

WATER PERMIT NO. 7166-3

Name of Applicant: **Steve Andrews**

Address: **30416 472nd Ave, Beresford SD 57004**

Phone: **605 253-2259**

Amount of Water Claimed: **no add'l**

Total Acres: **41.4**

Source of Water Supply: **groundwater (1 existing well)**

Water to be used for: **irrigation**

County: **Union**

Type of Waste Disposal System: **NA**

Location: **7 miles south of Beresford**

PRIORITY

Date Received: **10-13-09**

Application/License Fee: **\$700**

Corrected Application Received:

Period of Annual Use: **June 1 – September 15**

Remarks: **Using the same well as authorized by Water Permit No. 6933-3**

Diversion Point: **SW ¼ SW ¼ Sec 35-T95N-R50W**

Land to be Irrigated: **E ½ SE ¼, SW ¼ SE ¼ Sec
9-T94N-R50W**

Depth of Well: **100 feet deep**

Well Driller:

Remarks:

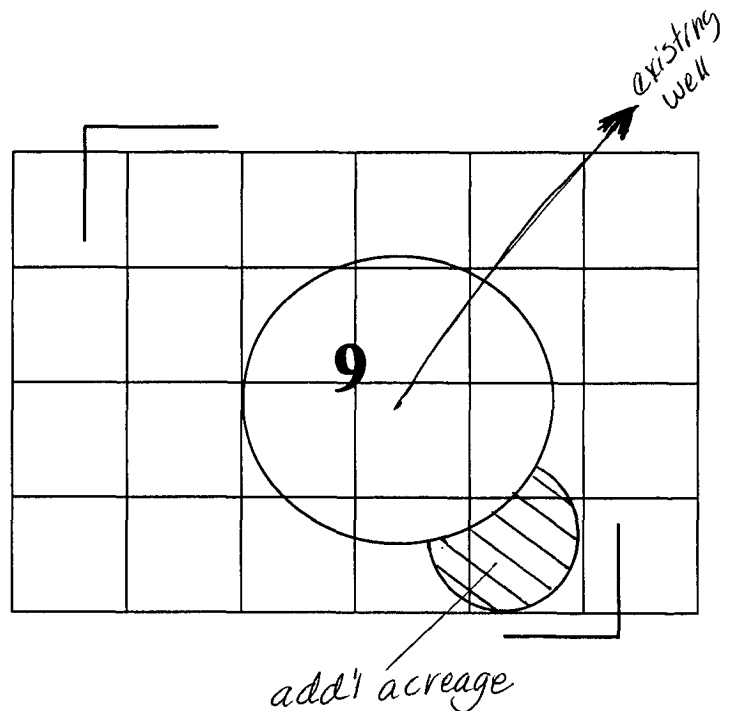
Type of Map: **aerial**

Prepared by: **Jeff Loof, NRCS**

Reviewed and the Number Assigned on: **10-15-09**

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	No. <u>7166-3</u> (office use only)	Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Beresford Republic</u>	<u>Box 11</u>
	<u>605-763-2066</u>	<u>57004</u>

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OCT 13 2009
WATER RIGHTS
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Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

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

- Name of Applicant Steve Andrews Phone 605-253-2259
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 30416 472nd Ave. Beresford State SD 57004
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed no add *CFS or 800 **GPM ***AF Total Acreage 41.4
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply will use the same well I am using now (6933-3)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Union
use the same well in SW1/4 SW 1/4 35 T-95-N R-50-W
we will not be running both pivots at the same time.
- County or counties where water will be used Union
- Annual period during which water is to be used June 1 - September 15th
- 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
<u>SE 1/4 of SE 1/4 9-94-50</u>	<u>34</u>		
<u>NE 1/4 of SE 1/4 9-794-N R-50W</u>	<u>2.4</u>		
<u>SW 1/4 of SE 1/4 9-94-50</u>	<u>5</u>		
	<u>41.4 - Total</u>		

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

STATE OF SOUTH DAKOTA) SS
County of UNION

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)

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

Applicant's signature Steve Andrews

Subscribed and sworn to before me this 8th day of OCTOBER 20 09

James K. Davis
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7166-3**

Date of first receipt of application October 13, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7166-3 to Steve Andrews, 30416 472nd Ave, Beresford SD 57004 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. 7166-3 authorizes the following: 1) irrigation of an additional 41.4 acres, 2) changes the location of the well authorized by Water Permit No 6933-3 and 3) adds the existing well authorized by Water Right No. 1384-3 and Water Permit No. 6556-3.

Water Permit No. 6933-3 authorizes 2.22 cubic feet of water per second (cfs) from one well completed into the Brule Creek Aquifer (approximately 100 feet deep) located in SW 1/4 SW 1/4 Section 35-T95N-R50W to irrigate 249.1 acres located in the E 1/2, E 1/2 NW 1/4, E 1/2 SW 1/4 Section 9-T94N-R50W. Water Right No. 1384-3 and Water Permit No. 6556-3, combined, appropriate 3.09 cfs from a well completed into the Brule Creek Aquifer located in the NW 1/4 SW 1/4 Section 35-T95N-R50W to irrigate 216 acres in the SW 1/4 and W 1/2 SE 1/4 Section 35-T95N-R50W.

This permit authorizes irrigation of an additional 41.4 acres located in the E 1/2 SE 1/4, SW 1/4 SE 1/4 Section 9-T94N-R50W and corrects the well location for Water Permit No. 6933-3 to the NE 1/4 SW 1/4 Section 35-T95N-R50W to reflect the actual location of the completed well. Permit No. 7166-3 also amends Water Right No. 1384-3 and Water Permit No. 6556-3 by adding the existing well located in the NE 1/4 SW 1/4 Section 35-T95N-R50W for irrigation of authorized lands. This permit does not authorize any increase in the diversion rate.

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: June 1 – September 15.
3. The date from which applicant may claim right is October 13, 2009.
4. The date of approval of Permit No. 7166-3 is January 11, 2010.
5. One-fifth of the construction is to be completed on or before July 11, 2012.
6. All construction is to be completed on or before January 11, 2014.
7. Water is to be put to beneficial use on or before January 11, 2018.
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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

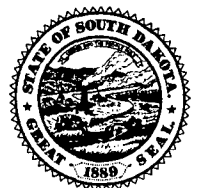
WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 21 2010

date



Steve's → Pivot 2 (PROPOSED)

Pivot Area: **35.58** acres
 Endgun Area: **5.82** acres
 Total Area: **41.40** acres

System Length: **901.92** ft
 # of Spans: **5 + overhang**
 Deg. of Sweep: **218.4°**
 Endgun Throw: **150.0** ft

Color on map:



Spans

# of Spans: 5	Span 1 (158.1)	Span 2 (315.2)	Span 3 (494.1)	Span 4 (673.0)	Span 5 (851.9)	Overhang (901.9)
Length:	157	157	179	179	179	44 ft
Pipe Size:	6 - 5/8"	6 - 5/8"	6 - 5/8"	6 - 5/8"	6 - 5/8"	5 - 9/16"

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Endgun Areas

Endgun 1: (Throw = 150.0 ft)

# of Areas: 3	Start / Stop Angle (Deg. from North)	Start / Stop Angle (Deg. from Pivot Start)	Start / Stop Location (Lat/Long)		Area (acres)
Area 1	42.0° / 61.7°	0.0° / 19.7°	42.972251396° -96.747393977°	42.971585501° -96.746682855°	1.16
Area 2	118.4° / 148.3°	76.3° / 106.2°	42.969237553° -96.746686413°	42.968309145° -96.747879025°	1.75
Area 3	210.9° / 260.4°	168.9° / 218.4°	42.968291276° -96.751382929°	42.970001499° -96.752973523°	2.90



United States Department of Agriculture Farm Service Agency

10



South Dakota Union County

Farm Number
4335

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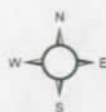
OCT 13 2009

WATER RIGHTS
PROGRAM

Township-Range-Section
SE 1/4 - 94N50W9

Legend

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions
- CLU Field Boundary
- Tract Boundary



1:8,380

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Apr 15, 2009

Automatic Irrigation Inc.



