lurl A. Littlejohn Div. #3

III. Well Specifications

(a) Hole and casing

Size of drill or excavation 30" , Depth 444 1/2'

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

Size of casing 20" , Thickness of casing 14 Gauge

Length of casing 42' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Slotted 3/16 by 1'

Size of perforated screen 20" (diameter) , 24' (length)

Thickness of gravel pack 5" , length of gravel pack 24'

(c) Water Bearing Materials

Distance to water 9' Character of water bearing materials Course Sand and Gravel

Thickness of water bearing material 35'

(d) Pump and Motor

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

Name of pump Western Land Roller , size 8"

Kind of motor Oliver Super 77 Diesel
(gasoline, electric, diesel, etc.)

Horsepower 44 , Name of Motor Oliver

(e) Complete well

Capacity 1400 at drawdown of 10' Estimated cost \$594.00

(f) Owner of land upon which well is located John F. and Lurl A. Littlejohn

Vernilion, S. Dak.
Address

(g) Distance to nearest existing wells

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

STATE OF SOUTH DAKOTA

WATER LICENSE No. 215-3

WHEREAS, On the 2nd day of July A. D. 1956
John H. and Burl A. Litzelman

of Vermillion County of Clay and State of
South Dakota duly made application (No. 215-3) to us for a permit to use 2.55
cubic feet per second of the waters of ground water
County of Clay, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 18th day of October A. D. 1956
Permit No. 215-3 was issued to said applicant S for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 18th day of
October A. D. 1961 and for the application to beneficial use of said
water on or before the 18th day of October A. D. 1965
and,

WHEREAS, On the 31st day of July A. D. 1957
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.55
cubic feet per second of said waters, as evidenced by our Certificate No. 215-3
dated September 27, 1957 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.55 cubic feet per second of water, with date of
priority of July 2, 1956 and,

WHEREAS, On the 31st day of July A. D. 1957
proof was duly made of the application to beneficial use of _____ cubic feet per second of said water;
on 180 acres located in the SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ all in Sec. 22,
T 95 N, R 52 W

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 John H. and Burl A. Litzelman
of Vermillion, South Dakota the holder S. and owner S. of said permit No. 215-3
a water right, dating from July 2, 1956 to the use of 2.55
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 hereinafter mentioned, to be diverted at S. 38° 15' E., 1687 feet from
the W 1/2 Cor., Sec. 22, T 95 N, R 52 W
and conducted to and upon SW 1/4 and S 1/4 NW 1/4 all in Sec. 22, T 95 N, R 52 W

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 27th day of September A. D. Nineteen
Hundred and Fifty-seven

State Water Resources Commissioner
By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA	
Water License No. _____	
To _____	

Source of Supply _____	

County _____	

Am't _____ c. f. s.	
Point of Diversion _____	

Place of Use _____	

Purpose _____	

Date of Priority _____	
Recorded _____	
In Book _____ of _____ Page _____	

Permit No. 215-3Water Division No. 3 Vermillion River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That John R. and Burl A. Litzelmanof Vermillion, County of Clay, and State ofSouth Dakota, the holder A. of Permit No 215-3, Issued upon Application No. 215-3, bearing date of priority of July 2, 1956, authorizing the diversion of2.55 cu. ft. per second of the waters of ground waterCounty of Clay, State of South Dakota, at S 38° 15' E, 1687feet from the W¹ Cor., Sec. 22, T 95 N, R 52 W, for irrigation

purposes, have fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.55 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: SW¹, Sec. 22, T 95 N, R 52 W - - - - - 160 acres

