

WATER PERMIT NO. 5920-3

Name of Applicant: Darrel Westerman

Address: 46065 278th St, Chancellor SD 57015

Phone: 605 647-2357

Amount of Water Claimed: 0.48 cfs

Total Acres: 34 acres

Source of Water Supply: groundwater (one existing well)

Water to be used for: irrigation

County: Turner

Type of Waste Disposal System: NA

Location: 3 miles southwest of Chancellor

PRIORITY

Date Received: 3-20-96

Fee: \$150.00

Corrected Application Received:

Period of Annual Use: May 1 - September 30

Remarks: Lands are covered by Water Right No. 2897-3 from a different water source.

Diversion Point: quarter-quarter line between

NW 1/4 NE 1/4 and SW 1/4 NE 1/4 Sec 36-

T99N-R53W

Land to be Irrigated: NW 1/4 NE 1/4

Sec 36-T99N-R53W

Depth of Well: 109 feet deep

Well Driller: Wetmore Drilling

Remarks:

Type of Map: aerial

Prepared by: Barry A. McLaury

Reviewed and the Number Assigned on: 3-25-96

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>5920-3</u> Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>The New Era, Parker, SD</u>



Application For Permit To Appropriate Water For Irrigation

Type of Application: X New Vested Right Amendment/Correction to Permit No.
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)

~~Add a diversion point~~

1. Name of Applicant Darrel Westerman ☒ Owner ☐ Tenant/Lessee Phone 605-647-2357
(check one)
- Mailing Address 46065 278TH STREET Chancellor, State SD 57015
49 (Street, RR, or Box) (Zip Code)
2. Amount of water claimed 0.48 add 1 *CFS or **GPM ***AF Total Acreage 34
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply Ground water - 1 well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well in the NE⁴
Section 36; T99N R53W. (630 feet west of the center of the NE⁴)
quarter-quarter line between NW¹/₄ NE¹/₄ and SW¹/₄ NE¹/₄ Sec. 36-T99N-R53W County Turner
5. County or counties where water will be used Turner
6. Annual period during which water is to be used May 1 thru September 30
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW ⁴ NE ⁴ Section 36 T99N-R53W	34		

8. Give a description of the project. (Attach sheet if more space is needed)

This application is to add an existing diversion point authorized by 5371-3 (Alvin Plucker). This is to allow the center pivot (5371-3) to swing a full circle in the NE⁴ Section 36; T99N-R53W.

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of Turner) ss

I, Darrel Westerman, the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.

Signed

Darrel Westerman

Subscribed and sworn to before me this 18 day of March 19 96

M. J. SOMMERVOLD

NOTARY PUBLIC, STATE OF SO. DAK.

MY COMMISSION EXPIRES OCT. 30, 1997

Notary Public

SOUTH DAKOTA
WATER PERMIT NO. 5920-3

Date of first receipt of application March 20, 1996.

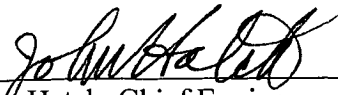
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5920-3 to Darrel Westerman, 46065 278th St, Chancellor SD 57015 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5920-3 appropriates 0.49 cubic feet of water per second from one existing well (Upper Vermillion Missouri Aquifer) 107 feet deep located 630 feet west of the center of the NE 1/4 Section 36 to irrigate 34 acres located in the NW 1/4 NE 1/4 Section 36; all in T99N-R53W. The existing well is authorized by Water Right No. 5371-3.
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: May 1 - September 30.
3. The date from which applicant may claim right is March 20, 1996.
4. The date of approval of Permit No. 5920-3 is May 20, 1996.
5. One-fifth of the construction is to be completed on or before November 20, 1998.
6. All construction is to be completed on or before November 20, 2001.
7. Water is to be put to beneficial use on or before November 20, 2005.
8. 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. Approval of Permit No. 5920-3 allows the existing well authorized by Water Right No. 2897-3 to be retained as a standby source pursuant to Water Management Board Rule 74:02:01:37.02 (Exceptions To Nonuse Of Water) provided the well remains operational with a functional pump, motor and appurtenances necessary to convey water.
3. 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 Program
Department of Environment and Natural Resources

JUL 2 1996

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 109
- b) Casing Type PVC Diameter 16" Thickness 1/2"
- c) Screen Type PVC Diameter 16" Thickness
- d) Gravel Pack Thickness NONE Length of Gravel Pack NA
- e) Depth to Top of Water Bearing Material 81'
- f) Depth to Water (ground surface to water level) 21'
- g) Distance to nearest existing domestic well:
On applicants property On property owned by others 3000'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field)
- b) System Capacity (gallons) c) Year Constructed
- d) Connected to the City of Sanitary System.