1111 Railway ST
Centerville, SD 57014
605-563-2649 office

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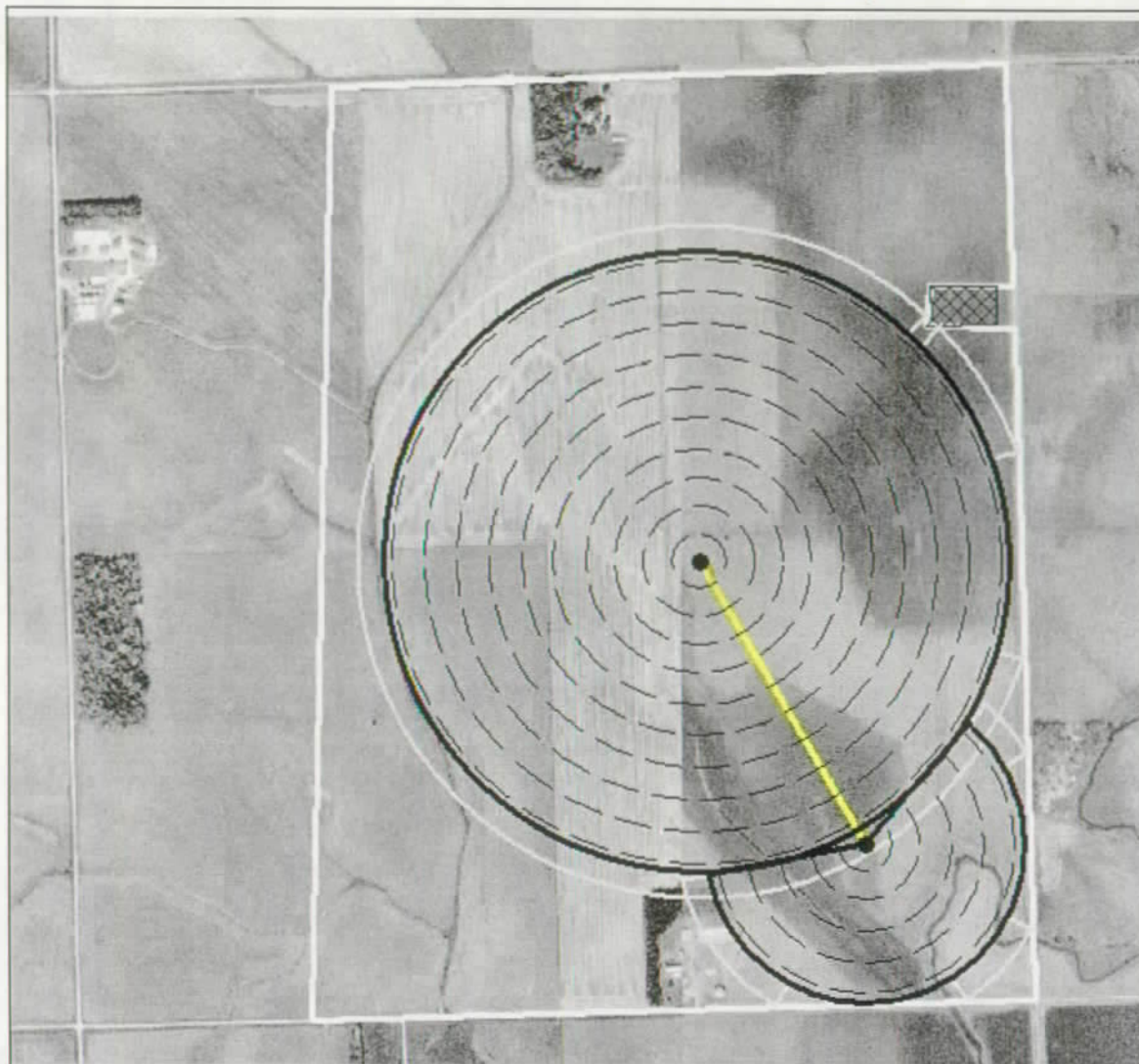
Farm: Brule

Grower: Steve Andrews

10/2/2009

Systems:	Length	Spans	Total area including endgun
● Pivot 1	1752.83 ft	10 spans + 44 ft o.h.	256.81 acres
● Pivot 2	901.92 ft	5 spans + 44 ft o.h.	41.40 acres

Pipe and Wire:	Length / Size	Description
○ Underground Pipe	1837.32 ft / 8"	See yellow line below