S¹ NW¹, Sec. 22, T 95 N, R 52 W - - - - - 20 acres

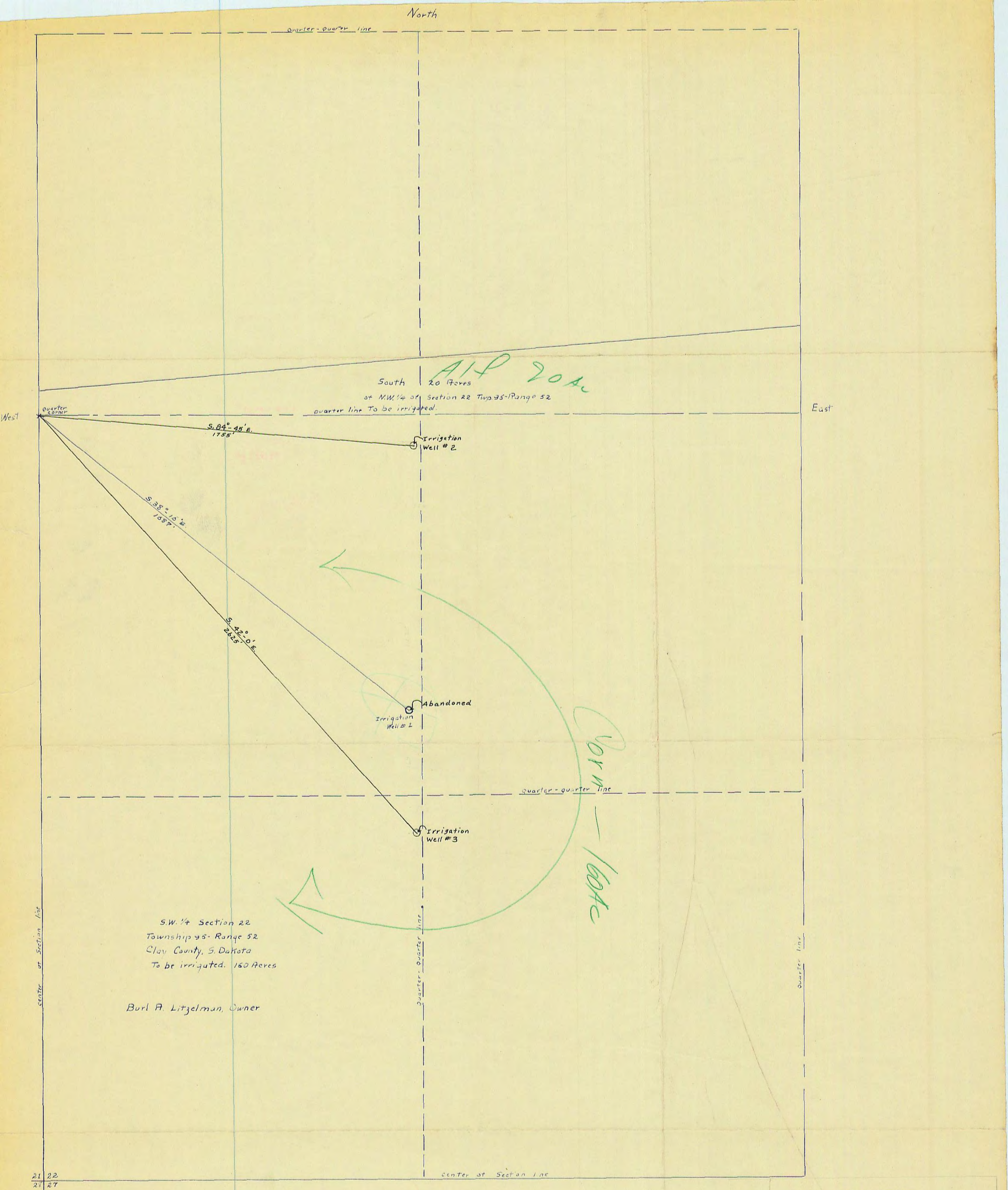
Total 180 acres

Witness my hand this 27th day of September A. D. 1957

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer



Burl A. Litgelman Irrigation Project #2
in W 1/2 of Section 22 Township 95-Range 52
Clay County, South Dakota

I Ellis V. Nelson, a licensed engineer hereby certify
that I have made a survey of S.W. 1/4 and the South 20 Acres
of NW 1/4 of Section 22, Township 95-Range 52, Clay County
South Dakota and located irrigation well # 2 as indi-
cated on the above plat.

Dated at Sioux Falls, South Dakota June 21, 1956

Ellis V. Nelson
Licensed Engineer

State of South Dakota } ss.
County of Minnehaha

On this 21st day of June 1956 before me, the
undersigned officer, personally appeared Ellis V. Nelson
known to me or satisfactorily proven to be the person
whose name is subscribed to the within certificate
and acknowledged that he executed the same for the
purpose therein contained.

