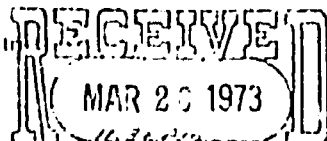


Water Right Number 1141-2

1. Considered May 23, 1973
2. Name of Applicant Lawrence T. Johnson
3. Post Office Address Vetal, S.D.
4. Amount of Water claimed 4.44
5. Source of Water supply Ground water
6. Water to be used for Irrigation
- Acres to be irrigated 320.00
7. Water to be diverted and used in Bennett County
about 3N, 18E miles of MARTIN
8. Proof of Publication Received 4.27.73
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 1141-2Map No. 971-2Water Division No. 2 LITTLE WHITE RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Lawrence T. Johnson
Postoffice address Vetal, State South Dakota 57575
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Lawrence T. Johnson Irrigation Project
4. Amount of water claimed (cubic feet per second) 2000 gal. per min. (4.44)
5. Source of water supply well
6. Location of point of diversion center of NW $\frac{1}{4}$ Section 4, T37N, R34W
- County Bennett
7. Annual period or periods during which water is to be used May - September
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreational, etc.) Irrigation
9. For irrigation use, _____ Total number of acres to be irrigated 320.0

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 4, T37N, R34W	40.0	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 5, T37N, R34W	40.0
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 4, T37N, R34W	40.0	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 5, T37N, R34W	40.0
SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 4, T37N, R34W	40.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 5, T37N, R34W	40.0
SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 4, T37N, R34W	40.0	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 5, T37N, R34W	40.0

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Bennett County Booster, Martin
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. \$15,000

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use. \$18,000Estimated Total Cost \$ 33,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

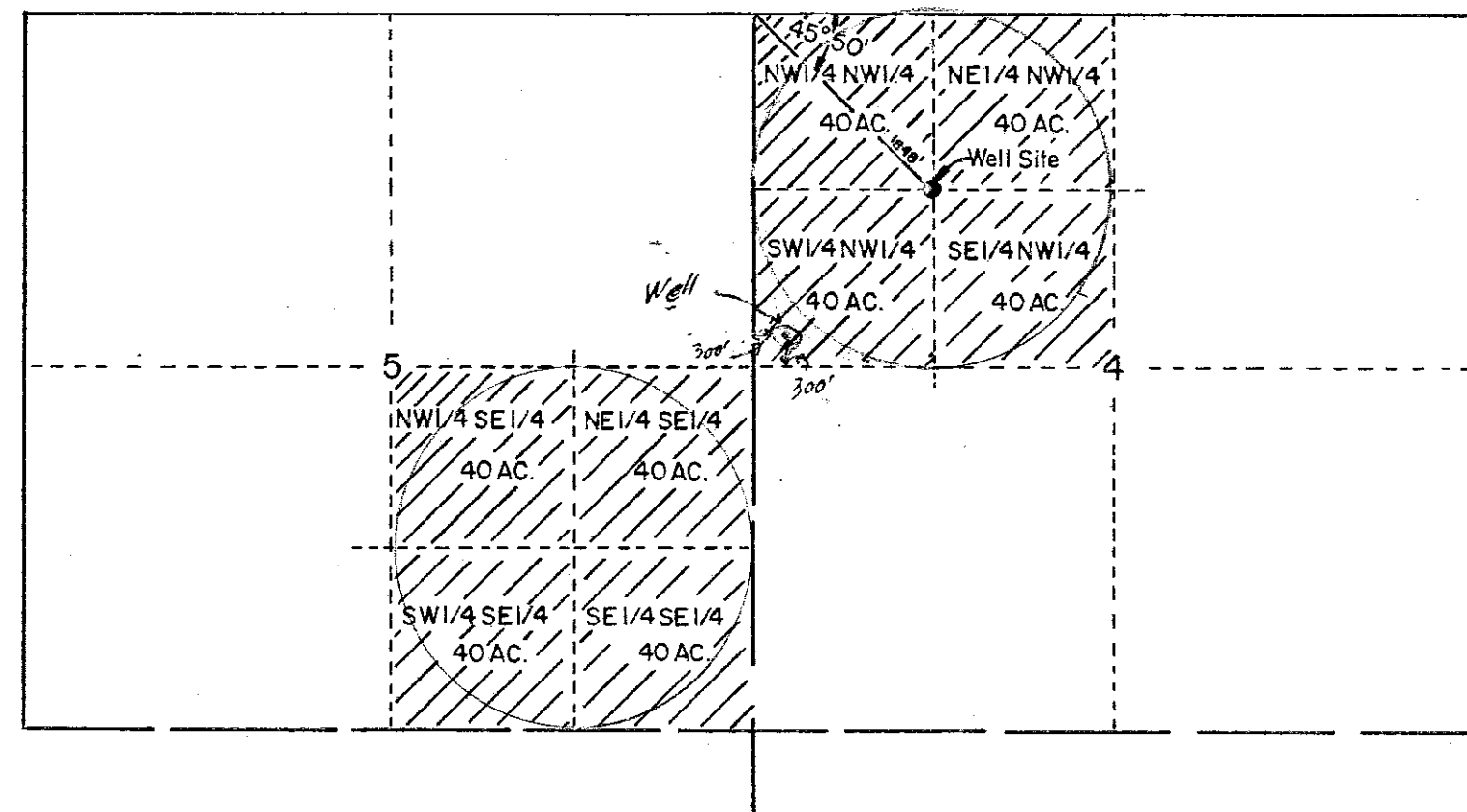
County of Hughes)I, Lawrence T. Johnson the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to, complete the necessary construction.

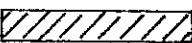
Signed

Subscribed and sworn to before me this 30th day of March, 1973Betty Westland

Notary Public (or other qualified officer)

Exec. Asst., W.R.C.



 = LAND TO BE IRRIGATED
 SCALE 1" = 1320'

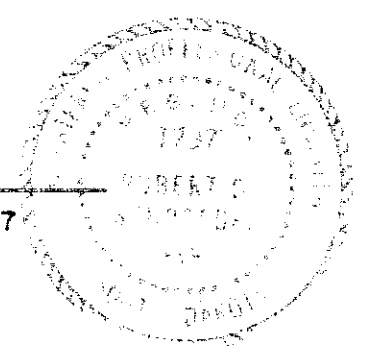
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NE 1/4 NW 1/4	4	37N	34W	40.0
NW 1/4 NW 1/4	4	37N	34W	40.0
SW 1/4 NW 1/4	4	37N	34W	40.0
SE 1/4 NW 1/4	4	37N	34W	40.0
NE 1/4 SE 1/4	5	37N	34W	40.0
NW 1/4 SE 1/4	5	37N	34W	40.0
SW 1/4 SE 1/4	5	37N	34W	40.0
SE 1/4 SE 1/4	5	37N	34W	40.0
TOTAL				320.0

ENGINEER'S CERTIFICATE

I, ROBERT SCHROEDER, A SOUTH DAKOTA REGISTERED PROFESSIONAL ENGINEER NUMBER 1797, CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT DELINEATION OF AN IRRIGATION WELL SITE LOCATED IN THE NW 1/4 OF SECTION 4 T37N R34W 6th P.M. BENNETT COUNTY, SOUTH DAKOTA. THE ABOVE DESCRIBED LAND BEING OWNED BY LAWRENCE JOHNSON.

DATE: 2-1-73


 ROBERT SCHROEDER PE-1797

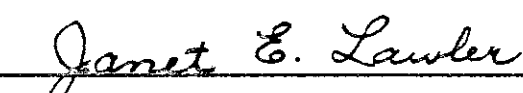


ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF CHERRY)SS

ON THIS 1st DAY OF February, 1973, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY, APPEARED ROBERT SCHROEDER WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME AND HE ACKNOWLEDGED THE SIGNING OF SAID ENGINEER'S CERTIFICATE TO BE HIS VOLUNTARY ACT AND DEED, WITNESS MY HAND AND OFFICIAL SEAL THE AFORESAID DATE.

MY COMMISSION EXPIRES: NOVEMBER 24, 1973.


 NOTARY PUBLIC

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1141-2

LAWRENCE T. JOHNSON
(Applicant)

NETAL
(Post Office Address)

SOUTH DAKOTA
(State) With the following modifications:

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application MARCH 20, 19 73

Date of return to applicant for correction, amendments or changes required —, 19 —

Date of receipt of corrected application —, 19 —

Approved MAY 23, 19 73, Recorded in Book 12 Page 207

WATER RIGHT PERMIT NO. 1141-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1141-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MARCH 20, 19 73
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 23, 19 75
3. The whole of said work is to be completed on or before MAY 23, 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 23, 19 78
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 4.44 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MAY 23, 19 78; said water to be used during the following described annual period: MAY THRU SEPTEMBER

Witness my hand this 25TH day of MAY, 19 73

WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued October 6, 19 78

Water License Issued October 6, 19 78

12. Principal Features of the Proposed Water Supply System (continued)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 36", Depth 300'
(2) Casing, Type Concrete Diameter 18" Thickness _____
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type Concrete Slit, Diameter 18", Length 100'
(4) Gravel Pack, Thickness 14", Length of gravel pack 200'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Sand Gravel

Depth to top of water bearing material 80'

Depth to bottom of water bearing material 300'

Thickness of water bearing material 220'

Depth to water (ground surface to water level) 80'

- (2) Distance to nearest existing household or livestock watering well

On same owner's property 80' rds. On property owned by others 160' rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

[Signature]
Signature of Applicant

Permit No. 1141-2

Water Diversion No. 2 Little White River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Lawrence T. Johnson

_____ the holder _____ of
Permit No. 1141-2, issued upon Application No. 1141-2, hearing date of priority of March 20,
1973 authorizing the diversion of 4.44 cu. ft. per second of the waters of _____
groundwater (one well) County of Bennett, State of South Dakota ~~XX~~
from w $\frac{1}{4}$ corner, Section 4-T37N-R34W, 300 feet North and 300 feet East

_____, for irrigation

purposes, has _____ 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 2.22 cu. ft. per second of water.

Date October 6, 1978

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

WATER LICENSE NO. 1141-2

(1) WHEREAS, On the 20th day of March A. D. 19 73

Lawrence T. Johnson

made Water Right Application No. 1141-2 for a permit to use 4.44 cubic feet per second of the waters of groundwater (one well)

County of Bennett, State of South Dakota, for irrigation

purposes and

(2) WHEREAS, On the 23rd day of May A. D. 19 73

Permit No. 1141-2 with a date of priority of March 20, 1978

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 23rd day of May A. D. 19 78 and for the

application to beneficial use of said water on or before the 23rd day of May A. D. 19 78

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 2.22 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 portions of the following land all in T37N-R34W;

Description	Acres
Section 4 NE $\frac{1}{4}$ NW $\frac{1}{4}$	33
NW $\frac{1}{4}$ NW $\frac{1}{4}$	33
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33
SE $\frac{1}{4}$ NW $\frac{1}{4}$	33
Section 5 NE $\frac{1}{4}$ SE $\frac{1}{4}$	33
NW $\frac{1}{4}$ SE $\frac{1}{4}$	33
SW $\frac{1}{4}$ SE $\frac{1}{4}$	33
SE $\frac{1}{4}$ SE $\frac{1}{4}$	33
TOTAL ACRES	264

(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 Lawrence T. Johnson

_____ of Vestal, SD

the holder _____ and owner _____ of said permit No. 1141-2 a water right, dating from March 20, 1973

_____ to use of 2.22 cubic feet per second of the waters

of groundwater (one well)

in the County of Bennett and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinafter mentioned, to be diverted ~~x~~ from NW corner, Section 4-T37N-R54W,

300 feet North and 300 feet East

and conduct to and upon 264 acres in Sections 4 and 5-T37N-34W, more fully
described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1141-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 6th day of October A. D.

Nineteen Hundred and Seventy-eight

WATER RIGHTS COMMISSION

WATER RESOURCES COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer **JOHN HATCH**

Conservation
Commission
Form WI #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: SK

Water Quality: OK

Soils Capability: OK

Approved: 3/16/73 HJS

Disapproved: _____

NAME: Lawrence T. Johnson

ADDRESS: Vetrol S.R. 57575

COUNTY: Bennett

LEGAL DESCRIPTION

1. WELL LOCATION: Center of NW 1/4 S-4 T37N R34W
2. AREA TO BE IRRIGATED: NW 1/4 S4 T37N R34W - SE 1/4 S5 T37N R34W

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center Pivot
4. CROPS TO BE IRRIGATED: Corn - alfalfa pasture

LAND CAPABILITY FOR IRRIGATION

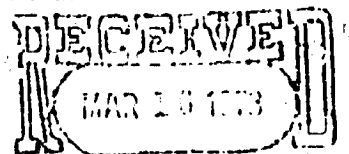
5. PERCENTAGE OF SLOPE: 3-9%

PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: DUNDAY - ANSELMO COMPLEX
DUNDAY T1e2 - ANSELMO T1e2

DOMINANT
SOILS

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 73-143
8. SALINITY: Acceptable levels in accordance with soils and Irrigation type
9. SODIUM: Acceptable levels in accordance with soils and Irrigation type



STATE WATER RESOURCES COM. DIV.
SOUTH DAKOTA

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:
the land capability for irrigation information has been acquired from

and: Curry - Soil information

that the legal description for the location of the well and land to be
irrigated is true and correct.

Lawrence T. Johnson

Subscribed and sworn before me this

6 day of March 19 13.

Chas B Engelbert

Register of Deeds
Sioux

(Title)

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submitted by: **Lawrence T. Johnson**
 Address: **Vetal, South Dakota**
57575

Date Rec'd **February 28, 1973**
 Sample No. **73-143**
 Identification **Well-100'**
MW1, Sec. 4, T. 37N, R. 34W

WATER ANALYSIS

Calcium (Ca)	38	ppm*	1.92	me/l**
Magnesium (Mg)	5	ppm	0.39	me/l
Sodium (Na)	5.7	ppm	0.25	me/l
Potassium (K)	7.5	ppm	0.20	me/l
Sulfate (SO ₄)	3	ppm	0.07	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.06	me/l
Bicarbonate (HCO ₃)	144	ppm	2.36	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe) ^{total}		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)	116	ppm	7	g.p.g.***
Alkalinity (Methyl Orange)	118	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	269	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.23			
Sodium	9.05	% of cations		
Residual sodium carbonate	0.04	me/l		
pH	7.03			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: **Total cations 2.76 me/l**
Total anions 2.49 me/l

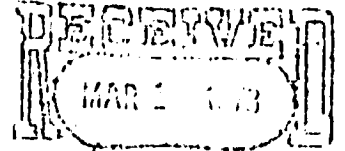
By: **Shirley Hittan**

Service Performed	Amount Due
Irrigation analysis	\$4.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. **73-143** Amount Enclosed \$ _____
 Signed _____



STATE WATER RESOURCES COMM.
2010 1000000000

March 15, 1973

Lawrence T. Johnson
Vital
S.D. 57575

Dear Mr. Johnson:

Your water sample analysis has been completed. I am sending a copy of the report and your Conservation Commission Form W1 #1 to the Conservation Commission, as well as a copy of this letter.

The water quality is very good and the soil should have excellent internal drainage, so I see no problem in the irrigation use you anticipate for this water.

Sincerely yours,

Lawrence O. Fine
Lawrence O. Fine, In charge
Water Quality Laboratory

LOF:pap
Encl.

cc: State Conservation Commission
Gary Nies, Co. Agent

1141-2

Publish first publication, on or before May 10, 19 73

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

March 22, 19 73

Notice is hereby given that Lawrence T. Johnson

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

4.44

cubic feet of water per second of time from the ground water through the

Johnson Irrigation Project #2

, the point of diversion of which is to be located in the _____

Center of the NW $\frac{1}{4}$

of Section 4, Twp. 37N, Range 34W. Said water to be used for the purpose

of providing irrigation on the following described land:

NW $\frac{1}{4}$, Section 4 and SE $\frac{1}{4}$, Section 5, T37N, R34W

This application No. 1141-2 will be considered by the Water Resources Commission at their office at Pierre upon the 23rd day of May, 19 73, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON P. JONES, Water Rights Specialist

BPJ/bv

cc: Lawrence T. Johnson, Vetal, S.D. 57575

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bennett) ss.

I, Mary Lee Woepffel hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Bennett County Booster II

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

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

April 5, 1973

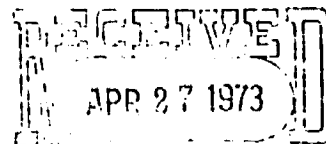
April 12, 1973

Mary Lee Woepffel
(Signature)

Bookkeeper
(Title)

April 25, 1973
(Date Signed)

No. 1141-2
NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
March 23, 1973
Notice is hereby given that
Lawrence T. Johnson whose post
office address is Vetol, South Da-
kota, has made an application in
accordance with the provisions of
the water laws of South Dakota
for a permit to appropriate for
beneficial use 4.44 cubic feet of
water per second of time from
ground water through the John-
son Irrigation Project No. 2, the
point of diversion of which is to
be located in the Center of the
NW1/4 of Section 4, Twp. 37N,
Range 34W. Said water to be
used for the purpose of pro-
viding irrigation on the follow-
ing described land: NW1/4, sec-
tion 4 and SE1/4, Section 5, T37N,
R34W.
This application No. 1141-2 will
be considered by the Water Re-
sources Commission at their of-
fice at Pierre upon the 23rd day
of May, 1973, at 2:00 p.m. All
interested persons may appear
and be heard.
WATER RESOURCES
COMMISSION
By: Burton F. Jones,
Water Rights Specialist
21-41



APR 27 1973
WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6540

PIERRE, October 6, 1978

RECEIVED OF Lawrence T. Johnson, Vetal, SD

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filling) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. 1141-2	12	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1142-2		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filling _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH 97

Permit No. 1141-2Water Division 2 Little White River Water DistrictREPORT 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 Lawrence T Johnson of Vetal, S.Dak holderof Permit No. 1141-2, bearing date of priority of March 20, 1973authorizing the diversion of 4.44 cu. ft. per second of the waters of Wellfor Irrigation purposes, in Bennett County.

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:

Pump - Vertiline - Serial "K123521", Head 140 ft. 1000 gpm.
Engine - Allis Chalmers - 6 cyl diesel Model - 3500,
Serial "3D-07806" 110 H.P.

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

Aluminum Pipe - 8" diameter - 3000 ft.

C. Works used to apply water to beneficial use.

Valley Center Pivot Model # 1041, Serial "5029."

The system is in the following condition: Good.The point of diversion is located from W $\frac{1}{4}$ corner Section 4, T37N, R34W.
300 ft North and 300 ft East.The works are capable of diverting and conveying to the place of use 2.22cu. 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 4, T37N R34WNE $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 Ac., NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 Ac., SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 Ac.SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 Ac. In Section 5, T37N, R34W, NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 33 Ac.,NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 33 Ac., SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 33 Ac., SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 33 Ac.comprising a total of 264 acres of land.Well - 180 ft deep -
25 ft to water
Tested to 1100 gpm.Date May 21, 1976LeRoy O. McLaughlin
(Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6540

PIERRE, October 6, 1978

RECEIVED OF Lawrence T. Johnson, Vetal, SD
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. <u>1141-2</u>	12	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. <u>1142-2</u>		
Fee for Issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____		
(any other work as provided by law)		

TOTAL 12 00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH 9Y

No. 977-2

1141-2

1680-2

June 26, 1984

William C. Donovan
Box 873
Wright, Wyoming 82732

Dear Mr. Donovan:

Please find enclosed ^{copies} ~~a copy~~ of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 for each transfer, total of \$7.50.

Upon receipt of the enclosed form and the \$2.50 filing fee/for each transfer the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Genny McMath
Natural Resources Specialist

GM:ms
Enc.

NOTE: If you owned the land or operated the irrigation systems during 1983, please complete the enclosed irrigation questionnaires and return them along with the transfer forms.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

(No 4 9708)

Pierre, July 9, 1984

RECEIVED OF Satterlee Real Estate, 404 3rd Ave., Martin, SD 57551, AT: Eve Satterlee
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. _____		
Fee for Filing Transfer Form <u>1141-2</u>	2	50
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	2 50

By

Chief Engineer

JOHN HATCH *ms*

NO. _____

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: June 29, 1984

This is to notify you that the title to the lands described as follows:

The Northwest Quarter (NW¼) of Section Four (4) and the Southeast Quarter (SE¼) of
Section Five (5), Township Thirty-seven (37), Range Thirty-four (34), Bennett County, S.D.
(Formerly owned by
formerly owned by The Mutual Life Insurance Company of New York Lawrence Johnson.)
has been transferred to Wendell L. Johnson

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1141-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

TEXAS
STATE OF ~~TEXAS~~)
County of Dallas) ss.

I, Harold F. Haschke 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.

THE MUTUAL LIFE INSURANCE COMPANY OF
NEW YORK

By: Harold F. Haschke
(Signed)

Harold F. Haschke, Regional Vice President

Subscribed and sworn to before me this 25 Day of June, 1984.

Leilani K. Lucas
(Notary Public)

Leilani K. Lucas
Commission expires 2/30/85



RECEIPT

Division of Water Rights

No 4 9710

South Dakota Department of Water and Natural Resources

Pierre, July 9, 194

RECEIVED OF Satterlee Real Estate, 404 3rd Ave., Martin, SD 57551 ATT: Steve Satterlee
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. _____		
Fee for Filing Transfer Form 1141-2 _____	2	50
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	2 50

By

Chief Engineer

JOHN HATCH

NO. 1141-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: July 6, 1984

This is to notify you that the title to the lands described as follows:
The Northwest Quarter (NW $\frac{1}{4}$) of Section Four (4); and the Southeast Quarter (SE $\frac{1}{4}$) of Section Five (5); all in Township Thirty-seven (37) North, Range Thirty-four (34) West of the 6th P. Bennett County, South Dakota;

Lawrence T. Johnson aka Lawrence Johnson; The Mutual Life Insurance
formerly owned by Company of New York; and Wendell L. Johnson,

has been transferred to William C. Donovan and Roberta L. Donovan, husband and wife, as
joint tenants with right of survivorship not as tenants in common, Verbal SD 87575
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1141-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees
as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Bennett) ss.

I, Wendell L. Johnson 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 infor-
mation herein stated is true.

Wendell L. Johnson
(Signed)
Wendell L. Johnson

Subscribed and sworn to before me this 6th Day of July, 1984.

Quella Cozad
(Notary Public)

My commission expires: 3/11/85



Water Rights Division
605 773-3352

August 27, 1984

1141-2

William C and Roberta L Donovan
Vetal, South Dakota 57575

Dear Mr. & Mrs. Donovan:

The transfer of Water Right No. 1141-2 from Lawrence Johnson, the Mutual Life Insurance Company of New York and Wendell Johnson to William C and Roberta L Donovan has been completed. The water right is now listed in your names.

The receipts for filing the two transfers of Water Right No. 1141-2 have been forwarded to Satterlee Real Estate, Martin with a copy of this letter.

If you have any questions, please contact us.

Sincerely,

GENNY HCMATH
Natural Resources Analyst

GM:ks

cc: Satterlee Real Estate



Department of Water & Natural Resources

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

March 23, 1987

WILLIAM C & ROBERTA DONOVAN
HC 77 BOX 34
VETAL, SD 57575

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). 1141-2, 1680-2B, 1646-2. 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). 1141-2, 1680-2B, 1646-2 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.

A handwritten signature in cursive script, appearing to read "John Hatch".

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.

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

April 15, 1987

1141-2
1646-2
1680-2B

William C & Roberta Donovan
HC 77 Box 34
Vetal, SD 57575

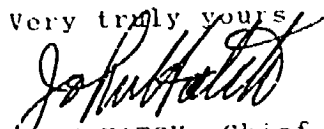
Dear Mr. & Mrs. Donovan:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 1141-2, 1646-2 and 1680-2B and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours



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

Department of & Natural Resources

a 57511-3181

17, 1989

.. / Roberta Donovan

x 31

57575

and Mrs. Donovan:

On June 6, 1988, the Water Management Board adopted rules to
implement a 1988 law for application of chemicals through irrigation.
The rules establish equipment standards, performance standards
and application requirements for irrigation systems that apply
fertilizers, insecticides, or herbicides with irrigation

as indicated on your 1988 Water Management Board Irrigation
permit that you do apply chemicals with irrigation water. A copy
of the new rules for chemigation are enclosed for your information.

The standards include:

- a check valve between the irrigation pump and the point of
chemical injection;

- a vacuum relief valve on top of the pipeline between the
irrigation pump and the irrigation pipeline check valve;

- a low-pressure drain on the bottom of the pipeline between the
irrigation pump and the irrigation pipeline check valve;

- a chemical injection line check valve between the chemical
injection pump and the point at which the chemical is injected
into the irrigation line; a second check valve is required if
the chemical injection pump is not a positive displacement
pump;

- an interlock system which ensures that the chemical injection
pump will stop whenever the irrigation pump stops;

- an inspection port between the irrigation pump and the check
valve on the irrigation line;

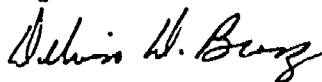


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division

L

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

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

February 9, 1990

WILLIAM C & ROBERTA DONOVAN
HC77 BOX 34
VETAL, SD 57574

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1680-2B, 1646-2, 1141-2. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire 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 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

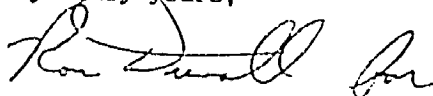
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 1680-2B, 1646-2, 1141-2 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.

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,


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

South Dakota Department of
Water & Natural Resources

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

February 23, 1990

1141-2
1646-2
1680-2B

William & Roberta Donovan
HC 77, Box 34
Vestal SD 57575

Dear Mr. & Mrs. Donovan:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit Nos. 1141-2, 1646-2 and 1680-2B. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall /ks

RON DUVALL
Natural Resources Engineer
Water Rights Division



1141-2

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

WILLIAM C & ROBERTA DONOVAN
HC77 BOX 34
VETAL SD 57574

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1141-2, 1646-2 & 1680-2B. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1141-2, 1646-2 & 1680-2B to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

WILLIAM C. & ROB DONOVAN
HC 77 BOX 34
VETAL SD 57575

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s) 1680-2B; 1141-2; 1646-2

The first notice to file chemigation report(s) for Permit No(s) 1680-2B; 1141-2; 1646-2 was dated October 18, 1991. Our records indicate that we have not received the 1991 chemigation report for Permits No(s) 1680-2B; 1141-2; 1646-2. The Water Management Board has directed that owners of water permits who have not submitted the 1991 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearings will be held at 9:15 am, on March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre SD, and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 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 or up to three years for the 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). 1680-2B; 1141-2; 1646-2 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.

Very truly yours,

RON DUVAL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 4, 1992 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 20, 1992

WILLIAM C/ROBERTA DOHOVAN
HC 77 BOX 34
VETAL SD 57575

Dear Mr. DOHOVAN:

I am writing to acknowledge receipt of your 1991 chemigation report for Water Right No(s). 1680-2B; 1141-2; 1646-2. You may disregard the January 27, 1992 Notice of Failure to Report Chemical Use for 1991. With receipt of the chemigation report, your name has been deleted from the March 4, 1992 Water Management Board meeting agenda.

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

Sincerely,

DON FRYE, Natural Resources Analyst
Water Rights Division



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 21, 1992

1141-2
1646-2
1680-2B

William & Roberta Donovan
HC 77 Box 34
Vestal, SD 57574

Dear Mr. & Mrs. Donovan:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Right Nos. 1141-2, 1646-2 and 1680-2B. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and 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

1141-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: WILLIAM C/ROBERTA DONOVAN
HC 77 BOX 34
VETAL, SD 57575

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

RE: Failure to Report Chemical Use under Water Permit No(s) 1680-2B; 1141-2;
1646-2

The first notice to file chemigation report(s) for Permit No(s) 1680-2B; 1141-2; 1646-2 was dated October 16, 1992. Our records indicate that we have not received the 1992 chemigation report for Permits No(s) 1680-2B; 1141-2; 1646-2. The Water Management Board has directed that owners of water permits who have not submitted the 1992 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 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 or up to three years for the 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). 1680-2B; 1141-2; 1646-2 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 chemigation report(s) is(are) received by this office prior to the March 3, 1993 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.



1141-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 1993

NOTICE

TO: WILLIAM C/ROBERTA DJHOVAN
HC 77 BOX 34
VETAL SD 57574

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

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1141-2, 1646-2 & 1680-2B. 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 hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1141-2, 1646-2 & 1680-2B to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

1141-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 5, 1993

1141-2
1646-2
1680-2B

William & Roberta Donovan
HC 77 Box 34
Vetal, SD 57574

Dear Mr. & Mrs. Donovan:

I am writing to acknowledge receipt of your 1992 irrigation questionnaires and chemical reporting forms. You only completed the forms for No. 1141-2, so we must assume that you included irrigation from all three permits under the one number.

You may disregard the January 29, 1993 Notices - Failure to Report Chemical Use and Violation of the Requirement to Submit 1992 Irrigation Questionnaires. Since the information was received in our office prior to the Water Management Board Meeting, your names have been deleted from the agenda.

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

Sincerely,

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

Genny McMath
Natural Resources Analyst
Water Rights Division



1141-2

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

February 16, 1994

NOTICE

TO: WILLIAM C/ROBERTA DONOVAN
HC 77 BOX 34
VETAL, SD 57575

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

RE: Failure to Report Chemical Use under Water Permit No(s) 1680-2B; 1141-2

The first notice to file chemigation report(s) for Permit No(s) 1680-2B; 1141-2; 1646-2 was dated October 18, 1993. Our records indicate that we have not received the 1993 chemigation report for Permits No(s) 1680-2B; 1141-2. The Water Management Board has directed that owners of water permits who have not submitted the 1993 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 8:45 A.M. on April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 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 or up to three years for the 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). 1680-2B; 1141-2 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 April 1, 1994, 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 chemigation report(s) is(are) received by this office prior to April 1, 1994, you will no longer be in violation and your name will be deleted from the Board agenda.

1141-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 10, 1994

NOTICE

TO: William C & Roberta Donovan
HC 77 Box 34
Vestal, SD 57575

FROM: Ron Duvall, Natural Resources Engineer IV
For John Hatch, Chief Engineer,
Water Rights Division
(605) 773-3352

SUBJECT: April 6, 1994 Water Management Board Meeting --
Failure to Report Chemical Use
RE: Water Permit Nos. 1141-2 and 1680-2B

On February 16, 1994, a notice was sent to you concerning submission of chemical use reports. The time and location of the April 6th hearing have been changed.

The hearing is now scheduled as follows:

9:30 a.m., April 6, 1994, in the Conference Room of
the Floyd Matthew Training Center, Joe Foss Building,
523 E Capitol, Pierre, SD.

All other provisions of the February 16th notice still apply. If the chemical use forms are received in this office prior to April 1, 1994, your name will be deleted from the agenda.

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

1141-2

CERTIFICATION

I hereby certify that on March 10, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 10, 1994, regarding April 6, 1994, Water Management Board Meeting--Failure to Report Chemical Use on the following Water Rights/Permits and addresses stated below:

1141-2 & 1680-2B: William C. & Roberta Donovan, HC 77, Box 34, Vetul, SD 57575.

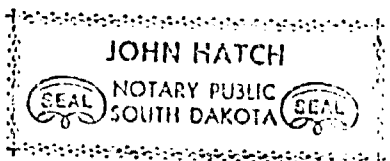
1362-2, 1363-2 & 1365-2: Oakley Eide, RR 2, Box 24, Burke, SD 57523.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

Sworn to, before me, this 11th day of March, 1994.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



1141-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 14, 1994

1141-2
1680-2B

William C & Roberta Donovan
HC 77 Box 34
Vestal, SD 57575

Dear Mr. & Mrs. Donovan:

I am writing to acknowledge receipt of your 1993 chemical use reports. You may disregard the February 16, 1994, **Notice of Failure to Report Chemical Use under Water Permit Nos. 1141-2 and 1680-2B.**

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
Environmental Scientist
Water Rights Division
(605) 773-3352



1141-2.

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

February 4, 1997

NOTICE**TO:** WILLIAM C & ROBERTA DONOVAN, HC77 BOX 34, VETAL, SD 57574**FROM:** Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program**SUBJECT:** Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 1141-2, 1645-2 & 1680-2B. 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 hearing to determine if any Board action is to be taken concerning the violation.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1141-2, 1646-2 & 1680-2B to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



1741-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: WILLIAM C & ROBERTA DONOVAN
HC77 BOX 34
VETAL SD 57574

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

RE: Failure to Report Chemical Use under Water Permit No(s) 1680-2B; 1141-2; 1646-2

The first notice to file chemigation report(s) for Permit No(s) 1680-2B; 1141-2; 1646-2 was dated 10/24/96. Our records indicate that we have not received the 1996 chemigation report for Permits No(s) 1680-2B; 1141-2; 1646-2. The Water Management Board has directed that owners of water permits who have not submitted the 1996 chemigation report(s) be given notice of violation and hearing before the board. The hearing held by the board is to determine what action is to be taken concerning violation of Administrative Rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical applied.

The hearing will be held at 2:30 PM on March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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 or up to three years for the 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). 1680-2B; 1141-2; 1646-2 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 chemigation report(s) is(are) received by this office on/or before February 28, 1997 your name will be deleted from the board agenda.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 East Capitol, Pierre SD (605-773-3352) to ensure 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 27, 1997

1141-2
1646-2
1680-2B

William & Roberta Donovan
HC 77 Box 34
Vestal, SD 57574

Dear Mr. & Mrs. Donovan:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires and chemical reporting forms. You may disregard the February 4, 1997, Notice of Violation of Water Permit Nos. 1141-2, 1646-2 & 1680-2B and the Notice of Failure to Report Chemical Use.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



1141-2
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: WILLIAM C & ROBERTA DONOVAN, HC77 BOX 34, TUTHILL SD 57574

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

RE: Requirement to Report 1998 Chemical Use

The first notice to file chemigation report(s) for Permit No(s) 1680-2B; 1141-2; 1646-2 was dated October 16, 1998. Our records indicate that we have not received your 1998 chemigation report(s). The Water Management Board has directed that owners of water permits who have not submitted the 1998 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 am, March 3, 1999, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 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 or up to three years for the 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). 1680-2B; 1141-2; 1646-2 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 March 3, 1999, contact the Water Rights Program, 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 chemigation report(s) is(are) received by this office prior to March 1, 1999 you will no longer be in violation and your name will be deleted from the Board agenda.



**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: WILLIAM C & ROBERTA DONOVAN, HC77 BOX 34, TUTHILL, SD 57574 9003

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 has not been submitted for Permit No(s) 1141-2, 1646-2 & 1680-2B. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1141-2, 1646-2 & 1680-2B to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete Name 1 and/or 2 for additional services.
- Complete Name 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.
- Print "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:

~~WILLIAM C & ROBERTA DONOVAN~~
~~HC77 BOX 14~~
~~TUTTILL SD 57574-9003~~

4c. Article Number

Z 119 144 660

4b. Service Type

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

5. Received By: (Print Name)

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

7. Signature: (Addressee or Agent)

X

PS Form 3811, December 1994

10-2595-97-8-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

2-15/11



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

CLAIM CHECK
NO. 238125

RETURN SERVICE REQUESTED

DATE 123-67

1ST NOTICE

2ND NOTICE

RETURN

Postage from 2000-2009-A
2000-2009-A

CERTIFIED

Z 119 141

MAIL



U.S. POSTAGE
2.98

~~WILLIAM C & ROBERTA DONOVAN~~
~~HCT7 BOX 34~~
~~THURMILL SD 57574 5003~~



1141-2
File No. 1141-2
1646-2
1680-2B

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: William & Roberta Donovan

ADDRESS: HC 77 Box 34, Tuthill, SD 57574-9003

DATE: February 1, 1999

TELEPHONE: 605 635-1043

RE: 1998 irrigation questionnaires

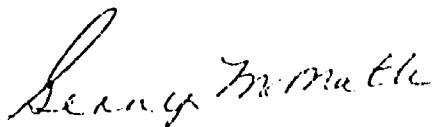
COMMENTS:

The "Notice" dated January 22nd concerning the Requirement to Report 1998 Chemical Use and the "Notice" concerning Reporting Requirements for 1998 Irrigation Questionnaire was sent Certified Mail to William and Roberta Donovan on January 22, 1999.

The Donovan's did not accept the certified mail and had it returned to our office on January 28th marked "refused". The questionnaires were subsequently received from them on February 1st. Upon receipt of the forms, I called Mr. Donovan to obtain the questionnaire information from him because the forms were submitted with nothing on them.

RECOMMENDED ACTION:

Accept the forms as filed since I was able to obtain the information from him by telephone and remove their names from the list of those to be heard by the Water Management Board on March 3rd.



Genny McMath
Environmental Scientist



1141-2
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2000

NOTICE

TO: WILLIAM C & ROBERTA DONOVAN, HC77 BOX 34, TUTHILL, SD 57574 9003

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 1141-2, 1646-2 & 1680-2B. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 1:30 pm, March 1, 2000, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1141-2, 1646-2 & 1680-2B to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



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

RETURN SERVICE REQUESTED

CERTIFIED

Z 227 670 32

MAIL



WILLIAM C & ROBERTA DONOVAN
HC77 BOX 34
TUTTHILL SD 57574 9003



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

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

~~WILLIAM C & ROBERT A DONOVAN
HC77 BOX 34
TILHILL SD 57574 9003~~

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)

PS Form 3811, July 1999

Domestic Return Receipt

081-41-66-0909



1141-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 28, 2000

1141-2
1646-2
1680-2B

William C & Roberta Donovan
HC 77 Box 34
Futhill, SD 57574-9003

Dear Mr. & Mrs. Donovan:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 1141-2, 1646-2 and 1680-2B.

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



1141-2
**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 26, 2007

NOTICE

TO: WILLIAM C & ROBERTA DONOVAN, 28905 238TH AVE, TUTHILL, SD 57574
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 985-2, 1141-2, 1207-2, 1646-2, 1672-2 & 1680-2B should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2111-2 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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) 2111-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 985-2, 1141-2, 1207-2, 1646-2, 1672-2 & 1680-2B to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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, 2007, 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/E0455V5-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.



1141-2

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 5, 2007

William & Roberta Donovan
28905 238th Ave
Tuthill SD 57574

RE: Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B and 2111-2.

Dear Mr. & Mrs. Donovan:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B and 2111-2.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



1141-2

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 18, 2008

NOTICE

TO: WILLIAM C & ROBERTA DONOVAN, 28905 238TH AVE, TUTHILL, SD 57574

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaires

Our records indicate that the 2007 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 985-2, 1141-2, 1207-2, 1646-2, 1672-2 & 1680-2B should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2111-2 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, 2008** 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) 2111-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 985-2, 1141-2, 1207-2, 1646-2, 1672-2 & 1680-2B to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 3, 2008**, 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/E0455V6-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.



**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 29, 2008

William C & Roberta Donovan
28905 238th Ave
Tuthill SD 57574

RE: Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B & 2111-2

Dear Mr. & Mrs. Donovan:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B & 2111-2.

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



114/-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: WILLIAM C & ROBERTA DONOVAN, 28905 238TH AVE, TUTHILL, SD 57574

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaires

Our records indicate that the 2011 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 985-2, 1141-2, 1207-2, 1646-2, 1672-2 & 1680-2B should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2111-2 qualification:

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

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

1. Suspend or cancel Permit No(s) 2111-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 985-2, 1141-2, 1207-2, 1646-2, 1672-2 & 1680-2B to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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

1141-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 2012

William & Roberta Donovan
28905 238th Ave
Tuthill SD 57574

RE: Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B & 2111-2

Dear Mr. & Mrs. Donovan:

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

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B & 2111-2. 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
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



1141-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 20, 2012

Cole Donovan
28905 238th Ave
Tuthill SD 57574

RE: Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B and 2111-2

Dear Mr. Donovan:

Thank you for contacting our office concerning the need for ownership changes on the above listed Water Rights. I have enclosed copies of the water rights in the event you do not have them.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$350). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

DEC 31 2012

WATER RIGHTS
PROGRAM

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

No. 1141-2

Date: 12/26/12

I/We request that Water Right No. 1141-2

formerly owned by: William C and Roberta L Donovan

be transferred to: (name & address)

Cole Blk Donovan
28905 238th AVE
Tuthill, SD 57574

Telephone No.

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

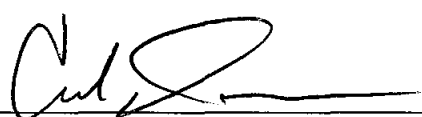
NW ¼ Section 4 and SE ¼ Section 5, T37N, R34W

I/We understand that the validity of Water Right No. 1141-2 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 Cole Blk Donovan, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/3, 20 13

RECEIVED OF Dencvan Farms 28905 238th Ave Tuthill SD 57574

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>1141-2</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. _____	50	00
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. **05841**

By

Julie D. Erskine
Chief Engineer

1141-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 11, 2013

Cole Blu Donovan
28905 238th Ave
Tuthill SD 57574

RE: Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B and 2111-2

Dear Mr. Donovan:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on the above listed water rights.

The ownership changes have been completed. Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B and 2111-2 are now listed in your name.

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

Sincerely,

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

enclosures



1141-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: COLE BLU DONOVAN, 28905 238TH AVE, TUTHILL, SD 57574

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaires

Our records indicate that the 2013 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 985-2, 1141-2, 1207-2, 1646-2, 1672-2 & 1680-2B should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2111-2 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** 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) 2111-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 985-2, 1141-2, 1207-2, 1646-2, 1672-2 & 1680-2B to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 3, 2014**, 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.

1141-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 2014

Cole Blu Donovan
28905 238th Ave
Tuthill SD 57574

RE: Water Permit or Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B & 2111-2

Dear Mr. Donovan:

I am writing to acknowledge receipt of your 2013 irrigation questionnaires.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for the above listed permits. 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

RECEIVED

DEC - 3 2015

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1141-2

Date: 12/3/15

I/We request that Water Right/Permit No. 1141-2

formerly owned by: Cole Blu Donovan, 28905 238th Avenue, Tuthill SD 57574

be transferred to: (name & address) Donovan Farms LLC

28903 238th Ave

Tuthill, SD 57574

Telephone No. 605-685-6978

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

NW ¼ Section 4 and SE ¼ Section 5; all in T37N, R34W

I/We understand that the validity of Water Right/Permit No. 1141-2 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 Donovan Farms LLC, the new owner, certify that the above information is true and correct.

Donovan Farms LLC by
(Signed by new owner)
Roberta Donovan, Manager

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 12/4, 20 15

RECEIVED OF Donovan Farms LLC 28903 238th Ave Tuthill SD 57574

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>1141-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	50	00

No. 07558

By Jessie Goodman
Chief Engineer



1141-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

December 3, 2015

Roberta L Donovan, Mgr
Donovan Farms LLC
28903 238th Ave
Tuthill SD 57574

RE: Ownership changes for water rights

Dear Ms. Donovan:

I am writing to acknowledge the transfer forms and filing fees you submitted today for changing ownership of Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B, 2111-2 (held by Cole Blu Donovan) and Water Permit No. 2697-2 (held by Roberta L Donovan Real Estate Trust).

The ownership changes have been completed. The above listed water permit and water rights are now listed in the name of **Donovan Farms LLC**.

The receipts for the filing fees paid will be sent to you under separate cover. If you have any questions, please contact me.

Sincerely,

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



1141-2
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 26, 2018

NOTICE

TO: DONOVAN FARMS LLC, ROBERTA L DONOVAN, MGR, 28903 238TH AVE, TUTHILL, SD 57574

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaires

Our records indicate your 2017 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 985-2, 1141-2, 1207-2, 1646-2, 1672-2 & 1680-2B should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2111-2 & 2697-2 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 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) 2111-2 & 2697-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 985-2, 1141-2, 1207-2, 1646-2, 1672-2 & 1680-2B to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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.



1141-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 2018

Roberta L Donovan
Donovan Farms LLC
28903 238th Ave
Tuthill SD 57574

RE: Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B, 2111-2 and 2697-2

Dear Ms. Donovan:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 985-2, 1141-2, 1207-2, 1646-2, 1672-2, 1680-2B, 2111-2 and 2697-2. 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