

Water Right Number 3367-3

1. Considered 1-26, 1977
2. Name of Applicant ROBERT T. LEISEN
3. Post Office Address ABERDEEN
4. Amount of water claimed 3,0
5. Source of water supply 268' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 320
7. Water to be diverted and used in CAMPBELL County
about 10N Miles 5 of SELBY
8. Proof of Publication Received 1-13-77
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 32513
 Map No. 2653-3 Water Division No. 3 MISSOURI RIVER District
 (Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriately Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Robert T. Leisen
 Postoffice address 4148 Prairiewood Drive, State Aberdeen, S.D. 57401
 If a corporation show date and place of incorporation -----
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
 3. Name of diversion work Robert T. Leisen - UNIT # 1
 4. Amount of water claimed (cubic feet per second) 30
 5. Source of water supply Ground water
 6. Location of point of diversion NEAR THE CENTER OF THE S² SECTION 16,
T125N 14W2A
 ----- County Campbell
 7. Annual period or periods during which water is to be used March - November
 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 320

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.
SW ¹ of 16-125-76	160		
SE ¹ of 16-126-76	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
 11. Choice of newspaper for Notice of Intent to Appropriately Water publication Aberdeen American News, Aberdeen, S.D.
 12. Principal Features of the Proposed Water Supply System.

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

Pump Bowl

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

Main Line

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ -----

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 Campbell) ss.I, Robert T. Leisen

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 Robert T. LeisenSubscribed and sworn to before me this 15 day of March, 1976

Notary Public (or other qualified officer)

EXAMINER'S ON EXAMINER'S
MARCH 4, 1976

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3367-3
ROBERT T. LEISEN 4148 PRAIRIEWOOD DR. ACERDEEN
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57401 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 adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application NOVEMBER 18, 19 76
 Date of return to applicant for correction, amendments or changes required —, 19 —
 Date of receipt of corrected application DECEMBER 23, 19 76
 Approved JANUARY 27, 19 77, Recorded in Book 17 Page 181

WATER RIGHT PERMIT NO. 3367-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3367-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is NOVEMBER 18, 19 76
2. The equivalent of at least one fifth of the work above specified is to be completed on or before JULY 27, 19 79
3. The whole of said work is to be completed on or before JANUARY 27, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 27, 19 84
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 3.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JANUARY 27, 19 84; said water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 8TH day of APRIL, 19 77

WATER RIGHTS COMMISSION

By:

John H. H. H.
 Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

PAGE NO.

Everett Lodge

FOREMAN

NO	DEPTH	TIME	REMARKS	DESCRIPTION
			Hole #1	
1	0-20		0-5 topsoil, 5-20 yellow sand & gravel	SW 1/4 of 16-125-76
2	20-35		Fine blue sand & blue clay	Campbell Co.
3	35-50		Fine blue sand & blue clay traces	
4	50-68		Very fine blue sand	
5	68-80		Blue clay & some fine sand	
6	80-95		Soft blue clay & some very fine sand	
7	95-110		Soft blue clay	
8	110-125		Soft blue clay	#1
9	125-160		Soft blue clay	
10	160-185		Soft blue clay, Gravel streaks	
11	185-200		blue clay & gravel streaks	
12	200-220		blue clay & gravel	
13	220-240		coarse gravel	
14	240-260		260-268 Coarse gravel; 268-280 Shale & rocks	

12 Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc.)

(3) Perforated Screen

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout. *Log will be provided by driller

(1) Water Bearing Materials (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

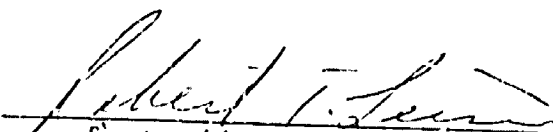
Depth to water (ground surface to water level) _____

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

On same owner's property None _____ rds. On property owned by others 320 _____ 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.


