

- 2449-3
1. Considered 1-22, 1976
2. Name of Applicant BERNARD HALL
3. Post Office Address ELK POINT
4. Amount of water claimed 1.7
5. Source of water supply GROUND WATER (125' DEEP WELL)
6. Water to be used for IRRIGATION
- Acres to be irrigated 120
7. Water to be diverted and used in UNION county
about E EDGE miles of ELK POINT
8. Proof of Publication Received 1-5-76
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No. 2349-3Map No. 1816-3 Water Division No. 3 Big Sioux River District
(Blanks to be filled by the Engineer for the W. B. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Bernard Hall
 Postoffice address Elk Point State S. Dak 57025
 If a corporation show date and place of incorporation None
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Hall Irrigation Project
4. Amount of water claimed (cubic feet per second) 2.7 M7 MAXIMUM ALLOWABLE
5. Source of water supply Well
6. Location of point of diversion 1300 ft South & 660 ft west of the N.E. corner of Sec 20 T 91 N R 49 W
 County Lincoln
7. Annual period or periods during which water is to be used June through Sept
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 120

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
E 1/2 W 1/2 NE 1/4 of			
E 1/2 of the NE 1/4 of			
Sec 20 T 91 N R 49 W	120		

Attach sheet if more space is needed

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

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

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

C. Works proposed to apply water to beneficial use.

Center Pivot SystemEstimated Total Cost \$ 10,000.00Attachments. 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 AmorI, Bernard Hall, 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

Bernard HallSubscribed and sworn to before me this 7 day of May, 1975

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2449-3BERNARD HALL
(Applicant)P.O. Box 121, ELK POINT
(Post Office Address)SOUTH DAKOTA 57025
(State)

With the following modifications:

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

Date of first receipt of application _____

NOVEMBER 10, 1975

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

Date of receipt of corrected application _____

Approved JANUARY 23, 19 _____Recorded in Book 14Page 207WATER RIGHT PERMIT NO. 2449-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2449-3 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:

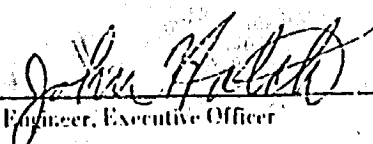
1. The date from which applicant may claim right is NOVEMBER 10, 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23, 1978
3. The whole of said work is to be completed on or before JANUARY 23, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23, 1981
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the law 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 1.7 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, 1981; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 29TH day of JANUARY, 1976

WATER RIGHTS COMMISSION


 Chief Engineer, Executive Officer

Certificate of Construction Issued _____

FEBRUARY 3, 1978

Water License Issued _____

FEBRUARY 3, 1978

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 30", Depth 125'
(2) Casing, Type Transite Diameter 16" I.D. Thickness 3/4"
(wood, concrete, steel, etc.)
(3) Perforated Screen.
Type 1/8 Slotted, Diameter 16" I.D., Length 26'
(4) Gravel Pack. Thickness _____, Length of gravel pack 26'

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 sand and gravel
to bedrock

Depth to top of water bearing material 40'
Depth to bottom of water bearing material 125'
Thickness of water bearing material 8.5'
Depth to water (ground surface to water level) 14' drawdown!

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

On same owner's property 30 rds. On property owned by others 100 rds.

G. Water Storage Dams.

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

Bernard Hall
Signature of Applicant

October 20, 1975

Mr. Bernard Hall
P.O. Box 121
Elk Point, SD 57025

Dear Mr. Hall:

Enclosed you will find the original copy of the report of analysis for the water sample submitted here October 8. This is for your use and keeping. Please retain it.

This water is moderately high in salt content but will probably not cause any significant increase in salinity of soils in this area of the state. It should however be used in fairly modest amounts each year. By this I mean, irrigate in sufficient quantity each time you irrigate to completely refill the root zone but try to avoid irrigating frequently. Any irrigation practice which refills the water reservoir only the top foot or two will accelerate the rate of salt accumulation in the top soil. Thus, I recommend you use infrequently but fairly heavy irrigation.

You will find enclosed a copy of extension circular 654 with the approximate quality of this water for irrigation purposes designated by a red cross on the outside back cover.