In witness whereof I hereunto set my hand
and official seal.

Notary Public

SURVEYORS CERTIFICATE

I, Carl G. Weisz, DO HEREBY CERTIFY THAT THIS MAP
IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE
BURL A. LITGELMAN IRRIGATION PROJECT NO. 2, IRRIGATION WELLS
NO. 2 AND 3 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION
SERVICE FOR THE CLAY COUNTY SOIL AND WATER CONSERVATION
DISTRICT.

SIGNATURE: Carl G. Weisz

TITLE: Construction Engineer
U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 22 DAY OF
June, 1962 A.D.

Notary Public
MY COMMISSION EXPIRES January 30, 1964

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County of Clay } ss.William S. Gibson 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 theCity of Vermillion County ofClay and State of South Dakota; that the said notice was published in said newspaper on the following dates:July 19, 1956July 26, 1956Aug 2, 1956Aug 9, 1956in each and every issue of the full number thereof, the first publication being made on the 19 day of July1956 and the last publication on the 9 day ofAugust 1956, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was editor the printer and publisher of the said newspaper.William S. GibsonSubscribed and sworn to before me this 11 day of August A. D. 1956Notary Public Clay County, S. D.

My Commission Expires _____

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. D., July 11, 1956.

Notice is hereby given that John H. and Burl A. Litzelman, whose post-office address is 224 Court Street, Vermillion, S. D., have made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.55 cubic feet of water per second of time from ground water through the John H. and Burl Litzelman Diversion Work No. 2, the point of diversion of which is to be located 1687 feet S 38 degrees 15 minutes E of the W 1/4 Cor. of Section 22, Twp. 95 N., Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:

SW 1/4 and SE 1/4, NW 1/4 Sec. 22, T. 95N., R. 52W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of September, 1956 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 J. W. GRIMES,
Chief Engineer, Executive Officer
(July 19, 26, Aug. 2, 9)RECEIVED
AUG 14 1956STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

(First Publication before Aug. 10, 1955)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., July 11, 1956

Notice is hereby given that John H. and Carl J. Litzelman whose postoffice address is 224 Court Street, Vermillion, S. Dak. have made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.55 cubic feet of water per second of time from the ground water through the John H. and Carl Litzelman Division Work #2 the point of diversion of which is to be located xxxx 1687 feet S 38°15' E of the W1 Cor. xxxx of said stream in the xxx of Section 22 Twp. 25N Range 52E. Said water to be used for the purpose of providing irrigation on the following described land:

SW 1/4 and SE 1/4, NW 1/4 Sec. 22, T 25N, R 52E

xxxx xxxx

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of September, 1956, 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.

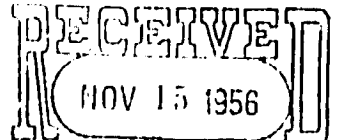
State Water Resources Commission

By:

J. A. Grimes, Chief Engineer, Executive Officer

cc: Mr. William S. Gibson, Publisher
The Vermillion Plain Talk
Vermillion, South Dakota

Permit No. 215-3


 Water Division No. 3 Vermillion River
 STATE WATER RESOURCES COMMISSION
 PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Vermillion, S. Dak.

(Date) Nov. 13, 1956

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

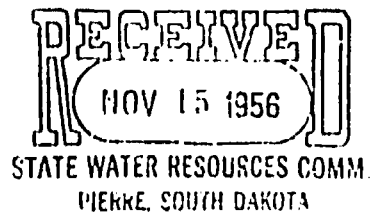
DEAR SIR: Notice is hereby given that on the 15 day of July 1957, at Centerville 4 Mi. S County of Clay State of South Dakota, before Joe Grimes or Representative (Examining Engineer or Officer) proof will be submitted of the application to beneficial use of 2.55 cubic feet per second of the waters of S. Dak.