3. Dugout Information

- a) Surface Dimensions Depth
- b) Depth to water (ground surface to water level)

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to 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

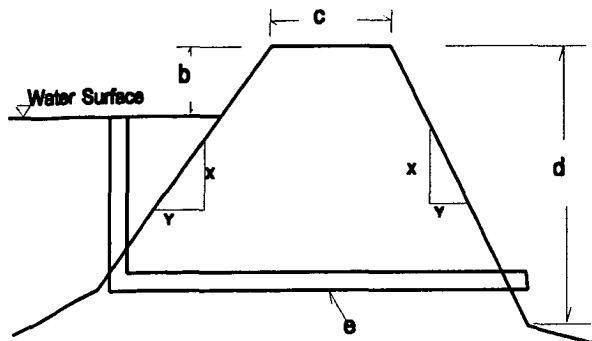
Upstream

Downstream

h) Surface Area of Impoundment

i) Storage Acre Feet

j) Drainage Area Above Dam Acres





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 1996

Darrel Westerman
46065 278TH Street
Chancellor, SD 57015

Dear Darrel:

As per your telephone request for an application to add a diversion point to your irrigation system, please find enclosed a partially completed application form for you to fill out. As we discussed on the telephone, you may keep your old diversion point (authorized by Water License No. 2897-3) for a stand by source, but you must have a pump and motor at the well site in order to maintain it on that license.

The enclosed application forms are for a permit to appropriate water from an additional diversion point from an existing well (5371-3, Alvin Plucker). This will allow you to remove your 40 acre pivot in order for the center pivot in the NE1/4 (5371-3) to swing a full circle and irrigate 34 acres in the NW1/4 NE1/4 which is authorized under your license 2897-3.

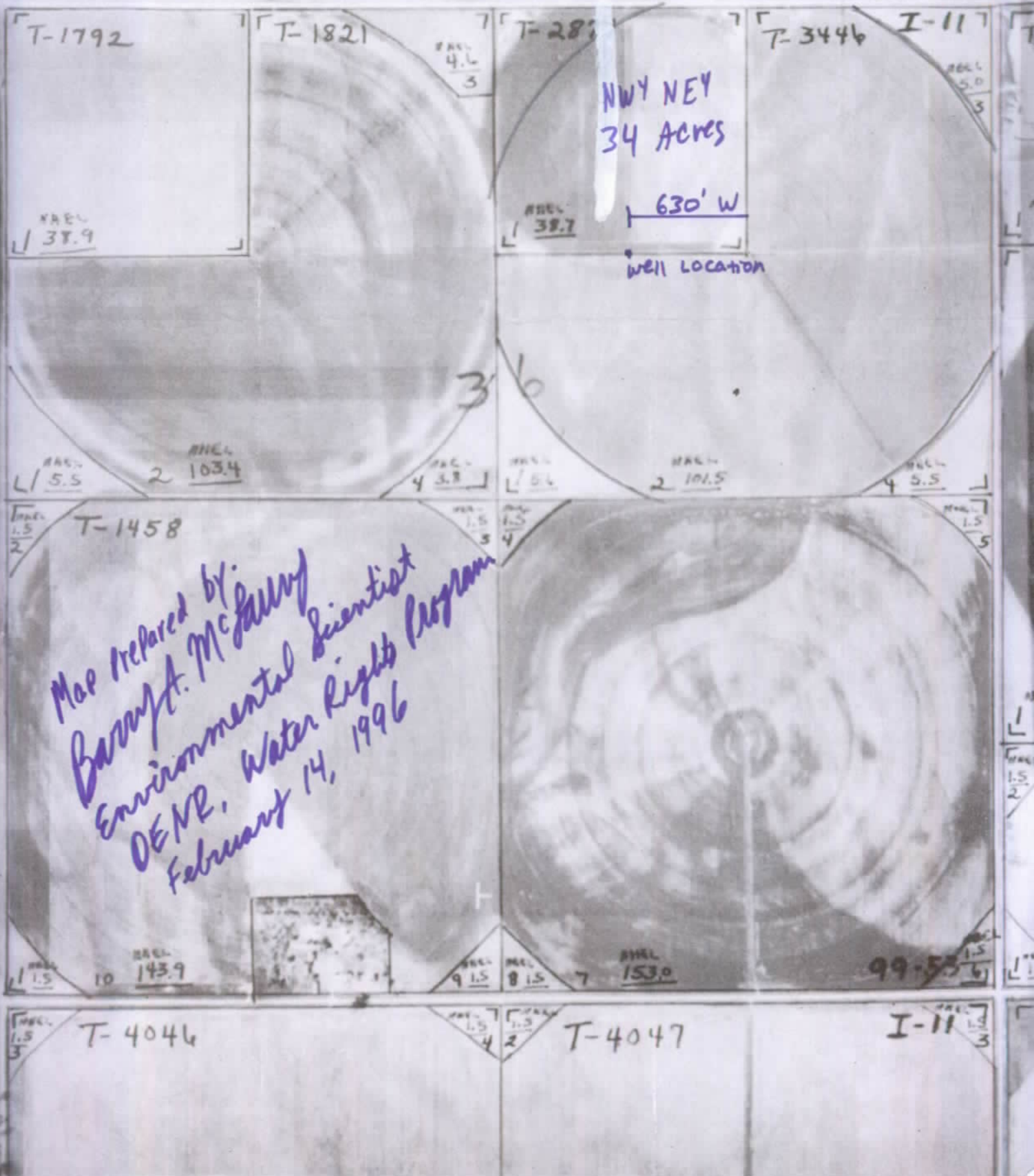
Please complete and return the application forms with a \$150.00 application fee to this office by March 31, 1996. If you have questions or need assistance, please feel free to contact me at (605) 773-3352.