Signature of Applicant

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 ONLY)

NAME Robert T. Leisen UNIT #1

ADDRESS 4148 Prairiewood Drive, Aberdeen, So. Dak. 57401

COUNTY Campbell

LEGAL DESCRIPTION

1. WELL LOCATION East side half way of the SW¹ of 16-125-76
2. LOCATION OF AREA TO BE IRRIGATED SW¹ of 16-125-76, SE¹ of 16-125-76

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Alfalfa, Corn, Small Grain

WATER QUALITY

5. SAMPLE NUMBER _____
6. SALINITY (EC X 10⁶) _____
7. SODIUM (SAR) _____
8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

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 Campbell 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.

Robert T. Leisen
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME, THIS
16 DAY OF NOV 1976.

Karl O. O'Leary
(TITLE OR SEAL)

COMMISSIONER

RECEIVED

(SOILS INFORMATION ON REVERSE SIDE)

Approved
APPROVED/DISAPPROVED ()

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

Submitted by: Douglas L. Salverson
Address: Mount City, SD 57663
cc: Nelson Publishing, Inc.
P.O. Box 1422
Turon, SD 57350

Date Rec'd.....October 22, 1976.....
 Sample No.....76-1697.....
 Identification.....#1.....Holly.....
SEA, Dec. 9, 1975, A 751.....

WATER ANALYSIS

Calcium (Ca)	103 ppm*	5.15	me/l**
Magnesium (Mg)	19 ppm	1.56	me/l
Sodium (Na)	104 ppm	4.52	me/l
Potassium (K)	13 ppm	0.34	me/l
Sulfate (SO ₄)	174 ppm	3.62	me/l
Nitrate (as N)	ppm		me/l
Chloride (Cl)	6 ppm	0.17	me/l
Bicarbonate (HCO ₃)	456 ppm	7.48	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)	374 ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0 ppm (as CaCO ₃)		
Electrical Conductivity	385 micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.47		
Sodium	39.0% of cations		
Residual sodium carbonate	0.77 me/l		
pH	7.81		
Others:			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 11.57 me/l
Total anions 11.27 me/l

By:.....Shirley Litten

Service Performed

Amount Due

Irrigation analysis

\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No.....76-2697....

Amount Enclosed \$

Form 6 - Notice of Intent to Appropriate Water

No. 3367-3

Publish first publication, on or before January 13, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 27, 1976

Notice is hereby given that Robert T. Leisen
whose post office address is Aberdeen, 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
3.0 cubic feet of water per second of time from the ground water through the
Leisen #1, the point of diversion of which is to be located in the
center of the S4
of Section 16, Twp. 125N, Range 76W. Said water to be used for the purpose
of providing irrigation on the following described land:
S4, Section 16, T125N, R76W

This application No. 3367-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of January, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

Robert T. Leisen, 4146 Prairiewood Dr., Aberdeen, SD 57401

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 3367-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brown) ss.

I, Dianne Brenden hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Aberdeen American News

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 Aberdeen

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

January 5, 1977

January 12, 1977

Dianne Brenden
(Signature)

Principal Clerk
(Title)

January 12, 1976
(Date Signed)

(No. 8-Jan. 5 12-27) 10/28/77
NOTICE
INTENT TO APPROPRIATE WATER
Notice is hereby given that Robert T. Lelsen whose post office address is Aberdeen, 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 50 cubic feet of water per second of time from ground water through the Lelsen No. 1, the point of diversion of which is to be located in the center of the S1/4 of Section 16, Twp. 123N, Range 74W. Said water to be used for the purpose of providing irrigation on portions of the following described land: S1/4, Section 16, T123N, R74W.
This application No. 3367-3 will be considered by the Water Rights Commission at their office at Pierre upon the 26th day of January, 1977, at 10:00 A.M. All interested persons may appear and be heard.
WATER RIGHTS COMMISSION
By: Burton F. Jones
Water Rights Specialist.



SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

3367-3
3368-3
3881-3

October 13, 1982

John L. McFee
403 11th
Ipswich SD 57451

Dear Mr. McFee:

The enclosed data sheets were returned by Robert Leisen of Aberdeen indicating that you are now the owner of the land covered under Water Permits No. 3367-3, 3368-3 and 3881-3.

Also, enclosed are copies of our Form 20, Notice of Transfer of Water Permit, which you should sign before a notary public and return to this office with a fee of \$2.50 each (total of \$7.50), so the Permits can be transferred to your name.

