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JAN 24 2012

WATER RIGHTS
PROGRAM

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JAN 24

WATER R.
PROGR.

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2437B-3
Date: 01-20-12

I/We request that portions of Water Right No. 2437-3

formerly owned by: Dr H P Sandberg

be transferred to: (name & address) Joint Wellfield Inc., 47602 SD Hwy 28
Toronto SD 57268

Telephone No. 605-794-2241

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

132 acres in SE ¼ Section 24, T112N, R51W

I/We understand that the validity of Water Right No. 2437B-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Gene Wilts, the new owner, certify that the above information is true and correct.

Gene P. Wilts, Manager
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

~~1994~~ 1/24, 20 12

RECEIVED OF Joint Wellfield 47602 SD Hwy 28 Toronto SD 57268

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	50	00
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>2437B-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 05299

By

Sheld Eshel
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

APR 25 2012

2437B-3

Gene P Wilts, Mgr
Joint Well Field Inc
47602 SD Hwy 28
Toronto SD 57268

Dear Mr. Wilts:

Enclosed is your Reissued Water License No. 2437B-3.

Water Right No. 2437-3, formerly held by Dr. H P Sandberg was divided and reissued to reflect separate ownership as follows:

- **No. 2437A-3, Dr. Jerald A. Peterson Living Trust:** authorizing diversion of 1.78 cfs from one well located in the NE $\frac{1}{4}$ Section 24 to irrigate 132 acres in the NE $\frac{1}{4}$ Section 24, T112, R51W.
- **No. 2437B-3, Joint Well Field Inc:** authorizing diversion of 1.78 cfs from one well located in the SE $\frac{1}{4}$ Section 24 to irrigate 132 acres in the SE $\frac{1}{4}$ Section 24, T112, R51W.

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. 2437B-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,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 2437B-3
DIVISION OF 2437-3 INTO 2437A-3 & 2437B-3

(1) Dr. H P Sandberg was issued Water License No. 2437-3, August 24, 1981 for a water right to divert 3.56 cubic feet of water per second from ground water (two wells – Big Sioux Brookings Aquifer), Brookings County, South Dakota for irrigation purposes. Water License No. 2437-3, with priority dates of November 25, 1968 and October 30, 1975 was issued to the permit holder for diversion of water with construction of the water supply system and the application to beneficial use of water completed.

Water Right No. 2437-3 authorizes irrigation of 264 acres in the E ½ Section 24, T112N, R51W. The land described in the water right has been transferred to two new owners. The water license is being divided and reissued to reflect separate ownership as follows:

- **No. 2437A-3, Dr. Jerald A. Peterson Living Trust:** authorizing diversion of 1.78 cfs from one well located in the NE ¼ Section 24 to irrigate 132 acres in the NE ¼ Section 24, T112, R51W. The well in the NE ¼ was originally authorized under Water Right No. 1580-3 (incorporated into No. 2437-3) and carries a priority date of November 25, 1968.
- **No. 2437B-3, Joint Well Field Inc:** authorizing diversion of 1.78 cfs from one well located in the SE ¼ Section 24 to irrigate 132 acres in the SE ¼ Section 24, T112, R51W. The well in the SE ¼ was approved under No. 2437-3 and carries a priority date of October 30, 1975.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating to completion of the of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use.

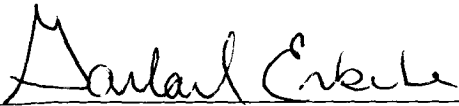
The location of the diversion point is 30 feet east of the center of the SE ¼ Section 24, T112N, R51W.

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate a 132 acre circle in the SE ¼ Section 24, T112N, R51W.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Joint Well Field Inc., 47602 SD Hwy 28, Toronto SD 57268 the holder and/or owner of Water Right No. 2437B-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well – Big Sioux Brookings Aquifer) with a priority date of October 30, 1975 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2437-3 and subject to the following qualification:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

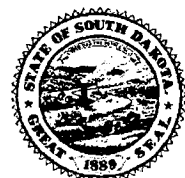


Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

APR 25 2012

date





**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



November 7, 2014

2437B-3

Gene Wilts, Mgr
Joint Well Field Inc
PO Box 340
Toronto SD 57268

Dear Mr. Wilts:

I am writing to acknowledge receipt of the 2014 irrigation questionnaire submitted for Water Right No. 2437B-3. It is my understanding from the notation you made on the form the land is currently enrolled in CRP through 2024.

Under SDCL 46-5-37.2, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if:

- the water source is not fully appropriated
- if the withdrawal from use does not prevent approval of new permits from the same source, and
- if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.

The annual irrigation questionnaire will not be mailed to you until the land comes out of CRP. If the land should be sold or any other changes occur prior to the land coming out of the program, please notify us so that appropriate changes can be made to the water right.

If you have any questions, please contact me.

Sincerely,

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