

WATER PERMIT NO. 2976-3

Phone: _____

Name of Applicant: Larry Lovett

Post Office Address: PO Box 1766, Aberdeen SD 57402-1766

Amount of Water Claimed: no add'l Total Acres: no add'l

Source of Water Supply: groundwater

Water to be used for: irrigation County: Beadle

About 15 miles north of Huron

PRIORITY Date Received: 1-6-92 Fee: \$50.00 Remarks: correct well

location and changes the location of 10 acres authorized by Permit No. 2976A-3

Corrected Application Received: _____ Period of Annual Use: April 1 - Oct 31

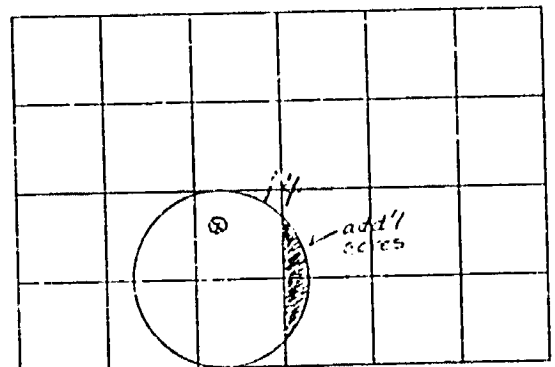
WATER QUALITY APPROVAL RECEIVED: _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS: _____

Diversion Point: NE 1/4 SW 1/4 Sec 14-T113N-R62W

Land to be Irrigated: SW 1/4, W 1/2 SE 1/4

Sec 14-T113N-R62W



Well Log: Driller: Riverside Drilling Licensed YES X NO _____

Depth of Well: 63 feet REMARKS: _____

Type of Map: aerial PREPARED BY: Lynn Beck Reviewed and the Number

Assigned on: 4-19-94 By: Karen Schlaak

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2976A-3

(1) Larry Lovett, PO Box 1766, Aberdeen SD 57402-1766, made Application No. 2976A-3, January 6, 1992 for a water permit to appropriate no additional water, Beadle County, South Dakota for irrigation purposes. Permit No. 2975A-3, with a priority date of August 23, 1976 was approved August 15, 1994 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

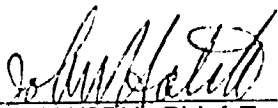
Water Permit No. 2976A-3 authorizes irrigation of acreage that was developed but not permitted under Water Permit No. 2976-3. No. 2976A-3 did not allow for an increase in the developed diversion rate. The applicable portions of Water Permit No. 2976-3 have been incorporated into this Water License No. 2976A-3.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.44 cubic feet of water per second for beneficial use. The location of the diversion point is 1584 feet east and 2190 feet north of the southwest corner of Section 14-T113N-R62W (NE 1/4 SW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 14-T113N-R62W	NW 1/4 SW 1/4	23 acres
	NE 1/4 SW 1/4	35 acres
	SE 1/4 SW 1/4	35 acres
	SW 1/4 SW 1/4	23 acres
	NW 1/4 SE 1/4	5 acres
	SW 1/4 SE 1/4	5 acres
	Total	126 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Larry Lovett of PO Box 1766, Aberdeen SD 57402 the holder and/or owner of Incorporated Water Permit No. 2976A-3 is issued a license to appropriate water, the right to use 1.44 cubic feet of water per second from groundwater (one well) with a priority date of August 23, 1976 from the location specified in (2) of this license. The water to be conducted to end upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 2976A-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 14 1994

date

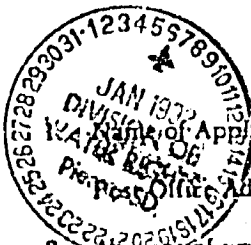
Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

(See instructions)

No. 2976A-3 Hydrologic Unit 10160000
Basin James River
Newspaper The Plainsman, Box 1276, Huron

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☒ Amend Permit No. 2976-3
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☒ Other see permit no. 2976-3



1. Applicant Larry Lovett Phone No. 295-6150
Address P.O. Box 1766, Aberdeen State SD 57402-1766
(Street, R.R. or Box) no add'l (City) no add'l Zip Code
2. Amount of water claimed (c.f.s.) 1.44 (as insp.) Total acres irrigated 126 (as inspected) no add'l
120 ac - location change
3. Source of Water supply Tulare Hitchcock Aquifer
4. Location of point of diversion 1584' E and 2190' N of the SW corner Sec. 14-T113N-R62W
(NE 1/4 SW 1/4)
County Beadle
5. Counties where water will be used Beadle
6. Annual period during which water is to be used April thru October 31
7. 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.
NW1/4 SW1/4 Sec. 14-T113N-R62W	22
NE1/4 "	35
SE1/4 "	35
SW1/4 "	23

Land Description	No. Acres Irr.
NW1/4 SE1/4 Sec. 14-T113N-R62W	5
SW1/4 "	5

Attach sheet if more space is needed

8. Type of Irrigation: Gravity _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: _____
10. Give a description of proposed project. (Attach sheet if more space is needed)

Inspected 2976-3 on 9/24/91 and found adjacent lands in NW1/4 and SW1/4 of SE1/4 Sec. 14 T113N- R62W being irrigated. Pursuant to General Rules No. 74:02:01:14.01, and No. 3 I am correcting the permit for different lands. I am also correcting the well location which is 925' from location as stated on original application.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Beadle)^{ss}

I, Larry Lovett, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Larry Lovett

Subscribed and sworn to before me this 3 day of January 1992

Karla B. Casanova
Notary Public

Supplemental Information

(type or print in ink)

See ~~original~~ original
well permit for
date

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well _____

On applicants property _____ On property owned by others _____



2. Dugout Information Estimates

- a) Surface Dimensions N/A Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address _____

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

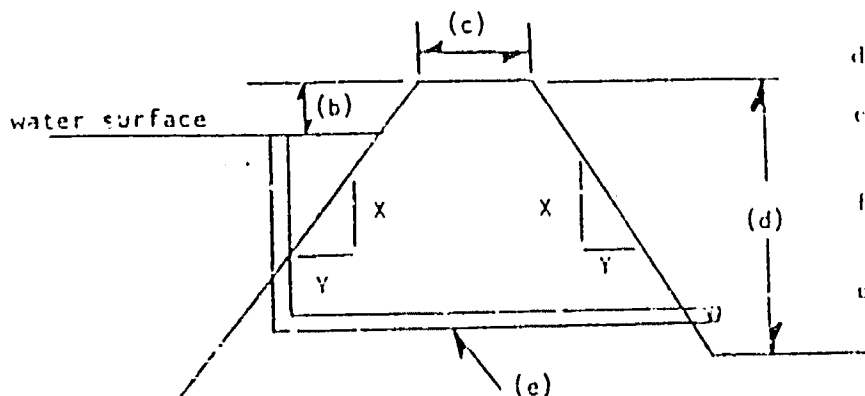
e) Primary Outlet Capacity _____
If Pipe, diameter _____f) Secondary Spillway Capacity _____
Spillway width _____g) X & Y Slope _____
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant

Long Smith

REPORT ON WATER PERMIT APPLICATION NO. 2976A-3
for Larry Lovett
June 16, 1994

Water Permit application proposes to specify the correct location of the irrigated acreage and correct the location of an existing well. Water Permit No. 2976-3 authorizes 2.2 cfs from one well located in the center of the E 1/2 SW 1/4 of section 14 to irrigate 160 acres located in the SW 1/4 of section 14; all in T113N R62W. An inspection of Permit No. 2976-3 found one well constructed and supplying 1.44 cfs to irrigate 126 acres. This application corrects the location of 10 of the 126 acres being irrigated. The correct location of the 10 acres is the W 1/2 SE 1/4 of section 14, T113N R62W. The correct location of the well is the NE 1/4 SW 1/4 of section 14, T113N R62W. No increase in the developed diversion rate of number of acres being irrigated is authorized by this application.

AQUIFER - TULARE HITCHCOCK (T-H)

The Tulare Hitchcock is a mostly unconfined glacial outwash (sand and gravel). The Tulare Hitchcock underlies 53,800 acres and contains an estimated 333,000 acre feet of recoverable water in storage in Beadle County (Hedges, 1982). The aquifer extends into Spink County to the north and is also hydraulically connected to the Tulare Western Spink aquifer to the northwest. Ground water movement is from north to south and also to the east. The James River appears to be a discharge zone for the aquifer.

The Division of Water Rights monitors an observation well BD-80C completed into the Tulare Hitchcock aquifer and located about one mile south of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1994).

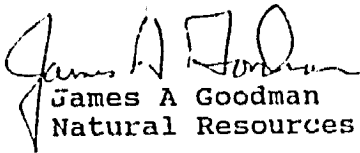
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing diversion is Water Right No. 3192-3 and is located about 1/2 mile west of this application. Interference is not expected to be a concern. This is basically water table conditions and drawdown caused by pumping should not be significant. This system has been in use for many years with no reported problems.

CONCLUSIONS

1. Water is available from the Tulare Hitchcock aquifer.
2. Interference is not a concern.

3. Approval of this application will allow licensing of this water permit for 2.44 cfs and irrigation of 126 acres which reflects the system as constructed. No additional water or additional acres of irrigation is authorized by this application.
4. Water levels in the area of this application have not shown any adverse effects due to development. A portion of this aquifer beginning about 3-5 miles south of this application have exhibited declining water levels. In that portion of the aquifer permits have been limited to existing development. However, in this portion of the aquifer additional development is sustainable.
5. This is an existing well and information available is not sufficient to determine if it has been constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S., et al, 1982, Evaluation of Ground Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1994, Unpublished Observation Well Data for Beadle County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

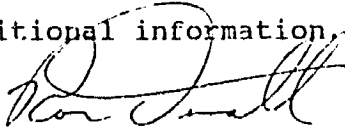
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2976A-3, Larry Lovett

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2976A-3, Larry Lovett, PO Box 1766, Aberdeen, SD 57402-1766.

The Chief Engineer is recommending APPROVAL of Application No. 2976A-3 because 1) the proposed diversion has been developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


for JOHN HATCH, Chief Engineer
July 19, 1994



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

July 22, 1994

Larry Lovett
PO Box 1766
Aberdeen, SD 57402-1766

Dear Mr. Lovett:

Water Permit Application No. 2976A-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of The Plainsman printed at Huron, SD (Ph # 605-352-6401). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

This application was submitted on January 6, 1992. The application was on hold pending issuance of the Soil-Water Compatibility Permit through the Department of Agriculture. The Soil-Water Compatibility statutes have since been repealed by the 1994 Legislature and the water permit is now being processed.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 22, 1994

The Plainman
Box 1278
Huron, SD 57350-1278

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2976A-3 to be published twice. Please publish the first notice on July 28, 1994, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Larry Lovett, PO Box 1766, Aberdeen, SD 57402-1766.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on July 28, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2976A-3 to Appropriate Water
and to Amend Water Permit No. 2976-3

Notice is given that Larry Lovett, PO Box 1766, Aberdeen, SD 57402-1766 has filed an application for a water permit to specify the correct location of irrigated acreage and correct the location of an existing well. Water Permit No. 2976-3 authorizes 2.2 cubic feet of water per second (cfs) from one well located in the center of the E 1/2 SW 1/4 Section 14 to irrigate 160 acres located in the SW 1/4 Section 14; all in T113N-R62W. An inspection of Permit No. 2976-3 found 1 well constructed and supplying 1.44 cfs to irrigate 126 acres. This application corrects the location of 10 of the 126 acres being irrigated. The correct location of the 10 acres is the W 1/2 SE 1/4 Section 14-T113N-R62W. The correct location of the well is the NE 1/4 SW 1/4 Section 14-T113N-R62W. No increase in the developed diversion rate or number of acres being irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2976A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 15, 1994.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION



STATE OF SOUTH DAKOTA)
) ss
 County of Beadle)

I, Mary B. Walz

certify that the attached printed Notice was

taken from the Plainsman

printed and published in Huron

County of Beadle and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

July 28, 1994

August 4, 1994

Cost of Printing: \$91.58

Mary B. Walz
 (Signature)

Business Mgr.
 (Title)

August 4, 1994
 (Date Signed)

FP. 7-28-94 L.P. 8-4-94
 NOTICE OF APPLICATION
 NO. 2976-1-3

To Appropriate Water
 And To Amend Water Permit No.
 2976-3

Notice is given that Larry Lovett, PO Box 1756, Aberdeen, SD 57402-1766 has filed an application for a water permit to specify the correct location of irrigated acreage and correct the location of an existing well. Water Permit No. 2976-3 authorizes 2.2 cubic feet of water per second (cfs) from one well located in the center of the E 1/2 SW 1/4 Section 14 to irrigate 160 acres located in the SW 1/4 Section 14; all in T113N-R62W. An inspection of Permit No. 2976-3 found 1 well constructed and supplying 1.44 cfs to irrigate 126 acres. This application corrects the location of 10 of the 126 acres being irrigated. The correct location of the 10 acres is the W 1/2 SE 1/4 Section 14-T113N-R62W. The correct location of the well is the NE 1/4 SW 1/4 Section 14-T113N-R62W. No increase in the developed diversion rate or number of acres being irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2976-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 15, 1994.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

9/6/94 11:41:58 AM 359 (adv)

Permit No. 2976-3

James River Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DENR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Larry Lovett of P.O. Box 1766, Aberdeen, SD 57402 holder of Permit No. 2976-3, bearing the priority of August 23, 1976 authorizing the diversion of 2.2 cu. ft. per second and/or the storage of N/A acre-feet of the waters of Tulare Hitchcock Aquifer for irrigation purposes, in Beadle County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

One well - 63' deep Riverside Drilling; 1.5" stainless steel casing and 32' of stainless steel screen; National Pump Co. turbine pump, model no. N260-6, 750 GPM @ 36 PSI; US Electric motor, model no. K326TP16, 50 HP.

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

870' of 8" PVC.

C. Works used to apply water to beneficial use:

Linsey 7 tower center pivot, 1140' long with end gun, 650 GPM.

The system is in the following condition good. The point of diversion is located 1584' E and 2190' N of the SW corner of Sec. 14 - T113N - R62W. The works are capable of diverting and conveying to the place of use 1.44 cu. ft. per second of water and/or storing N/A acre-feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Section 14-T113N-R62W

NW1/4 SW1/4 - 23 acres NW1/4 SE1/4 - 5 acres

NE1/4 SW1/4 - 35 acres SW1/4 SE1/4 - 5 acres

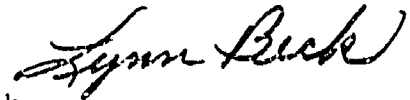
SE1/4 SW1/4 - 35 acres

SW1/4 SW1/4 - 23 acres

comprising a total of 126 acres of land and the license should be issued for 1.44 cfs and/or N/A acre-feet of storage.

Application permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: Date 9/24/91



Lynn Beck
Natural Resources Engineer III
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 2976-3

1. Legal location of wells: NE1/4 SW1/4 Sec.14, T113N, R62W

Dams and Structures N/A

2. Well Information: Well Drilling Firm Riverside Drilling

Completion Report? Yes X No No. of Wells 1 Depth(s) 63 feet

Casing a) diameter 16 inches Screen a) type stainless steel

b) length 31 feet b) length 32 feet

c) type stainless steel Static Water Level 25 feet

Pump a) make National Pump Co. Motor a) make US Electric

b) model N260-6 b) model no. K326TP16

c) size c) horsepower rating 50

d) capacity 750 GPM d) serial no. GNJ720307

e) turbine pump - no. of stages

f) operating PSI 36

3. Distribution lines or canals

a) size 8 inches

b) type PVC

c) length 870 feet

4. System Type a) sideroll:

b) towline:

1) length feet

1) length feet

2) diameter of pipe inches

2) make, model & number of

3) make, model & number of

sprinklers

sprinklers

3) spacing of sprinklers

4) spacing of sprinklers feet

4) nozzle size

5) nozzle size

c)gun:

- 1) make
- 2) nozzle size
- 3) capacity (GPM)
- 4) hose size inches
- 5) hose length feet

e) gated pipe:

- 1) length feet
- 2) diameter inches
- 3) spacing of gates inches

d) center pivot:

- 1) make Linsey
- 2) number of towers 7
- 3) distance between towers
- 4) overall length 1140 feet
- 5) end gun (Y/N) Y
- 6) high or low pressure low
- 7) make and size of nozzles:
- 8) capacity (GPM) 650

NOTE: For Permits with additional wells or changes in well locations,
record the following for each well: pumping capacity, date
constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project

Yes No Check Items

- ☒ 1. Soil and water permit lands agree with lands being irrigated
and lands listed on permit?
- ☒ 2. Special qualifications to permit being abided by?
- ☒ 3. All structures, wells and lands on map?
- ☒ 4. Irrigation Questionnaires checked to determine if permit
owner started irrigation by end of construction period?
- ☒ 5. Is chemigation used?
6. If yes, does equipment comply with chemigation rules?

REMARKS: The diversion point is not located 40 rods east of the middle SW1/4 Sec. 14,
T113N, R62W. It is located 1584' E and 2190' N of the SW corner Sec. 14, T113N, R62W.
Lands are being irrigated in the NW1/4 and the SW1/4 of the SE1/4 Sec. 14, T113N, R62W
which are not described on the water or the soil/water permits.



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

November 12, 1991

Larry Lovett
P.O. Box 1766
Aberdeen, SD 57402

Dear Mr. Lovett:

I am writing in regards to the lands you irrigate under Permit No. 2976-3. You are irrigating 10 acres not described on the permit. Also, the diversion point is not in the location described on the permit. Pursuant to General Rules No. 74:02:01:14.01 - NO. 3, you must apply for a correction on the permit and pay a \$50.00 fee.

Enclosed are a copy of the rules, a map of the acreages, and an application form that I have filled out in advance for you. Please notarize and send the application with the \$50.00 fee as soon as possible, and we will then amend the permit.

After completion of the correction of the permit, the permit will be licensed.

Thank you for your time and effort in this matter, and if you have any questions, please feel free to contact me.

Sincerely,

Lynn Beck
Natural Resource Engineer
Water Rights Division
(605) 773-3352

encl



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Not needed

June 9, 1993

Larry Lovett
1615 S. 7th
Aberdeen, SD 57401

Dear Mr. Lovett:

Please find enclosed a partially completed application form and instruction sheet for 9 additional acres located in the NW 1/4 SE 1/4 and the SW 1/4 SE 1/4 Section 14-T113N-R62W. You will not have to prepare a map, as I have already done so. Also inclosed is a copy of your irrigation map.

The acres listed on this application were not covered under Permit No. 2976-3 or any other permit; therefore, a new application must be made to cover such lands. The fee for this application is \$150.00, as per number six on the instruction sheet.

After the application has been sent in and approved, the permits will be licensed as per number nine on the instruction sheet.

If you have any questions, please feel free to contact me.

Sincerely,

Lynn Beck
Natural Resources Engineer III
Water Rights Division
(605) 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 18, 1993

Larry Lovett
1615 S. 7th
Aberdeen, SD 57401

Dear Mr. Lovett:

Please disregard the letter you received from us dated June 9, 1993. The application and fee for the additional acres and the correct well location were received by this office January 6, 1992. The application has been in the pending file awaiting soil/water permit approval. The soil/water application needs to be made for the 10 acres in the SE 1/4 of Section 14-T113N-R62W. I apologize for any inconvenience the second request for application may have caused.

This letter is to remind you that the application can not be processed without soil/water approval from the Department of Agriculture, Conservation Division. Please follow the directions under items numbered 4 and 5 on the attached instruction sheet.

If you have already sent in a water sample for soil/water approval, please let me know and I will follow up on this end.

If you have any questions, please feel free to contact me.

Sincerely,

Lynn Beck
Natural Resources Engineer III
Water Rights Division
(605) 773-3352

enclosure

Water Rights Division - DENR

File No. 2976-3

Conversation or File Documentation

NAME OF PERSON OR FILE: Larry Lovette

ADDRESS: 1615 S. 7th, Aberdeen, SD 57401 COUNTY Beadle

DATE: 7-23-93 TELEPHONE (605) 225-6150 Office

RE: W.R. application

COMMENTS:

Mr. Lovette said that they haven't sent a water sample in for the W.R. application because the well hasn't been started yet. When they need the water they'll turn the pumps on and send in a sample.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: LB

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, January 6, 1912

RECEIVED OF Lovett Farm, 1615 South 7th St., Aberdeen, SD 57401
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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 _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	00

By *John H. ...*
Chief Engineer

**SOUTH DAKOTA
WATER PERMIT NO. 2976A-3**

Date of first receipt of application January 6, 1992.

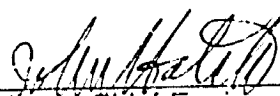
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2976A-3 to Larry Lovett, PO Box 1766, Aberdeen SD 57402-1766 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2976A-3 specifies the correct location of irrigated acreage and correct location of an existing well. Water Permit No. 2976-2 authorizes 2.2 cubic feet of water per second from one well located in the center of the E 1/2 SW 1/4 Section 14 to irrigate 160 acres located in the SW 1/4 Section 14; all in T113N-R62W. An inspection of Permit No. 2976-3 found 1 well constructed and supplying 1.44 cfs to irrigate 126 acres. This permit corrects the location of 10 of the 126 acres being irrigated. The correct location of the 10 acres is the W 1/2 SE 1/4 Section 14-T113N-R62W. The correct location of the well is the NE 1/4 SW 1/4 Section 14-T113N-R62W. No increase in the developed diversion rate or number of acres being irrigated is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is August 23, 1976 (established by Water Permit No. 2976-3).
4. The date of approval of Permit No. 2976A-3 is August 15, 1994.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 14 1994
date



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOV 14 1994

2976A-3

Larry Lovett
P.O. Box 1766
Aberdeen, SD 57402

Dear Mr. Lovett:

Enclosed is Water Permit and Water License No. 2976A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412995 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2976A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

rd
enclosures

NOTE: The applicable portions of Water Permit No. 2976-3 have been incorporated into this Water License No. 2976A-3.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 27, 1977

2976A-3

410054

RECEIVED OF John Lovett, Route 1, Box 86, Hitchcock, SD 57348

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

Fee for Application for Permit No. <u>2976A-3</u> to Appropriate Water, to construct works 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		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH (RIS)



2976A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 30, 1999

Larry Lovett
PO Box 1766
Aberdeen, SD 57402-1766

Dear Mr. Lovett:

Enclosed are your 1999 irrigation questionnaires. Please fill out the back side of the forms with the irrigation information for 1999. I am unable to tell from the information you supplied on the chemigation forms how much was actually irrigated. I left the chemigation forms attached so you would have the legal descriptions handy for each water right.

The forms need to be completed and returned by January 10th. If you have any questions, please get in touch with me.

Sincerely,

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

enclosures



2976A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: LARRY LOVETT, PO BOX 1766, ABERDEEN, SD 57402 1766
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 1423-3 & 3317A-3, 2976A-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 2976A-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) 1423-3 & 3317A-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in 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) 1423-3 & 3317A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2976A-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 on/or before February 28, 2000, 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 (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.

2976A-3

SENDER: COMPLETE THIS SECTION		ADDRESSEE: COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: LARRY LOVETT PO BOX 1766 ABERDEEN SD 57402 1766	A. Received by (Please Print Clearly) <u>Karla Casanova</u> B. Date of Delivery <u>1/18/00</u>		
	C. Signature <u>X. Karla Casanova</u> ☐ Agent ☐ Addressee		
	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No		
	3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.		
4. Restricted Delivery? (Extra Fee) ☐ Yes			
2. Article Number (Copy from service label) <u>2 227 670 306</u>			



2976A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2000

Larry Lovett
PO Box 1766
Aberdeen, SD 57401-1766

RE: Irrigation Questionnaires

Dear Mr. Lovett:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for the following:

1423-3, 2976A-3 & 3317A-3 – Larry Lovett
130A-3 – John Mortimer
282-3, 4723-3A & 4794-3, Thomas M Tobin

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
Environmental Scientist
Water Rights Program
(605) 773-3352

NOT TO SCALE

Prepared by:

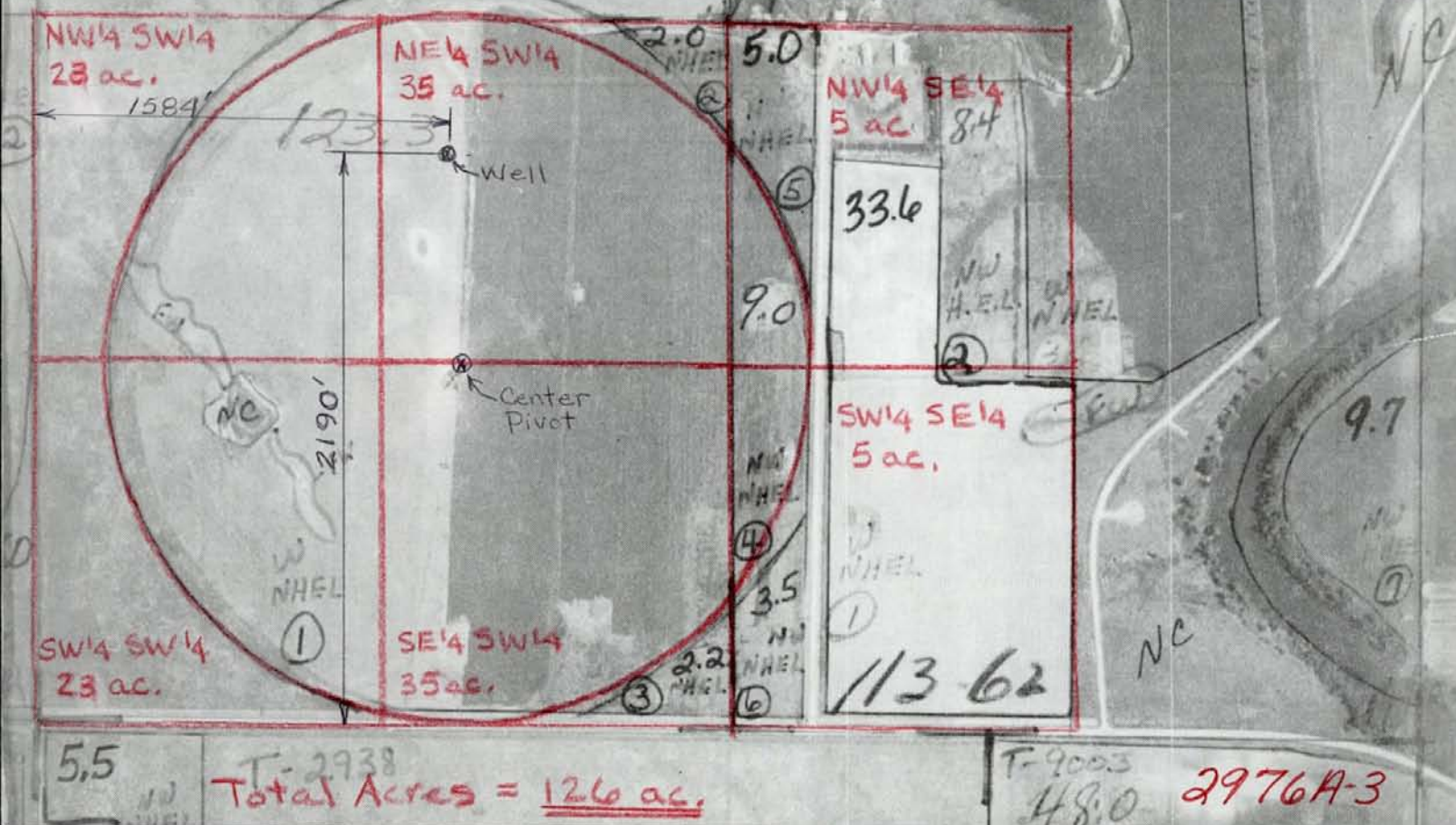
Lynn Beck

Lynn Beck

Natural Resource Engineer
Water Rights Division
DENR

10-2-91

N



NOT TO SCALE





NOT TO SCALE

Prepared by:

Lynn Beck

Lynn Beck

Natural Resource Engineer
Water Rights Division
DENR

10-2-91

*Richard
Buck Co. ASOS
office*

NW 1/4 SW 1/4
23 ac.

NE 1/4 SW 1/4
35 ac.

NW 1/4 SE 1/4
5 ac.

33.6

SW 1/4 SE 1/4
5 ac.

113.62

SW 1/4
23 ac.

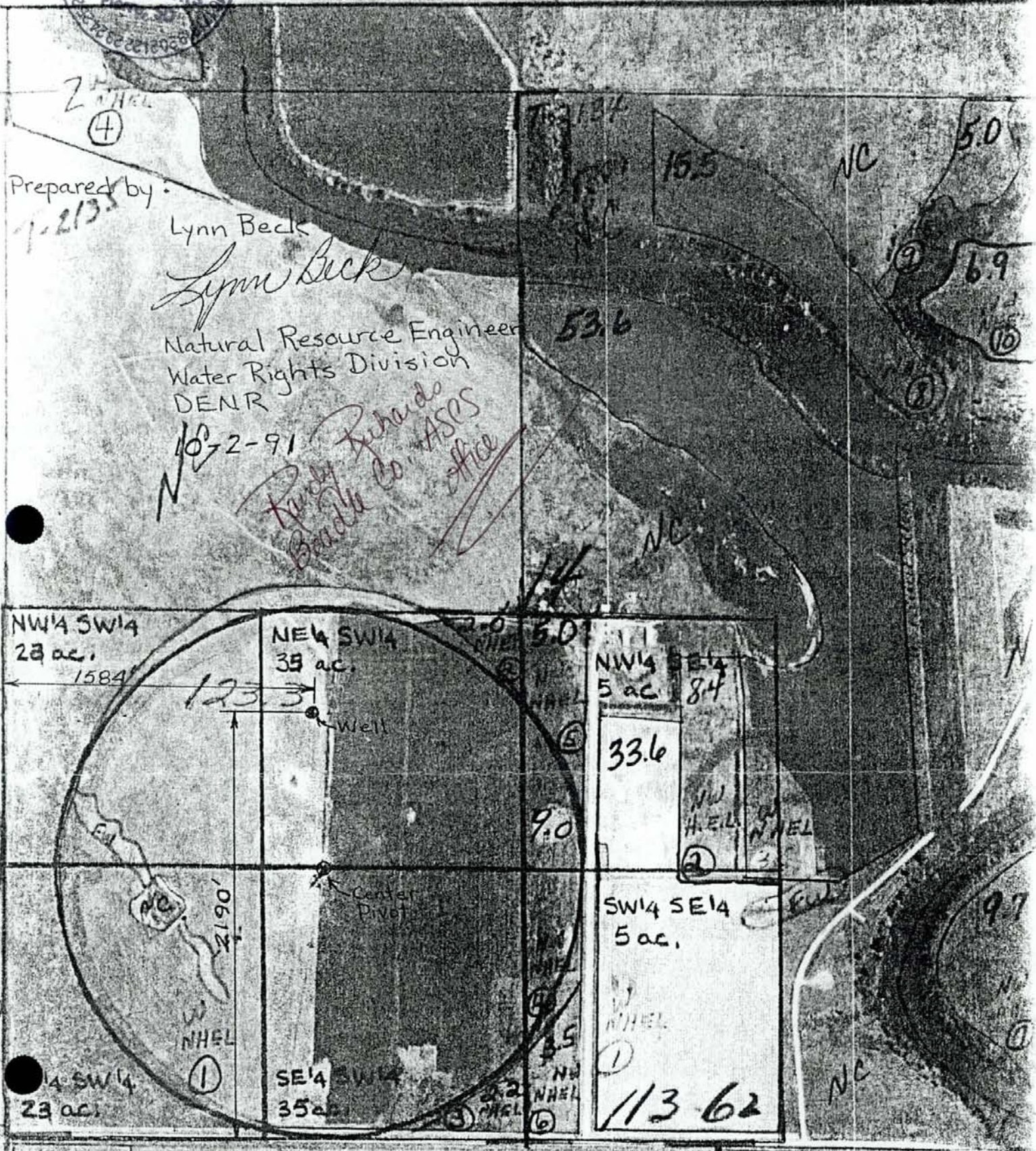
SE 1/4 SW 1/4
35 ac.

5.5

T-2938
Total Acres = 126 ac.

T-9003

48.0





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 20, 2006

2976A-3

John Lovett
3984 193rd St
Hitchcock SD 57348

Dear Mr. Lovett:

I am contacting you in regard to ownership of land described in Water Right No. 2976A-3. The water right is currently listed in the name of Larry Lovett. He notified us through submission of the annual irrigation questionnaire that the land was sold to you.

Enclosed 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.

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

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2976A-3

Date: _____

I/We request that Water Right No. 2976A-3

formerly owned by: Larry Lovett

be transferred to: (name & address) John Lovett, 3984 193rd St, Hitchcock SD 57348

Telephone No. 605 266-2197

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

126 acres – SW ¼ and W ½ SE ¼ Section 14, T113N, R62W

I/We understand that the validity of Water Right No. 2976A-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 John Lovett, the new owner, certify that the above information is true and correct.

John Lovett
(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.

RECEIVED
DEC -7 2006
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 7, 20 06

RECEIVED OF John
Larry Lovett, 3984 1934d St., Hitchcock SD 57348

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

Fee for Application for Permit No. _____ and to put water to beneficial use	to Appropriate Water, to construct	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 _____	2976A-3	
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. _____	2.50
Fee for Renewal of Well Pump Installer's License No. _____	for C.Y. _____	
(Any Other Work Provided by Law)	TOTAL	

No.

02670

By

Darland Ebele

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 8, 2006

2976A-3

John Lovett
3984 193rd St
Hitchcock SD 57348

Dear Mr. Lovett:

Thank you for following up on the ownership change for Water Right No. 2976A-3. The transfer has been completed. The water right formerly listed in the name of Larry Lovett is now listed in your name.

Enclosed is your Receipt No. 02670 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: JOHN LOVETT, 3984 193RD ST, HITCHCOCK, SD 57348

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 2976A-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2008**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2976A-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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

2976A-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 4209
Status: **Delivered**

Your item was delivered at 10:52 AM on January 19, 2008 in HITCHCOCK, SD 57348. The item was signed for by J LOVETT.

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No FEAR Act EEO Data

FOIA

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Format: .gif .jpg .png

USPS MAILING LABEL

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 4209

JOHN LOVETT
3984 193RD ST
HITCHCOCK SD 57348

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2008

2976A-3

John Lovett
3984 193rd St
Hitchcock SD 57348

Dear Mr. Lovett:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 2976A-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352