

2852-3

1. Considered 9-24, 1976
2. Name of Applicant LEO & LOIS CHRISTENSEN
3. Post Office Address HURLEY
4. Amount of water claimed 2.5
5. Source of water supply 10' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 240
7. Water to be diverted and used in TURNER County
about 2E 2S miles of HURLEY
8. Proof of Publication
Received 9-14-76
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2852-3
 Map No. 2187-3 Water Division No. 3 VERMILLION RIVER Dist. _____
 (Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Leo E. & Lois E. Christensen
 Postoffice address Hurley, State S. Dak. 57036
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
 3. Name of diversion work Christensen Irrigation System #3
 4. Amount of water claimed (cubic feet per second) 0.5
 5. Source of water supply Well
 6. Location of point of diversion Approx. center of the NE 1/4 36-93-53
 _____ County Turner
 7. Annual period or periods during which water is to be used May - Nov.
 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 240

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.
NE 1/4 36-93-53	40	SW 1/4 35-93-53	40
SW 1/4 36-93-53	40	SE 1/4 35-93-53	40
NE 1/4 35-93-53	40		
NW 1/4 36-93-53	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Hurley Leader, Hurley, S. Dak. 57036
 12. Principal Features of the Proposed Water Supply System.

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

Electric Pump

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

Buried Pipeline

C. Works proposed to apply water to beneficial use.

Big Gun Sprinkler Systems

Estimated Total Cost \$ 30,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of TURNER

I, LEO E. & LOIS E. CHRISTENSEN 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 Leo E. ChristensenSubscribed and sworn to before me this 19th day of June 19 76

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2852-3

L. E. E. & LOIS E. CHRISTENSEN
(Applicant)

HURLEY
(Post Office Address)

SOUTH DAKOTA 57036 With the following modifications:
(State)

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

Date of first receipt of application JULY 1, 19 76
Date of return to applicant for correction, amendments or changes required —, 19 —
Date of receipt of corrected application AUGUST 5, 19 76
Approved SEPTEMBER 30, 19 76, Recorded in Book 16 Page 11

WATER RIGHT PERMIT NO. 2852-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2852-3 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 JULY 1, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 30, 19 77
3. The whole of said work is to be completed on or before SEPTEMBER 30, 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 30, 19 79
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.5 cubic feet per second; and it shall not exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for its special 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 SEPTEMBER 30, 19 79 said water to be used during the following described annual period: MAY - NOVEMBER

Witness my hand this 23RD day of NOVEMBER, 19 76

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

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 1 1/2", Depth 70'
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 1 1/2" Thickness 3/8"
- (3) Perforated Screen.
- Type Johnson Stainless Steel Diameter 1 1/2", Length 20'
- (4) Gravel Pack. Thickness 6", Length of gravel pack 60'

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 Water Bearing Sands and Gravels
(no log available)

Depth to top of water bearing material 3 ft.

Depth to bottom of water bearing material 70'

Thickness of water bearing material 67'

Depth to water (ground surface to water level) 6'

- (2) Distance to nearest existing household or livestock watering well:

On same owner's property 300 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.

n/a

Law E. Christensen
Law E. Christensen
Signature of Applicant

Permit No. 2052-3

Water Diversion No. 3 Vermillion River Water District

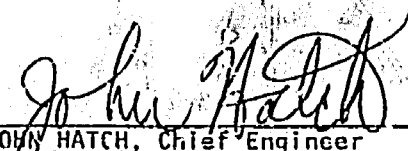
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Leo E & Lois E Christensen

the holder of
Permit No. 2852-3, issued upon Application No. 2852-3, bearing date of priority of * June 1, 1955
and July 1, 1976 authorizing the diversion of 2.50 cu. ft. per second of the waters of
groundwater (one well) County of Turner, State of South Dakota at
a point south 40° east, 60 rods from the NW corner, Section 36, T98N, R53W
(BB)
for irrigation

purposes, has va complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the work 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 2.00 cu. ft. per second of water.

