

Water Right Number: 1207-2

1. Considered NOVEMBER 13, 1974
2. Name of Applicant JERRY J. DONOVAN
3. Post Office Address VETAL
4. Amount of water claimed 1.78
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION

Acres to be irrigated ~~160~~ 160

7. Water to be diverted and used in BENNETT County
about 7E, 2N Miles 1.01 of TUTHILL

8. Proof of Publication Received 101

Not received _____

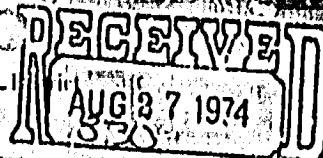
9. Application Approved _____

Subject to _____

Not approved _____

Action deferred _____

10. Remarks:

No. 1207-2Map No. 1025-2 Water Division No. 2 LITTLE WHITE RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS 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 Jerry Donovan
Postoffice address Vetera So. Dak State So. Dak 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 DONOVAN DIVERSION #2
4. Amount of water claimed (cubic feet per second) 800 gpm 1.78 CFS
5. Source of water supply Well
6. Location of point of diversion Center of SE 1/4 Sec 3 T37 R34 W

- County Benne H
7. Annual period or periods during which water is to be used Apr 1 to Oct 1
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use. Total number of acres to be irrigated 160
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 1/4 SE 1/4 S3 T37 R34	40		
NW 1/4 SE 1/4 S3 T37 R34	40		
SE 1/4 SE 1/4 S3 T37 R34	40		
SW 1/4 SE 1/4 S3 T37 R34	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 6 mo years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Bennett Co Booster
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 40,000Attachments: 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 Benne HI, Jerry Donovan 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 understand and am able to complete the necessary construction.

Signed

Jerry DonovanSubscribed and sworn to before me this 22 day of July 1974Donald B. Olson
Notary Public (or other qualified officer)Bennett Co. Booster

WATER RIGHT APPLICATION APPROVAL

The Water ^{Rights} Commission hereby approves Water Right Application No. 1207-2
JERRY J. DONOVAN VELAL
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57575 With the following modifications:
 (State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation 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 or in irrigation wells having prior water rights.

Date of first receipt of application AUGUST 27 19 74
 Date of return to applicant for correction, amendments or changes required AUGUST 29 19 74
 Date of receipt of corrected application SEPTEMBER 26 19 74
 Approved NOVEMBER 13 19 74 Recorded in Book 13 Page 118

WATER RIGHT PERMIT NO. 1207-2

The Water ^{Rights} Commission hereby grants and issues this Water Right Permit No. 1207-2 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 AUGUST 27 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before FEBRUARY 13 19 75
3. The whole of said work is to be completed on or before MAY 13 19 75
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 13 19 76
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 1.78 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 13 19 76; said water to be used during the following described annual period: APRIL 1 TO OCTOBER 1

Witness my hand this 20TH day of NOVEMBER 19 74

WATER RIGHTS COMMISSION

By:

Donald D. Daniel
 Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 9 19 77

Water License Issued SEPTEMBER 9 19 77

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 36", Depth 230'(2) Casing, Type Steel Diameter 18" Thickness 10 gage
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type Slotted Staggered, Diameter 1/16" openings, Length 50% Depth(4) Gravel Pack, Thickness 9", Length of gravel pack total well depth

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 Coarse Sand Entire depth
to 226' then hit red RockDepth to top of water bearing material 20'Depth to bottom of water bearing material 226'Thickness of water bearing material 198Depth to water (ground surface to water level) 28'

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 30 rds. On property owned by others 320 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.

Jerry Donohue
Signature of Applicant

WATER LICENSE NO.

(1) WHEREAS, On the 27th day of August A. D. 19 74
Jerry J. Donovan

made Water Right Application No. 1207-2 for a permit to use 1.78 cubic feet per second of the waters of ground water

County of Bennett, State of South Dakota, for irrigation

_____ purposes; and

(2) WHEREAS, On the 13th day of November A. D. 19 74

Permit No. 1207-2, with a date of priority of August 27, 1974

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 13th day of May A. D. 19 75 and for the

application to beneficial use of said water on or before the 13th day of May A. D. 19 76

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.78 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.

for irrigating a 132 acre circle in the SE¹/₄, Section 3,

T37N, R34W

(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 Jerry J. Donovan

_____ of Vetal
the holder _____ and owner _____ of said permit No. 1207-2 a water right, dating from August 27, 1974
_____ to use of 1.78 cubic feet per second of the waters
of ground water

in the County of Bennett and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned to be diverted at _____
a point in the center of the SE $\frac{1}{4}$, Section 3, T37N, R34W

and conduct to and upon 132 acre circle in the SE $\frac{1}{4}$, Section 3, T37N, R34W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1207-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 9th day of September A. D.
Nineteen Hundred and seventy-seven

WATER RIGHTS COMMISSION

By:

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

Form 15.

Permit No. 1207-2

Water Diversion No. 2 Little White River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Jerry J. Bonavent

_____ the holder _____ of
Permit No. 1207-2, issued upon Application No. 1207-2, bearing date of priority of August 27,
1974 authorizing the diversion of 1.78 cu. ft. per second of the waters of _____
ground water County of Bennett, State of South Dakota at _____
a point in the center of the SE 1/4, Section 3, T37N, R34W
_____, 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 2.0 cu. ft. per second of water.

Date September 9, 1977

WATER RESOURCES COMMISSION

By:

John Hatch
JOHN HATCH, Chief Engineer

September 18, 1974

Mr. Jerry Donovan, Jr.
Vetal, SD 57575

Dear Mr. Donovan:

The water sample you submitted here September 4 has been analyzed and the results are reported on the attached sheet. Also enclosed you will find a copy of Extension Circular 654 both of which are to be kept by you for your use.

This water is of excellent quality and should cause no difficulty in irrigating any of the soils which you have in that vicinity.

A copy of this recommendation and the WI-1 form and a copy of the water analysis are being forwarded to the State Conservation Commission for their action.

Sincerely yours,

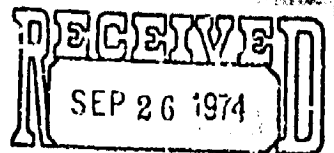
L. O. Fine

L. O. Fine
Water Quality Lab

LOF:lll

Enclosures

CC: State Conservation Commission
Gary Nies, Bennett County Agent
Darrel Pahl



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

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: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

Disapproved: _____

NAME: Jerry Donovan SR

ADDRESS: Veteran St. Dak

COUNTY: Bennett

LEGAL DESCRIPTION

1. WELL LOCATION: SE 1/4 Sec 3 T37 R34

2. AREA TO BE IRRIGATED: SE 1/4 Sec 3 T37 R34

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center Pivot

4. CROPS TO BE IRRIGATED: Pasture

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0 - 6%

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: These soils are deep fairly level sandy soil. They are composed of coarse sand with rapid permeability and no restriction of water release moisture to the plants very well

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 74-720

8. SALINITY: EC = 131 micromhos/cm (Low)

9. SODIUM: Sodium Adsorption Ratio = 0.23 (Low)

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

Cecil Jones, Soil Conservation Service, Martin S. 10.

and:

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

Jerry D. Brown

Subscribed and sworn before me this

24 day of Aug. 1974.

Donald E. Oliver

Bennett County Auditor

(Title)

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

Submitted by: Jerry Penovan, Jr.

Date Rec'd September 4, 1974

Address Water, SD

Sample No. 74-720

Identification Well-

SW, Sec. 3, T. 37N, R. 34E

WATER ANALYSIS

Calcium (Ca)	8	ppm*	0.40	me/l**
Magnesium (Mg)	2	ppm	0.16	me/l
Sodium (Na)	3	ppm	0.12	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	1	ppm	0.02	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	1	ppm	0.02	me/l
Bicarbonate (HCO ₃)	95	ppm	1.55	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	78	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	131	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.27			
Sodium	13.48	% of cations		
Residual sodium carbonate	0.12	me/l		
pH	6.90			
Others:				

*ppm=parts per million

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

**me/l=milliequivalents per liter

COMMENTS: Total cations 0.89 me/l
 Total anions 1.61 me/l

By: Shirley Hitten

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-720

Amount Enclosed \$

Signed

Form S - Notice of Intent to Appropriate Water

No. 1207-2

Publish first publication, on or before October 31, 19 74

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

September 26, 19 74

Notice is hereby given that Jerry J. Donovan
whose post office address is Vetol, 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
1.78 cubic feet of water per second of time from the ground water through the
Donovan Diversion #2, the point of diversion of which is to be located in the

Center of the SE 1/4

of Section 3, Twp. 37N, Range 34W. Said water to be used for the purpose
of providing irrigation on the following described land:

SE 1/4, Section 3, T37N, R34W

This application No. 1207-2 will be considered by the Water Rights Commission at THE Debassy Room #1, at the
Downtown Holiday Inn at Sioux Falls, South Dakota
upon the 13th day of November, 19 74, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By.

