

Considered: _____

WATER PERMIT NO. 1222A-1

MAP No. Same

Name of Applicant John Ormay D.V.M.

Post Office Address Box 174 Vale

Amount of Water Claimed No additional Total Acres no additional

Source of Water Supply Belle Fourche River

Water to be used for IRR County Butte

About 1 miles N of Vale

PROOF OF PUBLICATION: Received 151 1-29-86 Not Received _____

APPLICATION: Approved 3/5/86 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received 12-23-85 Fee \$50⁰⁰ Remarks additional

diversion point only

Corrected Application Received _____ Period of Annual Use April 1 to Nov. 1

WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

VI-1 Description same as application YES _____ NO _____ REMARKS _____

Diversion Point SE4 SE4 DEC. 21 T8N-R6E

Land to be Irrigated land described under
water permit no. 1222-1

	21				
		⊗			

Well Log: Driller N.A. Licensed YES _____ NO _____

Depth of Well N.A. REMARKS _____

Type of Map Aerial Photo PREPARED BY Charles Logan Reviewed and the Number
assigned on 1-6-86 By R.C. Yarnes

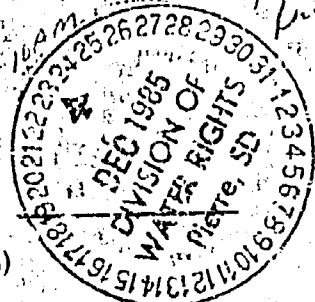
Mail to: Water Rights Div.
DWR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No. 1222A-1 Hydrologic Unit 10120202
Map No. Same Basin Belle Fourche River
Newspaper Belle Fourche Daily Post, 1004 5th Ave.

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one of the following:

- New ☒ Vested Right ☐ Future Use ☐
☐ Application to amend Permit No. 1222-1 with old priority date retained
☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Change acreage ☐ Other ☐
☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other ☐ See Permit No. _____
☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____



1. Name of Applicant John Ismay, D.V.M. Phone No. 605-456-2437
 Post Office Address Box 174, Vale South Dakota State 57788
 (Street, RR or Box) Zip Code
 2. Amount of water claimed (c.f.s) No Additional Total acres irrigated No Additional
 3. Source of Water supply Belle Fourche River
 4. Location of point of diversion Pt #2 - 450 ft N and 340 ft W of SE Corner of Section 21,
T8N, R6E
 County Butte
 5. Counties where water will be used Butte
 6. Annual period during which water is to be used April 1 to November 1
 7. 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.
NO ADDITIONAL	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

This is for an additional diversion point for Permit No. 1222-1. to be in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T8N, R6E. No additional water and no additional land to be irrigated.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA
County of Butte ss

I, John A. Ismay the applicant, certify that I have read the foregoing application, 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 [Signature]
 My Commission Expires Jan 8, 1992
 Subscribed and sworn to before me this 20 day of December 1985
[Signature]
 Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1222 A-1

John Ismay D.V.M. Box 174, Vale
(Applicant) (Post Office Address)

SD 57789 With the following qualifications.
(State) (Zip Code)

Diversion of water under this Permit is contingent upon supplies being first available to the prior water rights on the Belle Fourche River.

This Permit does not authorize diversion of water from the Belle Fourche River after August 15th of each calendar year, nor at any time when the river flow is obviously low, unless written orders have been so issued by the Water Management Board, or its legally appointed representative. Diversions under this Permit shall be in accordance with any written orders by the Board or its representative.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application December 23, 1985.

Date of return to applicant for correction, amendments or changes required _____, 19____.

Date of receipt of corrected application _____, 19____. Approved March 5, 1986.

The Water Management Board hereby approves this Water Permit No. 1222 A-1 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is see No. 1222-1 April 30, 1982.
2. One-fifth of the work is to be completed on or before January 29, 1984.
3. The whole of said work is to be completed on or before July 29, 1986.
4. The time limit for proof of beneficial use of water is July 29, 1986.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed no add'l 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. For irrigation purposes said appropriation must be limited to not more than 2 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 March 5, 1995; said water to be used during the following described annual period: Apr 1 - Nov. 1.

WATER MANAGEMENT BOARD

By: John H. Bates
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

APR 21 1986

_____, 19____.

REPORT ON APPLICATION NO. 1222A-1

JOHN ISMAY

January 8, 1986

General Comments

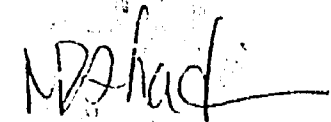
John Ismay proposes to add a diversion point from the Belle Fourche River to continue the irrigation of his 79 acres of land. The same amount of water will be diverted as it is authorized by Water Right No. 1222-1. The new diversion point is located in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, T8N, R5E in Butte County.

Reviewing the Existing Permits

There is no record of any other permit between the old and the new diversion points.

Conclusions

1. No additional amount of water will be used.
2. No other permit will be affected by the proposed project.



RASSOOL AHADI
Natural Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 1222A-1, John Ismay

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1222A-1, John Ismay, Box 174, Vale SD.

The Chief Engineer is recommending APPROVAL of Application No. 1222A-1 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) is in the public interest with the following qualifications:

Diversion of water under this Permit is contingent upon supplies being first available to the prior water rights on the Belle Fourche River.

This Permit does not authorize diversion of water from the Belle Fourche River after August 15th of each calendar year, nor at any time when the river flow is obviously low, unless written orders have been so issued by the Water Management Board, or its legally appointed representative. Diversions under this Permit shall be in accordance with any written orders by the Board or its representative.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
January 14, 1983

SOUTH DAKOTA)
Butte) ss

Marion Lucca hereby

the annexed printed copy of Notice of Intent to Appropriate

taken from the Daily Post

er which during the whole time of publication of said notice
stated, has been and is printed and published in the Daily

of Belle Fourche

Butte and State of South Dakota:

notice was published in said newspaper on the following

January 21, 1986

January 28, 1986

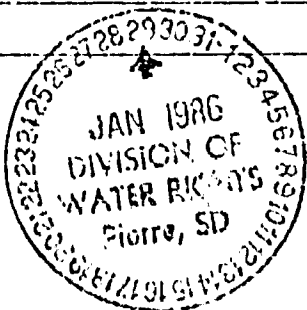
(Signature)

Editor
(Title)

1-28-86
(Date Signed)

rinting: \$ 38.02

79
Publication



Public Notice

NOTICE OF HEARING
ON APPLICATION NO.

1222A-1 TO APPROPRIATE
WATER AND TO AMEND
WATER PERMIT NO. 1222-1

Notice is hereby given that John Ismay, D.V.M., whose mailing address is Box 174, Vale, South Dakota has made application for a permit to add a diversion point from the Belle Fourche River to be located in SE 1/4 SE 1/4 Section 21 T8N-R6E. The water will be used to irrigate the land covered by water permit No. 1222-1. This is for an additional point of diversion only and does not authorize any increase in the diversion rate of 1.11 cubic feet per second authorized by water permit No. 1222-1.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1222A-1 because 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and 3) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 5, 1986 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 21, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-7, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-1 thru

are not exercisable. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg., Pierre, SD

DATE MOVED

CANON OFFICE

Instruction to Newspaper - Publish first publication of the following Notice on or before January 23, 1986 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1222A-1 to Appropriate Water
and ~~to~~ Amend Water Permit ~~on Water Right~~ No. 1222-1

Notice is hereby given that John Ismay, D.V.M. whose mailing address is
Box 174, Vala, South Dakota has made an application for a permit

to add a diversion point from the Belle Fourche River to be located in SE1/4 Section 21 T8N-R5E. The water will be used to irrigate the land covered by water permit No. 1222-1. This is for an additional point of diversion only and does not authorize any increase in the diversion rate of 1.11 cubic feet per second authorized by water permit No. 1222-1.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 1222A-1 because 1) ~~unappropriated water is available~~,
~~2) will be no unlawful impairment of existing rights,~~ 2) is beneficial use of water and
3) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 5, 1986 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 21, 1986. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; ~~(ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-13, 46-6-13, 46-6-14, (future use) 46-5-38 thru 46-5-40, (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35, (10,000 AFA) 46-5-20.1, 46-5-2.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25, (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 21, 1986.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 10270

Pierre, December 23, 1985, 19

RECEIVED OF John Ismay, D.V.M., Box 174, Vale, SD 57789

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

Fee for Application for Permit No. [222A..] to Appropriate Water, to construct works 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		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for (Any Other Work Provided by Law)		
Total	50	00

By John Hatch
Chief Engineer JOHN HATCH/MS

WATER RIGHTS DIVISION

December 17, 1985

John Ismay, D.V.M.
Box 174
Vale, South Dakota 57788

Dear Doctor Ismay:

On September 23, 1985 I talked with you about your Water Permit No. 1222-1. I also went out to the land and inspected the area. You have two diversion points that you are using but only one is listed in Permit No. 1222-1 for the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T8N R6E. I discussed this item with the Water Rights staff and they said that in order to comply with the South Dakota Water Laws you will need to submit an application to cover the diversion point in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21 as it is over a mile downstream from point No. 1.

Enclosed are two completed copies of Form 2 "Application for Permit". Please check these forms for accuracy and make any changes necessary. Then sign all forms and have them notarized and return to this office with a check for \$50.00 to cover the cost of the filing fee.

Soil and Water Compatibility is not necessary as water from the Belle Fourche River to irrigate your land was conditionally approved under Permit No. 1222-1.

Enclosed is a copy of the Water Right map. Check it over for accuracy and make any changes necessary to make it as accurate as possible. If you make changes on the map return it along with the forms so that we can correct our office copy. If you do not make changes you may keep the map for your use.

If you have any questions regarding the matter please feel free to contact this office.

Sincerely,

Leroy J. McNaugh
Natural Resources Engineer

LJM:ms
Enc.

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

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

APR 21 1986

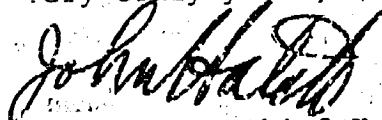
John Ismay, D.V.M.
Box 174
Vale SD 57788

Dear Sir:

Enclosed herewith is your Water Permit No. 1222A-1 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 1222A-1.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: km

enclosure

WATER RIGHTS DIVISION
(605) 773-3352

September 13, 1985

John Ismay, DVM
Box 174
Vale, South Dakota 57788

Dear Doctor Ismay:

I made an appointment with you for Monday, September 23, 1985 for 2:00 pm MDT to inspect your Water Permit No. 1222-1.

I will meet you in your office there in Sturgis and you can give me the necessary information about your operation. You need not accompany me to the site to check the pump, motor and point of diversion etc., unless you so desire.

I will need to know your pumping rate, pipe sizes and lengths and the area irrigated. I hope this will be satisfactory with you.

Sincerely,

LeRoy J. Mernaugh
Natural Resources Engineer

LJM:ms

State of South Dakota
Water License No. 1222A-1

(1) John Ismay, D.V.M.
of Box 174, Vale, South Dakota 57786
made Application No. 1222A-1, December 23, 1985 for a water permit to appropriate
no add'l cubic feet per second of water from the Belle Fourche River
Butte County, South Dakota for irrigation purposes.
Permit No. 1222A-1, with a priority date of April 30, 1981
was approved March 5, 1986 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ and for the application to beneficial use of said
water ~~to be~~ completed.

The applicable portions of Water Permit No. 1222-1 have been incorporated into this
Water License No. 1222A-1. An April 30, 1981 priority date is retained.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 1.11 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are #1 - 810'N and 530'E of SW Corner
Section 21, #2 - 450'N and 340'W of SE Corner Section 21, T8N, R6E

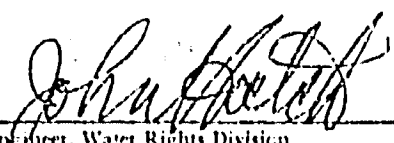
nd

3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T8N-R6E

Section 21	SW $\frac{1}{4}$ SW $\frac{1}{4}$	6 acres	(CC)
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	21 Acres	(CD)
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	4 Acres	(DB)
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	23 Acres	(DC)
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	25 Acres	(DD)
TOTAL		79 ACRES	

4) Pursuant to §46-5-30.1 John Ismay, D.V.M.
of Box 174, Vale, South Dakota 57788
the holder(s) and/or owner(s) of Water Permit No. 1222A-1 is issued a license to appropriate water, the right to use 1.11 cubic feet per second of water from the Belle Fourche River with a priority date of April 30, 1981 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1222A-1 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

JUN 22 1986

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410418

Pierre, April 24, 1936

RECEIVED OF John Ismay, D.V.M., Box 395, Sturgis, SD 57785

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1222A-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	00

By John Hatch
Chief Engineer JOHN HATCH/ms

No. 1222A-1

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

July 23, 1986

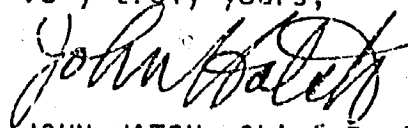
John Ismay, D.V.M.
Box 396
Sturgis SD 57785

Dear Doctor Ismay:

Enclosed herewith is, Water License No. 1222A-1. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

Enclosures

Applicable portions of Water Permit No. 1222-1 have been incorporated into this Water License.

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation



Office Use Only

WR#

OWNERS NAME: ISMA, JOHN A. OWNERS ADDRESS: PO BOX 396
STURGIS SD 57735

COUNTY LAND LOCATED IN BUTTE PHONE: 277-4435

LEGAL DESCRIPTION: 400' (1/4 360' W of SE 1/4 of 21-10N-36E
1. LOCATION 400' (1/4 360' W of SE 1/4 of 21-10N-36E
Depth: _____

Legal Description	Acres	Legal Description	Acres
S 1/4 21-10N-36E	37.1		
N 1/4 21-10N-36E	37.1		
S 1/4 21-10N-36E			

2. TYPE OF IRRIGATION: GRAVITY WY FLOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____
(Specify) _____

3. CROPS TO BE IRRIGATED: CORN, ALFALFA, SODIUM CLAY

WATER QUALITY:

4. WATER SAMPLE NUMBER BEAUFORT RIVER 7. ADJUSTED (SAR): _____
5. SALINITY (EC X 10³): _____ 8. PERCENT SODIUM: _____
6. SODIUM (SAR): _____

Requirements:

The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a Soil/Water Compatibility Permit by the Division, or the Commission.

Director, Division of Conservation

JUNE 17, 1991
Date

APPROVED

DISAPPROVED

WAIVER

REQUIREMENTS

Soil-water permits will be recorded by the Department of Agriculture, with the County Register of Deeds

1222A-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: JOHN ISMAY, DVM
PO BOX 396
STURGIS SD 57785

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 1222A-1

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1222A-1. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1222A-1 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Mathew 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 SDCL 1-26. According to SDCL 46-1-12, a permit 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) 1222A-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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 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.

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: **1228A-1**

4. Article Number: **P 926 560 191**

**JOHN ISMAY, DVM.
PO BOX 396
STURGIS SD 57785**

- 4b. Service Type
- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

2-1-93

5. Signature (Addressee)

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

6. Signature (Agent)

C. E. Hiers

PS Form 3811, December 1991 AUG. GP 2.1992-127-617 DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

1222A-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3121

February 2, 1993

1222A-1

John Ismay, DVM
PO Box 396
Sturgis, SD 57785-0396

Dear Dr. Ismay:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire for Water Permit No. 1222A-1. On February 1, 1993, you telephoned and indicated you did not pump water in 1992, only flood irrigation was done using "Project" water. An irrigation questionnaire has been filled out with the information you provided.

Since the information was received in our office prior to the March Water Management Board meeting, your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

Is your RETURN ADDRESS completed 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 the 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.

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:

1222A-1

JOHN A ISMAY

PO BOX 396

STURGIS SD 57785 0396

4a. Article Number

P378 081 446

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

7. Date of Delivery

FEB 05 1997

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *[Signature]*

USPS

Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.



1222A-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: JOHN A ISMAY, PO BOX 396, STURGIS, SD 57785 0396

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

SUBJECT: Violation of Water Permit No(s). 1222A-1 & 1524-1

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 1222A-1 & 1524-1. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1222A-1 & 1524-1 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 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. 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) 1222A-1 & 1524-1 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 February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.



1222A-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 1997

1222A-1
1524-1

John A Ismay
PO Box 396
Sturgis, SD 57783-0396

Dear Dr. Ismay:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation of Water Permit Nos. 1222A-1 and 1524-1.

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



1222A-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 1999

NOTICE

TO: JOHN A ISMAY, DVM, PO BOX 396, STURGIS, SD 57785 0396
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1222A-1 & 1524-1. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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) 1222A-1 & 1524-1 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 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. 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) 1222A-1 & 1524-1 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 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Ginny 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.

1222A-1

Is your RETURN ADDRESS completed 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 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.

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:

JOHN A ISMAY, DVM
PO BOX 396
STURGIS SD 57785 0396

4a. Article Number

2119141575

4b. Service Type

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

7. Date of Delivery

1-25-99

5. Received By: (Print Name)

Di Brumby

6. Signature: (Addressee or Agent)

X *Di Brumby*

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

PS Form 3811, December 1994

102595 67-B-0170

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 5, 1999

NOTICE OF ONE YEAR SUSPENSION

TO: JOHN ISMAY, DVM, PO BOX 396, STURGIS, SD 57785 0396

FROM: John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352 *John Hatch*

SUBJECT: One Year Suspension of Water Right No. 1222A-1 and Water Permit No. 1524-1

Pursuant to the provisions of the notice dated January 22, 1999, and following the hearing March 3, 1999, the Water Management Board has ordered:

That Water Right No. 1222A-1 and Water Permit No. 1524-1 be suspended until December 31, 1999, for failure to submit the 1998 irrigation questionnaires.

Suspension of a water permit or right means water may not be pumped during the 1999 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension, you will need to submit the 1998 irrigation questionnaires and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 5, 1999 in Pierre, SD. The letter should include your reasons for not completing the 1998 irrigation questionnaires.

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

CERTIFICATION :

I hereby certify that on March 5, 1999, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 5, 1999, regarding Amendments, One Year and Three Year Suspensions of Water Rights/Permits shown below, addressed as stated below:

The following are Amendments to Water Rights:

W.R. #402-1: Calvin/Jana Meyers, HC 69, Box 22, Belle Fourche, SD 57717-9302.
W.R. #100-3: Harold Weismantel, 1425 15th Ave. SE Apt. 223, Aberdeen, SD 57401-7780.
W.R. #'s 398-3, 962-3, 1203-3 & 1923-3: Monte Neitzel, 1102 S. Main, Redfield, SD 57469.
W.R. #1231-3: Lynn Christopherson, Mgr., P.O. Box 217, Howard, SD 57349-0217.
W.R. #2943-3: Irvin Rogers, 13575 383rd Ave., Aberdeen, SD 57401.
W.R. #3026-3: George Waldner, Hillcrest Colony, Box 17, Garden City, SD 57236.

The following are One Year Suspensions of Water Rights/Permits:

W.R. #418-1: Dennis Lien, RR 1, Box 8B, Vale, SD 57788.
W.R. #1222A-1 & W.P. #1524-1: John Ismay, DVM, P.O. Box 396, Sturgis, SD 57785-0396.
W.R. #954-2: Kimberly Kaye Sealine, 24300 173rd Ave., Caputa, SD 57725.
W.R. #849-3: Florence Demers, RR 2, Box 248, Eik Point, SD 57025-9757.
W.R. #1172-3: Jesse Wright, 10 Bittersweet Ln., Atkinson, NH 03811.
W.R. #2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
W.R. #3255-3: Terry/Peggy Reynolds, HC 75, Box 33, Hitchcock, SD 57348.

The following are Three Year Suspensions of Water Rights:

W.R. #1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
W.R. #1280-2: Odie Dale Bowen, Box 407, Philip, SD 57567.

Amendment of Water Right No. 1192-1B and One Year Suspension of Water Right No. 1201-1:

George W. Jenter, 748 Park Sturgis, SD 57785.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 8th day of March, 1999

Karen Dahlback
Notary Public KAR

KAREN SCHLAAK, Notary Public
My Commission Expires

KAREN SCHLAAK
 NOTARY PUBLIC
 SOUTH DAKOTA



January 22, 1999

1222A-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: JOHN A ISMAY, DVM, PO BOX 396, STURGIS, SD 57785 0396
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1222A-1 & 1524-1. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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) 1222A-1 & 1524-1 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 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. 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) 1222A-1 & 1524-1 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 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 1999

NOTICE OF ONE YEAR SUSPENSION

TO: JOHN ISMAY, DVM, PO BOX 396, STURGIS, SD 57785 0396

FROM: John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352 

SUBJECT: One Year Suspension of Water Right No. 1222A-1 and Water Permit No. 1524-1

Pursuant to the provisions of the notice dated January 22, 1999, and following the hearing March 3, 1999, the Water Management Board has ordered:

That Water Right No. 1222A-1 and Water Permit No. 1524-1 be suspended until December 31, 1999, for failure to submit the 1998 irrigation questionnaires.

Suspension of a water permit or right means water may not be pumped during the 1999 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension, you will need to submit the 1998 irrigation questionnaires and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 5, 1999 in Pierre, SD. The letter should include your reasons for not completing the 1998 irrigation questionnaires.

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

CERTIFICATION

I hereby certify that on March 5, 1999, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 5, 1999, regarding Amendments, One Year and Three Year Suspensions of Water Rights/Permits shown below, addressed as stated below:

The following are Amendments to Water Rights:

W.R. #402-1: Calvin/Jana Meyers, HC 69, Box 22, Belle Fourche, SD 57717-9302.
W.R. #100-3: Harold Weismantel, 1425 15th Ave. SE Apt. 223, Aberdeen, SD 57401-7780.
W.R. #'s 398-3, 962-3, 1203-3 & 1923-3: Monte Neitzel, 1102 S. Main, Redfield, SD 57469.
W.R. #1231-3: Lynn Christopherson, Mgr., P.O. Box 217, Howard, SD 57349-0217.
W.R. #2943-3: Irvin Rogers, 13575 383rd Ave., Aberdeen, SD 57401.
W.R. #3026-3: George Waldner, Hillcrest Colony, Box 17, Garden City, SD 57235.

The following are One Year Suspensions of Water Rights/Permits:

W.R. #418-1: Dennis Lien, RR 1, Box 8B, Vale, SD 57788.
W.R. #1222A-1 & W.P. #1524-1: John Ismay, DVM, P.O. Box 396, Sturgis, SD 57785-0396.
W.R. #954-2: Kimberly Kaye Scaline, 24300 173rd Ave., Caputa, SD 57725.
W.R. #849-3: Florence Demers, RR 2, Box 248, Elk Point, SD 57025-9757.
W.R. #1172-3: Jesse Wright, 10 Bittersweet Ln., Atkinson, NH 03811.
W.R. #2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
W.R. #3255-3: Terry/Peggy Reynolds, HC 75, Box 33, Hitchcock, SD 57348.

The following are Three Year Suspensions of Water Rights:

W.R. #1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
W.R. #1280-2: Odie Dale Bowen, Box 407, Philip, SD 57567.

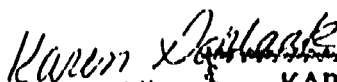
Amendment of Water Right No. 1192-1B and One Year Suspension of Water Right No. 1201-1:

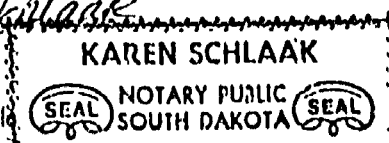
George W. Jenter, 748 Park Sturgis, SD 57735.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 8th day of March, 1999


Notary Public
KAREN SCHLAACK, Notary Public
My Commission Expires





**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: JOHN A ISMAY, DVM, PO BOX 396, STURGIS, SD 57785 0396
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(s) has not been submitted for Permit No(s) 1222A-1 & 1524-1. 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(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) 1222A-1 & 1524-1 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 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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. 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) 1222A-1 & 1524-1 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 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.

SENDER COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

JOHN A ISMAY, DVM
PO BOX 396
STURGIS SD 57785 0396

2. Article Number (From sender label)

7001 2510 0004 4793 4173

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) : Date of Delivery

C. Signature

X *John A. Ismay*

☒ Agent

☐ Addressee

Is delivery address different from above? ☒ Yes

☐ No

If YES, enter delivery address below:

JAN 17 2002

3. Send USPS

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery (Extra Fee)

☐ Yes

Domestic Return Receipt

102595-00-M-0952



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 6, 2002

1222A-1
1524-1

John A Ismay, DVM
PO Box 396
Sturgis, SD 57785-0396

Dear Mr. Ismay:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 1222A-1 and 1524-1.

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 M. Math
Environmental Scientist
Water Rights Program
(605) 773-3352



1222A-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: JOHN A ISMAY, DVM, PO BOX 396, STURGIS, SD 57785 0396
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1222A-1 & 1524-1. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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) 1222A-1 & 1524-1 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 5, 2003 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 1-25. 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 may:

1. Suspend or cancel Permit No(s) 1222A-1 & 1524-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

Based on a past violation, the Water Rights Staff recommendation to the Board will be that Nos. 1222A-1 and 1524-1 be suspended for a period of up to three years.

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 23, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.



1222A-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 6, 2003

1222A-1
1524-1

John A Ismay, DVM
PO Box 396
Sturgis SD 57785-0396

Dear Dr. Ismay:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 1222A-1 and 1524-1.

I completed questionnaires for you based on my February 6th telephone conversation with Mrs. Ismay. 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



1222A-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2004

NOTICE

TO: JOHN A ISMAY, DVM, PO BOX 396, STURGIS, SD 57785 0396

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1222A-1 & 1524-1. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 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) 1222A-1 & 1524-1 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 3, 2004 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) 1222A-1 & 1524-1 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 **February 27, 2004**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.

1222A-1



Track & Confirm

Current Status

You entered 2301 3460 0000 8515 9234

Your item was delivered at 1:10 pm on January 15, 2004 in STURGIS, SD 57785. The item was signed for by C TRUMPE.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)



POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 9234

JOHN A ISMAY, DVM
PO BOX 396
STURGIS SD 57785 0396

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®
☐ Package Services

1222A-1

DEMERSSEMAN JENSEN CHRISTIANSON
STANTON & HUFFMAN, LLP
LAWYERS

P.O. Box 1820, RAPID CITY SD 57709-1820
516 FIFTH STREET, RAPID CITY SD 57701

MICHAEL B. DEMERSSEMAN
CURTIS S. JENSEN
HARRY W. CHRISTIANSON
FRANK DRISCOLL
THOMAS W. STANTON
MICHAEL V. WHEELER
RICHARD E. HUFFMAN
TAMARA M. PIER (OF COUNSEL)

January 30, 2004

TELEPHONE
605-342-2814

FAX
605-342-0732

E-MAIL
law@demjen.com

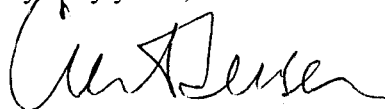
Chief Engineer
Water Rights Program, DENR
523 East Capitol
Pierre SD 57501-3181

Re: John Ismay, D.V.M/Ismay Ranch, LLC

Gentlemen:

I have enclosed two Notices of Transfer of Ownership and the \$5 filing fee. Please process.

Very truly yours,



Curtis S. Jensen (csj@demjen.com)
DEMERSSEMAN JENSEN CHRISTIANSON
STANTON & HUFFMAN, LLP

CSJ:jms
Enclosures
\\W:\data\Ismay\Ltr\water.wpd

RECEIVED
FEB - 2 2004
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. 1222A-1

Date: 12 / 30 / 03I/We request that Water Right/Permit No. 1222A-1 formerly owned by:John Ismay, D.V.M.

be transferred to:

New Owner Name: Ismay Ranch, LLCAddress: P.O. Box 396

City, State, Zip

SturgisSD57785

Telephone No. (605) 347-4436

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

Section 21-T8N-R6E	SW/4SW1/4 - 6 acres
	SE1/4SW1/4 - 21 acres
	NW1/4SE1/4 - 4 acres
	SW1/4SE1/4 - 23 acres
	SE1/4SE1/4 - 25 acres

☒ I understand that the validity of Water Right/Permit No. 1222A-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, Ismay Ranch, LLC, the new owner, certify that the above information is true and correct.

ISMAY RANCH, LLC, a South Dakota
limited liability company

By: 

(Signed by new owner)

John A. Ismay, Managing Member

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 - 2 2004
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 2, 20 04

RECEIVED OF DeMersseman Jensen Christianson Tanton & Huffman, PO Box 1820, RapidCity SD
57709

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>1222A-1</u>		2 50
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	2.50

No.

1164

By

Darland Erbe

Chief Engineer

gm



1222A-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2004

1222A-1
1524-1

John Ismay
Ismay Ranch, LLC
PO Box 396
Sturgis SD 57785-0396

Dear Mr. Ismay:

I am writing to acknowledge receipt of the ownership changes for Water Right Nos. 1222A-1 and 1524-1. The transfers have been completed. The water rights are now listed in the name of "Ismay Ranch, LLC".

Receipt Nos. 001164 and 001165 in the amounts of \$2.50 each are being forwarded by copy of this letter to Curtis Jensen, with DeMersseman, Jensen, Christianson, Stanton and Huffman, LLP.

Just a reminder, we have not yet received your 2003 irrigation questionnaires for Nos. 1222A-1 and 1524-1. If they are not received by February 27th, the matter goes to the Water Management Board. You can submit the forms on line at:
<https://www.state.sd.us/eforms/secure/eforms/E0455V2-IQ.pdf> or you can give me a call and I can help you fill them out over the phone.

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

Sincerely,

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

c: Curt Jensen w/receipts



1222A-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 2004

1222A-1
1524-1

John A Ismay
Ismay Ranch LLC
PO Box 396
Sturgis SD 57785-0396

Dear Mr. Ismay:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 1222A-1 and 1524-1.

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

CONSERVATION PLAN MAP

Owner Dr. John Ismay Dvm Operator _____
County Butte State S. Dak. Date 4/81
Approximate acres 79 Approximate scale 8" = 1 mile
Cooperating with Butte Conservation District _____
Plan identification _____ Photo number _____
Assisted by Charles J. Logan USDA Soil Conservation Service





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 20, 2017

NOTICE

TO: ISMAY RANCH, LLC, JOHN A ISMAY, PO BOX 396, STURGIS, SD 57785 0396

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1222A-1 & 1524-1. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 1222A-1 & 1524-1 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 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) 1222A-1 & 1524-1 in accordance with applicable provisions of SDCL 46-1-12; **Based on a past violation, the Water Rights Program will recommend a three year suspension.**
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 1, 2017** 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 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.

1222A-1



USPS Tracking®

Still Have Questions?

Browse our FAQs ›



Get Easy Tracking Updates ›
Sign up for My USPS.

Tracking Number: 70151520000331799908

Product & Tracking Information

Postal Product:

Features:
Certified Mail™

Available Actions

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
January 23, 2017, 9:15 am	Delivered	STURGIS, SD 57785

Your item was delivered at 9:15 am on January 23, 2017 in STURGIS, SD 57785.

January 23, 2017, 8:54 am	Available for Pickup	STURGIS, SD 57785
January 23, 2017, 8:47 am	In Transit to Destination	
January 22, 2017, 1:47 am	Departed USPS Origin Facility	RAPID CITY, SD 57701
January 21, 2017, 11:19 pm	Arrived at USPS Origin Facility	RAPID CITY, SD 57701
January 20, 2017, 9:19 pm	Arrived at USPS Origin Facility	HURON, SD 57399
January 20, 2017, 6:33 pm	Departed Post Office	PIERRE, SD 57501
January 20, 2017, 2:16 pm	Acceptance	PIERRE, SD 57501

Track Another Package

Tracking (or receipt) number

Track

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.**OFFICIAL USE**

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postage

\$

Delivered

1-23-17

Postmark
Here

ISMAY RANCH, LLC
JOHN A ISMAY
PO BOX 396
STURGIS SD 57785 0396



1222A-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 2, 2017

NOTICE OF ORDER OF ENTRY OF THREE YEAR SUSPENSION OF WATER RIGHTS

TO: John A Ismay, Ismay Ranch LLC, PO Box 396, Sturgis SD 57785 0396

FROM: Jeanne Goodman, Chief Engineer *Jeanne Goodman*
Water Rights Program

SUBJECT: Three Year Suspension of Water Right Nos. 1222A-1 and 1524-1

On March 1, 2017, the Water Management Board ordered:

That effective April 1, 2017, Water Right Nos. 1222A-1 and 1524-1 be suspended for the 2017, 2018 and 2019 irrigation seasons for failure to submit your 2016 irrigation questionnaires.

If the 2016 irrigation questionnaires are received prior to April 1, 2017, the suspensions will not take effect.

Suspension means water may not be pumped during the 2017, 2018 and 2019 irrigation seasons. Consistent with the Board's order, you are not permitted to irrigate for three years unless the irrigation questionnaire is submitted by April 1st.

After April 1st, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2016 irrigation questionnaires and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 10-11, 2017, in Pierre, SD. The letter should include your reasons for not completing the 2016 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

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

USPS Tracking®

Still Have Questions?
Browse our FAQs »



Get Easy Tracking Updates »
Sign up for My USPS.

Tracking Number: 70132250000134944720

Product & Tracking Information

Postal Product:

Features:
Certified Mail™

DATE & TIME

STATUS OF ITEM

LOCATION

March 6, 2017 , 9:11 am

Delivered

STURGIS, SD 57785

Your item was delivered at 9:11 am on March 6, 2017 in STURGIS, SD 57785.

March 4, 2017 , 7:40 am

Available for Pickup

STURGIS, SD 57785

March 4, 2017 , 2:15 am

Arrived at USPS Facility

RAPID CITY, SD 57701

March 2, 2017 , 9:57 pm

Arrived at USPS Facility

HURON, SD 57399

March 2, 2017 , 6:28 pm

Departed Post Office

PIERRE, SD 57501

March 2, 2017 , 3:30 pm

Acceptance

PIERRE, SD 57501

Available Actions

Text Updates

Email Updates

Track Another Package

Tracking (or receipt) number

HELPFUL LINKS

Contact Us
Site Index
FAQs

ON ABOUT.USPS.COM

About USPS Home
Newsroom
USPS Service Updates
Forms & Publications
Government Services
Careers

Copyright © 2017 USPS. All Rights Reserved.

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$
Certified Fee
Return Receipt Fee
(Endorsement Required)
Restricted Delivery Fee
(Endorsement Required)

Postmark
Here

JOHN A ISMAY
ISMAY RANCH LLC
PO BOX 396
STURGIS SD 57785

PS Form 3800, August 2006

See Reverse for Instructions





DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: ISMAY RANCH, LLC, JOHN A ISMAY, PO BOX 396, STURGIS, SD 57785 0396

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1222A-1 & 1524-1. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 1222A-1 & 1524-1 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 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) 1222A-1 & 1524-1 in accordance with applicable provisions of SDCL 46-1-12; **Based on a past violation for both water rights, the recommendation to the Board will be for a three year suspension for 1222A-1 and 1524-1.**
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 8, 2023** 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 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://danr.sd.gov/iq> using this password: XSFKKU**

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.

Tracking Number:

70201810000098485580

Copy Add to Informed Delivery
(<https://informedelivery.usps.com/>)

0855 9496 0000 1810 0191 0202

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	
\$	
Total Postage	
\$	
<i>Sent To</i>	
ISMA Y RANCH, LLC	
JOHN A ISMAY	
<i>Street and A</i>	
PO BOX 396	
<i>City, State, Z</i>	
STURGIS SD 57785 0396	

Postmark
Here

PS Form 3800, April 2015 PSN 7530-02-000-9007

Latest Update

Your item arrived at our USPS facility in MINNEAPOLIS MN DISTRIBUTION CENTER on February 9, 2023 at 11:36 am. The item is currently in transit to the destination.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Moving Through Network

Arrived at USPS Regional Facility

MINNEAPOLIS MN DISTRIBUTION CENTER
February 9, 2023, 11:36 am

Unclaimed/Being Returned to Sender

STURGIS, SD 57785
February 7, 2023, 8:49 am

In Transit to Next Facility

January 27, 2023

Departed USPS Regional Facility

RAPID CITY SD DISTRIBUTION CENTER
January 23, 2023, 12:41 am

Arrived at USPS Regional Facility

RAPID CITY SD DISTRIBUTION CENTER
January 22, 2023, 6:10 pm

Feedback

● **Arrived at USPS Regional Facility**
SIOUX FALLS SD DISTRIBUTION CENTER
January 21, 2023, 12:25 pm

● **Arrived at USPS Regional Facility**
HURON SD DISTRIBUTION CENTER
January 20, 2023, 10:38 pm

● **Hide Tracking History**

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Feedback

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs



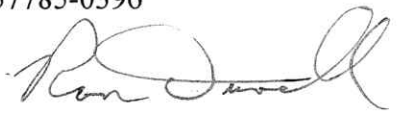
**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 13, 2023

NOTICE

TO: John A Ismay, Ismay Ranch LLC, PO Box 396, Sturgis SD 57785-0396

FROM: Ron Duvall, Natural Resources Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program 

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Right Nos. 1222A-1
and 1524-1

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail to our office marked "unclaimed". The envelope indicated the post office notified you on January 22nd and January 28th to pick up and sign for the certified mail.

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

CERTIFICATION

I hereby certify that on February 13, 2023, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope containing a Notice dated February 13, 2023 regarding Unclaimed Certified Mail to the Water Right/Permit Holders addressed as stated below:

No. 2706-3: Ronnie Reimer, 34611 255th St, Pukwana SD 57370

Nos. 1222A-1 & 1524-1: John A Ismay, Ismay Ranch LLC, PO Box 396, Sturgis SD 57785-0396

Nos. 4687-3A & 4687-3B: James L Sutton, PO Box 33, Onida SD 57564-0033

No. 1014-2: Donn Paulson, 30121 323rd Ave., Colome SD 57528

No. 6168-3: Todd Hattum, 21742 W Bend Rd, Harrold SD 57536

No. 1994-3: Albert Hattum, 21862 W Bend Rd, Harrold SD 57536

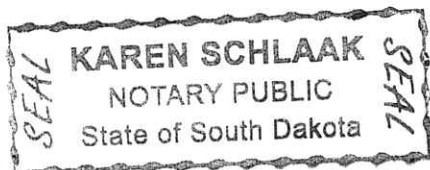
Nos. 835-2 & 959-2: Alva Lee Wiley, 31450 301st St, Winner SD 57580

Vickie Maberry
Vickie Maberry
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 13th day of February, 2023.

Karen Schlaak
Karen Schlaak Notary Public
My Commission expires April 1, 2025





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 28, 2023

1222A-1
1524-1

John A Ismay
Ismay Ranch LLC
PO Box 396
Sturgis SD 57785-0396

Dear Sir:

I am writing to acknowledge receipt of the information for your 2022 irrigation questionnaires. Based on our phone conversation, I completed questionnaires for you for the water rights and marked them "no irrigation – sufficient water received from the Belle Fourche Irrigation District".

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 1222A-1 & 1524-1. 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
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 17, 2017

1222A-1
1524-1

Ismay Ranch LLC
John A Ismay
PO Box 396
Sturgis SD 57785-0396

Dear Mr. Ismay:

On March 1st the Water Management Board ordered Water Right Nos. 1222A-1 and 1524-1 suspended if the 2016 irrigation questionnaires were not received prior to April 1, 2017. The questionnaire information for your water rights has been received.

Since the irrigation questionnaires are on file, no violation has occurred and no suspension will take place. You may irrigate during the 2017 irrigation season.

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 19, 2024

NOTICE

TO: ISMAY RANCH, LLC, JOHN A ISMAY, PO BOX 396, STURGIS, SD 57785 0396

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1222A-1 & 1524-1. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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) 1222A-1 & 1524-1 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 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) 1222A-1 & 1524-1 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 6, 2024** 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: AXKVYS**

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

February 9, 2024

1222A-1
1524-1

Ismay Ranch LLC
c/o John Ismay
PO BOX 396
Sturgis SD 57785

Dear Mr. Ismay:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 1222A-1 & 1524-1. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us