Sincerely,

Barry A. McLaury
Water Rights Program

enclosures

NOT TO SCALE



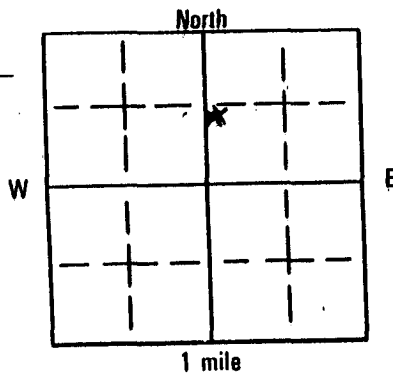
SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location S 1/2 NE 1/4 Sec 36 Twp 99N Rg 53W

County _____

Please mark well location with an "X"

Well Completion Date 8-14-90

PROPOSED USE:

- ☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1/2 inch</u> LB/FT	<u>1 1/2</u> IN	<u>0</u> FT	<u>109</u> FT	<u>24</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 21 FEETWhat is grouting material? cementIf cement, number of sacks? 20Describe grouting procedure pumped - tremie pipeWhat was grout weight? 15.6 LB/GALSCREEN: ☐ Perforated pipe ☐ ManufacturedDiameter 1 1/2 IN Length 20 FEETMaterial PVCSlot Size 100 Set From 89 Feet To 109 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain chlorine 220 ppmBacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name Alvin PluckerRT 1 Box 160Address Chancellor SD 57015

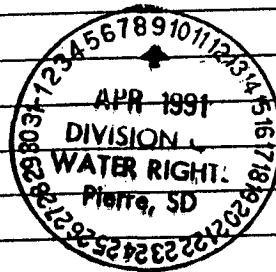
Well Log:

Depth

Formation

From

To

top soil03gravel336clay8681gravel81107STATIC WATER LEVEL 21 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

66 ft. After 2 Hrs. pumped 860 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 341

And this report is true and accurate.

Drilling firm Watrous Drilling

Signature of License Representative:

James Watrous

Signature of Well Owner:

Date 4-4-91

RECEIPT

414873

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 25, 1996

RECEIVED OF Westerman Farms, 46065 - 273th St., Chancellor, SD 57015

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

Fee for Application for Permit No. <u>5920-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	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 _____		

(Any Other Work Provided by Law)	Total	150 00

By John Hatch Co
Chief Engineer

REPORT ON WATER PERMIT APPLICATION NO. 5920-3
for Darrel Westerman
March 27, 1996

Application No. 5920-3 proposes to appropriate 0.49 cfs (218 gpm) from one existing well approximately 107 feet deep located about 630 feet west of the center of the NE 1/4 of section 36 to irrigate 34 acres located in the NW 1/4 NE 1/4 of section 36; all in T99N R53W in Turner County.

AQUIFER - UPPER VERMILLION MISSOURI (UVM)

The Upper Vermillion Missouri is a buried glacial outwash (sand and gravel) which is under confined or artesian conditions at this site. The Upper Vermillion Missouri aquifer underlies 207 square miles and contains an estimated 1.8 million acre feet of water in storage in Turner County (Lindgren, 1990). The driller's log filed with the application indicates gravel from 3 to 36 feet, clay from 36 to 81 feet and gravel from 81 to 109 feet all below land surface. The well was completed into the deeper gravel (Upper Vermillion Missouri aquifer) and had a static water level of 21 feet below land surface. The well reportedly produced 860 gpm with 45 feet of drawdown (specific capacity of 19.1 gpm per foot of drawdown). The upper sand and gravel is the Parker Centerville aquifer. It is unconfined and under water table conditions. Both aquifers are used for irrigation purposes in this immediate area. Although the two aquifers are named and treated as distinct aquifers there is some degree of hydraulic connection in other parts of Turner County. At this site the two aquifers are distinct and separate.

The Water Rights Program monitors 23 observation wells completed into the Upper Vermillion Missouri aquifer in Turner County. One of these wells, TU-77B, is located within one mile of the well for 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. Also, the effects of pumping by area irrigation wells are obvious by causing a seasonal fluctuation of as much as 25 feet. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1996). Hydrographs for TU-77B and for TU-79E located about one mile west of this application and completed into the Parker Centerville aquifer are also included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are five existing water permits/rights which obtain water from the Upper Vermillion Missouri aquifer within a one mile radius of this application. There are three existing water permits/rights within the one mile radius which obtain water from the Parker Centerville aquifer. All of these permits have been in use for many years with no apparent problems. Interference is not expected to be a concern. Drawdown will occur as a result of pumping but this has not caused adverse effects. The hydrographs for the observation

wells verifies the fluctuation and also indicate that there is little if any affect of pumping from either aquifer upon the other aquifer.

CONCLUSIONS

1. Water is available from the Upper Vermillion Missouri aquifer.
2. The aquifer is confined and under artesian conditions. Drawdown does occur as a result of pumping. Interference does occur but this has not been adverse.
3. There does not appear to be a direct effect of pumping from the Upper Vermillion Missouri aquifer upon the Parker Centerville aquifer and vice versa.
4. The well for this application has already been constructed and is completed in accordance with SD Well Construction Standards.
5. The additional lands to be irrigated by this application are already being irrigated under Water Right No. 2897-3. This right obtained water from the Parker Centerville aquifer. This request is to change the source of water to the Upper Vermillion Missouri aquifer and to use the existing well and irrigation system authorized by Water Right No. 5371-3 to irrigate those same acres. This amounts to allowing the center pivot to make a full circle.
6. The well authorized by Water Right No. 2897-3 is subject to forfeiture or abandonment unless it is maintained operational pursuant to Water management Board Rule 74:02:01:37.02. To be retained as a standby well, the well must have a functional pump, motor and the appurtenances necessary to convey water.