BURTON F. JONES
Water Rights Specialist

BFJ/bw

RMH

cc: Jerry J. Donovan, Vetol, S.D. 57575

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1207-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bennett) ss.

I, Mary E. Long 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.

October 3, 1974

October 10, 1974

Mary E. Long
(Signature)

Owner
(Title)

October 11, 1974
(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER

No. 1207-2

September 26, 1974

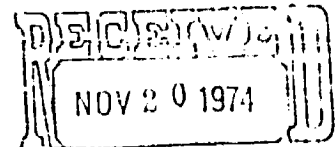
Pierre, South Dakota 57501

Notice is hereby given that
Jerry J. Donovan whose post
office address is Vetol, 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 1.78 cubic feet of
water per second of time from
ground water through the
Donovan Diversion No. 2, the
point of diversion of which is to be
located in the Center of the SE 1/4
of Section 3, Twp. 37N, Range
34W. Said water to be used for the
purpose of providing irrigation on
the following described land:

SE 1/4, Section 3, T37N, R34W.
This application No. 1207-2 will
be considered by the Water Rights
Commission at the Embassy
Room No. 1, at the Downtown
Holiday Inn at Sioux Falls, South
Dakota upon the 13th day of
November, 1974, at 2:30 p.m. All
interested persons may appear
and be heard.

WATER RIGHTS
COMMISSION
BURTON F. JONES
Water Rights Specialist

2T-15



STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

1907-2 Jerry Draven
F-20-76 SE $\frac{1}{4}$ 3- 37-34
Engine Minneapolisoline 6 cyl
Cyls - Model 504 - 100 HP
Plum to put in electric water pump
100 ft electric water

Well located on lot 3
100 ft pumped

Pump Rod - available
Pump Lubricate Water
Size 12 ft. inch - figure 7000
Size 4, Imp Rod 7.16
Lot 2 1742044208021

Center point Valley High 1260
Lot 1 12413
Lot 1 12413

Well 10 ft 10 ft 10 ft
10 ft 10 ft 10 ft

Permit No. 1207-2Water Division 2 Little White River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Jerry
Donoran of Vetal, S. Dak 57575 holder
of Permit No. 1207-2, bearing date of priority of August 27, 19 74
authorizing the diversion of 1.78 cu. ft. per second of the waters of Well
for 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 - Fairbanks Morse. Serial # R2#2077708021Size 12M, Stage 4, Imp. Dia. 9.16Engine - Minneapolis Motor. 6 Cyl propane. Model. 504.
100 HP

Plans to replace above Engine with a 100 HP Electric Motor.

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

8" dia Pipe from Well to Center Pivot

C. Works used to apply water to beneficial use.

Valley Center Pivot. Model # 1260, Serial # 12973.The system is in the following condition: Very Good.The point of diversion is located in center of the SE 1/4 of section 3,
T37N, R34W.The works are capable of diverting and conveying to the place of use 2.00
cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: In section 3, T37N, R34WNE 1/4 SE 1/4 - 33 Ac.NW 1/4 SE 1/4 - 33 AcSE 1/4 SE 1/4 - 33 AcSW 1/4 SE 1/4 - 33 Ac.comprising a total of 132 acres of land.Well 230 ft deep.Water 45 ft from surfaceTest pumped 2350 gpmDate May 21, 1976
Leroy J. Mernau
(Signature)



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

September 14, 1977

Jerry J. Donovan
Vetal, SD 57575

Dear Mr. Donovan:

Enclosed herewith are, Water License No. 1207-2 and Certificate of Construction.

Water License No. 1207-2 is the final water right document completing your process of obtaining water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
WATER RIGHTS COMMISSION

JH:gy

Enclosures

Note: Your pump capacity is 2.0 cfs (898 gpm). Based upon the acreage actually irrigated you are entitled to only divert 1.78 cfs (789 gpm). Any diversion in excess of 1.78 cfs would be a violation of your water right.



Department of Water & Natural Resources

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

March 23, 1987

JERFY J DONOVAN
SR 2 BOX 6
VETAL, SD 57574

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). 1672-2, 1207-2, 1206-2, 985-2. 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 3, 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). 1672-2, 1207-2, 1206-2, 985-2 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.

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.



Department of Water & Natural Resources

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

April 24, 1987

985-2
1206-2
(1207-2)
1672-2

Jerry J Donovan
St Rt Box 6
Vetal, SD 57575

Dear Mr. 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. 985-2, 1206-2, 1207-2, and 1672-2 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,

A handwritten signature in cursive script that reads "John Hatch".

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

 **Department of
Water & Natural Resources**

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

#985-2
#1206-2
#1207-2
#1672-2

February 17, 1989

Jerry J. Donovan
SR 2, Box 6
Vetal, SD 57575

Dear Mr. Donovan:

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

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

The new 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;

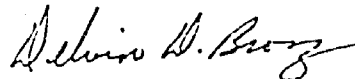


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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



January 9, 1998

1207-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: JERRY J DONOVAN, HC 2 BOX 6, VETAL, SD 57575

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 2111-2, 985-2, 1207-2 & 1672-2. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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, 1207-2 & 1672-2 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 9:45 am, February 25, 1998 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2111-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 985-2, 1207-2 & 1672-2 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 on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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

January 27, 1998

985-2

1207-2

1672-2

2111-2

Jerry J Donovan
HC 2 Box 6
Vestal SD 57575

Dear Mr. Donovan:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires and chemical reporting forms. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 985-2, 1207-2, 1672-2 and 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



January 22, 1999

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: JERRY J DONOVAN, HC 2 BOX 6, VETAL, SD 57575

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 2111-2, 985-2, 1207-2 & 1672-2. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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, 1207-2 & 1672-2 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 9:45 am, March 3, 1999 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2111-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 985-2, 1207-2 & 1672-2 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 on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



12072
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-318
www.state.sd.us/denr

January 28, 1999

Jerry J Donovan
HC 2 Box 6
Martin, SD 57551

RE: Water Right Nos. 985-2, 1207-2, 1672-2 and 2111-2

Dear Mr. Donovan:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires and chemical reporting forms. You may disregard the January 22, 1999, "Notices" concerning reporting requirements for Water Right Nos. 985-2, 1207-2, 1672-2 and 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



1207-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: JERRY J DONOVAN, HC 2 BOX 6, VETAL, SD 57575

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 2111-2, 985-2, 1207-2 & 1672-2. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit Nos. 985-2, 1207-2 & 1672-2 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. 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, 2001 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No. 2111-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit Nos. 985-2, 1207-2 & 1672-2 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 on/or before March 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 5, 2001

985-2
1207-2
1672-2
2111-2

Jerry J Donovan
HC 2 Box 6
Vestal, SD 57575

Dear Mr. Donovan:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 985-2, 1207-2, 1672-2 and 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,

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



1207-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: JERRY J DONOVAN, HC 2 BOX 6, VETAL, SD 57575
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 2111-2, 985-2, 1207-2 & 1672-2. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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, 1207-2 & 1672-2 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 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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, 1207-2 & 1672-2 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 on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 28, 2003

985-2
1207-2
1672-2
2111-2

Jerry J Donovan
HC 2 Box 6
Vestal SD 57575

Dear Mr. Donovan:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 985-2, 1207-2, 1672-2 and 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,

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

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



1207-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: JERRY J DONOVAN, HC 2 BOX 6, VETAL, SD 57575
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 2111-2, 985-2, 1207-2 & 1672-2. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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, 1207-2 & 1672-2 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 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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, 1207-2 & 1672-2 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 on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 28, 2003

985-2
1207-2
1672-2
2111-2

Jerry J Donovan
HC 2 Box 6
Vestal SD 57575

Dear Mr. Donovan:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 985-2, 1207-2, 1672-2 and 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



January 14, 2004

1207-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: JERRY J DONOVAN, HC 2 BOX 6, VETAL, SD 57575

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 2111-2, 985-2, 1207-2 & 1672-2. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 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, 1207-2 & 1672-2 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 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2111-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 985-2, 1207-2 & 1672-2 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 on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



1207-2
**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 21, 2004

985-2
1207-2
1672-2
2111-2

Jerry J Donovan
HC 2 Box 6
Martin SD 57551

Dear Mr. Donovan:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. Your forms were received the same day the notices from our office were mailed out. Unfortunately, the mail had left before I had a chance to retrieve the letter sent to you.

You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit or Right Nos. 985-2, 1207-2, 1672-2 and 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

This map is one of a set compiled in 1969 as part of a soil survey by the United States Department of Agriculture, Soil Conservation Service, the United States Department of the Interior, Bureau of Indian Affairs, and the South Dakota Agricultural Experiment Station. Land division corners are approximately positioned on this map.

BENNETT COUNTY, SOUTH DAKOTA NO. 49



Plane coordinate projection, 1927 North American datum.
5,000-foot grid ticks based on South Dakota coordinate system,
south zone. Mosaic compiled from 1961 aerial photographs.

MAP NO 1025-2 (APPL NO 1207-2)



1207-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 11, 2005

Fred Cozad
PO Box E
Martin SD 57551

Dear Mr. Cozad:

Thank you for contacting us regarding possible ownership changes for water rights held by Donovan's. Enclosed as we discussed, are copies of all seven water rights on file for either Jerry J Donovan or William C & Roberta L Donovan.

Also enclosed are a few "Notice of Transfer of Ownership" forms for filing ownership changes with the water rights. The new owner(s) of the land will need to sign the forms. A \$2.50 filing fee is required for each ownership change filed. The check or money order(s) can be made payable to the "Water Rights Program".

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

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1207-2

Date: 10-11-05

I/We request that Water Right/Permit No. 1207-2

formerly owned by: Jerry J. Donovan

be transferred to: (name & address) William Donovan

28905 238th Ave

Tutthill, SD 57574 Telephone No. 605-685-1043

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

SE 1/4 Section 3-T37N-R34W

I/We understand that the validity of Water Right/Permit No. 1207-2 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 Two Dollars and Fifty Cents (\$2.50) 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 William Donovan the new owner, certify that the above information is true and correct.

William Donovan

(Signed by new owner)

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

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

RECEIVED
OCT 13 2005
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date October 13, 20 05

RECEIVED OF Bill Donovan, HC 77 Box 34, 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	2	50
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>1207-2</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

001985

By

J. D. Anderson
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 27, 2005

985-2
1207-2
1672-2
2111-2

William Donovan
28905 238th Ave
Tuthill SD 57574

Dear Mr. Donovan:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 985-2, 1207-2, 1672-2 and 2111-2. The transfers have been completed. The water rights once listed in the name of Jerry J Donovan are now listed in your name.

Enclosed are your Receipt Nos. 001985, 001986, 001987 and 001988 in the amounts of \$2.50 each. You may keep these for your records.

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

enclosures



1207-2
**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.



1207-2

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



1207-2

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
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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



1207-2
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.

1207-2



**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,

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

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



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

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

DEC 31 2012

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

Water Right/Permit No. 1207-2WATER RIGHTS
PROGRAMDate: 12/26/12I/We request that Water Right/Permit No. 1207-2 formerly owned by:William B Donovan

be transferred to:

New Owner Name:

Cole Blu Donovan

Address:

28905 238th AVE

City, State, Zip

Tuth: 11SD 57574Telephone No. 605-685-1043

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

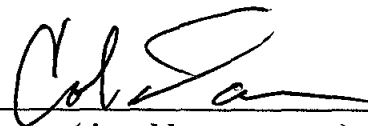
SE 1/4 Section 3 - T37N - R34W

☒ I understand that the validity of Water Right/Permit No. 1207-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Cole Blu 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 ~~Donevan 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. _____ and to put water to beneficial use	_____ to Appropriate Water, to construct	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 _____	1207-2		
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	

No. **05847**

By *Galad E. White*
Chief Engineer

1207-2



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



1207-2
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.



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. 1207-2

Date: 12/3/15

I/We request that Water Right/Permit No. 1207-2

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:

SE ¼ Section 3; all in T37N, R34W

I/We understand that the validity of Water Right/Permit No. 1207-2 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 L. 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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/4, 20 15

RECEIVED OF Donavan 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>1207-2</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 07539

By Jeanne Goodman
Chief Engineer



1207-2

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



1207-2
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.

1207-2



**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