

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

6258A-3
RECEIVED

FEB 09 2018

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 6258-3Date: February 7, 2018

I/We request that Water Right/Permit No. 6258-3 formerly owned by:
Barry & Robin Vculek be transferred to:

New Owner Name: Samuel & Samantha BraunAddress: PO BOX 361City, State, Zip Warner SD 57479 Telephone No. 605 380-0166

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

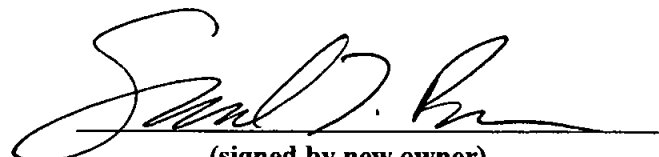
E1/2NE1/4 & W1/2NE1/4 & E1/2NW1/4 & W1/2NW1/4 & E1/2SW1/4 & W1/2SW1/4 & W1/2 SE1/4
Section 10-127N-71W

☒ I understand that the validity of Water Right/Permit No. 6258-3 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, Samuel Braun, 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 February 9, 20 18

RECEIVED OF Sam Braun PO Box 361 Warner, SD 57479

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 _____ 6258-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08592**

By

Jeanne Goodman
Chief Engineer
ym



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

MAR 27 2018

6258A-3

Samuel & Samantha Braun
PO Box 361
Warner SD 57479-0361

Dear Mr. & Mrs. Braun:

Enclosed is Reissued Water License No. 6258A-3.

Based on the ownership changes filed by both you and Mark & Kim Hoffman, Water Right No. 6258-3 has been divided and reissued to reflect separate ownership as follows:

- **No. 6258A-3, Samuel & Samantha Braun, PO Box 361, Warner SD 57479** authorizing diversion of 7.00 cfs from six wells to irrigate 490 acres all located in Section 10, T127N, R71W.
- **No. 6258B-3, Mark & Kim Hoffman, 35415 Plum Rd., Leola SD 57456** authorizing diversion of 1.89 cfs from one well to irrigate 132 acres located in the NW ¼ Section 15, T127N, R71W.

A map of the entire area showing the location of the wells and pivots is included with your license.

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, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 6258A-3
(DIVISION OF WATER LICENSE NO. 6258-3 INTO NOS. 6258A-3 & 6258B-3)

(1) Barry & Robin Vculek were issued Water Right No. 6258-3, September 12, 2016 for a water right to divert 8.89 cubic feet of water per second (cfs) from ground water, seven wells (Spring Creek – McPherson Aquifer), McPherson County, South Dakota for irrigation purposes. Water Right No. 6258-3, with a priority date of April 12, 2001 authorizes irrigation of 622 acres in portions of Section 10 and Section 15, T127N, R71W.

On February 9, 2018 and March 22, 2018, ownership changes were filed with Water Right No. 6258-3. Based on the ownership changes, the water right is being divided and reissued to reflect separate ownership as follows:

- **No. 6258A-3, Samuel & Samantha Braun, PO Box 361, Warner SD 57479** authorizing diversion of 7.00 cfs from six wells to irrigate 490 acres all located in Section 10, T127N, R71W.
- **No. 6258B-3, Mark & Kim Hoffman, 35415 Plum Rd., Leola SD 57456** authorizing diversion of 1.89 cfs from one well to irrigate 132 acres located in the NW ¼ Section 15, T127N, R71W.

(2) It is certified that the water right holders have complied with the provisions of South Dakota State Law and are entitled to divert 7.00 cubic feet of water per second for beneficial use (*diversion rate is based on the statutory limit for the acreage developed*).

The locations of the six diversion points are:

1. 2,285 feet S & 2,290 feet E of the NW corner of Section 10, T127N, R71W (SE ¼ NW ¼);
2. 2,510 feet S & 1,915 feet E of the NW corner of Section 10, T127N, R71W (SE ¼ NW ¼);
3. 2,605 feet S & 2,630 feet E of the NW corner of Section 10, T127N, R71W (SE ¼ NW ¼);
4. 3,985 feet S & 1,335 feet E of the NW corner of Section 10, T127N, R71W (approx. center of SW ¼)
5. 4,025 feet S & 3,285 feet E of the NW corner of Section 10, T127N, R71W (SW ¼ SE ¼)
6. 1,865 feet S & 3,680 feet E of the NW corner of Section 10, T127N, R71W (SW ¼ NE ¼)

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

Section 10, T127N, R71W

NW ¼ NW ¼	33 acres	NW ¼ NE ¼	33 acres	NW ¼ SE ¼	40 acres	NW ¼ SW ¼	33 acres
NE ¼ NW ¼	33 acres	NE ¼ NE ¼	33 acres	SW ¼ SE ¼	33 acres	NE ¼ SW ¼	40 acres
SE ¼ NW ¼	33 acres	SW ¼ NE ¼	40 acres			SE ¼ SW ¼	33 acres
SW ¼ NW ¼	40 acres	SE ¼ NE ¼	33 acres			SW ¼ SW ¼	33 acres

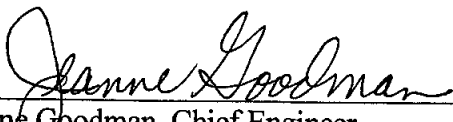
Total irrigated acres - 490

continued

(4) Pursuant to South Dakota Water Law 46-5-30.1 Samuel & Samantha Braun, PO Box 361, Warner SD 57479-0361 the holders and/or owners of Water Right No. 6258A-3 are issued a license to appropriate water, the right to use 7.00 cubic feet of water per second from ground water, six wells (Spring Creek – McPherson Aquifer) with a priority date of April 12, 2001 from the locations specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6258-3 and subject to the following qualifications (*now applicable to No. 6258A-3*):

- The wells 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.
- The wells authorized by Permit No. 6258-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAR 27 2018

date