James A Goodman
Natural Resources Engineer

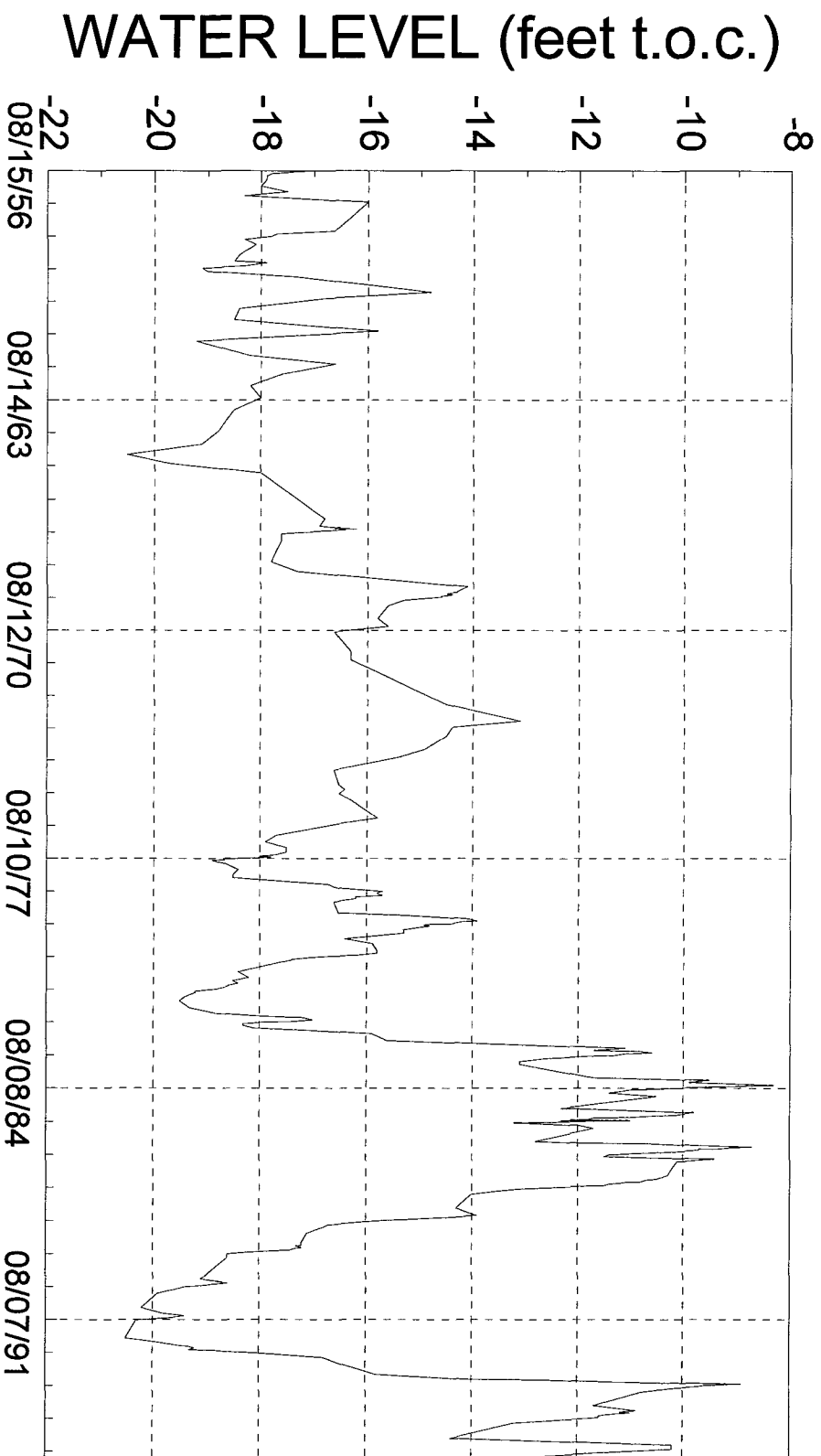
BIBLIOGRAPHY

Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, USGS WRI 90-4093, USGS, Huron, SD, 57350.

Water Rights, 1996, Unpublished Observation Well Data for Turner County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