In accordance with the terms and conditions of Permit No. 215-3 heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are John H. and Burl A. Litzelman Vermillion, S. Dak.
- The use to which said water has been applied is Irrigation
- The amount applied to beneficial use is 2.55
- The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) S.W. 1/4 Sec. 22 Twp. 95 Range 52 Clay County, S. Dak. 160 Acres S. 20 Acres of N. W. 1/4 of Sec. 22 Twp. 95 Range 52 Clay County, S. Dak.
- The name of the canal or ditch or other works by which said water is conducted to such place of use is John H. and Burl A. Litzelman Diversion Work # 2 (Well)
- The right to take the water from such works is based upon permit No. 215-3
- The source of supply from which such water is diverted is a well
- The date of priority which said user is prepared to establish is July 2, 1956

(Sign)

John H. Litzelman
 Burl H. Litzelman

Permit No. 215-3Water Division No. 3 Vermillion Water District
River**NOTICE OF COMPLETION OF WORKS**

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Vermillion, S. Dak.(Date) Nov. 13, 1956

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

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____
_____ 2.55 _____ cu. ft. per second of the waters of the state from March
through the month of November
for irrigation purposes
_____ in accordance with the terms and con-
ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is John H. and Burl A.
Litzelman

2. The postoffice address of such person or the place of business of such corporation is Vermillion
County of Clay State of S. Dak.

3. The number of such permit is 215-3 and the date set for the completion of such work is
July 15, 1957

4. Said water to be used for irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of
water which said works are capable of conducting to the place of intended use, in accordance with the plans ac-
companying the application for such permit, is 2.55 cubic feet per second.

6. The amount of land for which said water is available is 180 acres,
particularly described as follows: S.W. 1/4 Sec. 22 Twp. 95 Range 52 Clay County S. Dak.
and S. 20 Acres of N.W. 1/4 of Sec. 22 Twp. 95 Range 52 Clay County
S. Dak.

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

(Signature of Owners)

John H. Litzelman
Burl A. Litzelman

Permit No. 215-3
 Vermillion
 Water Division No. 3 River Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your ~~letter~~ of authorization ~~dated~~ on July 31, 1957
~~XXXXXX~~, I have ~~thoroughly~~ made a thorough examination of the diversion works constructed by John H.
and Burl A. Litzelman, of Vermillion
Clay County, South Dakota, holder of Permit No. 215-3, issued
 upon Application No. 215-3, bearing date of priority of July 2, 1956, authorizing the
 diversion of 2.55 cu. ft. per second of the waters of ground water for irrigation
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Oliver Super 88 Tractor; Western Land Roller Pump
Serial #156734, Head No's 8B 030 and 3-12B-H; 80 rods of 6 inch mainline pipe;
80 rods of 6 inch gated pipe w/ gates on an 80 inch spacing; 22 Model
70 B 9/32 x 7/32 nozzles; and a pressure gauge.

and the system is in the following condition: Excellent

The point of diversion is located S 38° 15 'E, 1687 feet, from the W½ Cor., Sec.
22, T 95 N, R 52 W

The works are capable of diverting and conveying to the place of use 2.55 cu. ft. per second of water,
 which is to be used for irrigation

The legal sub-divisions to be irrigated are: S½ and S½NW¼ all in Sec. 22, T 95 N,
R 52 W

comprising a total of 180 acres of land.
 The domestic use intended comprises -----

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

Witness my hand, this 27th day of August, A. D. 1957

--SEAL--

Les Wyboiny Examining Engineer.
 Water Rights Engineer

Observations during the Field Inspection on July 31, 1957 of
the John, H. and Burl A. Litzelman Project relative to Application
#215-3.

Donald V. Hunter accompanied me on this inspection and was very cooperative and helpful in answering questions and furnishing information so that I could complete this inspection.

This Project consisted of 180+ acres divided into an estimated 160 acre field of corn and 20 acres of alfalfa. The locations of the lands and the well compared to those shown on map #169-3.

The well is approximately 46 feet deep with the static water level @ 8 feet. I was told that this well was test pumped @ 1500 gpm.

