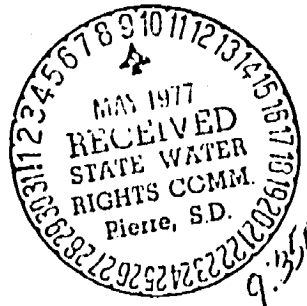


Water Right Number 4015-3

1. Considered 7-27, 19 77
2. Name of Applicant JEANNETTE P. DENNERT
3. Post Office Address FREDERICK
4. Amount of Water claimed 3.00
5. Source of Water supply 215' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 300
7. Water to be diverted and used in BROWN County
about 4-E, 4S miles 7 of FREDERICK
8. Proof of Publication Received 7-7-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

Map No. 3259-3 Water Division No. 3 JAMES RIVER District
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

transferred 2-3-92.

1. Name of Applicant Jeanette P. Dennert John Sumption
 RR #1 Box 44
 Frederick SD 57441 41
 Postoffice address Frederick, State

If a corporation show date and place of incorporation -----

2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor3. Name of diversion work Jeanette F. Dennert - Unit # 14. Amount of water claimed (cubic feet per second) 3.05. Source of water supply Ground Water6. Location of point of diversion NE⁴NE⁴, SECTION 28, T127N, R63WCounty Brown7. Annual period or periods during which water is to be used March - November8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Wells Total number of acres to be irrigated 300

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NE ¹ / ₄ -28-127-63	160		
SE ¹ / ₄ -21-127-63	140		

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 Appropriate Water publication Aberdeen American News, Aberdeen, SD

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

Estimate, 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 Brown)

I, Jeanette P. Dennert 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.

Subscribed and sworn to before me this 16 day of July 1977Signed Jeanette P. Dennert

Notary Public (or other qualified officer)

COMMISSION EXPIRES
MARCH 4, 1984.

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4015-3JEANNETTE P. DENNERY
(Applicant)FREDERICK
(Post Office)JOHN SUMPTION
RR #1, Box 44
Frederick SD 57441SOUTH DAKOTA 57441
(State)

With the following modifications:

transferred 2-3-82

The irrigation well approved under this Permit is located near domestic 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.

Date of first receipt of application MAY 9, 19 77
 Date of return to applicant for correction, amendments or changes required —, 19 —
 Date of receipt of corrected application JUNE 21, 19 77
 Approved JULY 27, 19 77, Recorded in Book 19 Page 34

WATER RIGHT PERMIT NO. 4015-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4015-3 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 MAY 9, 19 77
 2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 27, 1980
 3. The whole of said work is to be completed on or before JULY 27, 1982
 4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 27, 1984
 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 JULY 27, 1984; said water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 9TH day of AUGUST, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

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 _____ 160 _____ rds. On property owned by others _____ 200 _____ 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.

x Jeannette Silvestre
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 Jeanette P. Dennert - Unit # 1

ADDRESS Frederick, South Dakota 57441

COUNTY Brown

LEGAL DESCRIPTION

1. WELL LOCATION NE Corner of the NE $\frac{1}{4}$ of 28-127-63 NE
2. LOCATION OF AREA TO BE IRRIGATED NE $\frac{1}{4}$ -28-127-63, SE $\frac{1}{4}$ -21-127-63 unit #1

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 77-784
6. SALINITY (EC X 10⁶) 1471 (high)
7. SODIUM (SAR) 0.31 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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

X Jeanette P. Dennert
APPLICANT'S SIGNATURE

Albert L. Hoff
APPROVED/CLERK

SUBSCRIBED AND SHOWN BEFORE ME THIS
30 DAY OF May 19 77.

CTITLE OR SEAL
COMMISSION EXPIRES
MARCH 4, 1984.

(SOILS INFORMATION ON REVERSE SIDE)



Department of Natural Resource Development

WATER RIGHTS COMMISSION

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

August 10, 1977

Jeannette P. Dannert
Frederick, SD 57441

Dear Ms Dannert:

Enclosed herewith is your Water Right Permit No. 4015-3 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said

Water Right Permit No. 4015-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Rights Commission when you have completed the system and/or have put the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a Water Right.

Respectfully,
WATER RIGHTS COMMISSION

JOHN HATCH
Chief Engineer

Encl: As stated

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

Submitted by: Jeanette P. Dennert
 Address: Rt. 1, Box 32
Frederick, SD 57441

Date Rec'd May 18, 1977
 Sample No. 77-784
 Identification Well-49
NE 1/4, Sec. 20, T 127N, R 63W

WATER ANALYSIS

Calcium (Ca)	304	ppm*	15.20	me/l**
Magnesium (Mg)	24	ppm	1.97	me/l
Sodium (Na)	21	ppm	0.91	me/l
Potassium (K)	6	ppm	0.16	me/l
Sulfate (SO ₄)	475	ppm	9.88	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	31	ppm	0.88	me/l
Bicarbonate (HCO ₃)	468	ppm	7.68	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)	384	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1471	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.31			
Sodium	4.98	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.09			
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g-p.g.=grains per gallon

COMMENTS: Total cations 18.24 me/l
 Total anions 18.44 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-784

Amount Enclosed \$

Signed

about coming in to Council.
Meeting

A circular ink stamp from the South Dakota State Conservation Commission. The text "MAY 1977" is at the top, "RECEIVED" is in the center, and "South Dakota State Conservation Commission" is at the bottom. The outer ring of the stamp contains a sequence of numbers: 27, 22, 29, 36, 37, 1, 23, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27.