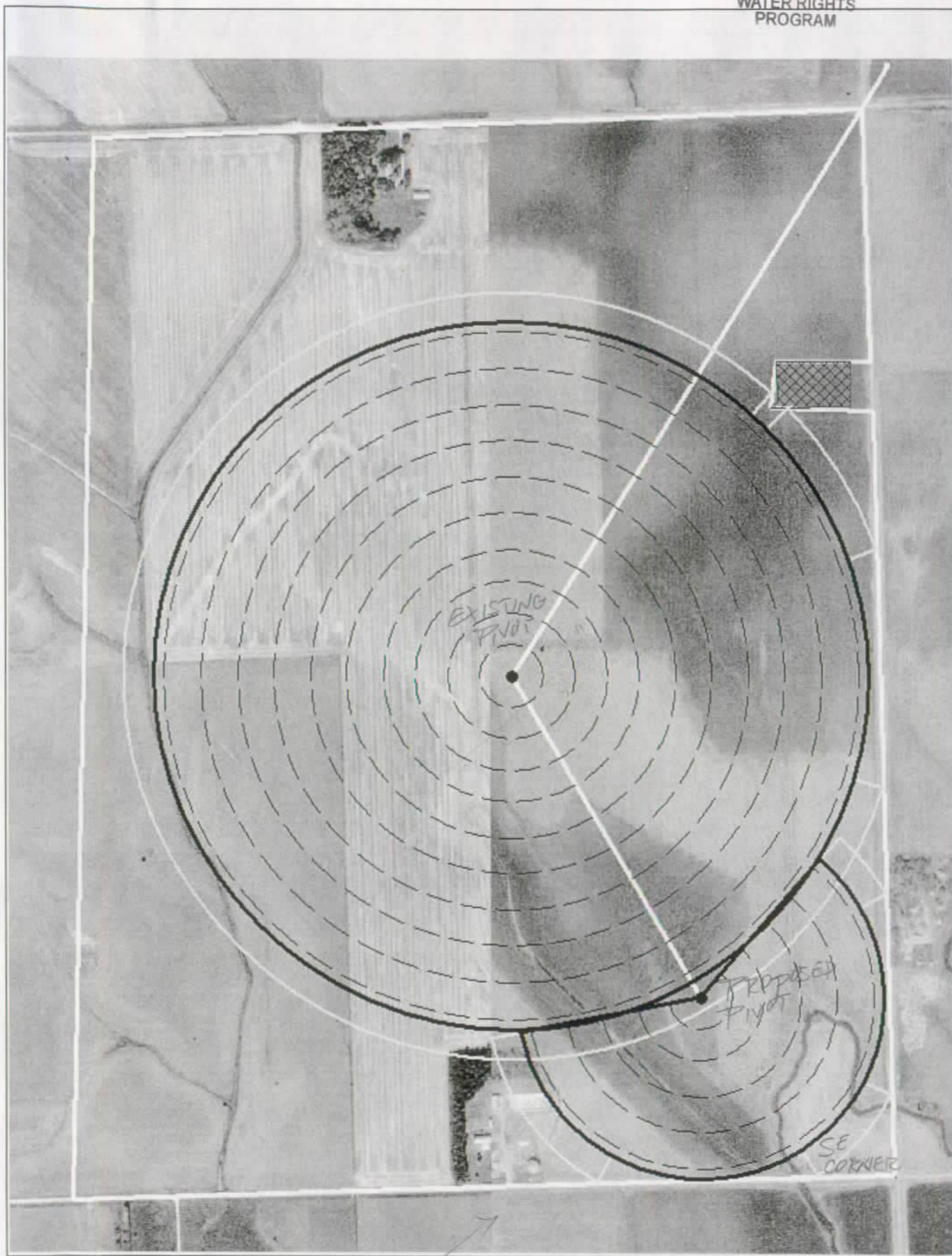


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1B

WATER RIGHTS
PROGRAM



Automatic Irrigation Inc. Centerville, SD 605-563-2649 office

SE 1/4 7 9-94-50



United States Department of Agriculture Farm Service Agency



South Dakota
Union County

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Farm Number
5187

Township-Range-Section
95N50W35

Legend

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions
- CLU Field Boundary
- Tract Boundary



1:8,391

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Apr 15, 2009



United States Department of Agriculture Farm Service Agency



South Dakota Union County

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WATER RIGHTS
PROGRAM

Farm Number
5356

Township-Range-Section
94N50W3

Legend

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions
- CLU Field Boundary
- Tract Boundary



1:8,197

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Apr 15, 2009



Existing Well

Existing Well

35-95-50 Section 3

Section 3

Prepared by: NRCS
Jeff Loof, DC

Jeff Loof
10/6/09

3-94-50

Section 9

pivot point

brule
diversion point

pivot point

56-94-50

SD EForm - 1621 V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

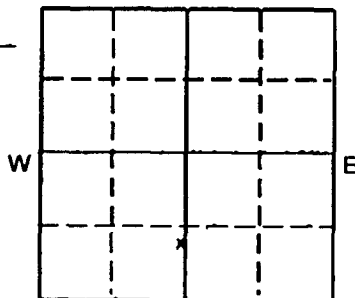
Location se 1/4 sw 1/4 Sec 35 Twp 95n Rg 50w

County

Union

North

Please mark well location with an "X"



Well Completion Date

7/30/2009

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

? 1,400.0 ft. from septic system (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Bucket boring

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
LB/FT 16.00 IN 0.0 FT 40.0 FT 22.00 IN

LB/FT IN FT FT IN
LB/FT IN FT FT IN

GROUTING DATA:

Grout Type No. of Sacks Grout Weight From To
3cent Grt 15 9.6 Lb/gal 0.0 Ft 30.0 Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 40.0 Feet

Material PVC

Slot Size 0.060 Set From 40.0 Feet to 80.0 Feet

Other information

WAS A PACKER OR SEAL USED?

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes. How?
☐ No. Why Not?
Lab sample sent to for water quality analysis

Well Owner: Steve & Jim Andrews

Business Name:

Address: 30416 472 Ave

City, State, Zip: Beresford Sd 57004

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Silt, brown, clayey, sandy (Alluvium)	0	4
Sand, medium to coarse	4	31
Sand, coarse, pebbly	31	59
Gravel, medium to coarse, sandy	59	90

STATIC WATER LEVEL 9.0 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

17.0 Ft. After 2.0 Hrs. pumped 800.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: 800.0 GPM

REMARKS

This well was drilled under license # 666

And this report is true and accurate.

Drilling firm: Hammond Wetmore Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/13, 20 09

RECEIVED OF Steven Andrews 30416 472nd Ave Beresford SD 57004

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

Fee for Application for Permit No. <u>7166-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	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. <u>7166-3</u>	200	00
Fee for Filing Transfer Form _____		
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	700 00

No. 04228

By Garland Erbe
Chief Engineer

STEVE ANDRES
30416 472ND AVE
BERESFORD SD 57004
October 8, 2009

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OCT 13 2009
**WATER RIGHTS
PROGRAM**

PMB 2020
DENR - WATER RIGHTS PROGRAM
JOE FOSS BUILDING
523 EAST CAPITOL AVE
PIERRE SD 57501

Dear Sir or Madam:

We would like to be able to run any of these four (4) pivots on either well, in case one well breaks down.

The well permits are Nos. 1384-3, 6556-3. These are Jim's pivots and No. 6933-3 is Steve's plus the new pivot permit we are applying for. We will never be running any more than on pivot per well at a time.

This new pivot will cover 41.4 acres on a 218.4 degree sweep.

New pivot will be supplied with water from the pivot installed this spring on permit No. 6933-3 – these two pivots will not run at the same time.

We are authorized 800 GPM, even with the additional pivot (Pivot #2). We will not exceed 800 GPM.

Please omit "Brule Diversion Point" as it is not part of this application.

Very truly yours,


Steve Andrews

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Application No. 7166-3, Steve Andrews

ADDRESS: 30416 472nd Avenue, Beresford SD COUNTY: Union

DATE: October 16, 2009 TELEPHONE: 253-2259

RE: Conversation with Mr. Andrews regarding his application

I inquired about the small pivot intended for this application crossing Brule Creek. Mr. Andrews indicated that they use steel girders they've purchased from bridges that have been dismantled to make crossings for the pivot wheels.

NAME: Eric Lundberg



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7166-3, Steve Andrews**

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. 7166-3, Steve Andrews, 30416 472nd Avenue, Beresford SD 57004.

The Chief Engineer is recommending APPROVAL of Application No. 7166-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

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

See report on application for additional information.