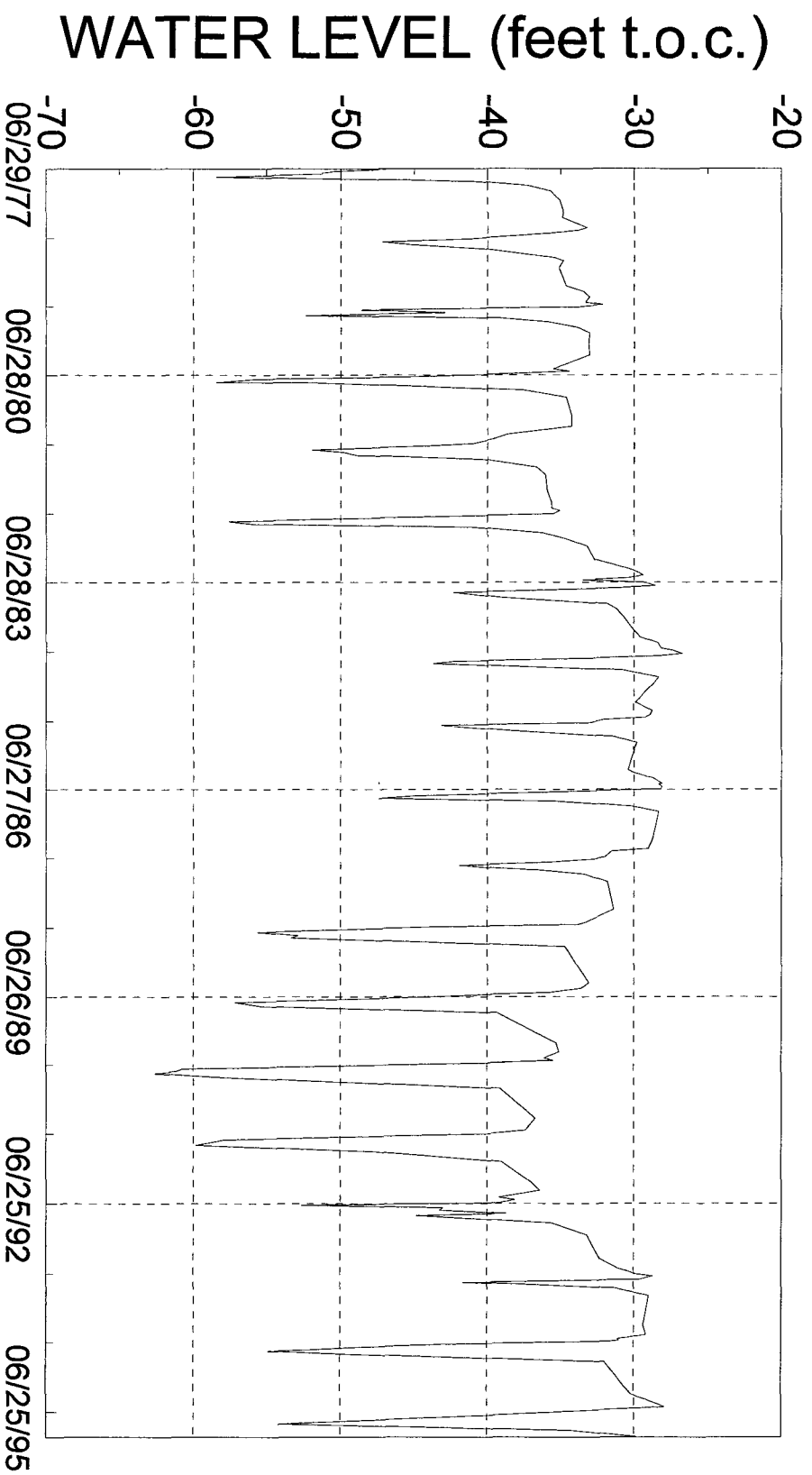
WATER RIGHTS OBSERVATION WELL

TU-79E



WATER RIGHTS OBSERVATION WELL

TU-77B



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5920-3, Darrel Westerman**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5920-3, Darrel Westerman, 46065 278th Street, Chancellor, SD 57015.

The Chief Engineer is recommending APPROVAL of Application No. 5920-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) 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. Approval of Permit No. 5920-3 allows the existing well authorized by Water Right No. 2897-3 to be retained as a standby source pursuant to Water Management Board Rule 74:02:01:37.02 (Exceptions To Nonuse Of Water) provided the well remains operational with a functional pump, motor and appurtenances necessary to convey water.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
April 24, 1996



April 25, 1996

**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.

Darrel Westerman
46065 278th St.
Chancellor, SD 57015

Dear Mr. Westerman:

Water Permit Application No. 5920-3 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 New Era printed at Parker, SD (Ph # (605) 297-4416). 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.

The well authorized by Water Right No. 2897-3 is subject to forfeiture or abandonment unless it is maintained operational pursuant to Water Management Board Rule 74:02:01:37.02. To be retained as a standby well, the well must have a functional pump, motor and the appurtenances necessary to convey water.

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.

Sincerely,

Eric Gronlund
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

April 25, 1996

The New Era
Box 577
Parker, SD 57053-0577

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5920-3 to be published twice. Please publish the first notice on May 2, 1996, 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 Darrel Westerman, 46065 278th St., Chancellor, SD 57015 (Ph # (605) 647-2357).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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 May 2, 1996, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5920-3 to Appropriate Water

Notice is given that Darrel Westerman, 46065 278th St., Chancellor, SD 57015 has filed an application for a water permit to appropriate 0.49 cubic feet of water per second from one existing well (Upper Vermillion Missouri Aquifer) 107 feet deep located 630 feet west of the center of the NE 1/4 Section 36 to irrigate 34 acres located in the NW 1/4 NE 1/4 Section 36; all in T99N-R53W. The existing well is authorized by Water Right No. 5371-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5920-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) 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 Program, 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 May 20, 1996.