Publish first publication, on or before July 14, 1977NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 24, 1977Notice is hereby given that Jeanette P. Dennert whose

post office address is Frederick, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, ~~46-5-38~~ ~~Temporary Permit Unit #3834, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, 52:01:01:21~~

~~thru 52:01:01:24~~ for a permit to appropriate for beneficial use 3.0 cubic feet

of water per second of time from ~~the~~ ground water through

the Jeanette P. Dennert-Unit # 1, the point of diversion of which is

to be located in the NE 1/4 NE 1/4

of Section 28, Twp. 127N, Range 63W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 28; SE 1/4, Section 21; T127N, R63W

This Application No. 4015-3 will be considered by the Water Rights Commission at the Staurolite Inn, Brookings, SD upon the 27th day of July, 1977, at 10 AM. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS COMMISSION

JAMES WINTERTON

Water Rights Specialist

cc: Jeanette P. Dennert, Frederick, SD 57441

No. 4015-3

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 Aberdeen of

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

June 29, 1977

July 6, 1977

Dianne Brenden
(Signature)

Principal Clerk
(Title)

July 6, 1977
(Date Signed)

(No. 466—June 29-July 6—27)
NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER
Notice is hereby given that
Jeanette P. Denner, whose post
office address is Frederick, South
Dakota, has made an application in
accordance with the provisions of
SDCL 46-1-1 thru 46-1-8; 46-2-1 thru
46-2-11, 46-2-13; 46-3-1 thru 46-3-8, 46-
3-10 thru 46-3-22, 46-3-41, 46-4-3, 46-4-5,
46-4-11, 46-4-10, 46-4-14 and Com-
mission Rules ARSD 52:01:01:01
thru 52:01:01:13, for a permit to
appropriate for beneficial use 3.0
cubic feet of water per second of
time from ground water through the
Jeanette P. Denner Unit No. 1, the
point of diversion of which is to be
located in the NE¼ NE¼ of Section
20, Twp. 127N, Range 63W. Said
water to be used for the purpose of
providing irrigation on portions of
the following described land: NE¼,
Section 20; SE¼, Section 21; T127N,
R63W.

This Application No. 4015-3 will be
considered by the Water Rights
Commission at the Stearnette Inn,
Brookings, SD upon the 27th day of
July, 1977, at 10 A.M. The Com-
mission is authorized to make a
determination on this application at
the hearing. All interested persons
may appear and be heard. Any
person who may be affected by a
Commission decision who desires to
present evidence or cross-examine
witnesses according to SDCL 1-26
may notify the Commission in
writing prior to the hearing or orally
at the hearing.
• WATER RIGHTS COMMISSION
• James Winington
• Water Rights Specialist



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

NO 4 8743

PIERRE, March 3, 1982

RECEIVED OF John Sumption, RR#1, Box 34, Frederick, SD 57441

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 Transfer of WR #4015-5	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 *John Hatch*
Chief Engineer, Executive Officer

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Feb 27

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

300 acres NE $\frac{1}{4}$, Section 28; SE $\frac{1}{4}$, Section 21, T-127N, R-63W

formerly owned by Jeannette P. Dennert

has been transferred to John R. Sumption, RR#1, Box 44, Frederick, SD 57441

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 4015-3 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 Brown) ss.

I, John R. Sumption 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 R. Sumption
(Signed)

Subscribed and sworn to before me this 2 Day of March, 1982

Robert W. Campbell
(Notary Public)
ROBERT W. CAMPBELL, Notary Public
My Commission Expires April 28, 1987



Department of Water & Natural Resources

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

January 29, 1988

JOHN R. SUMPTION
RR #1, BOX 44
FREDERICK, SD 57441

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4015-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 4015-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

February 29, 1988

4015-3

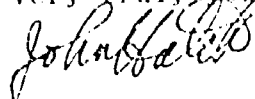
John Sumption
RR 1, Box 44
Frederick SD 57441

Dear Mr. Sumption:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 4015-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

SOUTH DAKOTA Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 8, 1989

4015-3

Craig Summers
Farm Credit Services
PO Box 1987
Aberdeen, SD 57401

Dear Mr. Summers:

Enclosed, as you requested, is a copy of Water Permit No. 4015-3. The water use system, authorized under this permit, has not been inspected, therefore, the extent of development is not known.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosure

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

February 3, 1990

JOHN R. SUMPTION
RR #1 BOX 44
FREDERICK, SD 57441

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 4015-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

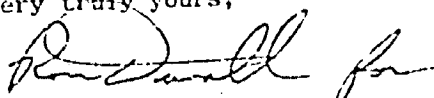
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

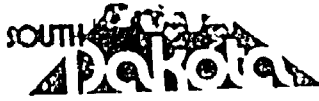
1. Amend Permit No(s). 4015-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3252



Department of Water & Natural Resources

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

March 2, 1990

4015-3

John Sumption
RR 1, Box 44
Frederick SD 57441

Dear Mr. Sumption:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 4015-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall /K5

RON DUVALL
Natural Resources Engineer
Water Rights Division



MAY 09 2001

4015-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

5738-3

John Sumption
10953 390th Ave
Fredrick, SD 57441

Dear Mr. Sumption:

Enclosed is Water License No. 5738-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416709 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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.