A copy of this letter, and of the water analysis, and of the WI-1 form are being sent to the State Conservation Commission.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

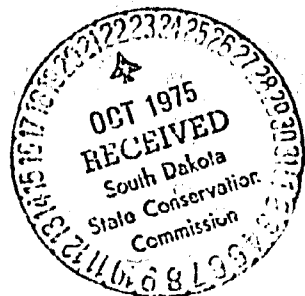
LOF:ckb

Enclosures

cc: State Conservation Commission

D. Pahl

Louie DeSmet, County Extension Agent



CONSERVATION
COMMISSION
W1 #1

State Water Quality Lab
College Station
Brookings, S. Dak.

(Jaw)

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)

FOR COMMISSION USE ONLY

IRRIGATION SYSTEM _____

WATER QUALITY _____

SOILS CAPABILITY _____

APPROVED 10-25-13 13-12-13

DISAPPROVED _____

NAME Bennard Hall
ADDRESS Box 121 Elk Point, S. Dak 57020
COUNTY Wichita

LEGAL DESCRIPTION

1. WELL LOCATION 1280' South x 660' West of the NE Corner of Sec 20 T91R49
2. AREA TO BE IRRIGATED E 1/2 + E 1/2 of the NW 1/4 of the NE 1/4 Sec 20 T91R49
120 ac.

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (INDICATE TYPE) Center Pivot
4. CROPS TO BE IRRIGATED Corn + Beans

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE 0-2%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION 2M4 2XW1 - deep medium textured
bottom land soils with moderately heavy subsoils

WATER QUALITY

(TO BE COMPLETED BY COMMISSION)

7. SAMPLE NUMBER 1 75-963
8. SALINITY EC = 1137 μ mhos/cm (high)
9. SODIUM SAR = 1.08 (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

Soil Conservation Service

AND:

THAT THE LEGAL DESCRIPTION FOR THE LOCATION OF THE WELL AND LAND TO BE
IRRIGATED IS TRUE AND CORRECT.

Bernard L. Hall

SUBSCRIBED AND SWORN BEFORE ME THIS

2nd DAY OF October 1975.

T. C. Olson

Notary Public

Union County, S.D.

(TITLE)



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

Submitted by: Bornart Hall
 Address: Box 121
Elk Point, SD 57025

Date Rec'd: October 8, 1975
 Sample No.: 75-963
 Identification: W011-
NE1, Sec. 20, T. 91N, R. 49W

WATER ANALYSIS

Calcium (Ca)	120	ppm*	6.00	me/l**
Magnesium (Mg)	55	ppm	4.51	me/l
Sodium (Na)	57	ppm	2.48	me/l
Potassium (K)	14	ppm	0.35	me/l
Sulfate (SO ₄)	103	ppm	2.14	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.17	me/l
Bicarbonate (HCO ₃)	630	ppm	10.32	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	516	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1137	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.08			
Sodium	13.59	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.70			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 13.34 me/l
 Total anions 12.63 me/l

By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

\$6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-963

Amount Enclosed \$

Signed

No. 2449-3

Publish first publication, on or before January 8, 1976

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

December 12, 1975

Notice is hereby given that Bernard Hall
whose post office address is Elk Point, 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
 cubic feet of water per second of time from the ground water through the
Hall Irrigation Project, the point of diversion of which is to be located in the

Center of the E $\frac{1}{2}$ NE $\frac{1}{4}$

of Section 20, Twp. 01N, Range 49W. Said water to be used for the purpose
of providing irrigation on the following described land:

E $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 20, T01N, R49W

This application No. 2449-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 22nd day of January, 1976, at 2:30 PM .M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc: Bernard Hall

No. 2449-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E. Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader - Courier

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

City of Elk Point,

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

December 25, 1975

January - 1, 1976

Lester E. Emerson
(Signature)

Publisher
(Title)

January 2, 1976
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
December 12, 1975

Notice is hereby given that
Bernard Hall, who is post office
Elk Point, 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 1.7 cubic feet of water
per second of time from the
ground water through the Hall
Irrigation Project, the point of
diversion of which is to be located
in the Center of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of
Section 20, Twp. 91N, Range
49W. Said water to be used for
the purpose of providing irrigation
on portions of the following
described land: E $\frac{1}{2}$ NE $\frac{1}{4}$, and
E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 20, T91N,
R49W.