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 Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Turner) SS

I, Mary Lee

certify that the attached printed Notice was
taken from the New Era

printed and published in Parker
County of Turner and State of

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

May 2, 1996

May 9, 1996

Cost of Printing: \$36.94



Notice of Application #5920-3 to Appropriate Water

Notice is given that Darrel Westerman, 46065 278th St., Chancellor, S.D. 57015 has filed an application for a water permit to appropriate 0.49 cubic feet of water per second from one existing well (Upper Vermillion Missouri Aquifer) 107 feet deep located 630 feet west of the center of the NE 1/4 Section 36 to irrigate 34 acres located in the NW 1/4 NE 1/4 Section 36; all in T99N-R53W. The existing well is authorized by Water Right No. 5371-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5920-3 because 1.) unappropriated water is available, 2.) existing rights will not be unlawfully impaired, 3.) it is a beneficial use of water, and 4.) 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 Program, Foss Building 523 E. Capitol, Pierre, S.D. 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 May 20, 1996.

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 Program address to request copies of information pertaining to this application.

Nettie H. Myers, Secretary
Department of Environment and
Natural Resources

#1267, May 2 & 9, 1996.

Mary Lee
(Signature)

Office Manager
(Title)

May 9, 1996
(Date Signed)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

Darrel Westerman
46065 278th St.
Chancellor, SD 57015

Dear Mr. Westerman:

Enclosed is Water Permit No. 5920-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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 Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.



NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Date _____

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Darrel Westerman 46065 278th St
(name) (address)
Chancellor S.D. 57015 605-647-2357
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5920-3.

Water Permit No. 5920-3 states that the diversion system is to be constructed by Nov 20 - 2001, and that the water is put to beneficial use by
(date)

Nov. 20 - 2005.
(date)

The diversion system was completed on May 31, 1995.
(date)

Applying the water to beneficial use was completed on July 1, 1996.
(date)

You may schedule an inspection so that the Water License may be issued.

Darrel Westerman
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 25, 1996

5920-3

Darrel Westerman
46065 278th Street
Chancellor, SD 57015

Dear Mr. Westerman:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 5920-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

415127

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ September 30, 19 96

RECEIVED OF Westerman Farms, 46065 - 278th St., Chancellor, SD 57015

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. <u>5920-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch 
Chief Engineer

REPORT ON INSPECTION OF PERMIT NO. 5920-3

Other permit(s) associated with the project: 2897-3 (Darrel Westerman) & 5371-3 (Alvin Plucker)

DATE OF INSPECTION: June 18, 1996

NAME OF INSPECTION CONTACT: Darrel Westerman, owner.

NAME & ADDRESS OF PERMIT HOLDER: Darrel Westerman, 46065 278TH Street, Chancellor, SD 57015.

DIVERSION POINT LEGAL LOCATION: 1320 feet S and 1950 feet W from the NE corner of Section 36; T99N R53W (on the quarter quarter line between the NW1/4 and SW1/4).

WELL INFORMATION:

- | | |
|--|-----------------------------------|
| 1) Well Drilling Firm: <u>Wetmore Drilling</u> | 3) Depth(s) <u>109</u> feet |
| 2) No. of Wells <u>1</u> | 4) Well log is available <u>Y</u> |

Casing:

- 1) Diameter 16 inches
- 2) Length 89 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 20 feet
- 3) Static water level 21 feet

Motor:

- 1) Make General Electric
- 2) Model No. 5K6237XH501F
- 3) Horsepower rating 40 HP

Pump:

- 1) Make Fairbanks - Morse
- 2) Model No. C-1901758
- 3) Capacity 800 GPM

DISTRIBUTION LINES OR CANALS:

- | | | |
|--------------------|-------------------------|---------------------------|
| 1) Type <u>Alu</u> | 2) Size <u>8</u> inches | 3) Length <u>630</u> feet |
|--------------------|-------------------------|---------------------------|

SYSTEM TYPE:

Center pivot:

- | | |
|------------------------------------|------------------------------------|
| 1) Make <u>Valley</u> | 4) End gun <u>Y</u> |
| 2) Overall length <u>1280</u> feet | 5) High or low pressure <u>low</u> |
| 3) Number of towers <u>8</u> | 6) Capacity <u>800</u> GPM |

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

NOTE:

The well and the center pivot are owned by Alvin Plucker. There has been an agreement between Mr. Plucker and Mr. Westerman to allow the center pivot to do a full circle - irrigating Mr. Westermans property with Mr. Pluckers equipment. This new permit was needed for the NW1/4 NE1/4 (Westerman) because of a change in water source. See Water License No. 2897-3. (The well under this Water License will be used for standby purposes only). The two permits (2897-3 & 5920-3) will not be incorporated because their water sources are different.

Permit No. 5920-3
Vermillion River - Water District

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

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

I have this day, **June 18, 1996**, made a thorough examination of the water use system constructed by **Darrel Westerman** of **46065 278TH Street, Chancellor, SD 57015** holder of Permit No. **5920-3**, bearing the priority of **March 20, 1996** authorizing the diversion of **0.49** cu. ft. of water per second from **ground water** for **irrigation** purposes, in **Turner** County.

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

A. Works used to divert the water:

One well with a 40 HP General Electric motor and an 800 GPM Fairbanks - Morse pump.

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

630 feet of 8" Aluminum pipe.

C. Works used to apply water to beneficial use:

A 1280' 8 tower Valley center pivot.