Date November 24, 1981


JOHN HATCH, Chief Engineer
Water Rights Division

* The applicable portions of Water Permit No. 188-3 have been incorporated into
this Water License No. 2852-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2852-3

(1) WHEREAS, On the 1st day of July A. D. 19 76
Leo E. & Lois E. Christenson

made Water Right Application No. 2852-3 for a permit to use 2.5 cubic feet per second of the waters of groundwater (one well)

County of Todd, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 30th day of September A. D. 19 76

Permit No. 2852-3, with a date of priority of June 1, 1955 & July 1, 1976

was issued to said applicant as for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 30th day of September A. D. 19 76 and for the application to beneficial use of said water on or before the 30th day of September A. D. 19 79

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

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

to irrigate the following lands all in T98N, R53W

Section 35

NW $\frac{1}{4}$ SE $\frac{1}{4}$ (DB)

37

NE $\frac{1}{4}$ SE $\frac{1}{4}$ (DA)

37

SW $\frac{1}{4}$ SE $\frac{1}{4}$ (DC)

37

SE $\frac{1}{4}$ SE $\frac{1}{4}$ (DD)

37

Section 36

NW $\frac{1}{4}$ NW $\frac{1}{4}$ (BB)

35

SW $\frac{1}{4}$ NW $\frac{1}{4}$ (BC)

35

TOTAL 210 acres

* The applicable portions of Water Right No. 188-3 have been incorporated into this Water License No. 2852-3

(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 Les E and Lois E Christenson

_____ of Hurley, South Dakota
the holder A and owner B of said permit No. 2952-3 a water right, dating from June 1, 1955 and July 1, 1976 to use of 2.00 cubic feet per second of the waters of groundwater (one well)
in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point south 40° east, 60' cor. from the NW corner, Section 36, T96N, R53W

and conducted to and upon lands in Sections 35 and 36, T96N, R53W more fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2952-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 24th day of November A. D.
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

July 26, 1976



Leo E. and Lois E. Christensen
Hurley, SD 57036

Dear Mr. & Mrs. Christensen:

The water analysis of the sample you submitted about 2 weeks ago has been completed. The original copy of this report is enclosed for your keeping. I would suggest you study it carefully and the copy of AES publication #13 which is enclosed for your use. On the outside back cover of this publication, I have plotted the approximate quality of this water for irrigation purposes. The red cross indicates that it is in the high salinity, low sodium category.

Accordingly, this water is not a problem as far as sodium induced dispersion of soil aggregates is concerned, but it is a serious problem with respect to its total salt load. Each acre foot of this water that you pump will carry about 1.3 tons of salt per acre on the land and this is a serious consideration. It means that your land must have internal drainage and occasionally receive enough water either by irrigation or by rainfall to cause leaching of the salts. It also means that you should avoid frequent, light applications of water as this concentrates the salt in the upper part of the soil where it does the most damage. Therefore, when you use this water, use it in substantial amounts such as 3 to 4 inches or more, and use it as infrequently as possible in any growing season. I would suggest that in the climatic area of Turner County you might get by with using it as many as four times in a growing season but certainly not as many as 6 times. The soil areas marked 12 and 13 in the east half of the NW quarter of 36 are not well suited to irrigation and I suggest you develop these after you have tried out your skill on the southeast quarter of 35.

A copy of this letter is accompanying the application materials to the State Conservation Commission for their action.

Sincerely yours,

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

LOF:ckb

Enclosures

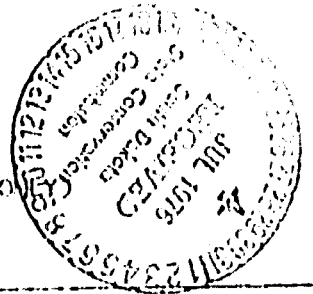
cc: State Conservation Commission

D. Pahl

Merlin Pletz, County Extension Agent

CONSERVATION
COMMISSION
FORM W1 #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION)



NAME Leo E. Christensen and Lois E. Christensen

ADDRESS Harley, S. Dak. 57536

COUNTY Turner

LEGAL DESCRIPTION

1. WELL LOCATION Section 36-28-53

2. LOCATION OF AREA TO BE IRRIGATED W 1/2 Sec 36 and the SW 1/4 Sec 36-28-53

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN _____

4. CROPS TO BE IRRIGATED Corn, Soybeans, Alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-729

6. SALINITY (EC x 10⁶) 1528 (high)

7. SODIUM (SAR) 0.37 (low)

8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Turner Co. _____ Conservation District, County Extension office or Soil Conservation Service. and: that the legal description for the location of the well and land to be irrigated is true and correct.

Leo E. Christensen
Lois E. Christensen

APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
29 DAY OF JUNE 19 76

James E. Dunsdorf

(TITLE OR SEAL)

[Signature]

APPROVED/

(SOILS INFORMATION ON REVERSE SIDE)

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILATION LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 36 DATE MICROFILMED 4-19-82 BY Henry Jones



- | | |
|--|--|
| $\frac{12}{1-7}$

$\frac{13}{1-7}$

$\frac{16}{1-7}$

$\frac{74}{2-9}$

$\frac{70}{1-0}$

$\frac{71}{2-9}$

$\frac{73}{1-7}$

$\frac{68}{1-7}$ | <p>Deep, clayey, lim., rather poorly drained soils on bottom lands that are sometimes flooded. Variability Unit - IIIw3</p> <p>Deep, slowly permeable, clay soils on nearly level (0-2') bottom lands that are somewhat poorly drained and occasionally flooded. Cap. Unit IIIw2</p> <p>Moderately deep, well drained soils with 20-40" of leamy material over sand and gravel on nearly level (0-2') upland slopes. Cap. Unit IIIc3</p> <p>Deep, leamy, well drained soils in sandy association to sand dunes and sloping uplands. Cap. Unit IIIc2</p> <p>Deep, leamy, well drained soils on nearly level (0-2') upland soils. Few or no limitations in use. C . Unit II.</p> <p>" " " " " " " "</p> <p>Deep, leamy, well drained soils in sandy association on sandy sloping (0-4') uplands. Cap. Unit IIIc3</p> <p>Deep, silty, lim., poorly drained soils on sandy bottom lands that are frequently flooded. Cap. Unit IIIw2</p> |
|--|--|

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

Submitted by: Leo Christenson Date Rec'd June 30, 1976
 Address Hurley, SD 57036 Sample No. 76-729
 Identification Well-90
NE 1/4, Sec. 36, T. 98N, R. 53W

WATER ANALYSIS

Calcium (Ca)	230	ppm*	11.50	me/l**
Magnesium (Mg)	72	ppm	5.90	me/l
Sodium (Na)	25	ppm	1.09	me/l
Potassium (K)	10	ppm	0.25	me/l
Sulfate (SO ₄)	640	ppm	13.31	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.33	me/l
Bicarbonate (HCO ₃)	381	ppm	6.24	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)	512	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1528	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.37			
Sodium	5.81	% of cations		
Residual sodium carbonate	0.0	me/l		
pH	6.92			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 18.74 me/l
 Total anions 19.88 me/l

By: Shirley Minton

Service Performed

Amount Due

Irrigation analysis

\$5.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-729

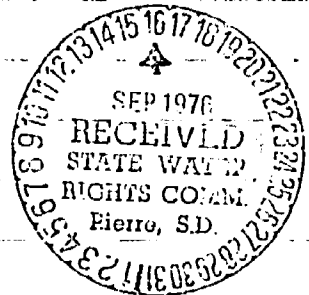
Amount Enclosed \$

Signed

2852-2

Hon. L. J. Dink
Sept 13, 1976

Water Rights Commission
One Ross Bldg
Pierre, S.D. 57501



Burton F. Jones
Water Rights Specialist

Sir:

In regards to the application No. 2852-3 for the permit to appropriate water from ground water through the Chautauque Irrigation System #1, we have found an error in the description of the land. It should read as follows:

Point of diversion:

NE 1/4 NW 1/4 Sec. 36 Twp. 98 N Range 54 W

Permit is irrigation on privilege of

SE 1/4 Sec. 35, W 1/2 NW 1/4 Sec. 36 T 98 N R. 54 W

(instead of NE 1/4)

Error has been corrected in publications
Enclosed please find Notice of Intent to
be corrected. Thank you

Sincerely,
L. E. Christianson

Publish first publication, on or before September 16, 1976NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 11, 1976
~~August 11~~Notice is hereby given that Leo E. and Lois E. Christensenwhose post office address is Hurley, 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 use2.5 cubic feet of water per second of time from ~~the~~ ground water through the Christensen Irrigation System the point of diversion of which is to be located in the _____NW 1/4 NW 1/4of Section 36, Twp. 98N, Range 53W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:SE 1/4 NE 1/4 Section 35: WA NW 1/4 Section 36 T98N, R53WThis application No. 2852-3 will be considered by the Water Rights Commission at their office at Pierre upon the 29th day of September, 1976, at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights SpecialistBFJ/dw
cc:

Leo E. Christensen, Hurley, S.D. 57036

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Turner) ss.

I, James E. Wilf hereby
 certify that the annexed printed copy of Notice of Intent to Appropriate
 Water was taken from the Hurley Leader

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 Hurley

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

September 2, 1976

September 9, 1976

James E. Wilf
 (Signature)

publisher
 (Title)

September 9, 1976
 (Date Signed)

PUBLIC NOTICES

NOTICE

INTENT TO APPROPRIATE
WATER

No. 2852-3

Pierre, South Dakota 57501

August 11, 1976

Notice is hereby given that Leo E. and Lois E. Christensen, whose post office address is Hurley, 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 2.5 cubic feet of water per second of time from ground water through the Christensen Irrigation System No. 1, the point of diversion of which is to be located in the NW 1/4 NW 1/4 of Section 36, Twp. 98N, Range 53W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4, Section 35; W 1/2 NW 1/4,

Section 36, T98N, R53W

This application No. 2852-3 will be considered by the Water Rights Commission at their office at Pierre upon the 29th day of September, 1976, at 10.00 A.M. All interested persons may ap-

pear and be heard.

WATER RIGHTS COMMISSION

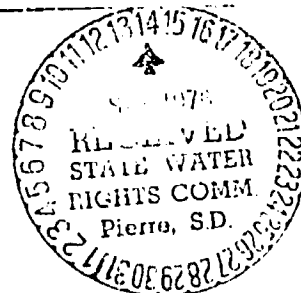
By: Burton F. Jones,

Water Rights Specialist

Leo E. Christensen,

Hurley, S. D. 57036

Publish: Sept. 2 & 9, 1976.



Permit No. 2852-3
 Water Division 3 VERMILLION RIVER Water District

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD/POSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by LENE & LOUISE
CHRISTENSEN of HURLEY holder
 of Permit No. 2852-3, bearing date of priority of JUNE 1, 1955 & JULY 1, 1976, *
 authorizing the diversion of 2.5 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in TURNER 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:

70' DEEP WELL WITH 14" STEEL CASING - 20' JETTED THROUGH SCREEN
FAIRBANKS MORSE 8" PUMP 3 1/2 HP, POWERED BY
US ELECTRIC 100 HP MOTOR

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

450' OF 8" BURIED PUG TO TWO SMALL PIVOT PADS IN
THE NW 1/4, SECTION 36, AND TO CENTER PIVOT PAD
IN SE 1/4, SECTION 35

C. Works used to apply water to beneficial use.

TWO - 3 TOWER VALLEY CENTER PIVOT IN SECTION 36
ONE - 7 TOWER VALLEY CORNER SYSTEM ON SE 1/4, SECTION 35

The system is in the following condition, GOOD

The point of diversion is located S. 40° E, 60 RODS FROM THE NW
CORNER SECTION 36, T98N, R53W

The works are capable of diverting and conveying to the place of use 2.00 (400 GPM) 450' EACH ON SMALL PIVOTS
 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN T98N, R53W

SECTION 35	SECTION 36
NW 1/4 SE 1/4 37 AC	NW 1/4 NW 1/4 35 AC
NE 1/4 SE 1/4 37 AC	SW 1/4 NW 1/4 35 AC
SW 1/4 SE 1/4 37 AC	
SE 1/4 SE 1/4 34 AC	

comprising a total of 210 acres of land

* THE APPLICABLE PORTIONS OF PERMIT NO 188 HAVE BEEN
 INCORPORATED INTO THIS LICENSE

Date: NOVEMBER 5, 1981
[Signature]
 (Signature)

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 (605) 773-3352

November 24, 1981

Leo & Lois Christensen
Hurley,
South Dakota 57036

Dear Mr. Christensen:

Enclosed herewith are, Water License No. 2852-3 and Certificate of Construction.

Water License No. 2852-3 is the final water right document completing your process of obtaining a 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 Division

JH: ks

enclosures

NOTE: The applicable portions of Water Permit No. 188-3 have been incorporated into this Water License No. 2952-3

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8550

PIERRE, November 17, 1931

RECEIVED OF Leif S. Christensen, Hurley, SD 57036
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. <u>2852-3</u>	50.	0
Fee for inspecting Beneficial Use, and issuing Water License No. <u>2852-3</u>		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50.	0

WATER RIGHTS COMMISSION

By (John Hatcher)
Chief Engineer, Executive Officer
JOHN HATCHER

**South Dakota Department of
Water & Natural Resources**

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

April 15, 1985

Leo & Lois Christensen
Hurley SD 57036

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 2852-3. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 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.

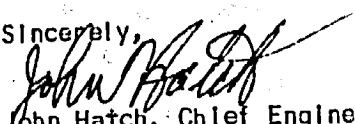
The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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). 2852-3 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.

Sincerely,


John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

South Dakota Department of
Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Leo & Lois Christensen
Hurley, SD 57036

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352



SUBJECT: Amendment to Water Permit No(s). 2852-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2852-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

South Dakota
Department of
Water & Natural Resources

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

Attachment to Water Permit No(s). 2852-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2852-3 to add the following qualification:

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



Department of Water & Natural Resources

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

March 23, 1987

LEO AND LOIS CHRISTENSEN
HURLEY, SD 57036

NOTICE

Re: Violation of Water Permit No(s). 2852-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 2852-3. 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 permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2852-3 qualification:

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

The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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. Suspend Permit No(s). 2852-3 until either the 1986 Questionnaire is submitted or for a period of up to one 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, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of Water & Natural Resources

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

April 15, 1987

2852-3

Leo & Lois Christensen
RR #2 Box 19
Hurley, SD 57036

Dear Mr. & Mrs. Christensen:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 2852-3 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 dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

 **Department of
Water & Natural Resources**

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

February 17, 1989

Leo & Lois Christensen
RR 2, Box 19
Hurley, SD 57036

Dear Mr. and Mrs. Christensen:

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;

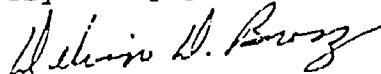


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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,



for JOHN HATCH, Chief Engineer
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

LEO AND LOIS CHRISTENSEN
RR 2 BOX 19
MURLEY SD 57036

DEPARTMENT OF WATER & NATURAL RESOURCES

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

2852-3

NOTICE

RE: Violation of Water Permit No(s) 2852-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2852-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 2852-3 qualification:

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

The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, 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, the Water Management Board can:

1. Suspend Permit No(s) 2852-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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



GREAT FACES. GREAT PLACES.

February 1, 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

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

LEO & LOIS CHRISTENSEN
RR 2, BOX 19
HURLEY, SD 57036

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). 2852-3,

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 2852-3. The request for the chemigation report(s) was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s); be given notice of violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

The hearing(s) will be held at 9:15 am, on February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing(s) will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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. Suspend Permit No(s). 2852-3 until either the 1990 chemigation report(s) is submitted or for a period of up to one 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.

Very truly yours,

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

NOTE: If the chemigation report(s) is received in this office before the February 27th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☒ Show to whom delivered date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)							
3. Article Addressed to: LEO AND LOIS CHRISTENSEN RR 2 BOX 19 HURLEY SD 57036	4. Article Number P694057526 Type of Service: <table border="0"> <tr> <td>☐ Registered</td> <td>☐ Insured</td> </tr> <tr> <td>☒ Certified</td> <td>☐ COD</td> </tr> <tr> <td>☐ Express Mail</td> <td>☐ Return Receipt for Merchandise</td> </tr> </table> Always obtain signature of addressee or agent and DATE DELIVERED.	☐ Registered	☐ Insured	☒ Certified	☐ COD	☐ Express Mail	☐ Return Receipt for Merchandise
☐ Registered	☐ Insured						
☒ Certified	☐ COD						
☐ Express Mail	☐ Return Receipt for Merchandise						
5. Signature - Addressee X <i>Leo Christensen</i>	8. Addressee's Address (ONLY if requested and fee paid)						
6. Signature - Agent X							
7. Date of Delivery 2/2/91							



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 6, 1991

2852-3

Leo & Lois Christensen
RR #2 Box 19
Hurley, SD 57036

Dear Mr. & Mrs. Christensen:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Permit No. 2852-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall; Natural Resources Engineer IV
Water Rights Division

2852-3

SOUTH DAKOTA

VESTED WATER RIGHT NO. 2852-3 FOR IRRIGATION

Date of Receipt of Claim April 28, 1956.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 2852-3 for irrigation purposes for Leo E. and Lois E. Christensen, RR 2, Box 19, Hurley, South Dakota, 57036 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 2852-3 appropriates 1.0 cubic feet per second of water from a well to irrigate 70 acres. The point of diversion is located in the NW1/4 NW1/4 Section 36, T98N, R53W. The irrigated lands are located in the W1/2 NW1/4 Section 36, T98N, R53W.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: May 1 to November 30.
3. The priority date of the Vested Water Right is: June 1, 1955
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

This Vested Right incorporates applicable portions of Water License 188-3 which was then cancelled.

WATER MANAGEMENT BOARD

By: 
Chief Engineer

MAR 19 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources

NOTE: Vested Water Right No. 2852-3 is also included as a part of Water License No. 2852-3 for a total of 2.00 cfs to irrigate 210 acres.



2852-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 19 1993

Leo E and Lois E Christensen
RR 2, Box 19
Hurley SD 57016

Dear Mr. & Mrs. Christensen:

The Water Management Board has validated the enclosed Vested Water Right No. 2952-1. This validation gives legal status to the claim and is the final document for your vested right.

As long as you use the water beneficially, as stated in the validation, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

GARY BATES, Chief Engineer
Water Rights Division
505 773-1332

enclosure



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
NOTICE
TO: LEO AND LOIS CHRISTENSEN, RR 2 BOX 19, HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 2852-3

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2852-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 2852-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 2852-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

SENDER:

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

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

LEO AND LOIS CHRISTENSEN
RR 2 BOX 19
HURLEY SD 57036

4a. Article Number

2161 984 024

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

1/3/95

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X Leo Christensen

Domestic Return Receipt



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 1996

2852-3

Leo & Lois Christensen
RR 2 Box 19
Hurley, SD 57036

Dear Mr & Mrs Christensen:

I am writing to acknowledge receipt of your 1995 irrigation. You may disregard the January 30, 1996, Notice of Violation of Water Permit No. 2852-3.

I completed a questionnaire for you based on our January 31st telephone conversation. 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 calling and if you have any questions, please contact me.

Sincerely,

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

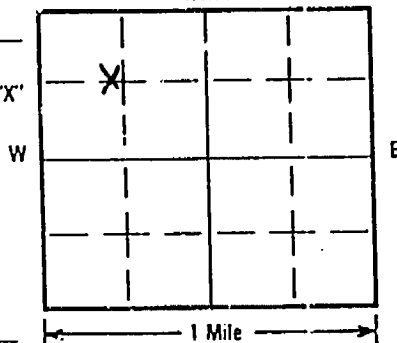
SOUTH DAKOTA WATER WELL COMPLETION REPORT

2852-3

07-92

Location NW 1/4 NW 1/4 Sec 36 Twp 98N Rg 53W
County Tenn.

Please mark well location with an "X"



Well Completion Date

May 13, 1999

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 1000 ± ft. from _____ (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>16" IN</u>	<u>25 FT</u>	<u>64 FT</u>	<u>22 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Mud Seal</u>	<u>21</u>	_____ lb./gal	<u>12 ft</u>	<u>2 ft</u>
		_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16 IN Length 50 FEET
Material PVC
Slot Size 50 Set From 64 Feet to 14 Feet
Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

YES, How

chlorine

Laboratory sent to for water quality analysis _____

NO, Why Not? _____

Well Owner: Leo Christensen

Business Name: _____

Address: 45656 Hwy 19
Hurley SD 57036

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>SANDY SILT (ALLUVIUM)</u>	<u>0</u>	<u>5</u>
<u>GRAVEL, COARSE, SANDY</u>	<u>5</u>	<u>32</u>
<u>CLAY, GRAY, RICH</u>	<u>32</u>	<u>40</u>
<u>GRITTY, COARSE, SANDY</u>	<u>40</u>	<u>70</u>
<u>NEOBRERA MARL</u>	<u>70</u>	<u>77</u>

STATIC WATER LEVEL 3 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

Describe: _____

☐ Bailed

☐ Other

Pumping Level Below Land Surface

25 ft. After 1 Hrs. pumped 1400 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 1400

REMARKS

This well was drilled under license # 666

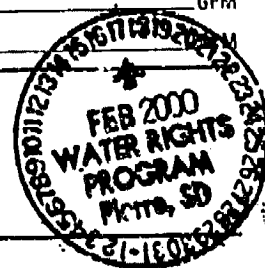
And this report is true and accurate.

Drilling firm Hammond-Witmore Drilling

Signature of License Representative: [Signature]

Signature of Well Owner or Equitable Property Holder: [Signature]

Date: May 22, 1999





October 22, 2002

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

2852-3

Leo Christensen
45656 US Hwy 18
Hurley SD 57036-6403

Dear Mr. Christensen:

Thank you for the prompt return of your 2002 irrigation questionnaire.

Partial Vested Water Right No. 2852-3 is currently listed in both your name and Lois's name. I am assuming by the notation you made on your irrigation questionnaire that you wish to have the water right listed only in your name. In order for us to change the name(s) on a water right, a "Transfer of Ownership" will need to be submitted to us.

Enclosed is a partially completed form. Please review and make any necessary corrections. Upon completion, please sign the form and return it to us with a filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please get in touch with me.

Sincerely,

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

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 14, 20 02

RECEIVED OF Leo Christensen, Rt 2 Box 19, Hurley SD 57036

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2852-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

000347

By

D. Ireland E. Eide

Chief Engineer

gm

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

NOV 14 2002

WATER RIGHTS
PROGRAM

No. 2852-3

Date: _____

I/We request that Partial Vested Water Right No. 2852-3

formerly owned by: Leo and Lois Christensen

be transferred to: (name & address) Leo Christensen, 45656 US Hwy 18, Hurley, SD 57036-6403

Telephone No. 605 238-5830

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

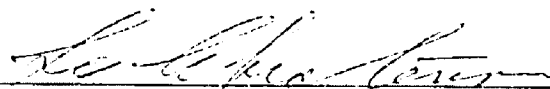
SE ¼ Section 35 and W ¼ NW ¼ Section 36, T98N, R53W

I/We understand that the validity of Partial Vested Water Right No. 2852-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We , 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 15, 2002

2852-3

Leo Christensen
45656 US Hwy 18
Hurley SD 57036-6403

Dear Mr. Christensen:

Thank you for following up on the name change for Partial Vested Water Right No. 2852-3.

The transfer has been completed and the water right is now listed solely in your name. Enclosed is your Receipt No. 000347 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please get in touch with me.

Sincerely,

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

enclosure

Form # 8-174

98-53

R. 53 W.

2.0 32.0 14.7 8.2 6.0 29.3

11.8 3.8

3-148

75.7

T. 98. N.

RAILROAD HAS BEEN ABANDONED
& R OF WAY LEVELLED

130.1

Lands to be Irrigated:

W $\frac{1}{2}$ NW $\frac{1}{4}$ 36-98-53	--	80 ac.
SE $\frac{1}{4}$ 35-98-53	--	160 ac.
Total		240 ac.