Sincerely,

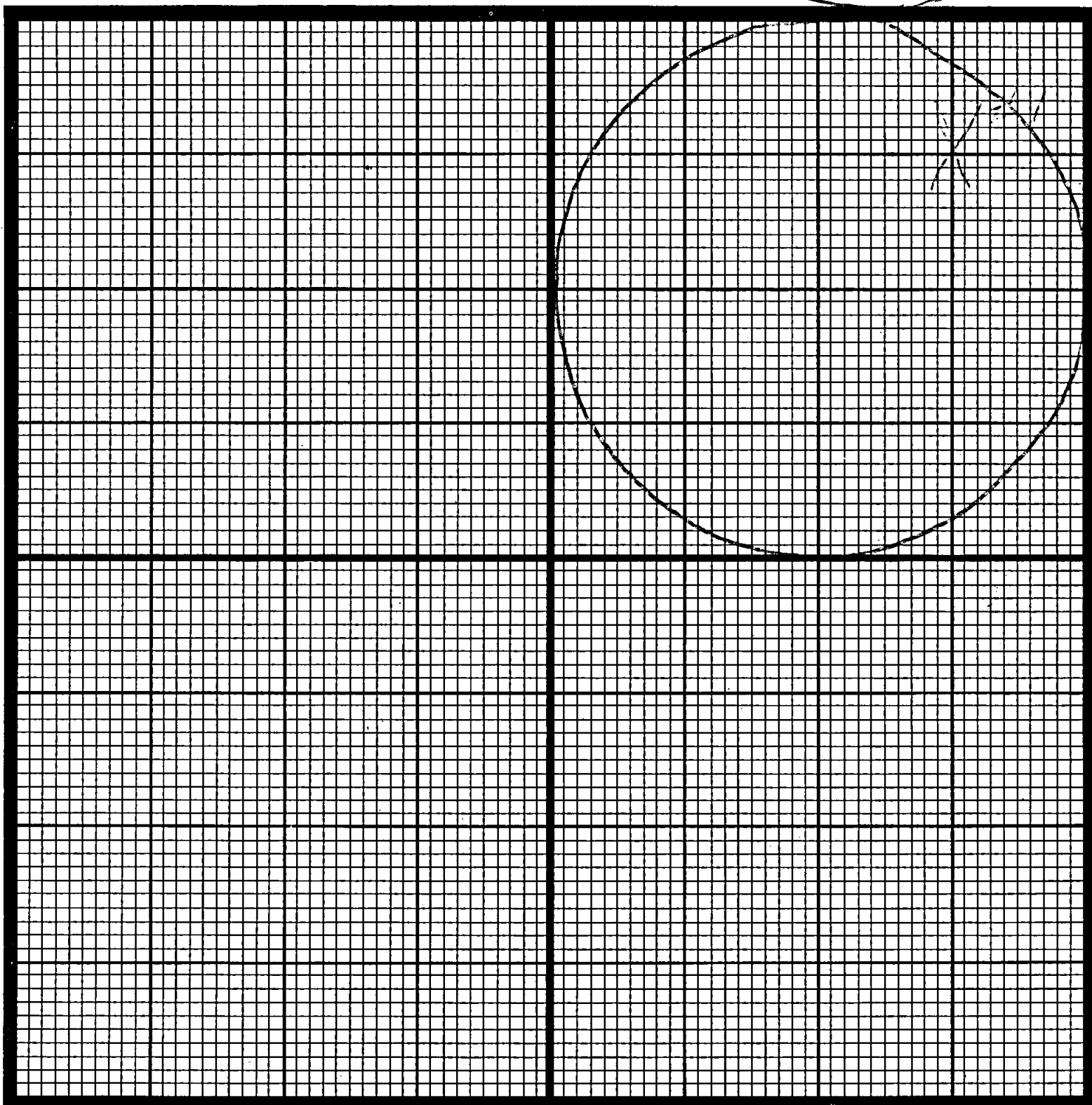
Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

NOTE: The applicable portions of No. 4015-3 are incorporated into Water License No. 5738-3.

enclosures

HURON DRILLING INC.
WELL LOCATION MAP

NAME Jeanette P. Dennert DATE May 3 1977
WELL NO. # 1 NE QUARTER, SECTION 28
TWP. 127 RANGE 63 IN Brown COUNTY NE



X — PROPOSED LOCATION

Prepared By Dick Fadgen
Dick Fadgen
Beadle County Extension Agent

MAP NO 3259-3 APP N 24015-3