The system is in the following condition **good**. The point of diversion is located **1320 feet S and 1950 feet W from the NE corner of Section 36; T99N R53W (on the quarter quarter line between the NW1/4 and SW1/4)**. The works are capable of diverting and conveying to the place of use **1.77** cu. ft. of water per second which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

T99N R53W	Section 36	NW1/4 NE1/4	34 acres
------------------	-------------------	--------------------	-----------------

comprising a total of **34** acres of land and the license should be issued for **0.48** cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: **None** Date Report Completed: **September 23, 1996**


Barry A. McLaury

Natural Resources Scientist
DENR, Water Rights Program

NOTE:

The well and the center pivot are owned by Alvin Plucker. There has been an agreement between Mr. Plucker and Mr. Westerman to allow the center pivot to do a full circle - irrigating Mr. Westermans property with Mr. Pluckers equipment. This new permit was needed for the NW1/4 NE1/4 (Westerman) because of a change in water source. See Water License No. 2897-3. (The well under this Water License will be used for standby purposes only). The two permits (2897-3 & 5920-3) will not be incorporated because their water sources are different.

NOT TO SCALE



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5920-3

(1) Darrel Westerman, 46065 278th St, Chancellor SD 57015 made Application No. 5920-3, March 20, 1996 for a water permit to divert 0.49 cubic feet of water per second from groundwater (one well), Turner County, South Dakota for irrigation purposes. Permit No. 5920-3, with a priority date of March 20, 1996 was approved May 20, 1996 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 20, 2001 and for the application to beneficial use of said water on or before November 20, 2005.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on July 8, 1996. The *Notice* stated the diversion system was completed on May 31, 1996 and the water placed to beneficial use on July 1, 1996.

(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 0.48 cubic feet of water per second for beneficial use. The location of the diversion point is 1,320 feet south and 1,950 feet west from the northeast corner of Section 36-T99N-R53W (W 1/2 NE 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 36-T99N-R53W NW 1/4 NE 1/4 34 acres

Water Right No. 2897-3 authorizes irrigation of the same lands from a different water source.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Darrel Westerman, 46065 278th Street, Chancellor SD 57015 the holder and/or owner of Water Permit No. 5920-3 is issued a license to appropriate water, the right to use 0.48 cubic feet of water per second from groundwater (one well) with a priority date of March 20, 1996 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 5920-3 and subject to South Dakota State Law.



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

DEC 26 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 26 1996

5920-3

Darrel Westerman
46065 278th Street
Chancellor, SD 57015

Dear Mr. Westerman:

Enclosed is Water License No. 5920-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415127 in the amount of \$50.00 which you paid for the investigation 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. 5920-3, 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 Program
(605) 773-3352

ks
enclosures

2897-3, 5371-3, 5420-3

11/26/97

DENR representative,

Permit # 2897-3 should be eliminated since this well has been capped and filled in. The NW 1/4 of the NE 1/4 of sec. 36-49-53 is included with the rest of the NE 1/4 - sec. 36-49-53. This whole unit should be under permit # 5371-3. The operator for this unit will be changed to: Kent Plucker for next year. Thank-you.

27459 462nd ave.

Chancellor, SD 57015 Ph. 647-5838

Sincerely,

Kent Westerman





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 16, 1999

5371-3
5920-3

Kent Plucker
27459 462nd Ave
Chancellor, SD 57015-5751

Dear Mr. Plucker:

I am contacting you in follow-up to our November 15th telephone conversation regarding Water Right Nos. 5371-3 and 5920-3.

Enclosed, as we discussed, are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change with each of the water rights. No. 5371-3 is currently listed in the name of Alvin Plucker and No. 5920-3 is listed in the name of Darrel Westerman. You indicated the land will either be owned by your mom or be in the name of a "trust".

The forms will need to be completed by filling in the portion titled "be transferred to: (name & address)". Upon completion, the transfer forms will need to be signed in the presence of a notary public by either your mom or a representative for the "trust". Once they have been signed and notarized, please return them to us with a required filing fee of \$2.50 each (**total of \$5.00**).

It is my understanding from our telephone conversation, that the land is irrigated as one system. The permits were initially licensed separately because two different people owned the land. If it is acceptable to you, once we receive the transfer of ownership forms, I will have the water licenses combined and reissued under one number. No fees are required. The benefit of combining the licenses will be to eliminate the need to complete two irrigation questionnaires each year.

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

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5920-3



Date: 12-6-99

I/We request that Water Right No. 5920-3

formerly owned by: Darrel Westerman

be transferred to: (name & address) Plucker Family Limited Partnership dated 10-4-95
46320 277 St. Charallon, S.D. 57015 Telephone No. 605-647-5306

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

34 acres - NW 1/4 NE 1/4 Section 36, T99N, R53W

I/We understand that the validity of Water Right No. 5920-3 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.

STATE OF SOUTH DAKOTA)

County of Turner)

I/We Marianne Plucker 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.

Marianne Plucker
(Signed)

Subscribed and sworn to before me this 6th day of December, 1999.

Dianne K. Bossman
(Notary Public)
My commission expires 1-16-2002

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 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

NE 416287

Pierre, December 8, 1999

RECEIVED OF Plucker Family Limited Partnership, 4632C 277th St., Chancellor, SD 57015
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 Water Right No. 5920-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 30 1999

Marianne Plucker
Plucker Family Limited Partnership
46320 277th St
Chancellor SD 57015

Dear Mrs. Plucker:

Thank you for returning the transfer of ownership forms and fee. The transfers have been completed and the water rights are now listed in the name of the partnership. Enclosed are the receipts for payment of the transfer fees.

Enclosed is Reissued Water License No. 5920-3. The license was reissued to include the applicable portions of Water Right No. 5371-3. The licenses were combined because the land is irrigated as one system.

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.

Very truly yours,

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

enclosures

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 5920-3

(1) Darrel Westerman, Chancellor SD was issued Water Right License No. 5920-3, December 26, 1996 for a right to appropriate 0.48 cubic feet of water per second (cfs) from groundwater (one well), Turner County, South Dakota for irrigation purposes. Water Right No. 5920-3, with a priority date of March 20, 1996 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

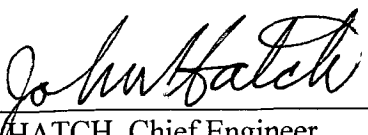
Water Right No. 5371-3, with a priority of December 5, 1989 authorized 1.46 cfs from one well to irrigate 102 acres. Both Water Right Nos. 5371-3 and 5920-3 were transferred to the Plucker Family Limited Partnership on December 8, 1999. The water rights were initially licensed separately because of separate ownership. The applicable portions of No. 5371-3 are incorporated into this reissued Water License No. 5920-3.

(2) It is certified that the permit holder 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 1.94 cubic feet of water per second for beneficial use. The location of the diversion point is 1,320 feet south and 1,950 feet west from the northeast corner of Section 36-T99N-R53W (W ½ NE ¼).

(3) The permit holder 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 36-T99N-R53W	NE ¼ NE ¼	34 acres
	SE ¼ NE ¼	34 acres
	SW ¼ NE ¼	34 acres
	NW ¼ NE ¼	34 acres
Total 136 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 Plucker Family Limited Partnership, 46320 277 St, Chancellor SD 57015 the holder and/or owner of Incorporated Water Right No. 5920-3 is reissued a license to appropriate water, the right to use 1.94 cubic feet of water per second from groundwater (one well) with a priority date of December 5, 1989 (1.46 cfs) and March 20, 1996 (0.48 cfs) from the location specified in (2) of this license. The water to be conducted to and 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 Right No. 5920-3 and subject to South Dakota State Law.



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

DEC 30 1999

date



SOUTH DAKOTA WATER WELL COMPLETION REPORT

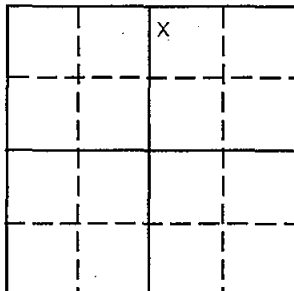
11-02

Location NW 1/4 NE 1/4 Sec 36 Twp 99 Rg 53

County

Turner

North



Please mark well location with an "X"

Well Completion Date

4/26/2012

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	75.0 FT	25.00 IN
LB/FT	16.00 IN	75.0 FT	95.0 FT	25.00 IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Vol Clay	60	Lb/gal	0.0 Ft	91.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter _____ Inches Length 15.0 FeetMaterial Stainless SteelSlot Size 0.060 Set From 95.0 Feet to 110.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No
If so, what material? PeaRock

Describe packer(s) and location

91-110

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?

☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Kent Plucker

Business Name:

Address: 27459 462 AveCity, State, Zip: Chancellor SD 57015

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
Gravel	1	13
Yellow Gravel & Rock	13	21
Blue Clay	21	73
Gravel & Rocks	73	83
Coarse Sand & Gravel	83	93
Gravel & Rocks	93	110

STATIC WATER LEVEL

321

FEET

If flowing: closed in pressure

PSI

GPM flow

through

Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:

☐ Bailed

☒ Other

Pumping Level Below Land Surface

Ft. After

Hrs. pumped

GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

RECEIVED

MAR - 4 2013

WATER RIGHTS PROGRAM

This well was drilled under license #

440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc.

Signature of License Representative:

Kent Plucker

Signature of Well Owner or Equitable Property Holder:

Date:

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

DEC 14 2015

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 5920-3

Date: _____

I/We request that Water Right/Permit No. 5920-3 formerly owned by:Plucker Family Limited Partnership be transferred to:New Owner Name: Honner Family Limited PartnershipAddress: 2515 W. Sleigh Creek CircleCity, State, Zip Sioux Falls SD 57108 Telephone No. _____

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

NE 1/4 § 36-99-53,
Turner County, SD

☒ I understand that the validity of Water Right/Permit No. 5920-3 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, Kevin Honner, its General Partner, 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 12/18, 20 15

RECEIVED OF Dale Strasser PC PO Box 428 Freeman SD 57029

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>5920-3</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. **07555**

By J. L. Goodman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 23, 2015

5920-3

Kevin Horner
Horner Family Limited Partnership
2515 W Sleigh Creek Circle
Sioux Falls SD 57108

Dear Mr. Horner:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 5920-3. The ownership change has been completed. The water right formerly held by Plucker Family Limited Partnership is now held by Horner Family Limited Partnership.

The 2015 irrigation questionnaire for this property was submitted by Plucker Family Partnership. As a reminder, we are still missing two irrigation questionnaires for Water Right Nos. 3410-3 and 4646B-3 listed in your name. These forms need to be returned as soon as possible to avoid being scheduled for hearing.

The receipt for the filing fee is being forwarded by copy of this letter to Dale Strasser, Attorney at Law, Freeman SD. If you have any questions, please let me know.

Sincerely,

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

c: Dale Strasser, PC, PO Box 428, Freeman SD 57029