

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

327T0520

SENATE BILL NO. 129

Introduced by: Senator Lederman and Representative Miller

1 FOR AN ACT ENTITLED, An Act to provide for the severance of certain water rights.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That chapter 46-5 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 The provisions of §§ 46-5-33, 46-5-34, 46-5-34.1, and any other provision of law
6 notwithstanding, the ownership of any water right or permit that has been issued or established
7 pursuant to this title may be transferred, sold, assigned, or conveyed, and the right or permit may
8 be severed from the land. The seller of any such land may retain ownership of the severed water
9 right or permit and may transfer, sell, assign, or convey the severed right or permit for any
10 purpose, regardless of whether or not the water is used or developed.