Please complete the data sheets for our records.

Sincerely,

GENNY YOUNG
Water Rights Specialist

GY:ks

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9033

RECEIVED OF John L. McFee, Jr., H.D. Ipswich PIERRE, December 16, 1932
403 11th Street, S.D. 57451
 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. _____		
Fee for inspecting Beneficial Use, and issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw. No. _____		
Fee for filing <u>transfer of WR 40367-3</u>	2	50
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By J. L. McFee, Jr.
 Chief Engineer, Executive Officer
John L. McFee, Jr.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

This is to notify you that the title to the lands described as follows:

320 acres S $\frac{1}{2}$ Section 16, T125N, R76W

formerly owned by Robert Leisen, Aberdeen SD

has been transferred to John L. McFee, 403 11th, Spearfish SD 57451

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 3367-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

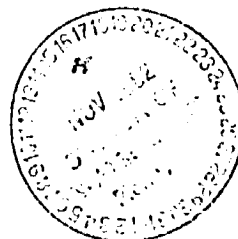
STATE OF SOUTH DAKOTA)
County of Edmunds) ss.

I, John L. McFee, Jr. being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

John L. McFee, Jr.
(Signed)

Subscribed and sworn to before me this 15th Day of November, 1982

Dat Oshick Zedits
(Notary Public)





Department of Water & Natural Resources

Joe Foss Building

623 East Capitol

Pierre, South Dakota 57501

Water Rights Division

605 773-3352

November 17, 1982

3367-3
3368-3
3881-3

John L. McFee
403 11th
Ipswich SD 57451

Dear Mr. McFee:

Enclosed are receipt Nos. 4 9033 and 4 9034 in the amounts of \$2.50 each for which you paid for transferring Permits Nos. 3367-3 and 3368-3 to your name. The transfer of these two permits have been completed and are now listed in your name.

A transfer form was submitted for Water Permit No. 3881-3, but the filing fee of \$2.50 was not included. You indicated on the irrigation questionnaire submitted with the transfer form that the lands covered under 3881-3 and 3368-3 are the same. Although the two permits are similar, they are listed separately and will require transfers for both.

Please remit a \$2.50 filing fee for the transfer of Permit No. 3881-3. The permit will be transferred upon receipt of the required fee.

Thank you for returning the irrigation questionnaires pertaining to Water Permit Nos. 3367-3, 3368-3 and 3881-3. If you have any questions, please advise.

Sincerely,

GENNY YOUNG
Water Rights Specialist

GY:ks

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

KRAUSE-ALLBEE FARMS, OP
RR #1 BOX 7
MANSFIELD SD 57460

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 3007-3, 3367-3, 3368-3, 3381-3, 3382-3 & 3652-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3007-3, 3367-3, 3368-3, 3381-3, 3382-3 & 3652-3 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 before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

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

cc: John McFee, Jr., PO Box 498, Ipswich, SD 57451
Richard Lindsey, RR #3, Aberdeen, SD 57401
Milton Ehresman/Ronne Farrell, 830 6th Ave SE, Aberdeen, SD 57041



156-7-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 18, 1992

Larry Krause
Krause-Albee Farms
RR #1 Box 7
Mansfield, SD 57460

RE: Irrigation Questionnaires - Permit Nos. 3007-3, 3367-3,
3368-3, 3652-3, 3881-3, 3882-3, 4480-3, 4757-3, 5128-3 &
5495-3

Dear Mr. Krause:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for the above listed water permits. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 16, 19 92

RECEIVED OF Larry Krause, RR 1 Box 7, Mansfield, SD 57460

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 _____		
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>Water Permit No. 3367-3</u>	2	50
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	2 50

By John Hatch
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

No. 3361-3

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: _____

I, We request that Water Permit/Right No. 3361-3formerly owned by: John McLee, Jr.be transferred to: (name & address) Larry KrauseRR1 Box 7 Mansfield S.D. (telephone No.) 605-877-3562

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

S1/4 Section 16, T125N, R14W

I, We understand that the validity of Water Permit/Right No. 3361-3 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 at the Division of Water Rights, as evidence of the change of ownership.