Super

Equipment consisted of an Oliver^V 88 Tractor for power. Also a Western Land Roller Pump, Serial # 156734, Head No's 8B-C-30 and 3-12B-H. This is an 8 inch pump with an estimated capacity of 1300 gpm. Other equipment included 80 rods of 6 inch main line aluminum pipe, 80 rods of 6 inch gated pipe w/ the gates on a 80 inch spacing, and 22 Model 70B Rainbird 9/32 x 7/32 nozzles. The nozzles have a total capacity varying between 528.0 gpm @ 45# to 717.2 gpm @ 80#.

This is a combination sprinkler and gravity system and although the system was in operation at the time of the inspection only the gated pipe was being used. The pressure gauge, which was on the pump registered very little pressure as this was for all practical purposes a free flow system. An estimated 1000-1100 gpm was flowing at this time.

The equipment was new and in excellent condition.

The area to be irrigated and the capacity of the works or equipment to deliver water to the place of use corresponded to the conditions as set forth in the permit. In this case the amount of water granted on the permit would be the controlling factor.

Les Wyborny
August 27, 1957

Les Wyborny

Water Rights Engineer

Water Rights Division - DVH/R
Conversation or File Documentation

File No. 214-3
215-3
229-3
973-3
974-3
1569-3
3543-3
3544-3
3545-3
3546-3
3547-3

NAME OF PERSON OR FILE: Don Hunter

ADDRESS: RR #2, Box 10, Centerville, SD 57014

COUNTY

DATE: April 22, 1984

TELEPHONE 563-2725

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

COMMENTS: 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



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,

A handwritten signature in cursive script, appearing to read "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 17, 1989

Don Hunter - Operator
RR 2, Box 10
Centerville, SD 57014

Dear Mr. Hunter:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

John W. Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division



August 4, 1998

Bill Hansen
2201 State St
Centerville SD 57014

Dear Mr. Hansen:

Last summer, Eric Gronlund with this office faxed you several *Notice of Transfer* forms for water rights listed in the name of Burl A and John H Litzelman. It is our understanding that the permit holders are deceased. These water rights should be transferred to the current owners. Our records indicate that you operate Water Right Nos. 215-3 and 973-3 and Jeff Heidebrecht operates Water Right Nos. 214, 229-3, 974-3 and 3543-3.

Enclosed are the *Notice of Transfer* forms for the water rights listed above. The forms list the legal description of the land irrigated under each permit. Any information you can give us regarding present ownership of these lands would be appreciated.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

215-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 215-3

Date: 2/26/99

I/We request that Water Right No. 215-3

formerly owned by: Burl A and John H Litzelman

be transferred to: (name & address) David DeBouchey, 224 Court St,
Vermillion, SD 57069

Telephone No. (605) 624-2219

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

180 acres - SW¼ and S½ NW¼ Section 22, T95N, R52W

I/We understand that the validity of Water Right No. 215-3 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.

STATE OF SOUTH DAKOTA)

County of Clay)

I/We David DeBouchey 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. DeBouchey
(Signed)

Subscribed and sworn to before me this 26th day of February, 19 99.

Bill Hansen
(Notary Public)

My Commission Expires 1-21-2001

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
Water Rights Program
South Dakota Department of Environment and Natural Resources

No 416060

Pierre, March 9 1999

RECEIVED OF David DeRouche, 224 Court St., Vermillion, SD 57069
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. 215-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By _____
Chief Engineer

John Hatch (Signature)



215-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

March 9, 1999

David DeRouchey
PO Box 264
Vermillion, SD 57069-0264

RE: Water Right/Permit Nos. 214-3, 215-3, 229-3, 973-3, 974-3 & 3543-3

Dear Mr. DeRouchey:

Thank you for sending in the fees for transferring Water Right/Permit Nos. 214-3, 215-3, 229-3, 973-3, 974-3 and 3543-3. The transfers have been completed and all of the above referenced numbers are now listed in your name.

Enclosed are the receipts for the filing fees you paid. You may keep these for your records. If you have any questions concerning the water rights or the transfers, please get in touch with me.

Sincerely,

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

Enclosures

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

July 21, 2004

Lisa Marshik Prostrullo
lprostro@wfss.com

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

RECEIVED
JUL 23 2004
WATER RIGHTS
PROGRAM

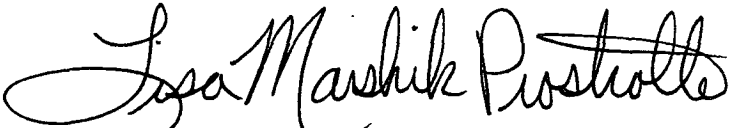
Re: Notices of Transfer of Ownership

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

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

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. 215-3

Dated: July 16, 2004

We request that Water Right/Permit No. 215-3 formerly owned by:
David DeRouchey 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:

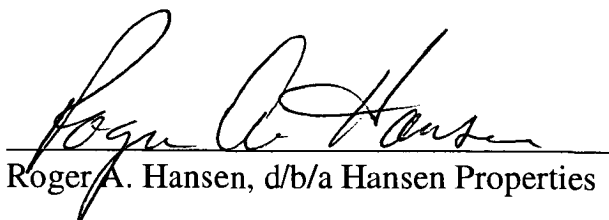
180 acres - SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 22, T95N, R52W

☒ We understand that the validity of Water Right/Permit No. 215-3 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, 20 04

RECEIVED OF Lewis & Clark Title Co., PO Box 177, Yankton SD 57078-0177

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>21503</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. 000378

By Dorland Ebele
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



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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: HANSEN PROPERTIES, ROGER A HANSEN, PO BOX B, CENTERVILLE, SD 57014
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 215-3, 229-3, 973-3 & 974-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6563-3, 6564-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6570-3, 6571-3, 6572-3 & 6573-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:30 am, March 7, 2007 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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 Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6563-3, 6564-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6570-3, 6571-3, 6572-3 & 6573-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 215-3, 229-3, 973-3 & 974-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

215-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0799 7184
Status: Delivered

Your item was delivered at 9:28 AM on January 29, 2007 in
CENTERVILLE, SD 57014. The item was signed for by S JENSEN.

[Additional Details >](#)[Return to USPS.com Home >](#)

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U.S. Postal Service™ Signature Confirmation™ Receipt		
SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 7184	PO:	HANSEN PROPERTIES
		ROGER A HANSEN
		PO BOX B
		CENTERVILLE SD 57014
Waiver of Signature ☐ YES ☐ NO		
Postmark Here		
POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com ® or call 1-800-222-1811		
CHECK ONE (POSTAL USE ONLY)		
☐ Priority Mail™ Service		
☐ First-Class Mail® parcel		
☐ Package Services parcel		

PS Form 153, May 2004



215-3

700 BROADWAY CENTERVILLE SOUTH DAKOTA 57014
PHONE (605) 563-2212 FAX (605) 563-2640

2-8-07

Jenny -

I HAVE RENTED my Ground
to KEN LESS FROM Merrill, IA. for
the last 3 years. I won't be
renting to him next year Asad
He's Not Happy about it. I'm
Enclosing a copy of a note I sent
him 10/31/06 with the questionnaires
Asking him to get them filled
out and returned to you. When
you called & said they had not
Arrived, I finally found out from
him that he had not filled them
out or sent them. Retaliation
I Guess.

I Am finally able to get the
info together so I know these
are late.

Roger Hassel

RECEIVED

FEB 12 2007

215-3

[Handwritten signature]



700 BROADWAY CENTERVILLE SOUTH DAKOTA 57014
PHONE (605) 563-2212 FAX (605) 563-2640

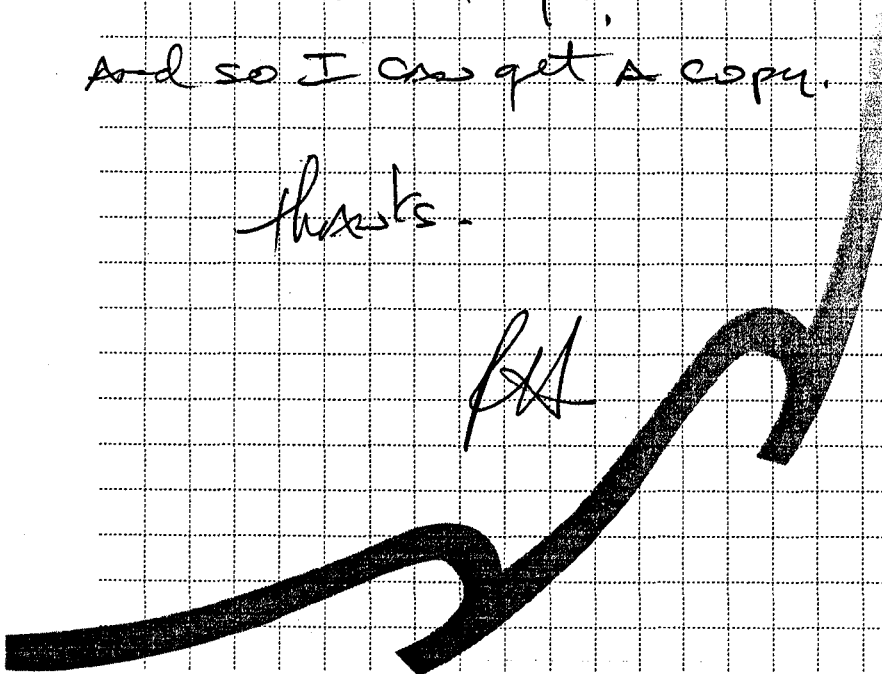
Re: 2006 IRRIGATION QUESTIONNAIRES 10-31-06

KEN —

Would you please FILL THESE
OUT AS SOON AS YOU CAN AND
SEND THEM BACK TO ME SO
I KNOW WHEN THEY ARE DONE
AND SO I CAN GET A COPY.

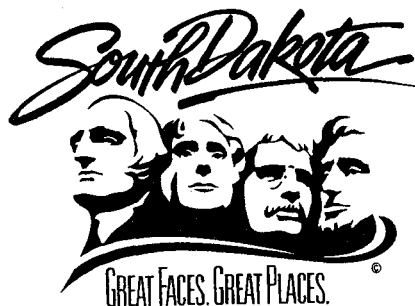
thanks.

[Handwritten signature]



OVER 35 YEARS OF SERVICE WORLDWIDE

RECEIVED
FEB 12 2007
WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 2007

Roger A Hansen
Hansen Properties
PO Box B
Centerville SD 57014

RE: Water Permit/Right Nos. 215-3, 229-3, 973-3, 974-3, 6563-3, 6564-3, 6565-3, 6566-3,
6567-3, 6568-3, 6569-3, 6570-3, 6571-3, 6572-3 & 6573-3

Dear Mr. Hansen:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for the water permits and rights listed above. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for the note concerning the difficulties you had with obtaining the information from your past renter. The forms you completed are fine and nothing more is needed for last season. The 2007 questionnaires will be mailed to you in October 2007.

If you have any questions, please contact me.

Sincerely,

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



215-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: HANSEN PROPERTIES, ROGER A HANSEN, PO BOX B, CENTERVILLE, SD 57014

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 215-3, 229-3, 973-3 & 974-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6563-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811-3, 6812-3, 6813-3, 6814-3, 6815-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6920-3, 6921-3, 6822-3, 7001-3, 7002-3 & 7003-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 11, 2009** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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 Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6563-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811-3, 6812-3, 6813-3, 6814-3, 6815-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6920-3, 6921-3, 6822-3, 7001-3, 7002-3 & 7003-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 215-3, 229-3, 973-3 & 974-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/efrms/secure/efrms/E0455V7-IQ.pdf>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

215-3

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215-3
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WATER RIGHTS

700 BROADWAY CENTERVILLE SOUTH DAKOTA 57014
PHONE (605) 563-2212 FAX (605) 563-2640

1-18-09

HELLO Genny —

I'VE HAD A CRAZY SPRING but
HERE FINALLY ARE the 10216
QUESTIONNAIRES!

WOULD you please be sure that
their ARRIVAL is properly noted
IN ADVANCE OF the MARCH 6 DEADLINE.

THANK You —

Roger Hansen



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 2009

Roger Hansen
Hansen Properties
PO Box B
Centerville SD 57014

Dear Mr. Hansen:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. The questionnaires were received on February 20th. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit or Right Nos. 215-3, 229-3, 973-3, 974-3, 6563-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811-3, 6812-3, 6813-3, 6814-3, 6815-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6920-3, 6921-3, 6822-3, 7001-3, 7002-3 & 7003-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

We have also received the "Notice of Transfer of Ownership" form and filing fee you submitted for Water Right No. 1813-3. The transfer has been completed. The water right formerly held by Richard and Carole K Myers is now listed in your name.

Enclosed is your Receipt No. 04039 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

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

File Nos. 215-3, 973-3, and 6569-3

**Water Rights Program
File Documentation**

NAME OF PERSON OR FILE: Roger A. Hansen, dba Hansen Properties

ADDRESS: PO Box B Centerville, SD

DATE: 8/14/2013 TELEPHONE: 605-563-2212

RE: Inspection of Water Right Nos. 215-3 and 973-3 and Water Permit No. 6569-3

COMMENTS:

An inspection of Water Right Nos. 215-3 and 973-3 and Water Permit No. 6569-3 was conducted on July 25, 2012. In the file for Water Permit No. 6569-3 it was stated that the proposed irrigation project would use an existing well authorized by Water Right No. 973-3 until a new well could be constructed and put to beneficial use. Water Right No. 215-3 authorizes the irrigation of 180 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 22, T95N-R52W at a maximum diversion rate of 2.55 cfs. Water Right No. 973-3 authorizes the irrigation of 135 acres in the W $\frac{1}{2}$ Section 22, T95N-R52W, most of which was authorized for irrigation by Water Right No. 215-3, at a maximum diversion rate of 1.93 cfs. Water Permit No. 6569-3 authorizes the irrigation of 42 acres in the NW $\frac{1}{4}$ Section 22, T95N-R52W at a maximum diversion rate of 1.11 cfs from two wells, one existing and authorized by Water Right No. 973-3 and a new well.

The inspection revealed that there were two center pivots irrigating a total of 189 acres. One pivot is located near the center of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, T95N-R52W, irrigates 58 acres at a diversion rate of 1.39 cfs (625 gpm), and is authorized by Water Permit No. 6569-3. This center pivot is shown as #19 in the attached map. However, the center pivot irrigates 16 more acres than authorized and has a diversion rate 0.28 cfs greater than authorized. The second irrigation system is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T95N-R52W, irrigates 131 acres, and is authorized by Water Right No. 973-3, specifically, and Water Right No. 215-3. This center pivot has a capacity of 1.78 cfs (800gpm). This center pivot is shown as #20 on the attached map. However, this center pivot irrigates 2 acres of land that was not originally authorized for irrigation by either Water Right No. 215-3 or 973-3.

Since, Water Permit No. 6569-3 authorizes the irrigation of 42 acres at a maximum diversion rate of 1.11 cfs from up to two wells, but the irrigation system irrigates 58 acres at a maximum diversion rate of 1.39 cfs from one well. A new permit will be required for the increase of

irrigated acres and increase of diversion rate. Water Right Nos. 215-3 and 973-3 authorize irrigation of 180 acres and 135 acres, respectively, with most of the 135 acres overlapping the 180 acres. Water Right Nos. 215-3 and 973-3 authorize maximum diversion rates of 2.55 and 1.93 cfs, respectively. The irrigation system authorized by Water Right Nos. 215-3 and 973-3 irrigates 131 acres at a maximum of 1.78 cfs. Therefore, Water Right No. 215-3 should be incorporated into Water Right No. 973-3 for the irrigation of 131 acres located in the SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 22 and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, all in T95N-R52W, at a maximum diversion rate of 1.78 cfs. The attached map has a breakdown of the acreages for both irrigation systems.



Adam Mathiowetz

Natural Resources Engineer

DENR-Water Rights Program



215-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

AUG 30 2013

215-3
973-3

Roger A Hansen
Hansen Properties
PO Box B
Centerville SD 57014

Dear Mr. Hansen:

Enclosed is Reissued Water License No. 973-3. Based on a field investigation, No. 973-3 has been reissued to the extent of what is being irrigated. The reissued water license incorporated the applicable portions of Water Right No. 215-3 and retained the priority date established under No. 215-3. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 973-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures