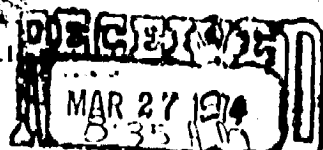


Water Right Number 1012-1

1. Considered 5-15-74, 19 74
2. Name of Applicant WILLIAM & CECELIA HEPPER
3. Post Office Address MOBRIDGE
4. Amount of water claimed 8.28
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 580
7. Water to be diverted and used in GORSON County
about 1W 6N Miles of MOBRIDGE
8. Proof of Publication
Received 4-29-74
Not received
9. Application
Approved
Subject to
Not approved
Action deferred
10. Remarks:

No. 7012-1Map No. 836-1 Water Division No. 1 GRAND RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT STATE WATER RIGHTS COMM. PERRA, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant William R. & Cecelia Hepper
 Postoffice address Box 575 - Mobridge State South Dakota
 If a corporation show date and place of incorporation No
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Hepper Project #1
4. Amount of water claimed (cubic feet per second) 8.75 MAXIMUM ALLOWABLE
Depends on number of units
5. Source of water supply Oahe River MISSOURI RIVER
6. Location of point of diversion BETWEEN POINTS IN THE NE¹/₄ NW¹/₄ SECTION 17 AND IN THE SE¹/₄ NW¹/₄ SECTION 16; AND BETWEEN POINTS IN THE SW¹/₄ NE¹/₄ AND IN THE NW¹/₄ SE¹/₄ SECTION 20. ALL IN T19N, R30E
Map is attached showing diversion points. County Worson
7. Annual period or periods during which water is to be used May, June, July, August, September, & October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 580

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SW ¹ / ₄ 8-19-30 BHM	132		
SE ¹ / ₄ 8-19-30 BHM	140		
W ¹ / ₄ 16-19-30 BHM	117		
W ¹ / ₄ 20-19-30 BHM	191		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Mobridge Tribune
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source.
Electric Pump
- B. Works proposed to transport water to place of use.
Pump and Pipe to system.
- C. Works proposed to apply water to beneficial use.
Sprinkler tow line or Pivot system

Estimated Total Cost \$100,000.00

Attachments: Attach Form 2A if diversion from a well or dug out, or if storage of water is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

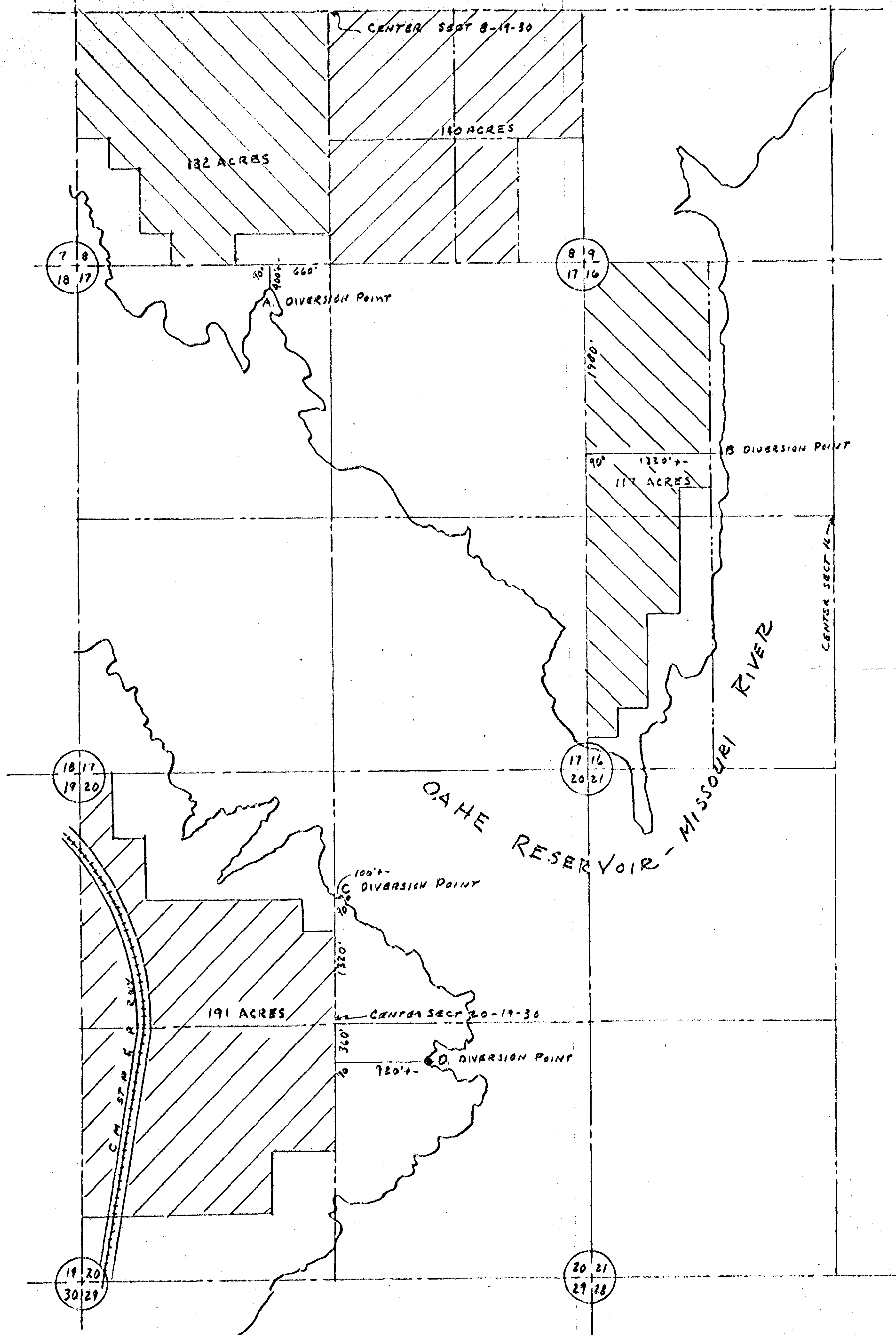
County of Walworth

I, Willie Hepper the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Willie HepperSubscribed and sworn to before me this 26 day of March 1974

Notary Public (or other qualified officer)

W. M. BENDERSON,
 Notary Public,
 His commission expires 6-22-1977.



STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } SS
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF WILLIAM R. & CECILIA HEPPER,
SOLE OWNERS, I HAVE SHOWN THE LANDS PROPOSED TO BE
IRRIGATED WITHIN THEIR OWNERSHIP BOUNDARIES ON
FEB 8, 1974. APPLICATION FOR APPROPRIATIVE WATER RIGHT
HAS BEEN MADE AND THIS MAP IS A TRUE REPRESENTATION
OF THE SAME.
WITNESS MY HAND AND SEAL THIS 8TH DAY OF FEB. 1974.

Harlan W. Meyer
REG. L.S. NO. 495

AREAS BY LEGAL SUBDIVISION			
132.0 ACRES	SW 1/4	8-19-30	BHM
140.0 ACRES	SE 1/4	8-19-30	BHM
117.0 ACRES	W 1/2 W 1/2	16-19-30	BHM
191.0 ACRES	W 1/2	20-19-30	BHM
580.0 ACRES	TOTAL		

WILLIAM R. & CECILIA HEPPER IRRIGATION PROJECT
SHOWS AREAS TO BE IRRIGATED & FOUR DIVERSION POINTS.
FOR PERMIT TO APPROPRIATE WATER

OWNER
SURVEYOR

WILLIAM R. & CECILIA HEPPER
HARLAN W. MEYER

FEB 1974

MAP NO 836-1 (APPL NO 1012-1)

WATER RIGHT APPLICATION APPROVAL

WATER RIGHTS COMMISSION

The Water Rights Commission hereby approves Water Right Application No. 1012-1
WILLIAM R. & CECELIA HEPPER Box 546⁶¹², MOBRIDGE
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57601 With the following modifications:
 (State)

Date of first receipt of application MARCH 27 19 74
 Date of return to applicant for correction, amendments or changes required --- 19 ---
 Date of receipt of corrected application --- 19 ---
 Approved MAY 15 19 74 Recorded in Book 12 Page 346

WATER RIGHT PERMIT NO. 1012-1

WATER RIGHTS COMMISSION

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1012-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MARCH 27 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 15 19 75
3. The whole of said work is to be completed on or before MAY 15 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 15 19 79
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 8.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MAY 15 19 79; said water to be used during the following described annual period: MAY THRU OCTOBER

Witness my hand this 16TH day of MAY 19 74

WATER RIGHTS COMMISSION

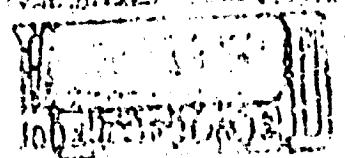
By

Daniel D. Dineen

Chief Engineer, Executive Officer

Certificate of Construction Issued --- 19 ---

Water License Issued --- 19 ---



Form 9 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1012-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Walworth) ss.

I, Dorothy Horn hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Mobridge Tribune

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

Mobridge Tribune of Mobridge, S. Dak.

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

April 11, 1974

April 18, 1974

Dorothy Horn
(Signature)

Dorothy Horn
(Title)

April 27, 1974
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501

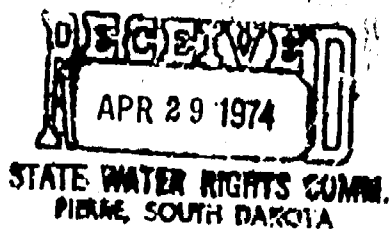
April 3, 1974

Notice is hereby given that
William R. and Cecelia Hepper
whose post office address is
Mobridge, South Dakota, has
made an application in ac-
cordance with the provisions of
the water laws of South Dakota
for a permit to appropriate for
beneficial use 8.28 cubic feet of
water per second of time from the
Missouri River through the
Hepper Project No. 1, the point of
diversion of which is to be located
between points in the NE $\frac{1}{4}$
NW $\frac{1}{4}$, Section 17, and in the NE $\frac{1}{4}$
NW $\frac{1}{4}$, Section 16; and between
points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and in
the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20,
Twp. 19N, Range 30E. Said water
to be used for the purpose of
providing irrigation on All or
portions of the following
described land: S $\frac{1}{2}$ Section 8;
W $\frac{1}{2}$ W $\frac{1}{2}$, Section 16; W $\frac{1}{2}$, Section
20, all in T19N, R30W.

This application No. 1012-1 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 15th day of
May, 1974, at 2:30 P.M. All in-
terested persons may appear and
be heard.

WATER RIGHTS COMMISSION
By: Burton F. Jones
BURTON F. JONES,
Water Rights Specialist

-411-418



Form 6 - Notice of Intent to Appropriate Water

~~2074-3~~ 1012-1

Publish first publication, on or before May 2, 19 74

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 3, 19 74

Notice is hereby given that William R. and Cecelia Hepper

whose post office address is Mobridge, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

8.28 cubic feet of water per second of time from the Missouri River through the

Hepper Project #1, the point of diversion of which is to be located xxx

Between points in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, and in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16;

and between points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and in the NW $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 20, Twp. 19N, Range 30E. Said water to be used for the purpose of providing irrigation of ~~all~~ All or portions of the following described land:

8 $\frac{1}{2}$ Section 8; W $\frac{1}{2}$ W $\frac{1}{2}$, Section 16; W $\frac{1}{2}$, Section 20, all in T19N, R30W

This application No. ¹⁰¹²⁻¹~~2074-3~~ will be considered by the Water ~~Resources~~ Rights Commission at their office at Pierre upon the 15th day of May, 19 74, at 2:00 P. M. All interested persons may appear and be heard.

~~WATER RESOURCES COMMISSION~~
WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

DFJ/bw

cc: William Hepper, Box 546, Mobridge, S.D. 57601

**South Dakota Department of
Water & Natural Resources**

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

January 29, 1988

WILLIAM R & CECELIA HEPPER
BOX 612
MORRIDGE, SD 57601

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

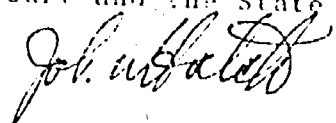
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1012-1. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s). 1012-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-2352

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

SOUTH DAKOTA Department of
Water & Natural Resources

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

February 9, 1988

1021-1

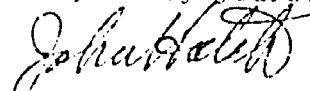
William R & Cecelia Hepper
Box 612
Mobridge SD 57601

Dear Mr. & Mrs. Hepper:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 1021-1 and the hearing date before the Water Management Board.

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

Very truly yours,



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

**South Dakota Department of
Water & Natural Resources**

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

February 8, 1989

WILLIAM R & CECELIA HEPPER
BOX 612
MOBRIDGE, SD 57601

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1012-1. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

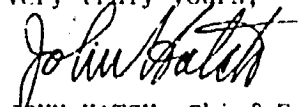
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 1012-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,



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



**South Dakota Department of
Water & Natural Resources**

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

February 24, 1989

1012-1

William & Cecelia Hepper
5 South 17th Ave East
Mobridge, SD 57601

Dear Mr. & Mrs. Hepper:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 1012-1. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



1012-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 7, 1995

WILLIAM R & CECELIA HEPPER
5 S 17TH AVE E
MOBRIDGE SD 57601 3004

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 1012-1. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 8, 1995, in the Crown Room, 2nd Floor, Kings Inn Best Western Convention Center, 220 S Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No 1012-1 to require the Irrigation Water Use Questionnaire to be submitted each year,
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

fold on the reverse side

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete Items J, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to: 1012-1

WILLIAM R & CECELIA HEPPER
5 S 17TH AVE E
MOBRIDGE, SD 57601 3004

I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number
P 837 692 711

- b. Service Type
- ☒ Registered ☐ Insured
 - ☒ Certified ☐ COD
 - ☐ Express Mail ☐ Return Receipt for Merchandise

Date of Delivery
2-7-85

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)
William R. Hepper

6. Signature (Agent)

PS Form 3811, December 1991

U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Return Receipt Service
Thank you for using



1012-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 1995

1012-1

William R & Cecelia Hepper
5 S 17th Avenue E
Mobridge, SD 57601-3004

Dear Mr. & Mrs. Hepper:

i am writing to acknowledge receipt of your 1994 irrigation questionnaire. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.

The questionnaire was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



1012-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: WILLIAM R & CECELIA HEPPER, 5 S 17TH AVE E MOBRIDGE, SD 57601 3004

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 1012-1. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1012-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

Read on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the multiple, or on the back if space does not permit.
- Write "Return Receipt Requested" on the multiple below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

WILLIAM R & CECELIA HEPPER
5 S 17TH AVE E
MOBRIDGE SD 57601 3004

4a. Article Number

7 179 157 222

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

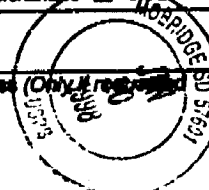
5. Received By (Print Name)

William Hepper

6. Signature (Addressee or Agent)

X [Signature]

8. Addressee's Address (Only if registered and fee is paid)



Is your RETURN?

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 1998

1012-1

William R & Cecelia Hepper
5 S 17th Ave E
Mobridge, SD 57601-3004

Dear Mr. & Mrs. Hepper:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 1012-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 7, 2000

1012-1

William R & Cecelia Hepper
5 S 17th Ave E
Mobridge SD 57601

Dear Mr. & Mrs. Hepper:

On July 10, 2000, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1012-1, was completed by Ron Duvall, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law require that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 11, 2000

REMINDER NOTICE

1012-1

William R & Cecelia Hepper
5 S 17th Ave E
Mobridge, SD 57601

Dear Mr. & Mrs. Hepper:

On August 7, 2000, we advised you that a \$50.00 fee was due for the completed investigation of your Water Permit No. 1012-1. The fee also covers issuance of your water license which is the final document in obtaining and perfecting a water permit.

To date, we have not received the fee and therefore can not issue the water license. Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by any permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352. The check or money order for the fee should be made payable to the "Water Rights Program".

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

CERTIFICATION

I hereby certify that on October 11, 2000, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated October 11, 2000, regarding a "Reminder Notice" for payment of fees:

Water Permit No. 1082-1 Corky Jackson, 1322 E Grand Crossing, Mobridge, SD 57601-1419
(license/transfer fee - \$52.50)

Water Permit No. 1012-1 William R & Cecelia Hepper, 5 S 17th Ave, Mobridge, SD 57601
(license fee - \$50.00)

Lenny McMath

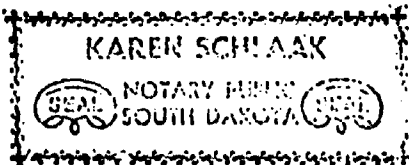
Genny McMath
Environmental Scientist
Water Right Program

[illegible]

Sworn to, before me, this 12th day of October, 2000.

Karen Schlaak

Karen Schlaak
Notary Public



KAREN SCHLAAK, Notary Public
My Commission Expires
April 1, 2001

Permit No. 1012-1
Grand 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, July 10, 2000, made a thorough examination of the water use system constructed by William Hepper of 5 S 17th Avenue E, Mobridge SD 57601 holder of Permit No. 1012-1, bearing the priority of March 27, 1974 authorizing the diversion of 8.28 cu. ft. per second of the waters of Missouri River for irrigation purposes, in Corson County.

Inspection contact & relationship to permit holder, if applicable: Larry Hepper, son of William Hepper

A. Works used to divert the water:

Pump:

- 1) Make Cornell
- 2) Model CHF8
- 3) Serial No. 31562

Motor:

- 1) Make John Deere, 6 cyl
- 2) Model No. 6404TR-14
- 3) Horsepower rating 120 hp

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

- 1) Type Aluminum 2) Size 8 inches 3) Length 1,100 feet
- 1) Type PVC 2) Size 8 inches 3) Length 1,470 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Number of towers 9
- 3) End gun Y

- 4) Low pressure 40 psi
- 5) Capacity 1,000 GPM

Chemigation Equipment:

- 1) Does chemigate? No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: none

The system is in good condition with the point of diversion located as follows: Missouri River: 2,400 feet E and 650 feet S from the NW corner section 20-19N-30E (NE $\frac{1}{4}$ NW $\frac{1}{4}$). The works are capable of diverting and conveying to the place of use 2.22 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 20-19N-30E	7 ac
SE $\frac{1}{4}$ NW $\frac{1}{4}$ "	29 ac
NE $\frac{1}{4}$ SW $\frac{1}{4}$ "	40 ac
NW $\frac{1}{4}$ SW $\frac{1}{4}$ "	19 ac
SW $\frac{1}{4}$ SW $\frac{1}{4}$ "	2 ac
SE $\frac{1}{4}$ SW $\frac{1}{4}$ "	17 ac

Following acreages outside of permitted area -- see acreage and div. pt. correction file documentation:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 20-19N-30E	11 ac
NW $\frac{1}{4}$ SE $\frac{1}{4}$ "	26 ac
SW $\frac{1}{4}$ SE $\frac{1}{4}$ "	5 ac

comprising a total of 156 acres of land and the license should be issued for 2.22 cfs.

Comments or other permit(s) associated with the project: none All structures, wells and lands on map Y



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: July 27, 2000

Approval of Location Change and/or Additional Diversion Point(s)

NAME: William Hepper

ADDRESS: 5 S 17th Avenue E, Mobridge SD 57601

DATE: July 27, 2000

COUNTY: Corson

TELEPHONE: 845-2308

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The developed and permitted water source are both the Missouri River. An inspection of the permit found 2.22 cfs developed while the original permit allowed up to 8.28 cfs.

- **If irrigation, no new land is irrigated**

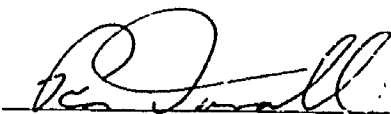
The 156 acres irrigated acres is well within the permitted acreage of 580 acres. A 42 acre portion of the irrigated area is outside of the permitted area and is being corrected pursuant to SDCL 46-5-30.5.

- **Review of Existing Diversions**

This diversion is from the Missouri River and there are no significant impacts to other existing water permits/rights from the Missouri River by this diversion. The diversion point is located within 1,000 feet of the permitted diversion point but is outside of the area described in the published notice of hearing.

RECOMMENDED ACTION

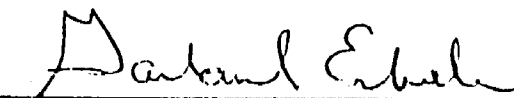
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

Licensing of Acreage Outside of Permitted Area

NAME: William Hepper

ADDRESS: 5 S 17th Avenue E, Mobridge SD 57601

DATE: July 27, 2000

COUNTY: Corson

TELEPHONE: 845-2308

AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

The acreage developed for irrigation is 156 acres as compared to 580 acres authorized by the permit. Licensing of the permit will result in a reduction in the amount of water appropriated.

UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage**

The unpermitted acreage (42 acres) in the E $\frac{1}{2}$ section 20-19N-30E is contiguous to the permitted acreage in the W $\frac{1}{2}$ section 20-19N-30E.

- **Owned by Same Property Owner**

No change in ownership.

- **Developed Prior to Expiration of Construction Period**

An irrigation questionnaire from 1978 shows irrigation under No. 1012-1. The 1977 questionnaire could not be located.

RECOMMENDED ACTION

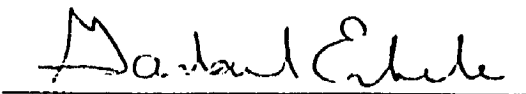
Based on the above criteria, it is recommended that the 42 acre area be included in the water license.



Ron Duvall, Natural Resources Engineer
Water Rights Program

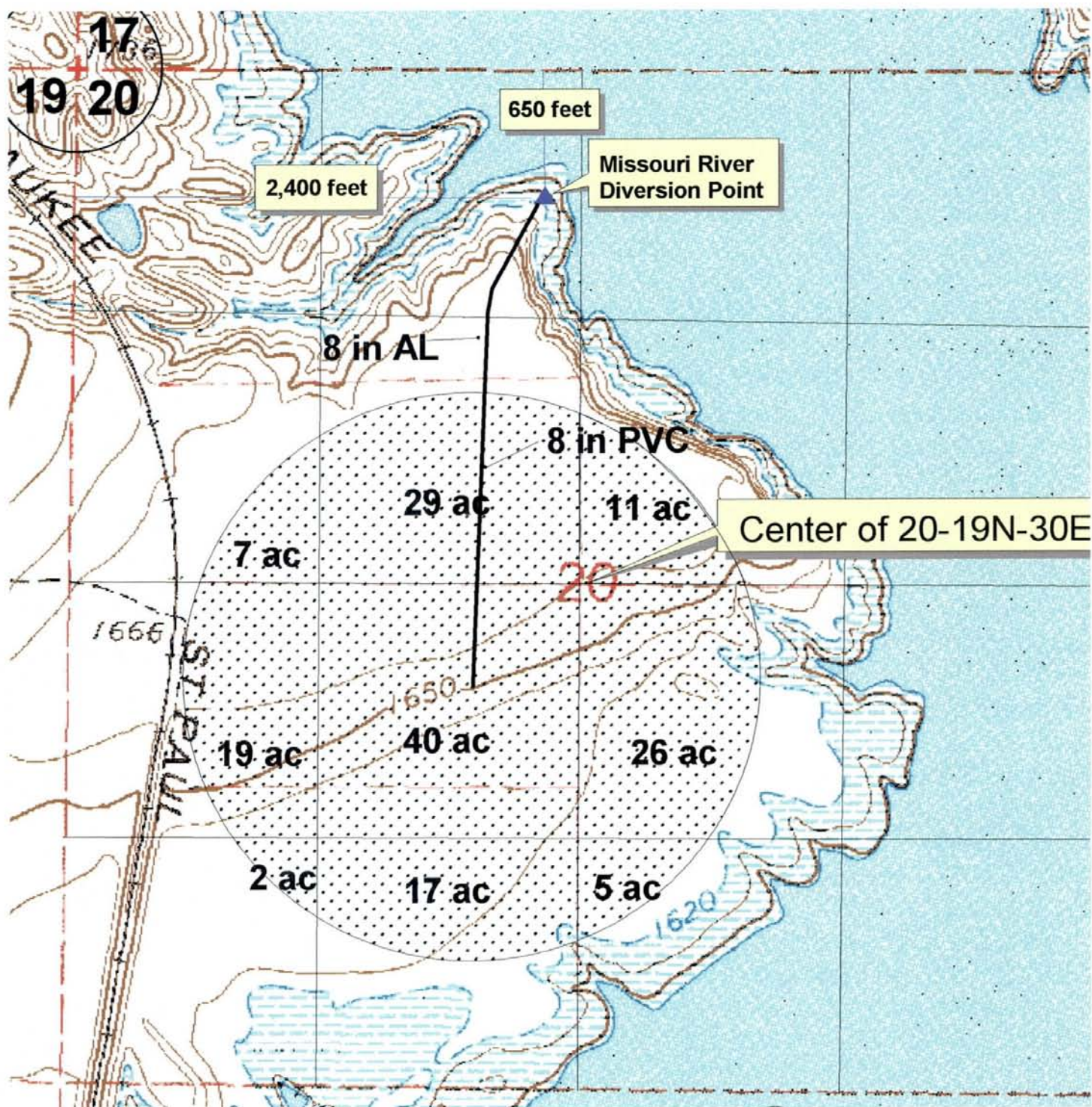
The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.



Garland Erbele, Chief Engineer
Water Rights Program

800 0 800 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat Res Engineer

July 27, 2000

Water Right No. 1012-1

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1012-1

(1) William R & Cecelia Hepper, 5 S 17th Ave E, Mobridge SD 57601 made Application No. 1012-1, March 27, 1974 for a water permit to divert 8.28 cubic feet of water per second from the Missouri River, Corson County, South Dakota for irrigation purposes. Permit No. 1012-1, with a priority date of March 27, 1974 was approved May 15, 1974 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before May 15, 1977 and for the application to beneficial use of said water on or before May 15, 1979.

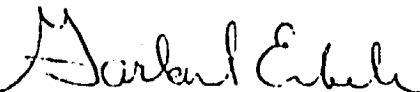
An investigation conducted for licensing purposes found the Missouri River diversion point under Water Permit No. 1012-1 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights. Also, the investigation found acreage developed for irrigation outside of the area described on the permit. Pursuant to SDCL 46-5-30.5, the Chief Engineer makes a finding that existing water rights will not be impaired and the overall project, as developed, is consistent with the original application.

(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 2.22 cubic feet of water per second for beneficial use. The location of the diversion point is 2,400 feet east and 650 feet south from the northwest corner of Section 20-T19N-R30E (NE ¼ NW ¼).

(3) The permit 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 20-T19N-R30E					
NE ¼ SW ¼	40 acres	SW ¼ NW ¼	7 acres	NW ¼ SE ¼	26 acres
NW ¼ SW ¼	19 acres	SE ¼ NW ¼	29 acres	SW ¼ SE ¼	5 acres
SW ¼ SW ¼	2 acres				
SE ¼ SW ¼	17 acres	SW ¼ NE ¼	11 acres		
Total 156 acres					

(4) Pursuant to South Dakota Water Law 46-5-30.1 William R & Cecelia Hepper, 5 S 17th Ave E, Mobridge SD 57601 the holders and/or owners of Water Right No. 1012-1 are issued a license to appropriate water, the right to use 2.22 cubic feet of water per second from the Missouri River with a priority date of March 27, 1974 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 Right No. 1012-1 and subject to South Dakota State Law.


GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 31 2000

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

OCT 31 2000

1012-1

William R & Cecelia Hepper
5 S 17th Ave E
Mobridge SD 57601

Dear Mr. Hepper:

Enclosed is Water License No. 1012-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416655 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures



1012-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 16, 2002

NOTICE

TO: WILLIAM R & CECELIA HEPPER, 5 S 17TH AVE E, MOBRIDGE, SD 57601 3004

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 1012-1. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1012-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1012-1

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) <u>Willie Hepper</u> B. <u>1/18/02</u> Delivery C. Signature <u>x Willie Hepper</u> ☐ Agent ☒ Addressee D. Is delivery address different from item 1? ☒ Yes ☐ No If YES, enter delivery address below	
1. Article Addressed to: WILLIAM R & CECILIA HEPPER 5 S 17TH AVE E MOBRIDGE SD 57601 3004		2. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
2. Article Identification Number 7001 2510 0004 4797 5163		4. Restricted Delivery? (Extra Fee) ☐ Yes	

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

RECEIPT Water Rights Program

South Dakota Department of Environment and Natural Resources

ND 416655

Pierre, October 17, 2000

RECEIVED OF William Hepper, 5 S 17th Ave E, Mobridge, SD 57601
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ and to put water to beneficial use _____ to Appropriate Water, to construct	50 00
Fee for Application for Permit No. _____ Use _____ to Appropriate Water, for Future	
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. _____ Permit No. 1012-1	
Fee for Filing Transfer Form _____	
Fee for Filing Extension Request _____	
Fee for _____ _____ _____ _____ _____ _____ _____ (Any Other Work Provided by Law)	
Total	50 00

By _____
Chief Engineer

GARLAND ERBELE





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 21, 2002

1012-1

William Hepper
5 S 17th Ave E
Mobridge, SD 57601 3004

Dear Mr. Hepper:

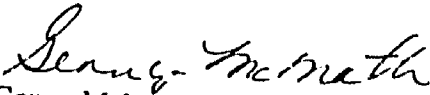
I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 1012-1.

I completed a questionnaire for you based on our January 18th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form. You mentioned that at some point in time you may want to transfer the water right to your son. The only thing your son will need to do when he purchases the land is complete the form, sign it in the presence of a notary and return it to our office with a required filing fee of \$2.50.

Thank you for calling and if you have any questions, please contact me.

Sincerely,


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



DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 23, 2009

NOTICE

TO: RIVER BOTTOM CATTLE CO LLC, KENT WIENTJES, MGR, PO BOX 96, MOBRIDGE, SD
57601 0096

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 1012-1. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2009**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1012-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pd>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1012-1

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Track & Confirm

Search Results

Label/Receipt Number: **2303 2160 0000 0802 5862**
Status: **Delivered**

Your item was delivered at 1:35 PM on January 29, 2009 in MOBRIDGE, SD 57601. The item was signed for by K WIENTJES.

Track & Confirm

Enter Label/Receipt Number.

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Verify who signed for your item by email, fax, or mail.

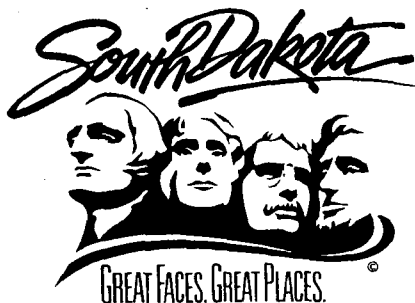
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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 5862		RIVER BOTTOM CATTLE CO LLC KENT WIENTJES, MGR PO BOX 96 MOBRIDGE SD 57601 0096		g.
Waiver of Signature ☐ YES ☐ NO		Postmark Here		POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com ® or call 1-800-222-1811
				☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 12, 2009

NOTICE OF AMENDMENT OF WATER RIGHT

TO: Kent Wientjes, River Bottom Cattle Co LLC, PO Box 96
Mobridge SD 57601-0096

FROM: Garland Erbele, Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: Amendment to Water Right No. 1012-1

On March 11, 2009, the Water Management Board amended Water Right No. 1012-1 to add the following qualification:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

This action was taken for failure to return the 2008 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on March 12, 2009, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 12, 2009 regarding cancellation, suspension and amendments of Water Rights addressed as stated below:

Cancelled

Thomas Corrio, 33551 480th Ave., Jefferson SD 57038 5313-3

Gary R Larson, PO Box 337, Bison SD 57620 984-1

3 year suspension

Edward Patrick Henry, PO Box 11, White Clay NE 672-2

1 year suspension

Mike Slocum, Lakes Golf Course, 19 Golf Dr., Wentworth SD 57075 6055-3

Brad Kronz, McCook Country Club, PO Box 129, Salem SD 57058 5222-3 & 6874-3

Donald T & Katherine A Miller, 13217 Wilson Cemetery Rd., Newell SD 57760 1653-1

Duane Rogers, Administrator, 13575 383rd Ave., Aberdeen SD 57401 2943-3

Amendment to Water Right

Steven Ching, 46577 188th St., Castlewood SD 57223 3224-3

Emily Stadheim Revocable Trust, 504 11th Ave N, Hettinger ND 58639 1055-1

Kent Wientjes, River Bottom Cattle Co., LLC, PO Box 96, Mobridge SD 57601 1012-1

Soderquist Family Ranch Limited Partnership, 17965 Baseline Rd., Wasta SD 57791 618-2

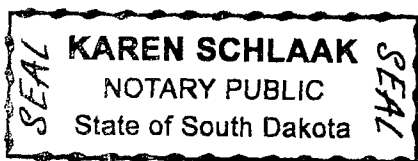
Fred Wientjes, PO Box 127, Mobridge SD 57601 1067-1


Gail Jacobson
Secretary
Water Rights

[illegible]

Sworn to, before me, this 13th day of March, 20 09.

Karen Schlaak
Karen Schlaak
Notary Public
My Commission expires April 1, 2013



Rick A. Cain, attorney
E-Mail: cain@cainslaw.com

CAIN LAW OFFICE, P.C.
ATTORNEYS AT LAW
318 1st Ave. East
P.O. BOX 490
MOBRIDGE, SOUTH DAKOTA 57601-0490
Telephone: 605-845-2981
Fax: 605-845-7851

RECEIVED
JAN - 7 2008
WATER RIGHTS
PROGRAM

January 4, 2008

Chief Engineer Water Rights Program, DENR
523 East Capitol
Pierre, SD 57501-3181

RE: HEPPER-RIVER BOTTOM CATTLE CO.

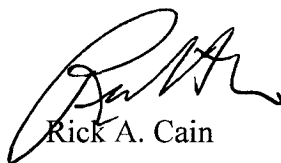
Enclosed is a Notice of Transfer of Ownership of Water Right Permit #1012-1 along with our trust account check in the amount of \$2.50.

Please transfer this water right permit to River Bottom Cattle Company, LLC.

If you need further information or documentation, please let me know.

Very truly yours,

CAIN LAW OFFICE, P.C.



Rick A. Cain

RAC/sr
Enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/7, 2008

RECEIVED OF Cain & Broz Trust Account PO Box 490 Mobridge SD 57601

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	250	
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>1012-1</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	250

No. 63

By [Signature]

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

June 18, 2008

1012-1

Kent Wientjes
River Bottom Cattle Co LLC
PO Box 96
Mobridge SD 57601

Dear Mr. Wientjes:

I am writing in regard to ownership of land described in Water Right No. 1012-1. Back in January, a "Notice of Transfer of Ownership" was submitted transferring a portion of the land described in the water right to "River Bottom Cattle Co LLC".

Soon after the transfer was filed, I contacted Cain Law Office since the paperwork had been filed through their firm. Since the transfer form only included part of the land authorized for irrigation, I wanted to find out if the form was filled out in error and all of the land was supposed to be included or if it was correct, who owned the other portion.

I spoke with Rick Cain concerning the issue. He indicated the transfer form was correct and my understanding from our conversation was that Heppers still owned the other portion so the water right would need to be divided up accordingly.

Please review the enclosed copies of the map, transfer of ownership form and the water license. Once you have had a chance to go over them, please give me a call so we can discuss what should be done with the water right. Thank you in advance for your help.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 28, 2008

1012-1

1067-1

Kent A Wientjes
River Bottom Cattle Co LLC
PO Box 96
Mobridge SD 57601

Dear Mr. Wientjes:

Enclosed as we discussed is the original "Notice of Transfer of Ownership" form sent in back in January for Water Right No. 1012-1. I added in the remaining legal description to show that the entire acreage under No. 1012-1 should be transferred to River Bottom Cattle Co LLC. The only thing you need to do on that one is to initial the area I marked which will reflect that you agree with the addition to the form. The filing fee for No. 1012-1 has already been paid.

I have also included a "Notice of Transfer of Ownership" form for Water Right No. 1067-1 which is currently listed in your dad's name. Please complete the form and return it to us with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

I started to review the water permit applications you submitted in March, 2007. Two applications were submitted, one under Pete Knott/Kent Wientjes and the other one under just your name. Numerous things need to be worked out with the applications before they are complete. I am going to make copies of the applications and the letters that Ron Duvall sent and forward them to you under separate cover. When you have a chance to review the applications, please get in touch with Ron Duvall or Eric Gronlund and they can help you get them completed.

If I can answer any questions for you on the enclosed transfer forms, please contact me.

Sincerely,

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

enclosures

RECEIVED

JAN 7 2008

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. _____

Date: _____

I/We request that Water Right/Permit No. 1012-1 formerly owned by:
William R. & Cecelia Hepper be transferred to:

New Owner Name: River Bottom Cattle Co., LLC
Address: P.O. Box 96
City, State, Zip Mobridge, SD 57601 Telephone No. 605-845-7384

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

W 1/2 of Section 20, TWP 19 N of Range 30, EMHM, Corson County, South Dakota except
Government Take Area and except Railroad Right of Way

SW 1/4 NE 1/4 and W 1/2 SE 1/4 Section 20, T19N, R30E 

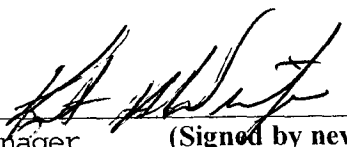
☒ I understand that the validity of Water Right/Permit No. 1012-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, Kent Wientjes, Manager, the new owner, certify that the above information is true and correct.

River Bottom Cattle Co., LLC



Manager (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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

April 6, 2009

1012-1
1067-1

Kent Wientjes
River Bottom Cattle Co., LLC
PO Box 96
Mobridge SD 57601

Dear Mr. Wientjes:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form you filed for Water Right No. 1067-1 and the corrected transfer form filed for Water Right No. 1012-1. The ownership changes have been completed.

Water Right No. 1012-1 formerly held by William R & Cecelia Hepper and Water Right No. 1067-1 formerly held by Fred Wientjes Jr., is now listed in the name of "River Bottom Cattle Co., LLC".

Enclosed is your Receipt No. 04109 in the amount of \$2.50 which you paid for filing the ownership change for No. 1067-1. Receipt No. 03329 in the same amount, was paid for by Cain Law Office and will be forwarded to them by copy of this letter.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure

c: Rick A Cain, Cain Law Office w/Receipt No. 03329



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 22, 2010

NOTICE

TO: RIVER BOTTOM CATTLE CO LLC, KENT WIENTJES, PO BOX 96, MOBRIDGE, SD 57601 0096

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1012-1, 1067-1. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1012-1, 1067-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1012-1, 1067-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/asp>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1012-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 1, 2010

1012-1
1067-1

Kent Wientjes
River Bottom Cattle Co LLC
PO Box 96
Mobridge SD 57601-0096

Dear Mr. Wientjes:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 1012-1 and 1067-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



1012-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2012

NOTICE

TO: RIVER BOTTOM CATTLE CO LLC, KENT WIENTJES, PO BOX 96, MOBRIDGE, SD 57601
0096

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1012-1, 1067-1. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1012-1, 1067-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 7, 2012** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1012-1, 1067-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2012

1012-1
1067-1

Kent Wientjes
River Bottom Cattle Co LLC
PO Box 96
Mobridge SD 57601 0096

Dear Mr. Wientjes:

I am writing to acknowledge receipt of your 2011 irrigation questionnaires.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right Nos. 1012-1 and 1067-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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



1012-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2013

NOTICE

TO: RIVER BOTTOM CATTLE CO LLC, KENT WIENTJES, PO BOX 96, MOBRIDGE, SD
57601 0096

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1012-1, 1067-1. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1012-1, 1067-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1012-1, 1067-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1012-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 2013

1012-1
1067-1

Sam Braun
CJ Wientjes Farm Partnership
PO Box 361
Warner SD 57479

Dear Mr. Braun:

I am writing to acknowledge receipt of the 2012 irrigation questionnaires for Water Right Nos. 1012-1 and 1067-1.

On January 18, 2013, a "Notice" was sent to Kent Wientjes concerning the delinquent questionnaires and a hearing in front of the Water Management Board to consider possible suspension of the water rights. With receipt of the irrigation questionnaires, the issue has been deleted from the agenda and no hearing will be necessary.

It is my understanding from our phone conversation that you have purchased the land and will be filing ownership changes. If you need assistance with completion of the transfer forms, please contact me.

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED *red*FEB 20 2013 *fee*WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 1012-1Date: 02-19-2013

I/We request that Water Right/Permit No. 1012-1 formerly owned by:
River Bottom Cattle Co LLC be transferred to:

New Owner Name: Bragan LLC (ICO Larry Braun)Address: PO BOX 108City, State, Zip Warner SD 57479 Telephone No. (605) 226-3474

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

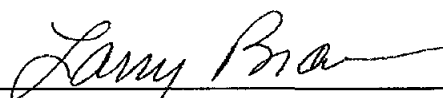
156 Irrigated Acres Located in: W 1/2 of Section 20, T19N - R30E, EMHM, Corson County, SD
except Government Take Area and Railroad Right of Way, Also Included SW 1/4 NE 1/4; NW 1/4 SE
1/4; SW 1/4 SE 1/4 of Section 20 T19N - R30E

☒ I understand that the validity of Water Right/Permit No. 1012-1 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, Larry Braun Signing Representative, 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.

RECEIVED

FEB 19 2013

WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/20, 20 13

RECEIVED OF Bragan LLC Larry Braun PO Box 108 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 <u>1012-1</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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	50	00

No. 06145

By

David Edwards
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 20, 2013

1012-1

1067-1

Larry Braun
Bragan LLC
PO Box 108
Warner SD 57479 0108

Dear Mr. Braun:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on Water Right Nos. 1012-1 and 1067-1.

The ownership changes have been completed. The water rights formerly held by River Bottom Cattle Company LLC are now listed in the name of Bragan LLC.

Enclosed for your records are Receipt Nos. 06149 and 06150 in the amount of \$50 each. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

McMath, Genny

From: Schlaak, Karen
Sent: Wednesday, January 5, 2022 7:45 AM
To: McMath, Genny
Subject: FW: [EXT] transfer of permits

From: Michelle Leach <michelle@braunactive.com>
Sent: Tuesday, January 4, 2022 4:30 PM
To: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Subject: [EXT] transfer of permits

Hi Karen,
I think I had talked to you the other day about making sure permits were transferred due to a land sale??
Permit #1067-1, 1938-1, 1012-1 and I believe you had one more for Corson County under Bragan LLC. As of that date, they were still in Bragan LLC and had not been changed. I have the information for the new owners:
CJ Wientjes
PO Box 96
Mobridge, SD 57601
We just wanted you to be aware that we were no longer the owners and permits needed to be transferred.
Thanks!

Michelle L Leach
Sam & Samantha Braun Farms
Office # 605-225-5133
Fax # 605-225-5123

C.J. Wientjes
845-7384



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 10, 2022

1012-1

1067-1

1938-1

C J Wientjes
PO Box 96
Mobridge SD 57601-0096

Dear Mr. Wientjes:

I am writing in follow-up to our phone conversation concerning ownership of land described in Water Right Nos. 1012-1, 1067-1 and Water Permit No. 1938-1. All three are currently listed under Bragan LLC.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the ownership change. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed are copies of the water rights and the water permit. If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

1012-1

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date January 31, 2022

RECEIVED OF Chance Wientjes dba CJ Wientjes Ranch PO Box 96 Mobridge SD 57601

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 <u>1012-1</u>	\$ <u>50.00</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>50.00</u>

By *Eric Gronlund*
Chief Engineer
me

PAID

JAN 31 2022

Ck# 2024

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

JAN 31 2022

WATER RIGHTS
PROGRAM

No. 1012-1

Date: 1-25-2021

I/We request that Water Right No. 1012-1

formerly owned by: Bragan LLC

be transferred to: (name & address) Chance & Michelle Wientjes
PO Box 96 Mobridge SD 57601

Telephone No. 605 848-0238

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

156 acres – SW ¼, S ½ NW ¼, SW ¼ NE ¼ and W ½ SE ¼ Section 20, T19, R30E

I/We understand that the validity of Water Right No. 1012-1 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Chance & Michelle Wientjes, 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.



1012-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 2, 2022

1012-1
1067-1
1938-1

Chance & Michelle Wientjes
PO Box 96
Mobridge SD 57601-0096

Dear Mr. & Mrs. Wientjes:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 1012-1, 1067-1 and Water Permit No. 1938-1.

The ownership changes have been completed. The above listed water rights and water permits are now listed in your names.

Enclosed for your records are receipts for the filing fees you paid. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: CHANCE & MICHELLE WIENTJES, PO BOX 96, MOBRIDGE, SD 57601 0096
FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1012-1, 1067-1, 1937-1, 1938-1. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1012-1, 1067-1, 1937-1, 1938-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1012-1, 1067-1, 1937-1, 1938-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: EMJMJO**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 12, 2026

1012-1, 1067-1, 1937-1, 1938-1

Chance & Michelle Wientjes
PO Box 96
Mobridge, SD 57601

Dear Wientjes:

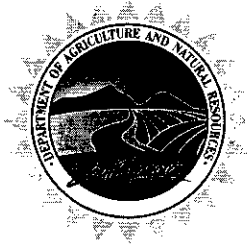
I am writing to acknowledge the receipt of your 2025 irrigation information submitted for Water Right Nos 1012-1, 1067-1, 1937-1, 1938-1, on March 10, 2026.

The Water Management Board moved to suspend Water Right Nos. 1012-1, 1067-1, 1937-1, 1938-1, for a period of one year if the questionnaire was not returned prior to April 6, 2026. You may disregard the "Notice of Entry of Order for One Year Suspension" for Water Right Nos. 1012-1, 1067-1, 1937-1, 1938-1, dated March 4, 2026.

Sincerely,

Shannon Konst

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



1012-1 1067-1
1937-1 1938-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 6, 2026

**NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION
OF WATER RIGHTS & WATER PERMITS**

TO: Chance & Michelle Wientjes, PO Box 96, Mobridge SD 57601

FROM: Adam Mathiowetz, PE, Acting Chief Engineer *Adam Mathiowetz*
DANR - Water Rights Program

SUBJECT: One Year Suspension of Water Right/Permit Nos. 1012-1, 1067-1, 1937-1 &
1938-1

On March 4, 2026, the South Dakota Water Management Board ordered:

- Effective April 3, 2026, Water Right/Permit Nos. 1012-1, 1067-1, 1937-1 & 1938-1 be suspended for the 2026 irrigation season.

This action was taken by the Board for failure to return the 2025 irrigation questionnaires. If the 2025 irrigation questionnaires are received prior to April 3, 2026, the suspensions will not take effect.

A one-year suspension of Water Right/Permit Nos. 1012-1, 1067-1, 1937-1 & 1938-1 means water may not be pumped during the 2026 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2026 unless the 2025 irrigation questionnaires are submitted prior to April 3, 2026.

After April 3, 2026, you may petition the Board to rescind the suspension. You will need to submit, to the Water Rights Program, the 2025 irrigation questionnaires and a letter including your reason for not completing the 2025 irrigation questionnaires within the allotted time and requesting time on the agenda for the next Water Management Board meeting. The next Water Management Board meeting is scheduled for May 6, 2026, in Pierre SD.

Decisions made by the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Please contact Amanda Dewell, Water Rights Permitting Administrator (605) 773-3352 with any questions.

NOTE: Water Rights staff will conduct unscheduled compliance checks of suspended water rights to ensure irrigation is not taking place.

7021 1970 0000 9489 8216

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Chance & Michelle Wientjes
PO Box 96
Mobridge, SD 57601

See Reverse for Instructions

CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that I have personally mailed a true and correct NOTICE OF ONE- AND THREE-YEAR SUSPENSION OF WATER RIGHT dated March 6, 2026, via certified mail to the following parties.

Chance & Michelle Wientjes
PO Box 96
Mobridge, SD 57601

Vernon & Marlys Walkling
29832 267th Ave
Crookston, NE 69212

Vasgaard Properties
28746 462nd Ave
Centerville, SD 57014

Doug & Darla Van Gerpen
40930 305th St
Avon, SD 57315

John & Bryan Uecker
PO Box 573
Wagner, SD 57380

Twisted Land & Cattle Co.
C/O Brad Peterson
19030 391st Ave
Hitchcock, SD 57348

Tilton Ranch Inc.
C/O Janet Burback
2199 Skinner Rd
Belgrade, MT 59714

Dale Sprague
16221 Twilight Rd
Mud Butte, SD 57758

Greg & Evette Rihanek
814 E State St
Plankinton, SD 57368

Wayne Reiersen
30048 Reiersen Pl
Pollock, SD 57648

Charlotte or Phillip Nichols
7497 Rolling Meadow Dr
West Chester, OH 45069

Wilma Heien (Walter Heien)
PO Box 145
Blunt, SD 57522

David & Jerry Wieber
PO Box 238
Lidgerwood, ND 58053

Vintage Square Estates
PO Box 594
Ft Pierre, SD 57532

Valley View Farms Inc.
17716 458th Ave
Watertown, SD 57201

Kash & Trish Van Dyke
48549 219th St
Elkton, SD 57026

Oscar Inc.
C/O Floyd Peterson
209 27th St NW
Huron, SD 57350

Dan & David Trudeau
33927 478th Ave
Jefferson, SD 57038

Terrill Farms Inc.
C/O Tony Terrill
42099 176th St
Clark, SD 57225

Swan Creek Land Co. Inc
PO Box 435
Akaska, SD 57420

Six Mile Creek Golf Course
20307 483rd Ave
White, SD 57276

Robert Phelps Jr
16220 Spring Valley Rd
Piedmont, SD 57769

GW Evridge
20151 Saddle Ct
Whitewood, SD 57793

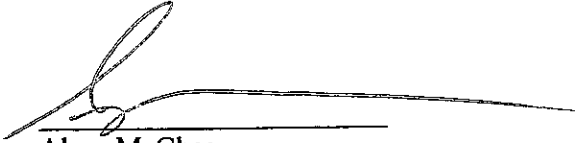
Mark & Melvin Morlock
33820 112th St
Eureka, SD 57437

Laverne Neuharth
33567 109th St
Eureka, SD 57437

Central Valley Golf Club
700 E Hwy 38
Hartford, SD 57033

Dale & Mary Helen Bisson
PO Box 844
Ft Pierre, SD 57532

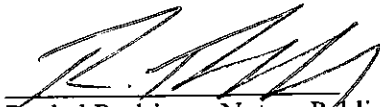
Ryan Edwards
25331 Yellow Eagle Rd
White River, SD 57579



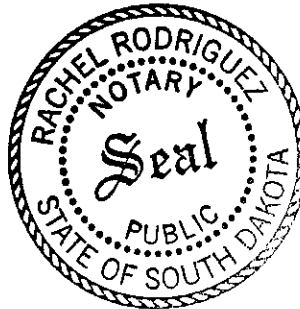
Alyce McGhee
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 6 day of March, 2020.



Rachel Rodriguez Notary Public
My Commission expires May 16, 2029



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

☐ Agent☐ Addressee

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

Chance & Michelle Wientjes
PO Box 96
Mobridge, SD 57601



9590 9402 6392 0303 3261 57

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• Sender: Please print your name, address, and ZIP+4® in this box•

DANR WATER RIGHTS PROGRAM
523 E CAPITOL AVE
PIERRE SD 57501

