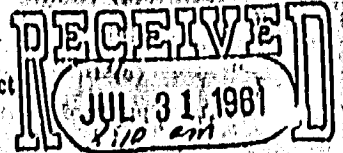


- 592-1
1. Considered 9-13, 1961
2. Name of Applicant H. L. Brown
3. Post Office Address Smith
4. Amount of water claimed 1.2
5. Source of water supply Hint Rock Creek
6. Water to be used for irrigation
Acres to be irrigated 82
7. Water to be diverted and used in Polk County about
6.1 miles of Smith
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not approved ☐
Action deferred ☐

10. Remarks:

No. 592-1Water Division No. 1 Moreau River District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant W. R. DRUM ZEARL DRUM TRANSPORTED
Postoffice address Faith, County Deade, State Dak.

~~I. Is a corporation~~

- (a) Name of same _____
(b) Date and place of incorporation _____
(c) Amount of capital stock _____
(d) Amount paid in _____
(e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Contract and direct labor(b) Cash on hand, \$ none (c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work W. R. DRUM IRRIGATION PROJECT NUMBER 13. Amount of water claimed 1.7 max. allowable
1.2 cubic feet per second or 246 Acs. Ft.4. Source of water supply Surface runoff (runoff from Flint Rock Creek)5. Location of point of diversion 106 rods S. 51°0' E of NW corner of Sec. 7, T 13N, R 17E.
93 rods S 8°30' W of NE corner of Sec 2, T 13N, R 17E both banks Parkins County.6. Annual period or periods during which water is to be used When available during annual season.

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity Irr.(a) Number of acres to be irrigated 82.0 acres.(b) Legal subdivisions to be irrigated See attached sheet

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

~~(c) Statement as to domestic use (giving location, etc.)~~~~II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:~~(a) Nature of use _____
Name any of the above uses claimed _____

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

MAP NO 504-1

8. Estimated cost of work:

(a) Head Gates, \$.....

Portable Pump 1000.00

(b) Pumping plant, \$.....

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures Earth ditches

\$1,000.00

Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Water will be taken from Flint Rock Creek into small ditches which will distribute the water to areas shown on map.

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction.....

(b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	ACRE-Feet CAPACITY

(c) Head-gate: Width.....feet; height.....feet;

Material.....

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....5.....years.

11. Time required for complete application of water to the proposed beneficial use 5 + 4 years.

12. Choice of newspaper for publication of notice of intention to appropriate.....

FAITH INDEPENDENT

STATE SOUTH DAKOTA

County of PERKINS

ss.

I, W. R. DREUM, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

W. R. Dreum

Subscribed and sworn to before me this

27th

day of

July

1961

Notary Public (or other qualified officer.)

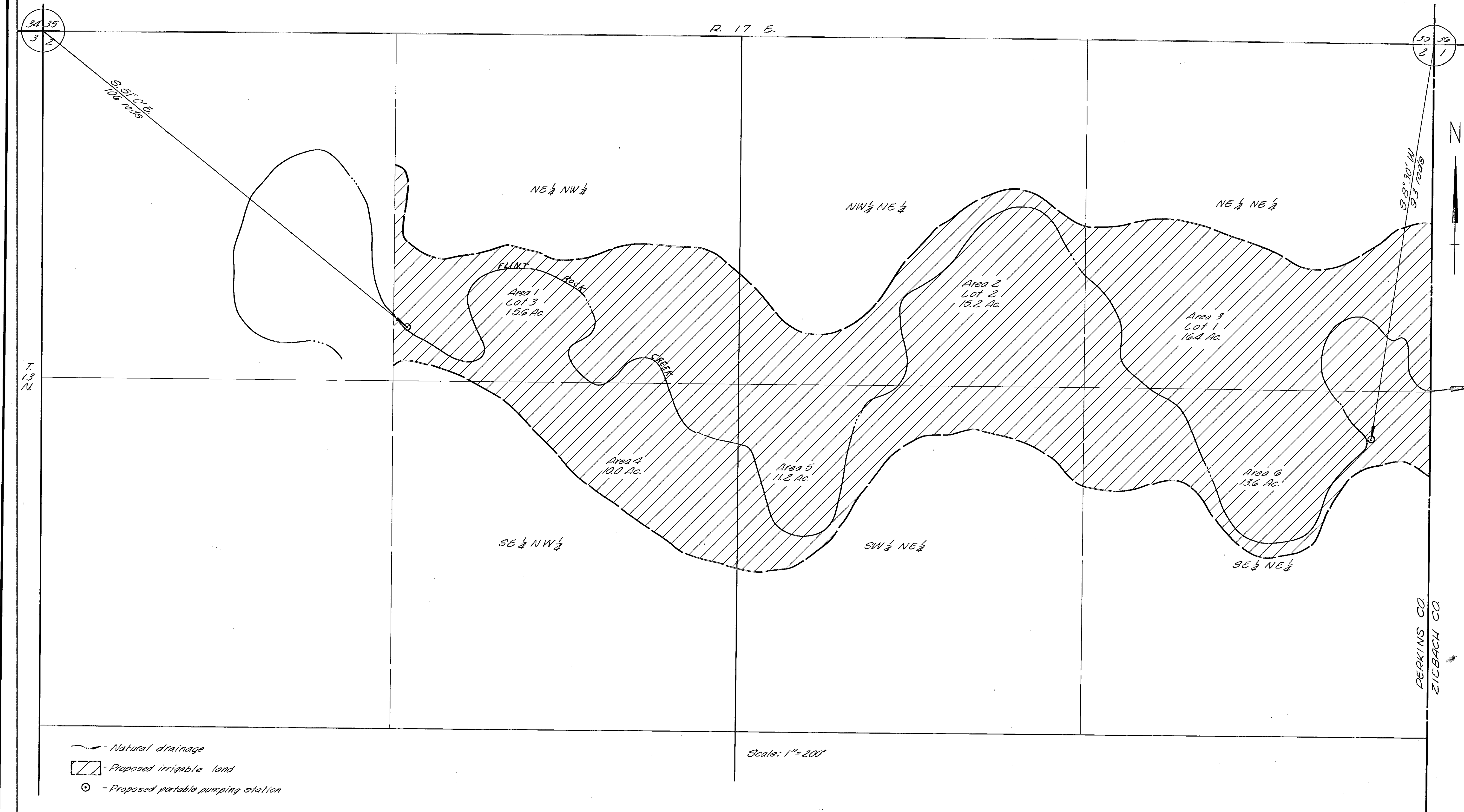
*Each diversion must have a headgate or measuring device.

APPLICATION for PERMIT

W. R. DRUM

7. 1. (b) Legal subdivisions to be irrigated:

Area	Location	Section	Township	Range	Acres
1	Lot 3	2	13N	17E	15.6
2	Lot 2	2	13N	17E	15.2
3	Lot 1	2	13N	17E	16.4
4	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	2	13N	17E	10.0
5	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	2	13N	17E	11.2
6	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	2	13N	17E	13.6
TOTAL					82.0



All lands described are owned by W.R. Drum.
LOCATION OF LAND TO BE IRRIGATED

AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	LOT 3	2	13N	17E	15.6
2	LOT 2	2	13N	17E	15.2
3	LOT 1	2	13N	17E	16.4
4	SE 1/4 NW 1/4	2	13N	17E	10.0
5	SW 1/4 NE 1/4	2	13N	17E	11.2
6	SE 1/4 NE 1/4	2	13N	17E	13.6
TOTAL					82.0

SURVEYOR'S CERTIFICATE

I, KENNETH L. HUBER DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE W. R. DRUM IRRIGATION PROJECT NUMBER 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE TRI-COUNTY SOIL CONSERVATION DISTRICT.

SIGNATURE: Kenneth L. Huber
TITLE: AGRICULTURAL ENGINEER
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 27 DAY OF July, 1961, A.D.

Donna M. Wolff
NOTARY PUBLIC

MY COMMISSION EXPIRES June 3, 1963

**W. R. DRUM
IRRIGATION PROJECT
NUMBER 1**
Perkins County, South Dakota

**U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE**

Designed	Approved by
Drawn	Title
Traced	Title
Checked	Sheet No. / of 1
	Drawing No.

Remarks by State Water Resources Commission:

This permit does not authorize construction of dams at the diversion points.

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, September 14, 1961

This is to certify that the foregoing application was received by the Commission at 8:10 o'clock a.m. upon the 31st day of July, 1961.

State Water Resources Commission

By:

Executive Officer
Chief Engineer, Executive Officer

Number of permit 592-1

Date of first receipt of application JULY 31, 1961

Date of return to applicant for correction, amendments or changes required as follows: 19

Date of receipt of corrected application: 19

Date from which applicant may claim right JULY 31, 1961

Approved September 13, 1961, Recorded in Book 6 Page 326

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

March 13, 1964

2nd. The whole of said work is to be completed on or before September 13, 1966

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

September 13, 1970

4th. The water appropriated shall be used for the purpose of irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 1.17 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 September 13, 1970; said water to be used during the following described annual period:

when available during annual season

Witness my hand this 14th day of September, 1961

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 11, 1970

Water License Issued JUNE 11, 1970

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 592-1

(1) WHEREAS, On the 31st day of July A. D. 19 61
W.R. Drum

made Water Right Application No. 592-1 for a permit to use 1.17 cubic feet per second of the waters of Flint Rock Creek

County of Perkins and Ziebach, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 14th day of September A. D. 19 61

Permit No. 592-1, with a date of priority of July 31, 1961

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 13th day of September A. D. 19 66 and for the application to beneficial use of said water on or before the 13th day of September A. D. 19 70

and, Whereas on the 20th day of May, 1970, the Permit was transferred to Zearl Drum, Faith, South Dakota

and;

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.00 cubic feet per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate the following land in Section 2, T13N, R17E

	Acres
Lot 1	16
Lot 2	10
Lot 3	10
SE $\frac{1}{4}$ NW $\frac{1}{4}$	10
SW $\frac{1}{4}$ NE $\frac{1}{4}$	10
SE $\frac{1}{4}$ NE $\frac{1}{4}$	14
total	70 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Zearl Drum

_____ of Faith, South Dakota

the holder _____ and owner _____ of said permit No. 592-1 a water right, dating from July 31, 1961

_____ to use of 1.0 cubic feet per second of the waters of Flint Rock Creek

in the County of Perkins & Ziebach and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at points South 51 East, 106 rods from the NW Corner,

and South 8°30' West, 93 rods from the NE Corner, Section 2, T13N, R17E

and conduct to and upon a portion of Section 2, T13N, R17E, described on the face of this
license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 592-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 11th day of June A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIES

Form 15.

Permit No. 592-1

Water Diversion No. 1 MOREAU RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Zearl Drum

_____ the holder _____ of
Permit No. 592-1, issued upon Application No. 592-1, bearing date of priority of July 31,
1961 authorizing the diversion of 1.17 cu. ft. per second of the waters of _____
Flint Rock Creek County of Perkins & Ziebach, State of South Dakota at _____
points S. 51° East, 106 rods from the NW Corner, and South 8° 30' West, 93 rods
from the NE Corner, Section 2, T13N, R17E
_____, for irrigation

_____ purposes, has ⁶ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use. 5 cu. ft. per second of water.

Date June 11, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Permit No. 592-1Water Division 1 Moreau River Water District

REPORT OF EXAMINATION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Zearl Drum
of Faith, South Dakota holder
of Permit No. 592-1, bearing date of priority of July 31, 19 61
authorizing the diversion of 1.17 cu. ft. per second of the waters of Flint Rock Creek
for irrigation purposes, in Perkins and Ziebach Counties

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

Rainmaster 8" pump

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

50 feet of rubber hose and dikes and ditches

C. Works used to apply water to beneficial use.

Dikes and land leveling

The system is in the following condition: GoodThe point of diversion is located S 51° E, 106 rods from NW Corner and S 83°30' W, 93 rods
from NE Corner, of Section 2, T13N, R17EThe works are capable of diverting and conveying to the place of use 6
cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: in Section 2, T13N, R17E

Lot 3	10 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$	10 acres
Lot 2	10 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$	14 acres
Lot 1	16 acres		
SE $\frac{1}{4}$ NW $\frac{1}{4}$	10 acres		

comprising a total of 70 acres of land.Date April 2, 1970

Donald Driscoll
(Signature)

DONALD DRISCOLL, Deputy Chief Engineer, W.R.C.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Meade } ss.Kenneth Howell being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the

Faith Independent a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theCity of Faith County of Meade

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

August 16, 1961August 23, 1961August 30, 1961Sept 6, 1961in each and every issue of the full number thereof, the first publication being made on the 16 day of August 1961 and the last publication on the 6 day of Sept 1961, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Printer the printer and publisher of the said newspaper.Kenneth HowellSubscribed and sworn to before me this 27 day of Sept A. D. 1961Estelle HowellNotary Public Meade County, S. D.Estelle Howell
My Commission Expires May 5, 1963

APPROPRIATION OF WATER

Notice is hereby given that W. R. Drum, whose post office address is Faith, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.2 cubic feet of water per second of time from Flint Rock Creek through the W. R. Drum Irrigation Project No. 1, the point of diversion of which is to be located on both banks of said stream between a point in the NE 1/4 of Section 2 Twp. 13N Range 17E. Said water to be used for the purpose of providing irrigation on the following described land: NE 1/4 and E 1/4 SW 1/4, Section 2, T 13N, R 17E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 13th day of September, 1961, at 2:00 p.m. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resource Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
By: BURTON F. JONES,
Water Rights Specialist
August 16, 23, 30; Sept. 6

RECEIVED
SEP 8 - 1961

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

(First Publication) on or before August 16, 1961**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., August 7, 1961

Notice is hereby given that W.R. Drus whose postoffice address is Faith S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.2 cubic feet of water per second of time from the Flint Rock Creek through the W.R. Drus Irrigation Project #1, the point of diversion of which is to be located on the both bank of said stream/in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2 Twp. 13N Range 17E Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$ and E $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, T 13N, R 17E

and for Drus ~~Drus~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 13th day of September, 1961, at 2 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

CC: Kenneth Howell - Publisher
Faith Independent
Faith South Dakota

State Water Resources Commission

By:

~~Chief Engineer, Executive Officer~~
~~for Water Right Specialist~~
BURTON F. JONES
Water Right Specialist

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

**TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501**

Date _____

formerly owned by W.R. Drum

has been transferred to Zearl Drum

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 592-1 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

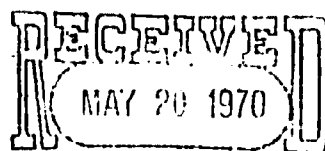
STATE OF SOUTH DAKOTA)
County of Meade) ss.

I, Earl Dean being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

(Signed) _____

Subscribed and sworn to before me this 18 day of May, 1950 A.

Elsie P. Schuller
(Notary Public)



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

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

March 23, 1987

ZEARI DRUM
BOX 203
FAITH, SD 57626

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

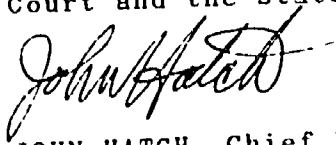
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). ~~592-1~~. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given 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 2:00 pm, May 6, 1987 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). 592-1 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
605 773-3352

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



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

May 13, 1987

NOTICE OF AMENDMENT TO WATER PERMIT(s)

TO: ZEARL DREM
BOX 203
FAITH, SD 57626

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT. Amendment to Water Permit No(s). 592-1

Pursuant to the provisions of the notice dated March 23, 1987, and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No(s). 592-1 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in **SUSPENSION** of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Attachment to Water Permit No. 592-1

Pursuant to the provisions of the notice dated March 23, 1987 and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No. 592-1 to add the following qualification:

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

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.	
3. Article Addressed to: ZEGL "DRUM" BOX 222 PO BOX, ED 57626	4. Article Number P 576 309 706 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X Shirley Drum	
7. Date of Delivery 5-14-87	

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:

ZEARL DRUM
BOX 203
FAITH SD 57626

592-1

4a. Article Number

P378 081 428

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

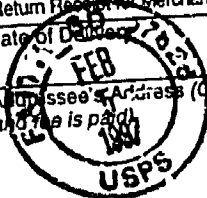
7. Date of Delivery

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Shurley Drum



Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.

592-1



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: ZEARL DRUM, BOX 203, FAITH, SD 57626

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

SUBJECT: Violation of Water Permit No(s). 592-1

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 592-1. 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) 592-1 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) 592-1 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1997

592-1

Zearl Dram
Box 203
Faith, SD 57626

Dear Mr. Drum:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of Water Permit No. 592-1.

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

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

Sincerely,

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

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:

ZEARL DRUM
BOX 203
FAITH SD 57626

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Shirley Drum Date of Delivery JAN 22 1999

C. Signature X Shirley Drum

☒ Agent ☐ Addressee

D. Is delivery address different from item A? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0602 0026 9814 2584

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



592-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: ZEARL DRUM, BOX 203, FAITH, SD 57626
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 592-1. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 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) 592-1 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, 2001 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) 592-1 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, 2001, 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 57501-3182
www.state.sd.us/denr

January 30, 2001

592-1

Zearl Drum
Box 203
Faith SD 57626

Dear Mr. Drum:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 592-1.

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



592-1
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 23, 2009

NOTICE

TO: ZEARL DRUM, BOX 203, FAITH, SD 57626

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(s) has not been submitted for Permit No(s) 592-1. 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(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) 592-1 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 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. 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) 592-1 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 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.pdf>

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.

592-1

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 6623
Status: **Delivered**

Your item was delivered at 10:54 AM on January 24, 2009 in FAITH, SD 57626. The item was signed for by Z DRUM.

Track & Confirm

Enter Label/Receipt Number.

[Additional Details >](#)[Return to USPS.com Home >](#)

Notification Options

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 6623	ZEARL DRUM BOX 203 FAITH SD 57626		ling.
	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**

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

February 6, 2009

592-1

Zearl Drum
Box 203
Faith SD 57626

Dear Mr. Drum:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 592-1.

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



592-1
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 21, 2011

NOTICE

TO: ZEARL DRUM, PO BOX 203, FAITH, SD 57626

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 592-1. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 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) 592-1 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 9, 2011** 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) 592-1 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, 2011**, 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.

592-1

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Track & Confirm

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Label/Receipt Number: **2303 2160 0000 0803 0248**Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 11:45 am on January 25, 2011 in FAITH, SD 57626. The item was signed for by C CHAPMAN.

Track & Confirm

Enter Label/Receipt Number.

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Detailed Results:

- Delivered, January 25, 2011, 11:45 am, FAITH, SD 57626
- Notice Left, January 22, 2011, 8:33 am, FAITH, SD 57626
- Arrival at Post Office, January 22, 2011, 8:30 am, FAITH, SD 57626

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0803 0248

ZEARL DRUM
PO BOX 203
FAITH SD 57626

Waiver of Signature ☐ YES ☐ NOPostmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 153, May 2002

(See Reverse)



592-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 10, 2011

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHT

TO: Zearl Drum, PO Box 203, Faith SD 57626
FROM: Garland Erbele Chief Engineer
Water Rights Program 
SUBJECT: One Year Suspension of Water Right No. 592-1

On March 9, 2011, the Water Management Board ordered:

That effective April 9, 2011, Water Right No. 592-1 be suspended for the 2011 irrigation season for failure to submit the 2010 irrigation questionnaire.

If the 2010 irrigation questionnaire is received prior to April 9, 2011 the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2011 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2011 unless the irrigation questionnaire is submitted by April 9th.

After April 9th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2010 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May, 2011 in Pierre, SD. The letter should include your reasons for not completing the 2010 irrigation questionnaire. 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 (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on March 10, 2010, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated March 10, 2011 regarding cancellations and suspensions addressed as stated below:

One year suspension:

No. 592-1

Zearl Drum, PO Box 203, Faith SD 57626

Nos. 5222-3 and 6874-3

Clayton Kern, Supt, McCook Country Club, PO Box 129, Salem SD 57058

No. 3937-3

Wendell Schubloom, 20608 Hwy 25, DeSmet SD 57231

No. 5257-3

Wayne L Bertrand, Scotland Golf Club Inc, Box 488, Scotland SD 57059

Nos. 6426-3 & 6507-3

Terrill Wheeler, 16645 416th Ave, Raymond SD 57258

Three Year Suspension

No. 1080-2

Larry Schell, Schell Ranch, 22955 Jensen Rd, Wall SD 57790

Nos. 2696-3A & 4414-3

Donald Schmidt, 19053 427th Ave, Willow Lake SD 57278-6205

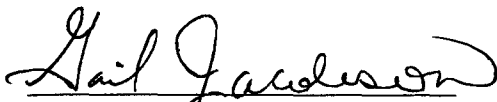
Cancellation

Nos. 1473-2 & 1502-2

Randy Bachelor, 25409 266th Ave, White River SD 57579

No. 5124-3

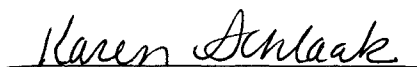
Victor L Wiczorek, 39507 266th St, Mt Vernon SD 57363



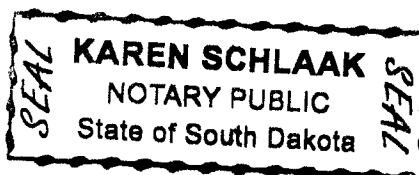
Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 2011.



Karen Schlaak
Notary Public
My Commission expires April 1, 2013





**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 7, 2011

592-1

Zearl Drum
PO Box 203
Faith SD 57626

Dear Mr. Drum:

On March 9th, the Water Management Board ordered Water Right No. 592-1 to be suspended if the 2010 irrigation questionnaire was not received prior to April 9, 2011. The questionnaire information for your water right has been received.

Since the irrigation questionnaire is on file, no violation has occurred and no suspension will take place. You may irrigate during the 2011 irrigation season.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2012

592-1

Gary Drum
PO Box 213
Faith SD 57626

Dear Mr. Drum:

I am contacting you in regard to Water Right No. 592-1 listed in the name of Zearl Drum. We were notified that ownership needs to be changed to your name.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right for your records. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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.denr.sd.gov

May 17, 2012

592-1

Gary Drum
PO Box 213
Faith SD 57626 0213

Dear Mr. Drum:

I am writing in regard to Water Right No. 592-1 listed in the name of Zearl Drum. On January 18th, I wrote to you concerning the water right and the need for an ownership change. To date we have not received anything back from you.

In the event you no longer have the form mailed to you in January, enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If I need to be contacting someone else concerning the ownership change or if you do not wish to maintain the water right, please give me a call. Thank you in advance for your help.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure

RECEIVED

MAY 25 2012

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 592-1

Date: 05-22-12

I/We request that Water Right No. 592-1

formerly owned by: Zearl Drum

be transferred to: (name & address)

Gary and Karleen Drum

Po Box 213

Faith SD 57626

Telephone No. 605-739-5661

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

70 acres - Lots 1, 2 & 3, SE ¼ NW ¼ and S ½ NE ¼ Section 2, T13N, R17E

I/We understand that the validity of Water Right No. 592-1 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 Gary and Karleen Drum the new owners certify that the above information is true and correct.

Gary Drum / Karleen Drum
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/25, 2012

RECEIVED OF Gary Drum PO Box 213 Faith SD 57626

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>592-1</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	50 00

No. 05444

By 
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

May 28, 2012

592-1

Gary and Karleen Drum
PO Box 213
Faith SD 57626 0213

Dear Mr. & Mrs. Drum:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 592-1.

The ownership change has been completed. The water right formerly held by Zearl Drum is now listed in your names.

Enclosed for your records is Receipt No. 05444 in the amount of \$50.00. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure



592-1
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 20, 2017

NOTICE

TO: GARY & KARLEEN DRUM, PO BOX 213, FAITH, SD 57626 0213
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) 592-1. 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) 592-1 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) 592-1 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 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 1, 2017

592-1

Gary & Kathleen Drum
PO Box 213
Faith SD 57626 0213

Dear Mr. & Mrs. Drum:

I am writing to acknowledge receipt of your 2016 irrigation questionnaire.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 592-1. 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
email: genny.mcmath@state.sd.us



592-1
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 25, 2019

NOTICE

TO: GARY & KARLEEN DRUM, PO BOX 213, FAITH, SD 57626 0213
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 592-1. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 592-1 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, 2019 at 10:30 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:

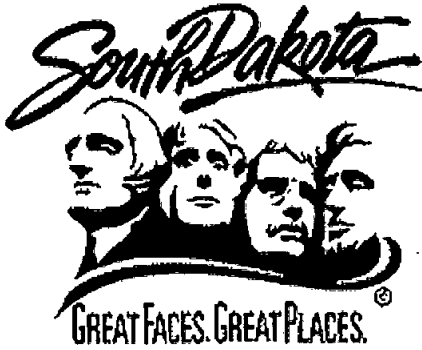
1. Suspend or cancel Permit No(s) 592-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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, 2019** 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.

592-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 1, 2019

592-1

Gary & Karleen Drum
PO Box 213
Faith SD 57626-0213

Dear Mr. & Mrs. Drum:

I am writing to acknowledge receipt of your 2018 irrigation questionnaire.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 592-1. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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