Garland Erbele, Chief Engineer
December 14, 2009

WATER PERMIT APPLICATION NO. 7166-3
STEVE ANDREWS
NOVEMBER 10, 2009

Water Permit Application No. 7166-3 proposes to amend Water Permit No. 6933-3 by changing the location of the authorized diversion point from the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T95N-R50W to an existing well located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T95N-R50W (well No. 1); and authorizing diversions from a second existing well, located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T95N-R50W (well No. 2). Water Permit Application No. 7166-3 proposes to amend Water Right No. 1384-3 and Water Permit No. 6556-3 by adding the existing well located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T95N-R50W (well No. 1) as a second authorized diversion point. Water Permit No. 7166-3 also proposes to irrigate 41.4 acres, located in the E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, T94N-R50W using the well(s) authorized by Water Permit No. 6933-3. Water Permit Application 7166-3 does not propose to increase the total diversion rate authorized by the existing appropriations. Water Permit Application No. 7166-3 proposes an additional total appropriation of 82.8 acre-feet per year.

Water Permit No. 6933-3 authorizes the diversion of 2.22 cubic feet of water per second (cfs) from the Brule Creek aquifer to irrigate 249.1 acres located in the E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 9, T94N-R50W. Water Right No. 1384-3 and Water Permit No. 6556-3, combined, appropriate 3.09 cfs from a well completed into the Brule Creek aquifer located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T95N-R50W. Water Right No. 1384-1 and Water Permit No. 6556-3 authorize irrigation of 216 acres located in the SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 35, T95N-R50W.

AQUIFER: Brule Creek aquifer

AQUIFER CHARACTERISTICS:

The Brule Creek aquifer consists of medium sand to coarse gravel of both glacial and nonglacial origin. Hedges and others, (1982) estimate the aquifer contains 298,950 acre-feet (ac-ft) of recoverable water in storage and underlies a total of 78,400 acres, located in portions of Lincoln and Union Counties with a small portion of the aquifer extending into Clay County. Niehus, (1994) refined the size of the Brule Creek aquifer, estimating it underlies 180 square miles of Lincoln and Union Counties and contains 570,000 acre-feet of recoverable water in storage in the counties. Portions of the Brule Creek aquifer are under confined (artesian) conditions and the aquifer is under unconfined (water table) conditions in other areas.

The well that is to be used to supply this application, (located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T95N-R50W) was constructed 7/30/2009. The South Dakota Water Well Completion Report submitted for the well indicates the aquifer is surficial in this location with a static water level of 9 feet below grade and had a total of 81 feet of saturated thickness at the time of completion. The report indicates the well produced 800 gallons per minute with eight feet of drawdown. The completion report indicates the well was constructed in accordance with the SD Well Construction Standards.

The DENR-Water Rights Program monitors 10 observation wells completed into the Brule Creek aquifer, with four of these wells located within approximately one mile of this project area. Hydrographs for the local observation wells are shown in figures 1-4.

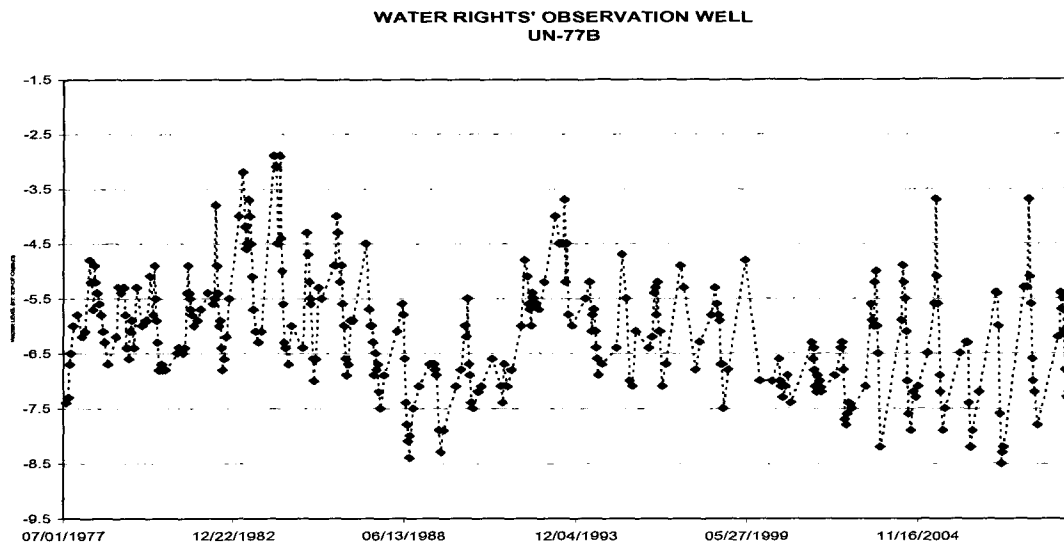


Figure 1. Hydrograph of Water Rights' Observation well located approximately one mile north of the well site proposed by Water Permit Application No. 7166-3

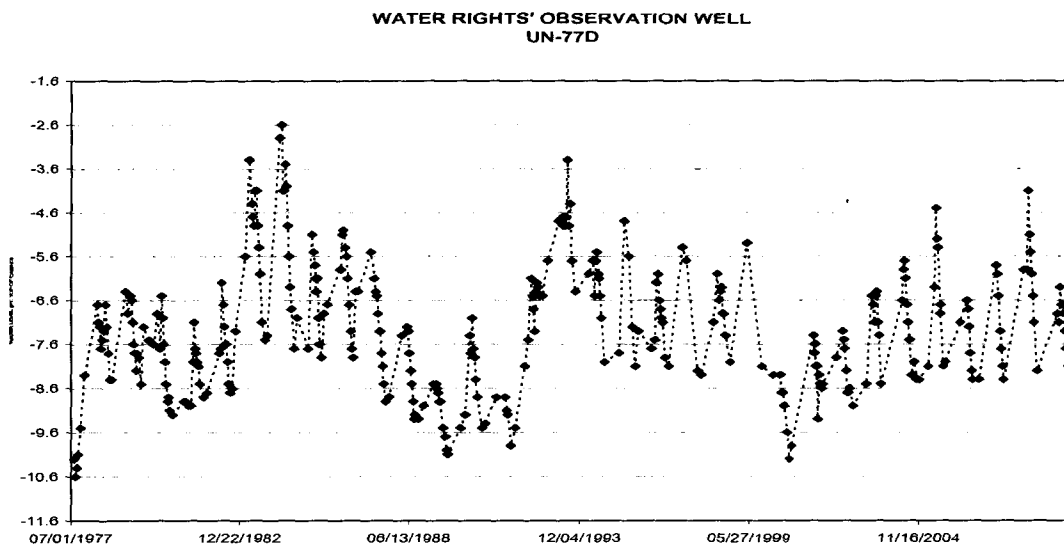


Figure 2. Hydrograph of Water Rights' Observation well located approximately one mile south of the well site proposed by Water Permit Application No. 7166-3