98-53

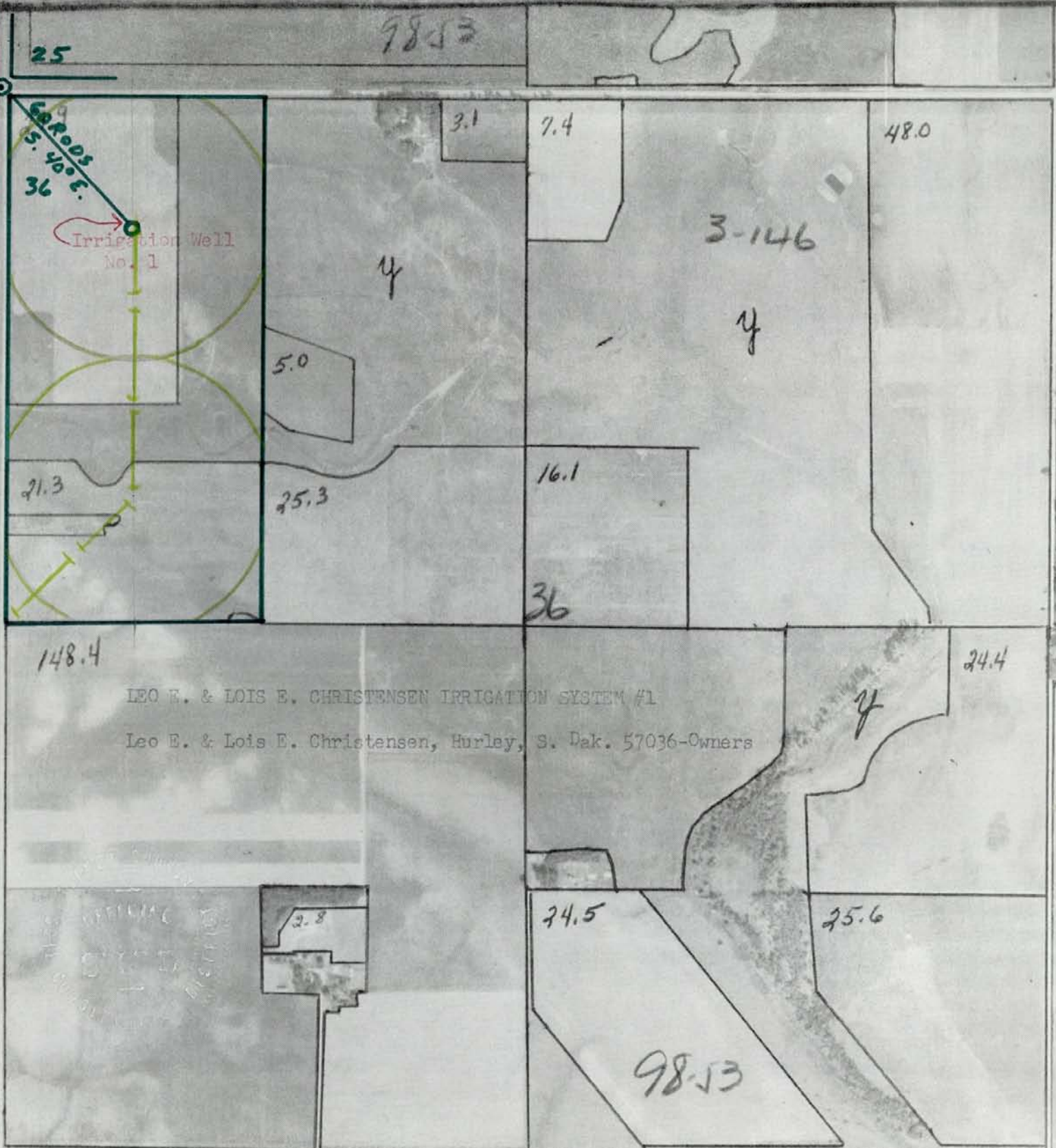
2.1

LEO E. & LOIS E. CHRISTENSEN IRRIGATION
SYSTEM #1

Leo E. and Lois E. Christensen, Hurley,
S. Dak. 57053, Owners.

MAP NO 2187-3 APPL NO 2852-3

NOT TO SCALE





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 29, 2007

2852-3

Paul Petersen
45610 282nd St
Hurley SD 57036

Dear Mr. Petersen:

I am writing in follow-up to our phone conversation concerning ownership of land described in Water Right No. 2852-3. The water right is currently listed in the name of Leo Christensen. I have included a copy of the water right for your review. The scanned image didn't copy to well so I hope you can read it.

Enclosed, as we discussed, is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed is last year's irrigation questionnaire for Water Right No. 2852-3. If you would, please review your records and see if you still have the irrigation information for this land. I found out late in the year that Mr. Christensen had passed away and had no idea who to send it on to for completion.

I appreciate your time in completing the enclosed questionnaire and the "Notice of Transfer of Ownership" form. 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

enclosures

RECEIVED

JUN 15 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2852-3

Date: 5-4-07

I/We request that Water Right No. 2852-3

formerly owned by: Leo Christensen

be transferred to: (name & address) PAUL Petersen

45610 282 st

Hurley S.D 57036

Telephone No. (605) 238-5791

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

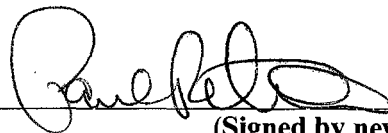
210 acres in the SE ¼ Section 35 and W ½ NW ¼ Section 36, T98N, R53W

I/We understand that the validity of Water Right No. 2852-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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



(Signed by new owner)

NOTE: Water permits may be cancelled for non-construction 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 6/15, 20 07

RECEIVED OF PBP FARMS 45610 282ND ST HURLEY SD 57036

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 <u>2852-3</u>	2	50
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.

03071

By

Shirley Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 18, 2007

2852-3

Paul Petersen
45610 282nd St
Hurley SD 57036

Dear Mr. Petersen:

Thank you for sending in the irrigation questionnaire, "Notice of Transfer of Ownership" form and filing fee for Water Right No. 2852-3. The transfer has been completed. The water right formerly held by Leo Christensen is now listed in your name.

Enclosed is your Receipt No. 03071 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

enclosure

2852-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: PAUL PETERSEN, 45610 282ND ST, HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaires

Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 121-3A, 199-3, 289-3, 3411-3, 1773-3, 3632-3, 3633-3 & 3648-3 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) 164-3, 2053-3, 2852-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 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) 164-3, 2053-3, 2852-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 121-3A, 199-3, 289-3, 3411-3, 1773-3, 3632-3, 3633-3 & 3648-3 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 3, 2021** 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://denr.sd.gov/iq> using this password: XTHTSS**

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.

2852-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2021

Paul Petersen Farms
45610 282nd St
Hurley SD 57036

RE: Water Permit or Right Nos. 121-3A, 164-3, 199-3, 289-3, 1773-3, 2053-3, 2852-3, 3411-3, 3632-3, 3633-3, 3648-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3

Dear Mr. Petersen:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for the above listed water permits and 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,

A handwritten signature in cursive script, appearing to read "Genny McMath".

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