This application No. 2449-3 -
will be considered by the Water
Rights Commission at their office
at Pierre upon the 22nd day
of January, 1976, at 2:30 p.m.
All interested persons may appear
and be heard.

WATER RIGHTS COMMISSION
By: Burton F. Jones
Water Rights Specialist
Publish: Dec. 25, Jan. 1

Permit No. 2449-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Bernard Hall

_____ the holder _____ of
Permit No. 2449-3, issued upon Application No. 2449-3, bearing date of priority of November 10,
1975 authorizing the diversion of 1.7 cu. ft. per second of the waters of _____
ground water County of Union, State of South Dakota at _____
a point 1320'S and 660'W of the NE corner, Section 20, T91N, R49W

_____, for Irrigation

purposes, has 5 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 2.23 cu. ft. per second of water.

Date February 3, 1978

By:

WATER RIGHTS COMMISSION

John Hatch

JOHN HATCH, Chief Engineer

WATER LICENSE NO. 2449-3

(1) WHEREAS, On the 10th day of November A. D. 19 75

Bernard Hall

made Water Right Application No. 2449-3 for a permit to use 1.7 cubic feet per second of the waters of ground water

County of Union, State of South Dakota, for irrigation

_____ purposes; and

(2) WHEREAS, On the 29th day of January A. D. 19 76

Permit No. 2449-3, with a date of priority of November 10, 1975

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. 19 81 and for the application to beneficial use of said water on or before the 23rd day of January A. D. 19 81

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 1.3 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following land in Section 20, T91N, R49W

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 13 acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 32 Acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 13 acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 32 acres

TOTAL 90 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Bernard Hall

_____ of Elk Point
the holder _____ and owner _____ of said permit No. 2449-3 a water right, dating from November 10, 1975
_____ to use of 1.3 cubic feet per second of the waters
of ground water

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at
a point 1320'S and 660'W of the NE corner, Section 20, T91N, R49W

and conduct to and upon portions of Section 20, T90N, R49W, described on the face
of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2449-3 and subject to the laws of the State of South Dakota.

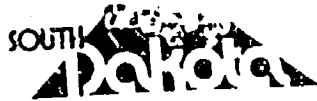
WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of February A. D.
Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

February 10, 1978

Bernard Hall
Box 121
Elk Point, SD 57025

Dear Mr. Hall:

Enclosed herewith are, Water License No. 2449-3 and Certificate of Construction.

Water License No. 2449-3 is the final water right document completing your process of obtaining water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
WATER RIGHTS COMMISSION

JH:gy

Enclosures

NOTE: pump capacity is 2.23 cfs (1001 gpm). Based upon the acreage actually irrigated you are entitled to divert only 1.3 cfs (584 gpm). Any diversion in excess of this 1.3 cfs would be a violation of your water right.

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE
DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT
DIVISION OF WATER RIGHTS
JOE FOSS BUILDING
PIERRE, SOUTH DAKOTA 57501

Post Office Elkhart, S. Dak.
Date Jan 24, 1977

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2449-3

Water Right Permit No. 2449-3 states that the diversion system is to be constructed by July 2-3, 1978 and that the water is to be put to beneficial use by June 23, 1977.

The diversion system was completed on Nov 10, 1976. Applying the water to beneficial use was completed on June, 1977.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Bernard Hall
(Signature)



Permit No. 2444-3Water 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 Bernard Hull
 of P.O. Box 121, Elk Point, S.D. 57025 holder
 of Permit No. 2444-3, bearing date of priority of November 10, 1975
 authorizing the diversion of 1.7 cu. ft. per second of the waters of Ground
 for Irrigation purposes, in Union 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

Motor US Electrical. 10" N-5002545
75 HP, 1600-1800 RPM

Pump Fairbanks Morse, Size 12 M, 3 stage.
ser # N2X2 806210 pumping 1000 gpm

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

8" dia Aluminum pipe

C. Works used to apply water to beneficial use.

Electroqator Center Pivot. Model 2-6E5-C.
Ser # 10752779

The system is in the following condition: Excellent

The point of diversion is located 1320 ft south and 660 ft west of the
NE corner of section 20 T91N R49W.

The works are capable of diverting and conveying to the place of use 2.23cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Section 20 T91N R49W

NW 1/4 NE 1/4 - 13.0 Ac. NE 1/4 NE 1/4 - 32.0 Ac. SW 1/4 NE 1/4 - 13.0 Ac.
SE 1/4 NE 1/4 - 32.0 Ac.

comprising a total of 90 acres of land.

Well Data

Depth 125 ftCapacity 2000 gpm. (Tested).

Date June 1, 1977
L. Roy J. Morrey, Jr.
 (Signature)

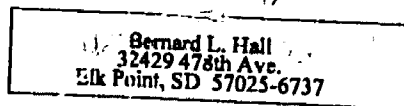
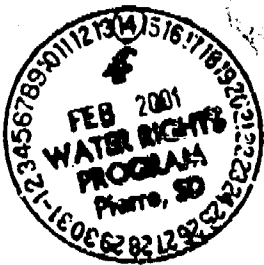
Feb 13-01

Dear Sir,

In my reporting of water usage for my irrigation systems. If I read the hour meters on the systems every month, would that be alright instead of breaking it down between corn and beans? It would make it easier because of going from corn to beans during the night or a shut down because of rain. I would like your opinion on this.

Thank you

Bernard Hall



2449-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 2001

2121-3
2449-3

Bernard L. Hall
32429 473rd Ave
Elk Point, SD 57025-6737

Dear Mr. Hall:

Thank you for your letter of February 13th requesting information on reporting water use for your irrigation systems.

Reporting actual hours irrigated by use of a meter on your irrigation systems would certainly be an acceptable means of reporting water use each year. The columns on the irrigation questionnaires to report the pump rate, days and hours pumped are there to help us calculate the amount of water used in the event a person does not have a meter.

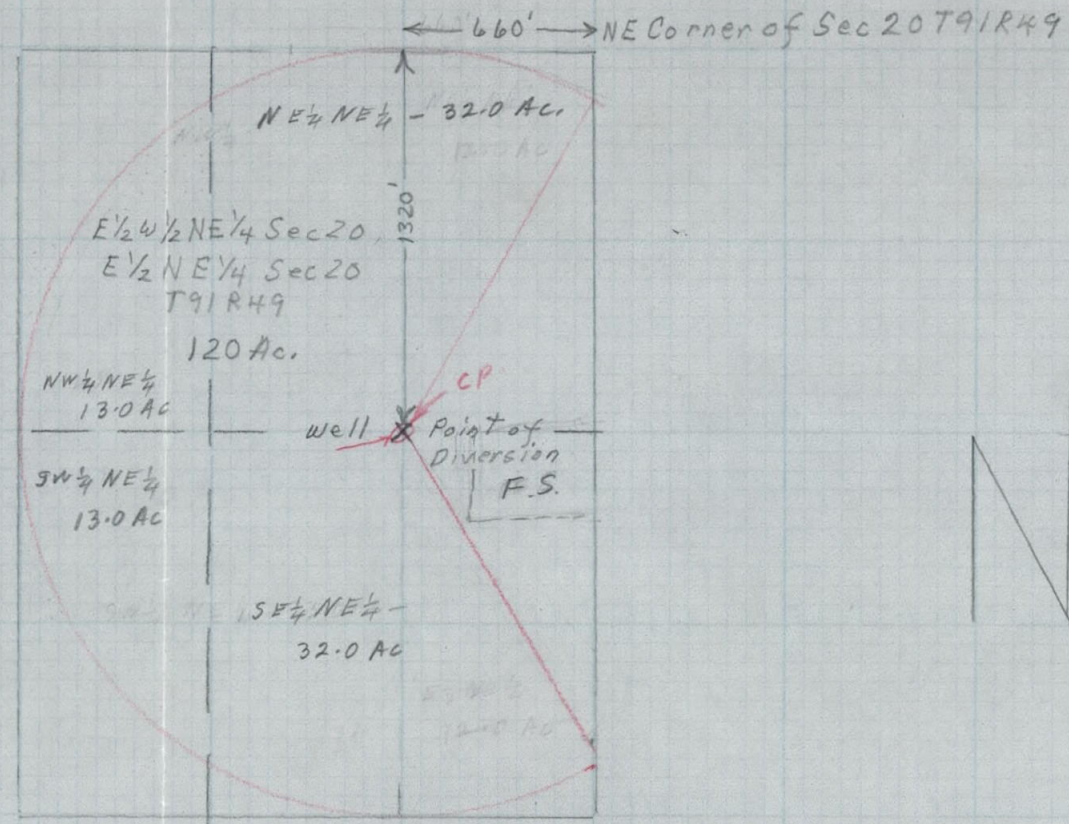
When submitting your irrigation questionnaires each year, go ahead and list the crops planted, how many acres you irrigated and the pump rate. You can leave the columns blank that refer to days and hours pumped and then enter in total hours for that month from your meter. I can work the formula back from there and come up with how much water was used. You do not have to separate out how many hours were pumped for each crop. I have included a sample copy with a suggestion.

Thank you for writing Mr. Hall. Hopefully this will make water use reporting much easier for you. If you have any questions, please write or call and let me know.

Sincerely,

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

enclosure



Scale - 8" = 1 mi

Bernard Hall
EIA Point, So. Dak 57025
Hall Irrigation Project
Center Pivot System
120 acres

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	C.K. Dahlgreen	Date	11-7-75	Approved by	C.K. Dahlgreen
Drawn	C.K. Dahlgreen		11-7-75	Title	Dist. Cond.
Traced					
Checked					
				Sheet	Drawing No.
				No. 1	1
				of 1	

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

DEC 18 2019

Ck# 60603

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

RECEIVED

DEC 18 2019

WATER RIGHTS
PROGRAMWater Right/Permit No. 2449-3Date: 12/16/19

I/We request that Water Right/Permit No. 2449-3 formerly owned by:
Bernard Hall be transferred to:

New Owner Name: Keith HallAddress: 912 E. WashingtonCity, State, Zip Elk Point ☒ SD ☒ 57025 Telephone No. 605-356-3140

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

sec 20-T091N-R49W, NW1/4NE1/4 - 13.00 acres
sec 20-T091N-R49W, NE1/4NE1/4 - 32.00 acres
sec 20-T091N-R49W, SW1/4NE1/4 - 13.00 acres
sec 20-T091N-R49W, SE1/4NE1/4 - 32.00 acres

☒ I understand that the validity of Water Right/Permit No. 2449-3 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 Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Keith Hall, the new owner, certify that the above information is true and correct.


(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

Date December 18, 2019

RECEIVED OF Keith/Toni Hall 912 E Washington St Elk Point SD 57025

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>2449-3</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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	50	00

No. **09294**

By Jeanne Goodman
Chief Engineer *um*

2449-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 26, 2019

2121-3
2449-3
7563-3

Keith Hall
912 E Washington
Elk Point SD 57025

Dear Mr. Hall:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 2121-3, 2449-3 and 7563-3.

The ownership changes have been completed. The water rights, formerly held by Bernard Hall, are now listed in your name.

Enclosed for your records are Receipt Nos. 09293, 09294 and 09295 in the amount of \$50 each. If you have any questions, please contact me.

Sincerely,


Genny McMath
DENR - Water Rights Program
605 773-3352

enclosures

2449-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: KEITH HALL, LEASOR, 912 E WASHINGTON ST, ELK POINT, SD 57025 2269
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 2121-3, 2341A-3, 2449-3 & 2858-3 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) 6801-3, 7563-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** 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) 6801-3, 7563-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2121-3, 2341A-3, 2449-3 & 2858-3 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 questionnaires are received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: CPYVTT**

c: ALVIN HOWE, 30778 R 49, HINTON, IA 51024

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.

2449-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 26, 2022

Keith Hall
912 E Washington St
Elk Point SD 57025-2269

RE: Water Right or Permit Nos. 2121-3, 2341A-3, 2449-3, 2858-3, 6801-3 and 7563-3

Dear Mr. Hall:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for the above listed water permits/rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us