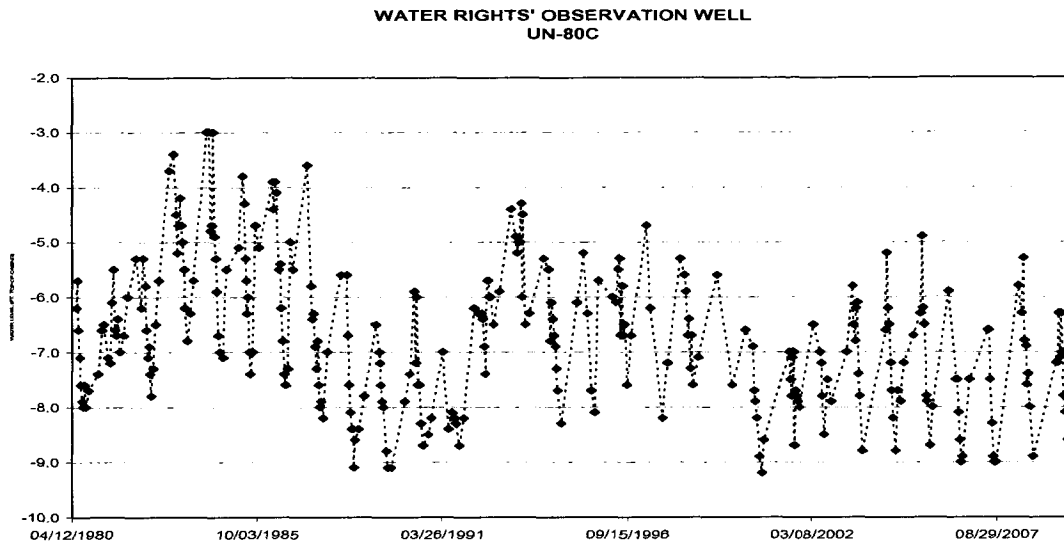


Figure 3. Hydrograph of Water Rights' Observation well located approximately one mile east of the well site proposed by Water Permit Application No. 7166-3

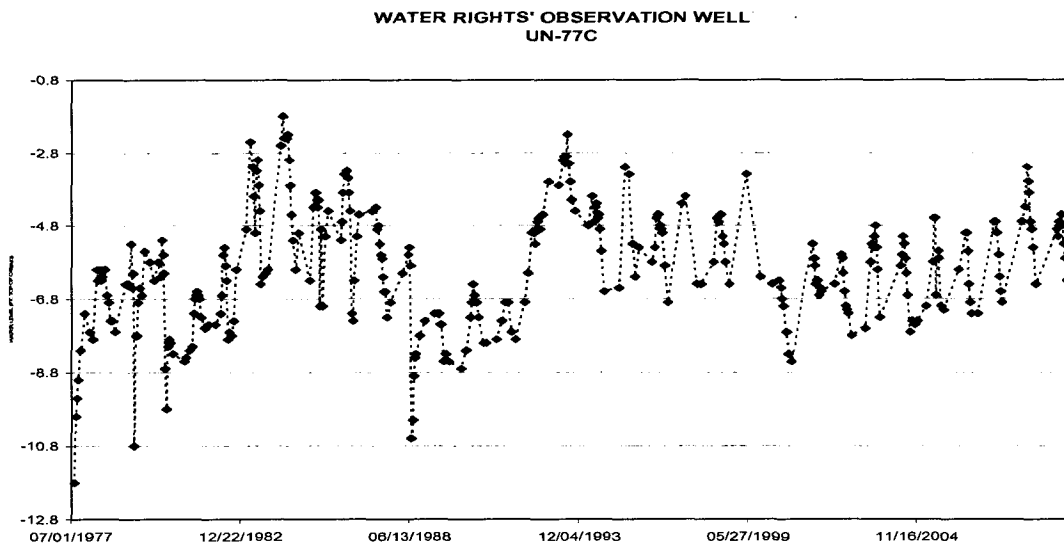


Figure 4. Hydrograph of Water Rights' Observation well located approximately one mile west of the well site proposed by Water Permit Application No. 7166-3

The hydrographs show the water level of the aquifer fluctuates with seasonal changes in recharge and discharge. The water levels rise during the late winter through early summer in response to increased recharge, and decline from early summer through late winter because withdrawals (from wells and natural discharge) exceed recharge.

Recharge to the Brule Creek aquifer occurs primarily through infiltration of precipitation in areas where the aquifer is near land surface. The average annual recharge rate was estimated using data from the six DENR-Water Rights Program observation wells completed into the unconfined portions of the Brule Creek aquifer. The data consisted of

1,719 water level readings from the six wells, totaling 183 record years. An average annual water level rise was determined for observation wells and multiplied by the specific yield (0.15) to obtain the average annual recharge in inches. The average annual recharge rate estimated using the entire period of record for the observation wells is approximately 4.5 inches per year. The Brule Creek aquifer is under unconfined conditions only over a portion of its area, therefore the recharge rate cannot be applied over the entire aquifer. Analyses of observation well data (Water Rights, 2009a) and well completion report data (Water Rights, 2009c) indicate at least one-fourth of the aquifer is under unconfined conditions. A conservative estimate of the average annual volume of recharge to the Brule Creek aquifer, applying the recharge rate based on observation well water level analysis (4.5 inches per year) to the unconfined portion of the aquifer (one-fourth of the aquifer area) ranges from 7,300 ac-ft/yr, (assuming the areal extent defined by Hedges and others (1985)) to 10,800 ac-ft/yr, (using the Niehus (1994) aquifer delineation).

Discharge from the Brule Creek aquifer is through well withdrawals, evapotranspiration where the aquifer is near ground surface; and possibly through discharge to the Newton Hills and Big Sioux aquifers.

Almost all of the water withdrawn from the Brule Creek aquifer by wells is for appropriative uses. There are currently 16 Water Rights/Permits appropriating water from the Brule Creek aquifer, they are shown in table one (Water Rights, 2009c).

PERMIT NO	NAME	USE	CFS	ACRES
1384-3	JIM ANDREWS	IRR	1.94	136
2193-3	LARRY D ANDREWS	IRR	1.94	136
2194-3	LARRY D ANDREWS	IRR	1.94	136
4685-3	ALLEN ANDREWS	IRR	1.77	136
4909-3	CITY OF BERESFORD	MUN	1.92	
5536-3	DON LERSETH	IRR	1.77	136
5660-3	CITY OF BERESFORD	REC	0.00	
5950-3	LARRY D ANDREWS	IRR	1.65	116
6556-3	JAMES ANDREWS	IRR	1.15	80
6558-3	MARLOW CHRISTENSEN	COM	0.04	
6933-3	STEVEN ANDREWS	IRR	2.22	249.1
6961-3	NORMAN KRAMER	IRR	1.56	160
6962-3	NORMAN KRAMER	IRR	1.56	160
6963-3	NORMAN KRAMER	IRR	1.44	80
672-3	CITY OF ALCESTER	MUN	0.44	
758-3	CITY OF ALCESTER	MUN	0.17	

Table 1. Water Rights/Permits appropriating water from the Brule Creek aquifer

Water uses by holders of non-irrigation appropriations from the Brule Creek aquifer can be considered negligible. Almost all of the water use from the Brule Creek aquifer is for irrigation. From 1986 through 2008 there have been between seven and eleven irrigation Water Rights/Permits appropriating water from the aquifer. The average appropriation during the time period was 2,649.6 acre-feet per year. Pumpage reported from the Brule

Creek aquifer between 1986-2008 averaged 659.82 acre-feet per year (Water Rights, 1987-2009). The total irrigation appropriations and reported pumpage for 1986-2008 are shown in figure 5.

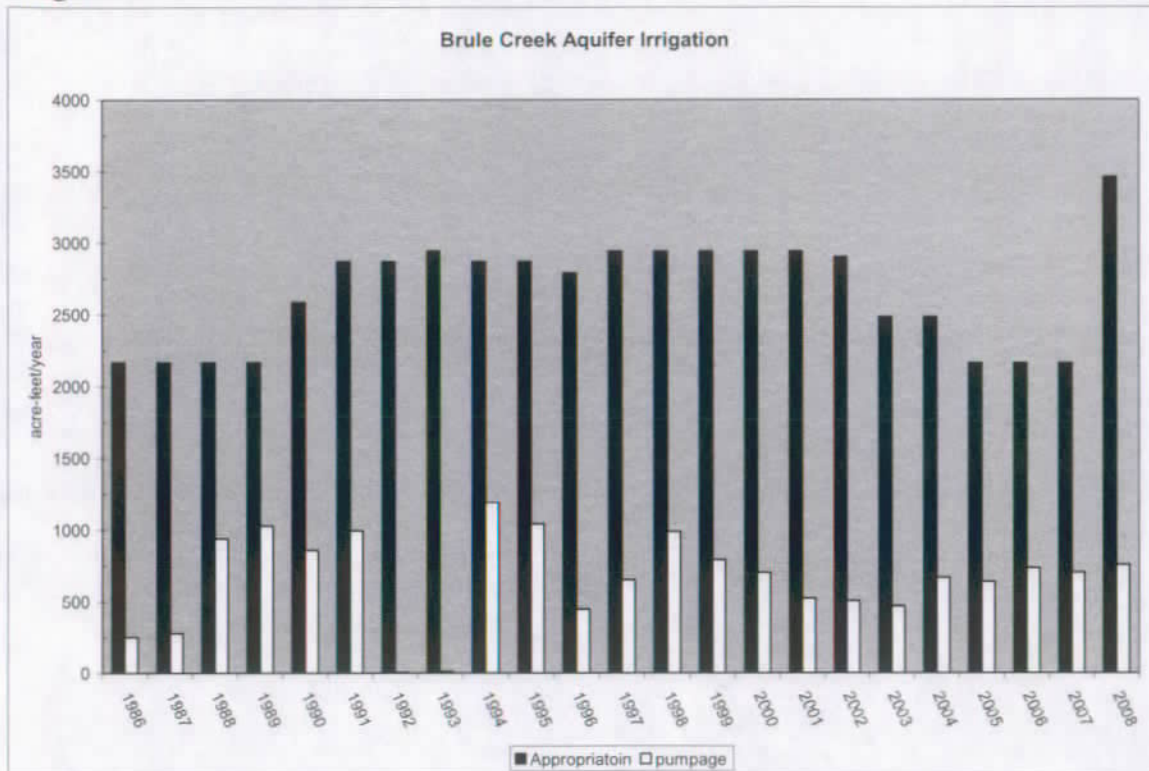


Figure 5. Total appropriation and reported pumpage from Brule Creek aquifer irrigation appropriations 1986-2008.

REVIEW OF EXISTING WATER RIGHTS/PERMITS

All of the irrigation from the Brule Creek aquifer takes place within approximately two and one-half miles of the project area proposed by this application, and eight of the permits/rights are within approximately one mile (see figure 6). The Brule Creek aquifer is under unconfined conditions in this area and drawdown created by pumping is not expected to be significant. The observation well record documents that drawdown has not been significant. The fact that existing irrigation well users have coexisted with no apparent problems for many years reinforces the conclusion that well interference should not be a problem. The well proposed for use by this application is no closer to existing wells than the original well site approved for Water Permit No. 6933-3, so the potential for significant well interfere does not change. Although this application does not propose an increase of the total diversion rate currently authorized for the systems, if the permit is approved it will result in an increased appropriation of 82.8 acre-feet annually, with a proportional increased duration of pumping. Well interference caused by the additional pumping should not significantly impact existing users.

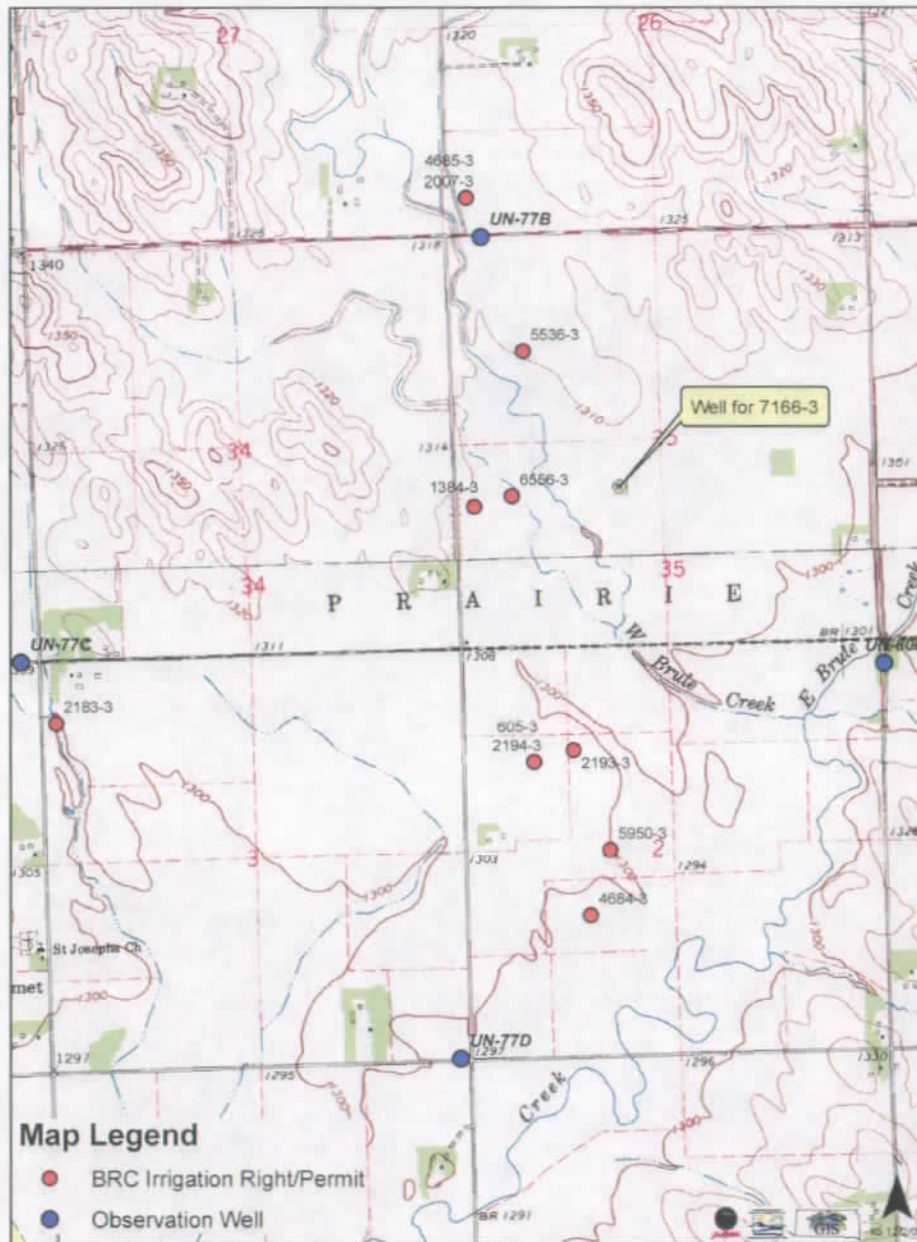


Figure 6. Map showing location of the well that is to be used to supply Water Permit No. 7166-3, area Water Rights/Permits and Observation Wells

CONCLUSIONS:

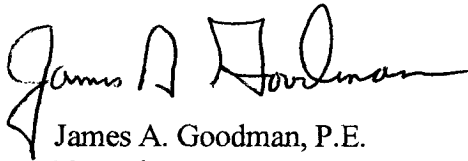
1. Water Permit application No. 7166-3 proposes to irrigate an additional 41.4 acres from the Brule Creek aquifer, therefore approval of this application will appropriate an additional 82.8 acre-feet per year from the Brule Creek aquifer.
2. The Brule Creek aquifer is a viable aquifer and there is a reasonable probability that unappropriated water is available for this appropriation.

3. Water Permit application No. 7166-3 does not propose to increase the diversion rate authorized from the Brule Creek aquifer from what is currently appropriated.
4. Water Permit application No. 7166-3 proposes to change the location of the diversion point authorized by Water Permit No. 6933-3. The change in location will not increase the potential for adverse impacts to existing water rights/permits.
5. Approval of this application will effectively authorize additional diversion points to Water Permit Nos. 6556-3 and 6933-3, and Water Right No. 1384-3.



Ken Buhler
Natural Resources Engineering Specialist

approved by



James A. Goodman, P.E.
Natural Resources Engineering Director

REFERENCES:

- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., Schoon, R.A., 1982, Evaluation of Ground-Water resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa: S.D. Department of Water and Natural Resources, Office of Geological Survey Contract DACW 45-80-C-0185
- Niehus, C.A., 1994, Water Resources of Lincoln and Union counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 93-4195, Report of Investigations, 57 p.
- Water Rights, 1987-2009, "Unpublished Irrigation Summary by Aquifer for the years 1987-2008", DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights, 2009a, "Observation Well Files", DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights, 2009b, "Water Right/Permit Files", DENR-Water Rights Program, Joe Foss Building, Pierre, SD

Appendix A. Average annual recharge estimated using observation well data

	UN-77A	UN-77B	UN-77D	UN-80A	UN-80B	UN-80C	
1978	2.6	2.6	-3.9				
1979	1.7	1.4	-2				
1980	1.2	1.7	-8				
1981	2.3	1.9	-2	-3	-3	-2.5	
1982	2.1	2.2	-2.1	-2	-2.2	-2.6	
1983	2	3.6	-2.6	-2.8	-4.5	-5.4	
1984	1.8	3.4	-5.3	-2.9	-2.6	-5.6	
1985	1.4	2.4	-4.8	-1.5	-2.1	-6.3	
1986	2.3	3	-2.6	-2.8	-2.2	-1.2	
1987	2.2	2.4	-2.9	-3.4	-2.9	-4.5	
1988	1.9	1.9	-2.4	-2.7	-1.6	-2.6	
1989	2.4	1.7	-1.7	-2.5	-0.8	-2.6	
1990	1.9	2.8	-0.8	-1.8	-3.1	-3.2	
1991	1.1	0.9	-3.1	-1.7	-0.5	-2	
1992	2.3	2.6	-0.7	-5.3	-3.3	-4.2	
1993	2.4	2.3	-3.8	-2.2	-2.2	-4.5	
1994	0.6	0.8	-3.1	-1.4	-0.3	-1.9	
1995	2.2	2.2	-0.9	-2.6	-2.5	-5.5	
1996	1.2	1.9	-3.2	-2.4	-2.5	-1.9	
1997	2	2.2	-2.1	-2.7	-2.1	-2.9	
1998	2.1	1.5	-2.7	-2.4	-1.3	-3.1	
1999	2.7	2.7	-2.3	-2.4	-2.7	-2	
2000	0.1	0.4	-2.7	-1.4	-0.1	-1.6	
2001	2.8	1.1	-2.8	-2.1	-3.8	-2.9	
2002	1.6	0.9	-2	-1.8	-1.4	-2.5	
2003	1.7	2.8	-2.6	-2.5	-3	-2.8	
2004	2.8	3.3	-2.8	-3.1	-2.5	-4.7	
2005	2.4	4.2	-3.9	-2.2	-2.9	-3	
2006	1.7	1.6	-1.5	-2.4	-1.4	-2.8	
2007	2.1	2.8	-2.6	-1.9	-2.8	-2.4	
2008	3	4.8	-4.3	-3.1	-2.8	-4.4	
2009	2.2	2.4	-1.9	-1.9	-1.7	-3.4	
Ave (ft)	1.9625	2.2625	-2.81563	-2.44483	-2.23448	-3.27586	
Ave (in)	23.55	27.15	33.7875	29.33793	26.81379	39.31034	
Recharge	3.5325	4.0725	5.068125	4.40069	4.022069	5.896552	Ave=4.498739
Count	32	32	32	29	29	29	Total=183

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF SOUTH DAKOTA

JAN 19 2010

SS

WATER RIGHTS
PROGRAM

COUNTY: UNION

CITY: BERESFORD

NEWSPAPER: BERESFORD REPUBLIC

Allyson M. Hill, being first duly sworn, on oath, says that the BERESFORD REPUBLIC IS a weekly newspaper published in said city and county, State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive, and has met all the requirements for at least one year next prior to the first publication of the attached public notice, and that said notice, a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper

2 time(s) as follows: that the first publication of said notice in said newspaper aforesaid was on Thursday the

24 day of December, 2009, and that the succeeding publications were severally on

Thursday, the 31 day of December, 2009;

Thursday, the ____ day of _____, 2009;

Thursday, the ____ day of _____, 2009

Affiant further says that the full amount of the fees charged for the publication of said notice inures to the benefit of the publishers of said newspaper; that no agreement of understanding for the division thereof has been made with any other person, that no part therefore has been agreed to be paid to any person whomsoever; and that the fees charges for the publication thereof are:

DOLLARS \$ 57⁴⁹

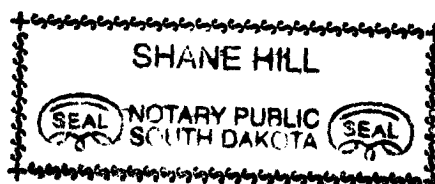
X Allyson M. Hill, Allyson M. Hill

Subscribed and sworn to before me this 31 day of December, 2009.