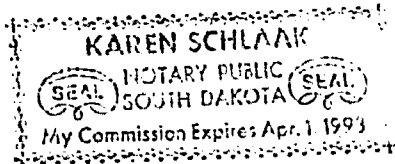
A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Hughes)

I, We Larry Krause being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Larry Krause
(Signed)

Subscribed and sworn to before me this 10th day of April, 1992.

Karen Schlaack
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water 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.



April 15, 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

No. (3367-3)
3368-3
3881-3
3882-3

Larry Krause
RR 1, Box 7
Mansfield, SD 57460

Dear Mr. Krause:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Permit Nos. 3367-3, 3368-3, 3881-3 and 3882-3.

Our records now show you as the owner of Water Permit Nos. 3367-3, 3368-3, 3881-3 and 3882-3.

Sincerely,

Cheryl F. Frost
Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure



3367-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: LARRY KRAUSE, 37841 147TH ST, MANSFIELD, SD 57460
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 4757-3, 5128-3 & 5495-3, 3367-3, 3368-3, 3652-3, 3881-3 & 3882-3. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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) 3367-3, 3368-3, 3652-3, 3881-3 & 3882-3 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) 4757-3, 5128-3 & 5495-3 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, February 25, 1998 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) 4757-3, 5128-3 & 5495-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3367-3, 3368-3, 3652-3, 3881-3 & 3882-3 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 20, 1998, 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.

3367-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 1998

Larry Krause
37841 147th St
Mansfield, SD 57460

RE: Water Permit/Right Nos (3367-3), 3368-3, 3652-3, 3881-3, 3882-3, 4757-3, 5128-3 & 5495-3

Dear Mr. Krause:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit/Right Nos. 3367-3, 3368-3, 3652-3, 3881-3, 3882-3, 4757-3, 5128-3 & 5495-3.

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



3367-3
**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 KRAUSE, 37841 147TH ST, MANSFIELD, SD 57460
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. 5128-3, 5495-3 & 5896-3, 3367-3, 3368-3, 3652-3, 3881-3 & 3882-3. 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) 3367-3, 3368-3, 3652-3, 3881-3 & 3882-3 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) 5128-3, 5495-3 & 5896-3 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) 5128-3, 5495-3 & 5896-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3367-3, 3368-3, 3652-3, 3881-3 & 3882-3 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.



3367-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2000

Larry Krause
37585 149th St
Mansfield, SD 57460

RE: Irrigation Questionnaires for Water Permit/Rights Nos. 3367-3, 3368-3, 3652-3, 3881-3,
3882-3, 5128-3, 5495-3 and 5896-3

Dear Mr. Krause:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. Questionnaires were completed for you based on your January 18th telephone conversation with Ron Duvall.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit or Right Nos. 3367-3, 3368-3, 3652-3, 3881-3, 3882-3, 5128-3, 5495-3 and 5896-3. 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



3367-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 27, 2000

Larry Krause
37585 149th St
Mansfield, SD 57460

Dear Mr. Krause:

Thank you for contacting us about the status of your Water Permit Nos. 3367-3, 3368-3, 3881-3 and 3882-3. It is my understanding that the land described in these permits came out of CRP the fall of 1998. You indicated systems were being placed back on the land with irrigation anticipated for the year 2001.

If I remember correctly, you also indicated that the land was up for sale and the tentative buyers were concerned with the status of the water permits. Water rights or permits remain active as long as the water use has not been abandoned and/or forfeited. I am enclosing excerpts of SD Water Laws and Water Management Board Rules dealing with legal excuse for nonuse of water and exceptions to forfeiture for nonuse of water.

State law does provide exceptions to forfeiture for nonuse (see SD Water Law 46-5-37.2 of enclosed excerpt) for acreage placed in an acreage reserve or production quota program. A water permit is not forfeited for nonuse if the land authorized for irrigation is placed in a program as outlined in the statute. Taking into consideration when you indicate the land came out of CRP, it appears that the permits have not been forfeited for nonuse. However, if the land is not irrigated in the 2001 season, the water permits may be subject to cancellation based on three years of nonuse of water (SDCL 46-5-37).

The final determination on whether a water permit is valid is ultimately a decision of the Water Management Board. If, after reviewing this letter and the enclosed excerpts, there remains uncertainty as to whether your water permits may be subject to cancellation, you may file a declaratory ruling request. We can then proceed to bring the matter before the Water Management Board for a final determination.

If I can help answer any questions for you, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
email: genny.mcmath@state.sd.us

enclosure

HURON DRILLING INC.
WELL LOCATION MAP

NAME Robert T. Leisen

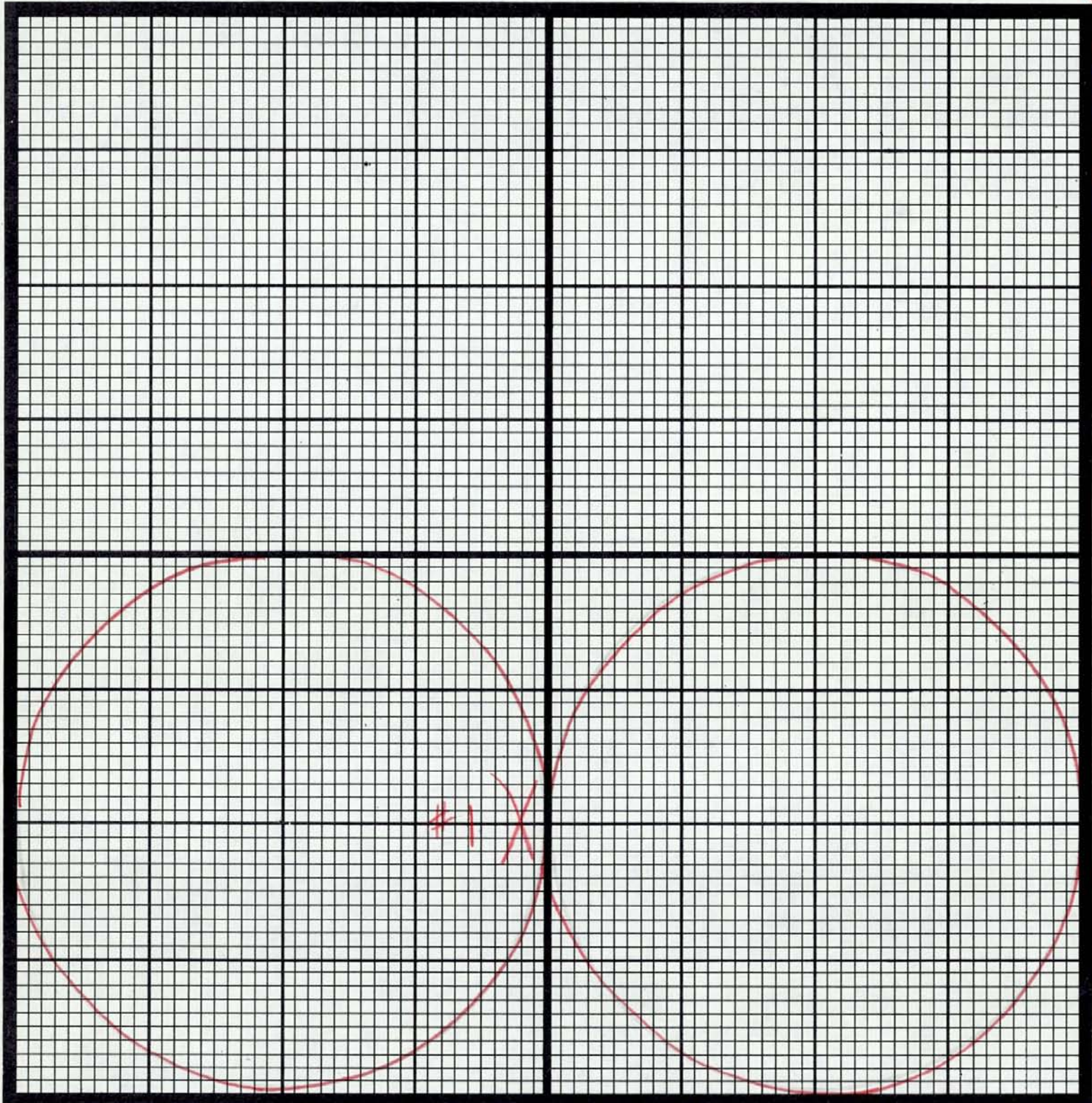
DATE November 15 19 76

WELL NO. #1

SW

QUARTER, SECTION 16

TWP. 125 RANGE 76 IN Campbell COUNTY



Prepared By

Dick Fadgen

Dick Fadgen

Beadle County Extension Agent

X — PROPOSED LOCATION

MAP # 26333-3 APPL # 3367-3

SD EForm - 0495 V1 NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 3367-3

Date: 5/19/2006

I/We request that Water Right/Permit No. 3367-3 formerly owned by:
Larry Krause, 37585 149th St, Mansfield SD 57460 be transferred to:

New Owner Name: Miles Lacey
Address: 26511 485th Ave
City, State, Zip Valley Springs SD 57068 Telephone No. 582 6904
351 7515

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

S1/2 section 16-T125N-76W (one well)

☒ I understand that the validity of Water Right/Permit No. 3367-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, Miles Lacey, the new owner, certify that the above information is true and correct.

Miles Lacey
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 30, 20 06

RECEIVED OF Miles Lacey, 26511 485th Avenue, Valley Springs SD 57068

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>3367-3</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. _____	2.50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____	
(Any Other Work Provided by Law)	TOTAL

No.

02470

By

Harland Erbe

Chief Engineer

gm

3367-3



GREAT FACES. GREAT PLACES.

May 31, 2006

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

3367-3

3368-3

3881-3

3882-3

Miles Lacey
26511 485th Ave
Valley Springs SD 57068

Dear Mr. Lacey:

I am writing to acknowledge receipt of the ownership changes you filed for Water Permit Nos. 3367-3, 3368-3, 3881-3 and 3882-3. The transfers have been completed and the water permits formerly held by Larry Krause are now listed in your name. Enclosed are your Receipt Nos. 02468, 02469, 02470 and 02471 in the amounts of \$2.50 each. You may keep these for your records.

I have also included copies of the water permits and samples of irrigation questionnaires for your files. With respect to the irrigation questionnaires, Water Management Board Rules require submission of these forms each year. The enclosed copies will give you an idea of what type of information you will need to keep track of during the crop season. The actual forms you will need to complete and return to us will be sent to you in October.

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

Sincerely,

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

enclosures



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 1, 2011

No. 3367-3
3368-3
3881-3
3882-3

Dick Lacey
48456 266th St
Brandon SD 57006

Dear Mr. Lacey:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Permit Nos. 3367-3, 3368-3, 3881-3 and 3882-3. The water permits are currently listed in the name of Miles Lacey.

The transfer forms should be checked over for accuracy and signed by the new owner. Upon completion, return the forms to our office with a required filing fee of \$50.00 each (\$200.00 total).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosures

DEC - 7 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3367-3Date: 12-6-11I/We request that Water Permit No. 3367-3formerly owned by: Miles Lacey

be transferred to: (name & address)

Dick or Konny Lacey48456 266th St.Brandon S.D. 57005Telephone No. 605 7576639

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

320 acres - S 1/2 Section 16-T125N-R76W

I/We understand that the validity of Water Right/Permit No. 3367-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Dick or Konny Lacey, the new owner, certify that the above information is true and correct.



(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/7, 20 11

RECEIVED OF Dick or Konny Lacey 48456 266th St Brandon SD 57005

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50 00	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3367-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 05096

By

Richard Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 7, 2011

3367-3
3368-3
3881-3
3882-3

Dick or Konny Lacey
48456 266th St
Brandon SD 57005

Dear Mr. & Mrs. Lacey:

Thank you for the prompt return of the transfer forms and filing fees for Water Permit Nos. 3367-3, 3368-3, 3881-3 and 3882-3.

The ownership changes have been completed. The permits formerly held by Miles Lacey are now listed in your names.

Enclosed for your records are Receipt Nos. 05096, 05097, 05098 and 05099. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call 605-757-3352

PAID

JUN 8 2022

Ck#

1049

Rec't#

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

JUN 08 2022

OFFICE OF
WATER

Water Right/Permit No. 3367-3

Date:

I/We request that Water Right/Permit No. 3367-3 formerly owned by:
Dick or Konny Lacey

be transferred to:

New Owner Name: Lacey Land, LLC

Address: 48456 266th Street

City, State, Zip Brandon, SD 57005

Telephone No. 605-757-6639

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

320 acres - S 1/2 Section 16, T125N, R76W

☒ I understand that the validity of Water Right/Permit No. 3367-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Konny Lacey, Authorized Member of Lacey Land, LLC the new owner, certify that the above information is true and correct.

Konny Lacey
(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.



DONAHOE LAW FIRM, P.C.

Brian J. Donahoe

Licensed to Practice in SD, IA & MN

brian@donahoelawfirm.com

June 3, 2022

PMB 2020
DANR Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

RECEIVED

JUN 08 2022

OFFICE OF
WATER

Re: Notice of Transfer of Ownership – Lacey family

Water Rights Program,

Our firm represents Dick and Konny Lacey, their Living Trust, and a new entity they formed called Lacey Land, LLC. Real property and water rights are being consolidated with ownership by Lacey Land, LLC. Enclosed for filing and processing are six (6) individual Form 0495LD V2, Notice of Transfer of Ownership, for water wells in Campbell County, SD. A check for \$300.00 is enclosed (6 notices at \$50/each = \$300.00).

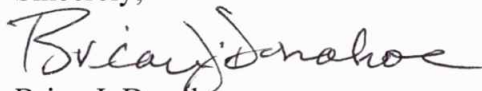
The water rights are being transferred from Dick or Konny Lacey, or the Richard D. and Konny R. Lacey Living Trust to Lacey Land, LLC:

Water Rights/Permit No. 3367-3
Water Rights/Permit No. 3368-3
Water Rights/Permit No. 3881-3
Water Rights/Permit No. 3882-3
Water Rights/Permit No. 8136-3
Water Rights/Permit No. 8159-3

If possible, Lacey Land, LLC would like to consolidate permits after transfer as much as possible. We do not anticipate future land transfers and believe there is no reason to have multiple permits on these properties. If that is not possible, or would require additional fees, Lacey Land, LLC is not interested. Please contact me with any questions or concerns.

Thank you.

Sincerely,


Brian J. Donahoe

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date June 8, 2022

RECEIVED OF Donahoe Law Firm PC 401 E 8th St Ste 215, Sioux Falls SD 57103

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>3367-3</u>	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	\$ <u>50.00</u>

By Eric Gronlund
Chief Engineer
vm



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 28, 2022

Konny Lacey
Lacey Land LLC
48456 266th St
Brandon SD 57006

RE: Water Permit/Right Nos. 3367-3, 3368-3, 3881-3, 3882-3, 8136-3 & 8159-3

Dear Ms. Lacey:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on the above listed water permits and water rights.

The ownership changes have been completed. Water Permit/Right Nos. 3367-3, 3368-3, 3881-3, 3882-3, 8136-3 & 8159-3 formerly listed under Dick or Konny Lacey or Richard D and Konny R Lacey Living Trust are now listed under **Lacey Land LLC**.

As requested, we will work to combine and process the licenses for Permit Nos. 3367-3, 3368-3, 3881-3 and 3882-3. These will be sent to you under separate cover.

Receipts for the filing fees will be sent to Donahoe Law Firm PC with a copy of this letter. If I can answer any questions for you, please let me know.

Sincerely,

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

c: Brian Donahoe, Donahoe Law Firm PC

3367-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUL 05 2022

Konny Lacey
Lacey Land LLC
48456 266th St
Brandon SD 57005

RE: Water Permit Nos. 3367-3, 3368-3 and Water License Nos. 3881-3 and 3882-3

Dear Ms. Lacey:

Enclosed are Water License Nos. 3881-3 and 3882-3. These are the final water right documents completing the process of obtaining Water Rights. Included with each license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Permit No. 3367-3 were incorporated into Water License No. 3881-3 and the applicable portions of Water Permit No. 3368-3 were incorporated into Water License No. 3882-3.