Shane Hill

Notary Public

My commission expires 11/14/2012.



NOTICE OF APPLICATION NO. 7166-3 to Appropriate Water

Notice is given that Steve Andrews, 30416 472nd Ave, Beresford SD 57004 has filed an application for a water permit to: 1) irrigate an additional 41.4 acres, 2) change the location of the well authorized by Water Permit No 6933-3 and 3) add the existing well authorized by Water Right No. 1384-3 and Water Permit No. 6556-3.

Water Permit No. 6933-3 authorizes 2.22 cubic feet of water per second from one well completed into the Brule Creek Aquifer (approximately 100 feet deep) located in SW 1/4 SW 1/4 Section 35-T95N-R50W to irrigate 249.1 acres located in the E 1/2, E 1/2 NW 1/4, E 1/2 SW 1/4 Section 9-T94N-R50W. Water Right No. 1384-3 and Water Permit No. 6556-3, combined, appropriate 3.09 cfs from a well completed into the Brule Creek Aquifer located in the NW 1/4 SW 1/4 Section 35, T95N, R50W to irrigate 216 acres in the SW 1/4 and W 1/2 SE 1/4 Section 35, T95N, R50W.

This application seeks to irrigate an additional 41.4 acres located in the E 1/2 SE 1/4, SW 1/4 SE 1/4 Section 9-T94N-R50W and change the well location for Water Permit No. 6933-3 to the NE 1/4 SW 1/4 Section 35-T95N-R50W to reflect the actual location of the completed well. Finally, Application No. 7166-3 proposes to amend Water Right No. 1384-3 and Water Permit No. 6556-3 to add the existing well located in the NE 1/4 SW 1/4 Section 35, T95N, R50W for irrigation of authorized lands. This application, if approved, does not authorize any increase in the diversion rate.

The application also seeks to allow the use of the wells authorized by Water Permit No. 6933-3 and Water Right No. 1384-3 and Water Permit No. 6556-3 interchangeably in the event either well is down for maintenance.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7166-3 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 this 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 this 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 January 11, 2010.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of \$57.49.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 14, 2009

Beresford Republic
PO Box 111
Beresford SD 57004

ATTENTION: Legal Public Notice

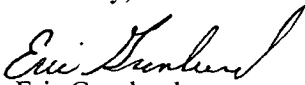
Enclosed is a Notice on Application No. 7166-3 to Appropriate Water to be published twice. Please publish the first notice on December 24, 2009 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Steve Andrews, 30416 472nd Ave., Beresford SD 57004 (Ph # 605-253-2259).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 7166-3

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

Date _____

We are in receipt of your letter of December 14, 2009 enclosing Notice to Appropriate Water by Application No. 7166-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

December 14, 2009

Steve Andrews
30416 472nd Ave
Beresford SD 57004

Dear Mr. Andrews:

Water Permit Application No. 7166-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Beresford Republic printed at Beresford SD (Ph # 605-763-2006). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352
eric.gronlund@state.sd.us

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.

Instruction to Newspaper - Publish first Notice on December 24, 2009 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7166-3 to Appropriate Water

Notice is given that Steve Andrews, 30416 472nd Ave, Beresford SD 57004 has filed an application for a water permit to: 1) irrigate an additional 41.4 acres, 2) change the location of the well authorized by Water Permit No 6933-3 and 3) add the existing well authorized by Water Right No. 1384-3 and Water Permit No. 6556-3.

Water Permit No. 6933-3 authorizes 2.22 cubic feet of water per second from one well completed into the Brule Creek Aquifer (approximately 100 feet deep) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35-T95N-R50W to irrigate 249.1 acres located in the E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 9-T94N-R50W. Water Right No. 1384-3 and Water Permit No. 6556-3, combined, appropriate 3.09 cfs from a well completed into the Brule Creek Aquifer located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T95N, R50W to irrigate 216 acres in the SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 35, T95N, R50W.

This application seeks to irrigate an additional 41.4 acres located in the E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9-T94N-R50W and change the well location for Water Permit No. 6933-3 to the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35-T95N-R50W to reflect the actual location of the completed well. Finally, Application No. 7166-3 proposes to amend Water Right No. 1384-3 and Water Permit No. 6556-3 to add the existing well located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, T95N, R50W for irrigation of authorized lands. This application, if approved, does not authorize any increase in the diversion rate.

The application also seeks to allow the use of the wells authorized by Water Permit No. 6933-3 and Water Right No. 1384-3 and Water Permit No. 6556-3 interchangeably in the event either well is down for maintenance.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7166-3 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 this 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 this 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 January 11, 2010.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 21 2010

Steve Andrews
30416 472nd Ave
Beresford SD 57004

Dear Mr. Andrews:

Enclosed is Water Permit No. 7166-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 28, 2026

6933-3, 7166-3

James Andrews
47266 305th St
Beresford, SD 57004

Dear Mr. Andrews:

On June 24, one of our Water Right Engineers inspected your property in order to obtain a license for Water Permit No. 7166-3. You also would like to incorporate Water Right No. 1384-3 and Water Permit Nos. 6556-3, 6933-3, all into one license in your name, to be held under 7166-3. I have enclosed two partially completed "Transfer of Ownership" forms for you to complete since they are under Steven's name.

Please return the forms (in the prepaid envelope that is provided) with a check for \$100.00 (\$50.00 for each transfer) made payable to "SD Water Rights Program" to cover the transfer fees. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. These forms will still need to be returned even if you are submitting payment over the phone. Once it is paid and I have the transfers, I will complete this license.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosures

RECEIVED

AUG 13 2026

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

AUG 13 2026

Ck# 7574

Rec't#

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

Water Right/Permit No. 7166-3

Date: 8/8/2026

I/We request that Water Right/Permit No. 7166-3 formerly owned by:
Steven Andrews be transferred to:

New Owner Name: James Andrews
Address: 47266 305 St. mobile: 605-957-5478
City, State, Zip: Beresford, SD 57004 email: farmboy70@hotmail.com

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

Section 9-T94N-R50W
SE 1/4 SE 1/4 - 34acres
NE 1/4 SE 1/4 - 2.4 acres
SW 1/4 SE 1/4 - 5 acres
Total: 41.4 acres

☒ I understand that the validity of Water Right/Permit No. 7166-3 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, James Andrews, the new owner, certify that the above information is true and correct.

James Andrews
(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

Date August 13, 2026

RECEIVED OF James Andrews 47266 305th St Beresford, SD 57004

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 #6933-3 & #7166-3	\$ <u>100.00</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>100.00</u>

By Adam Mathiowetz
Sk Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 13, 2026

6933-3, 7166-3

James Andrews
47266 305th St
Beresford, SD 57004

Dear Mr. Andrews:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" forms and the fees you submitted for Water Permit Nos. 6933-3 & 7166-3, enclosed is a \$100.00 receipt of payment for your records.

Water Permit Nos. 6933-3 & 7166-3, previously held by Steven Andrews, are now listed under your name. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Permit/License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Permit/License will be subject to cancellation.

I am happy to answer any questions you may have.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Permit Nos. 6933-3 & 7166-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures