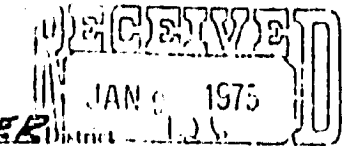


1. Considered 3-19, 19 75 1234.2
2. Name of Applicant FRANK BILLES
3. Post Office Address MARTIN
4. Amount of water claimed 2.22
5. Source of water supply GROUND WATER 480'
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in BENNETT county  
about 55.1 W miles of MARTIN
8. Proof of Publication      Received 3-10-75  
                                         Not Received \_\_\_\_\_
9. Application                      Approved \_\_\_\_\_  
                                         Subject to \_\_\_\_\_  
                                         Not Approved \_\_\_\_\_  
                                         Action deferred \_\_\_\_\_
10. Remarks:

No. 1234-2Map No. 1044-2 Water Division No. 2 LITTLE WHITE RIVER District 125  
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RIGHTS COMMISSION  
S.D., SOUTH DAKOTA

## APPLICATION FOR PERMIT

## To Appropriate Water within the State of South Dakota

Well No. 2

Buckles Ranch (NOTE-Draw a line through items not applicable)

1. Name of Applicant Frank Buckles  
Postoffice address Martin, State South Dakota 57551  
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 Well pump
4. Amount of water claimed (cubic feet per second) 1000 cu. ft./sec.
5. Source of water supply Deep well
6. Location of point of diversion Center of NE $\frac{1}{4}$ , Sec 11, 36-38,

County Bennett

7. Annual period or periods during which water is to be used April thru October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated 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 $\frac{1}{4}$ of NE $\frac{1}{4}$ , Sec 11, 36-38 | 40 A.          |                  |                |
| NW $\frac{1}{4}$ of NE $\frac{1}{4}$ , Sec 11, 36-38 | 40 A.          |                  |                |
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$ , Sec 11, 36-38 | 40 A.          |                  |                |
| SW $\frac{1}{4}$ of NE $\frac{1}{4}$ , Sec 11, 36-38 | 40 A.          |                  |                |

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 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Bennett County Booster II
12. Principal Features of the Proposed Water Supply System.

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

High volume pump motor powered.

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

8" aluminum pipe

C. Works proposed to apply water to beneficial use.

Sprinkler irrigation system

Estimated Total Cost \$ 46,000Attachments: 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 BennettI, Frank E Buckles, 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 Frank E BucklesSubscribed and sworn to before me this 7<sup>th</sup> day of Jan. 1975Chris B. Englund  
Notary Public (or other qualified official)Reg. 4 D. S. D. 1000

# WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1234.2

FRANK BUCKLES - Buckles Ranch MARTIN  
(Applicant) (Post Office Address)

SOUTH DAKOTA 57551 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 JANUARY 9 19 75  
Date of return to applicant for correction, amendments or changes required JANUARY 20 19 75  
Date of receipt of corrected application FEBRUARY 4 19 75  
Approved MARCH 20 19 75, Recorded in Book 13 Page 196

WATER RIGHT PERMIT NO. 1234.2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1234.2 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 JANUARY 9 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 20 19 77
3. The whole of said work is to be completed on or before MARCH 20 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 20 19 82
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 322 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 MARCH 20 19 82; said water to be used during the following described annual period: APRIL THEN OCTOBER

Witness my hand this 21<sup>ST</sup> day of MARCH 19 75

WATER RIGHTS COMMISSION

By: Donald Driscoll  
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.) Well No. 2

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 480 ft.
- (2) Casing, Type steel (wood, concrete, steel, etc) Diameter 24" Thickness 1/4"
- (3) Perforated Screen.  
Type steel, Diameter 24", Length 100 ft.
- (4) Gravel Pack, Thickness 6", Length of gravel pack 460 ft.

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 Fine and coarse gravel.

Depth to top of water bearing material 124 ft.

Depth to bottom of water bearing material 480 ft.

Thickness of water bearing material 356 ft.

Depth to water (ground surface to water level) 83 ft.

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

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.

Frank E. Buchler  
Signature of Applicant

Conservation  
Commission  
Form WI #1

STATE CONSERVATION COMMISSION  
SUPPORTING INFORMATION  
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE  
WITH SECL 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]*  
11/3/52

Disapproved: \_\_\_\_\_

Well No. 2

NAME: Frank Buckles

ADDRESS: Martin, South Dakota 57551

COUNTY: Bennett

LEGAL DESCRIPTION

1. WELL LOCATION: Center of NE $\frac{1}{4}$ , Sec 11, 36-38

2. AREA TO BE IRRIGATED: NE $\frac{1}{4}$ , Sec 11, 36-38

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Sprinkler, automatic

4. CROPS TO BE IRRIGATED: Corn, alfalfa and grass.

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 2-5%

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Largely a Richfield and Keith silt loam complex with small portions of Keith Rosebud silt loams soils.

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-026

8. SALINITY: EC = 356 micromhos/cm (low-medium)

9. SODIUM: Sodium Adsorption ratio = 0.56 (low)  
0.40 residual carbonate (not sufficient to be a hazard)

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  
Soil Conservation District Area Conservationist

and: Gary Nies, Bennett County Extension Agent

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

Frank E. Bucklin

Subscribed and sworn before me this

7<sup>th</sup> day of Jan 1975.

Ram B. Eng. Gilbert

Register of Deeds

(Title)

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

Submitted by: Frank Buckles  
 Address: Martin, SD 57551

Date Rec'd January 20, 1975  
 Sample No. 75-026  
 Identification #2 Well-  
NE1, Sec. 11, T 36N, R 38W

**WATER ANALYSIS**

|                                       |       |                             |      |           |
|---------------------------------------|-------|-----------------------------|------|-----------|
| Calcium (Ca)                          | 46    | ppm*                        | 2.30 | me/l**    |
| Magnesium (Mg)                        | 9     | ppm                         | 0.74 | me/l      |
| Sodium (Na)                           | 16    | ppm                         | 0.69 | me/l      |
| Potassium (K)                         | 10    | ppm                         | 0.26 | me/l      |
| Sulfate (SO <sub>4</sub> )            | 12    | ppm                         | 0.24 | me/l      |
| Nitrate (as N)                        |       | ppm                         |      | me/l      |
| Chloride (Cl)                         | 4     | ppm                         | 0.11 | me/l      |
| Bicarbonate (HCO <sub>3</sub> )       | 210   | ppm                         | 3.44 | me/l      |
| Carbonate (CO <sub>3</sub> )          |       | ppm                         |      | me/l      |
| Iron (Fe)                             |       | ppm                         |      | me/l      |
| Fluoride (F)                          |       | ppm                         |      | me/l      |
| Hardness (EDTA as CaCO <sub>3</sub> ) |       | ppm                         |      | g.p.g.*** |
| Alkalinity (Methyl Orange)            | 172   | ppm (as CaCO <sub>3</sub> ) |      |           |
| Alkalinity (Penolphthalein)           | 0     | ppm (as CaCO <sub>3</sub> ) |      |           |
| Electrical Conductivity               | 356   | micromhos per cm at 25° C.  |      |           |
| Sodium Adsorption Ratio               | 0.56  |                             |      |           |
| Sodium                                | 17.29 | % of cations                |      |           |
| Residual sodium carbonate             | 0.40  | me/l                        |      |           |
| pH                                    | 7.01  |                             |      |           |
| Others:                               |       |                             |      |           |

\*ppm=parts per million  
 \*\*me/l=milliequivalents per liter

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

COMMENTS: Total cations 3.99 me/l  
 Total anions 3.79 me/l

By: Shirley Mittan

| Service Performed          | Amount Due    |
|----------------------------|---------------|
| <b>Irrigation analysis</b> | <b>\$6.00</b> |

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-026

Amount Enclosed \$

Signed

## WATER LICENSE NO. 1234-2

(1) WHEREAS, On the 9th day of January A. D. 19 75

Frank Buckles

made Water Right Application No. 1234-2 for a permit to use 2.22 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 20th day of March A. D. 19 75

Permit No. 1234-2, with a date of priority of January 9, 1975

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 20th day of March A. D. 19 80 and for the application to beneficial use of said water on or before the 20th day of March A. D. 19 82

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 2.17 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 152 acre circle in the NE $\frac{1}{4}$ , Section 11, T36N, R38W

(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 Frank Buckles

\_\_\_\_\_ of Martin  
the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 1234-2 a water right, dating from January 9, 1975  
\_\_\_\_\_ to use of 2.17 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 \_\_\_\_\_

centers of the NE $\frac{1}{4}$ , Section 11, T36N, R38W

and conduct to and upon a 15.7 acre circle in the NE $\frac{1}{4}$ , Section 11, T36N, R38W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1234-2 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 -1234-2-

Water Diversion No. 2 Little White River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Frank Buckles

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. -1234-2-, issued upon Application No. -1234-2-, bearing date of priority of January 9,  
1975 authorizing the diversion of 2.22 cu. ft. per second of the waters of \_\_\_\_\_  
ground water County of Dennett, State of South Dakota at \_\_\_\_\_  
centers of the NE 1/4, Section 11, T36N, R38W

\_\_\_\_\_, 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 September 2, 1977

WATER RESOURCES COMMISSION

By:

John Hatch  
JOHN HATCH, Chief Engineer

Form S - Notice of Intent to Appropriate Water

No. 1234-2

Publish first publication, on or before March 6, 1975

NOTICE  
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 6 1975

Notice is hereby given that Frank Buckles  
whose post office address is Martin, 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  
2.22 cubic feet of water per second of time from the XXX ground water through the  
Buckles #2, the point of diversion of which is to be located in the \_\_\_\_\_

Center of the NE 1/4  
of Section 11, Twp. 36N, Range 38W. Said water to be used for the purpose  
of providing irrigation on the following described land:

NE 1/4, Section 11, T36N, R38W

This application No. 1234-2 will be considered by the Water Rights Commission at its office at  
Pierre upon the 19th day of March, 1975, at 2:30 P. M. All interested  
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON P. JONES

Water Rights Specialist

BEJ/bw

cc: Frank Buckles, Martin, S.D. 57551

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

No. 1234-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Bennett ) ss.

I, Mary B. 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:

February 13, 1975

February 20, 1975

Mary B. Long  
(Signature)

Bureau  
(Title)

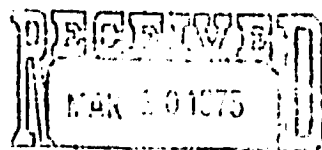
2-28-75  
(Date Signed)

NOTICE  
INTENT TO  
APPROPRIATE WATER  
No. 1234-2

February 6, 1975  
Pierre, South Dakota 57501  
Notice is hereby given that  
Frank Buckles, whose post  
office address is Martin, South  
Dakota, has made an applica-  
tion in accordance with the  
provisions of the water laws of  
South Dakota for a permit to  
appropriate for beneficial use  
2.22 cubic feet of water per  
second of time from ground  
water through the Buckles No.  
2, the point of diversion of which  
is to be located in the Center of  
the NE 1/4 of Section 11, T2S,  
36N, Range 38W. Said water to  
be used for the purpose of  
providing irrigation on the  
following described land:  
NE 1/4, Section 11, T36N,  
R38W.  
This application, No. 1234-2  
will be considered by the Water  
Rights Commission at its office  
at Pierre on the 19th day of  
March, 1975 at 2:30 p.m. All  
interested persons may appear  
and be heard.

WATER RIGHTS  
COMMISSION  
CURTIS F. JONES,  
Water Rights Specialist

2-34



STATE WATER RIGHTS COMMISSION  
PIERRE, SOUTH DAKOTA

Permit No. 1234-2Water 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 Frank E Buckles of Martin, S.Dak - 57551 holder of Permit No. 1234-2, bearing date of priority of January 9, 1975 authorizing the diversion of 2.22 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 - Western Hand Roller - 1500 gpm  
Motor - General Electric, Model 5K6268X H1A  
Serial D1J402105, 12.5 HP, 1770 RPM.

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

8" dia pipe to Center Pivot 60 ft. long.

## C. Works used to apply water to beneficial use.

Valley Center Pivot, Model 1234, Serial 18767  
with corner system

The system is in the following condition: Very GoodThe point of diversion is located S 46° 30' W - 1870 ft from the Northeast corner of Section 11, T36N, R38W.The works are capable of diverting and conveying to the place of use 2.22 cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: In Section 11, T36N, R38W

NE 1/4 NE 1/4 - 38 Ac  
NW 1/4 NE 1/4 - 38 Ac  
SE 1/4 NE 1/4 - 38 Ac  
SW 1/4 NE 1/4 - 38 Ac

comprising a total of 152 acres of land.

Well 500 ft deep.

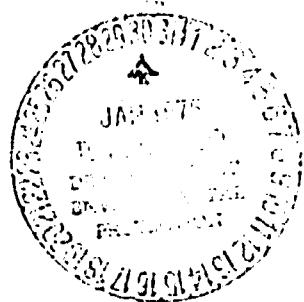
Water 62 ft from Ground Surface

Pump set at 330 ft.

Note: This well and center pivot are also used for  
Application 1235-2.

Date May 21, 1976  
Robert J. Merranagh  
(Signature)

January 29, 1975



Mr. Frank Buckles  
Martin, SD 57551

Dear Mr. Buckles:

Your application materials for three water sources have been received and the WI #1 forms plus a copy of this letter plus a copy of the water analysis in each case is being forwarded to the State Conservation Commission for Well No. 2 and Well No. 3. Both of these sources of water are very good and should cause no problem whatever on the soils you indicate to be irrigated.

However I am returning to you your report of analysis of water and the WI #1 form for Well No. 1. The reason is that the well location and area to be irrigated legal descriptions have been omitted. Otherwise there is nothing wrong with the application and you may simply fill those in and return it to me.

I am sending the other two on to Pierre in order that there be no delay at least in those two. We will hope that this one may also be processed at the same time if we get it to Pierre in time.

Sincerely yours,

*L. O. Fine*

L. O. Fine  
Water Quality Lab

LOF:MRB

Enclosures

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



# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181  
January 29, 1988

1234-2

LEO BUCKLES- BUCKLES RANCH  
SR #5 BOX 8  
MARTIN, SD 57551

## NOTICE

Re: Violation of Water Permit No(s). 1731-2 and 1987 Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1731-2. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1731-2 qualification:

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

The hearing will also be to determine if Permit No(s) 1234-2, 1414-2, 1327-2, 1235-2 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

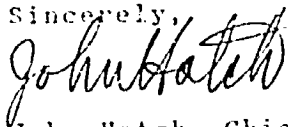
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 1731-2 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 1234-2, 1414-2, 1327-2, 1235-2 also held by LEO BUCKLES- BUCKLES RANCH to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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.

Sincerely,

A handwritten signature in cursive script that reads "John Hatch". The signature is written in dark ink and is positioned above the typed name.

John Hatch, Chief Engineer  
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of

# Water & Natural Resources

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

1234-2

March 14, 1988

## NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: LEO BUCKLES- BUCKLES RANCH  
SR 5, BOX 8  
MARTIN, SD 57551

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

SUBJECT: Amendment to Water Permit No(s). 1327-2, 1414-2,  
1234-2, 1235-2

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 1327-2, 1414-2, 1234-2, 1235-2 to add the following qualification to each:

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

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



## Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3131

Attachment to Water Permit No(s). 1327-2, 1414-2, 1234-2, 1235-2

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 1327-2, 1414-2, 1234-2, 1235-2 to add the following qualification to each:

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

1234-2

**SENDER:** Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

LEO BUCKLES- BUCKLES RANCH  
SR 5, BOX 9  
MARTIN, SD 57551

4. Article Number

P501 739 032

Type of Service:

- ☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED**.

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

6. Signature - Agent

X

7. Date of Delivery

PS Form 3811, Mar. 1987

\* U.S.G.P.C. 1987-178-268

DOMESTIC RETURN RECEIPT

 **Department of  
Water & Natural Resources**

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

# 1234-2

# 1377-2

# 1414-2

# 1731-2

February 17, 1989

Leo Buckles-Buckles Ranch  
SR 5, Box 8  
Martin, SD 57551

Dear Mr. Buckles:

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 1983 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;

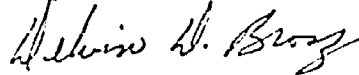


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

## NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1234-2  
Date: April 4, 2005

I/We request that Water Right/Permit No. 1234-2

formerly owned by: Frank Buckles

be transferred to: (name & address) Roger & Deborah Sieck

50636 221 St.  
Council Bluffs, Iowa 51503 Telephone No. 712-366-2336

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

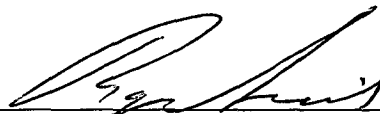
NE 1/4 11-36-38 - Bennett County

I/We understand that the validity of Water Right/Permit No. 1234-2 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 Roger Sieck  
Deborah Sieck, the new owner, certify that the above information is true and correct.

  
(Signed by new owner)

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

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

RECEIVED

APR - 7 2005

WATER RIGHTS  
PROGRAM

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 7, 20 05

RECEIVED OF Philip Smith, 10036 12th Street, Council Bluffs, IA 51503-6496

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   |
| 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>1234-56</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 | 1.50 |

No.

002 188

By

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](http://www.state.sd.us/denr)

April 7, 2005

1234-2  
1235-2  
1327-2  
1414-2

Roger & Debrah Sieck  
50636 221 St  
Council Bluffs IA 51503

Dear Mr. & Mrs. Sieck:

I am writing to acknowledge receipt of the ownership changes you submitted for Water Right Nos. 1234-2, 1235-2, 1327-2 and 1414-2. The transfers have been completed. The water rights formerly listed in the name of Buckles Ranch are now listed in your names.

Each year in October, we mail out the annual irrigation questionnaire. Enclosed are sample copies for your review. This will give you an idea of what type of information you will need to keep track of during the irrigation season.

An additional item I wanted to make you aware of is that in order to maintain water rights, they need to be used. I am including excerpts of our water laws and Water Management Board rules dealing with this issue.

Also enclosed is your Receipt Nos. 001838, 001839, 001840 and 001841 in the amounts of \$2.50 each. You may keep these for your records. 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](mailto:genny.mcmath@state.sd.us)

enclosures

1296

Permit # 1414-2 in lev. 1.

32-38

32.0

36-38

156.0

250.6  
Well No 2  
NE 1/4, Sec 11, 36-38

312.4

275

254.8

CP  
Well location

→ Owner:  
Frank Buckles  
MARTIN, So. Dak.  
Plot established  
by: GARY NIES  
Bennett Co.  
Extension Agent

8" dia underground  
PVC pipe

102.9

12

62.0

CP

36-38

36-38

NE 1/4 - 14

Permit # 1327-2

~~MAP NO 1044-2~~  
APPL NO 1234-2

~~6-11-01~~



1234-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 24, 2013

NOTICE

TO: ROGER & DEBRAH SIECK, 29581 218TH AVE, MARTIN, SD 57551

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-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 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-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 questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at [genny.mcmath@state.sd.us](mailto: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.

1234-2



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

January 29, 2013

Roger and Debrah Sieck  
29581 218<sup>th</sup> Ave  
Martin SD 57551

RE: Water Right Nos. 1234-2, 1235-2, 1327-2, 1414-2 and 1941A-2

Dear Mr. & Mrs. Sieck:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 1234-2, 1235-2, 1327-2, 1414-2 and 1941A-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 cursive script that reads "Genny McMath".

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



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

No. 1234-2 and 1414-2

August 23, 2021

Roger & Debrah Sieck  
11504 Melcert Pl  
Hill City SD 57745

Dear Mr. & Mrs. Sieck:

The irrigation season is in full swing. This has led to the Department of Agriculture and Natural Resources (DANR) fielding inquiries regarding end gun overspray on to roads.

DANR received an inquiry alleging the irrigation systems located in the NE 1/4 Section 11 and S 1/2 Section 1; all in T36N-R38W had irrigation water from the end guns hitting the road. The water rights for these two systems are held in your name under Water Right Nos. 1234-2 and 1414-2.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to ensure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right. Continued overspray can result in DANR taking enforcement action.

If you don't believe your irrigation systems are causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at [ron.duvall@state.sd.us](mailto:ron.duvall@state.sd.us)

Thank you for your cooperation,

Ron Duvall  
Water Rights Program, DANR

## **Water Rights Program - File Documentation**

---

**DATE:** 9-16-21

**RE:** Overspray complaint

**COMMENTS:**

A gentleman from Bennett County called regarding overspray that was occurring. This individual stated he had filed a complaint about a month ago regarding Mr. Sieck. He was wondering if we had done anything. I told him that a letter was sent to Roger Sieck on August 23, 2021 regarding overspray.

This gentleman indicated that possibly the irrigation system to the north (1414-2) had been adjusted. The irrigation system to the south (1234-2) still had irrigation water running down the county road.

He also inquired if Premier Well Drilling out of Valentine NB was licensed in South Dakota. I checked the data base and told him that they were licensed for 2021.



Karen Schlaak  
Water Rights Program



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

1234-2 and 1414-2

September 17, 2021

Roger & Debrah Sieck  
11504 Melcert Pl  
Hill City SD 57745

Dear Mr. & Mrs. Sieck:

The Department of Agriculture and Natural Resources (DANR) has received another inquiry alleging the irrigation system authorized by Water Right No. 1234-2 located in the NE 1/4 Section 11-T36N-R38W had irrigation water from the end guns running down the road.

As stated in our August 23, 2021 letter to you, a water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right. Continued overspray can result in DANR taking enforcement action.

Again, if you do not believe your irrigation system is causing overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at [ron.duvall@state.sd.us](mailto:ron.duvall@state.sd.us)

Thank you for your cooperation,

Ron Duvall  
Water Rights Program, DANR



1234-2

**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

October 26, 2022

Chad Robinson  
10316 738<sup>th</sup> Rd  
Bertrand, NE 68927

RE: Water Right Nos. 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2

Dear Mr. Robinson:

Thank you for visiting with me about the water rights and needed ownership changes. I have enclosed several documents:

- Copies of all five water rights – they are sort of hard to read due to the age of them (you can keep these)
- Copies of the 2021 irrigation questionnaires submitted by Mr. Sieck. These will give you an idea of what is required on the forms. (you can keep these)
- The yellow forms are the 2022 irrigation questionnaires. These need to be completed and sent back to us by December 5, 2022. If you want to do them online, go the following weblink: <https://danr.sd.gov/iq> the password for these forms is **SGNROA** (the password will change every year)
- Transfer of ownership forms for all five water rights. I completed them with the information I had handy, the portion that says “to be transferred to (name & address) is the area you will need to complete. Once you complete the transfer forms, sign and return them to our office with a required filing fee of \$50 each or a total of \$250. The check or money order can be made payable to the Water Rights Program.

I apologize for the rather large packet of information! If you have any questions, please let me know.

Sincerely,

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

1234-2

**RECEIPT****WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date November 28, 2022RECEIVED OF Robison Farms 10316 738 Rd., Bertrond NE 68927

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

|                                                                                                                |                       |
|----------------------------------------------------------------------------------------------------------------|-----------------------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use | \$ _____              |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   | \$ _____              |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                         | \$ _____              |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____            | \$ _____              |
| Fee for Filing Transfer Form <u>1234-2</u>                                                                     | <u>\$50.00</u>        |
| Fee for _____                                                                                                  | \$ _____              |
| Fee for Issuing New Well Driller's License No. _____                                                           | \$ _____              |
| Fee for Renewal of Well Driller's License No. _____                                                            | \$ _____              |
| Fee for Issuing Well Pump Installer's License No. _____                                                        | \$ _____              |
| Fee for Renewal of Well Pump Installer's License No. _____                                                     | \$ _____              |
| (Any Other Work Provided by Law)                                                                               |                       |
| <b>TOTAL</b>                                                                                                   | <b><u>\$50.00</u></b> |

By *Eric Gronlund*  
Chief Engineer  
*Em*

PAID

NOV 28 2022

Ck# 2108

Rec't# \_\_\_\_\_

**NOTICE OF TRANSFER OF OWNERSHIP**

**RECEIVED**

NOV 28 2022

**OFFICE OF  
WATER**

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

No. 1234-2

Date: 11-18-22

I/We request that Water Right No. 1234-2

formerly owned by: Roger and Debrah Sieck

be transferred to: (name & address) Chad Robison living trust

10316 738 Rd

Bertrand, NE 68927 Telephone No. 308-991-1705

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

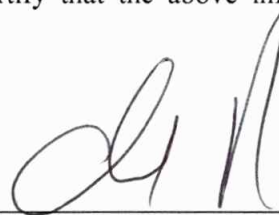
**152 acres in the NE 1/4 Section 11, T36N, R38W**

I/We understand that the validity of Water Right No. 1234-2 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 Chad Robison, 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.



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 E. CAPITOL AVE  
PIERRE SD 57501-3182  
[danr.sd.gov](http://danr.sd.gov)

November 29, 2022

Chad Robison  
10316 738<sup>th</sup> Rd  
Bertrand, NE 68927

RE: Water Right Nos. 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2

Dear Mr. Robison:

I am writing to acknowledge receipt of the transfer forms, filing fees and the 2022 irrigation questionnaires for the above listed water rights.

The ownership changes have been completed. Water Right Nos. 1234-2, 1235-2, 1327-2, 1414-2 and 1941A-2 formerly held by Roger and Debrah Sieck are now listed under "Chad Robison Living Trust".

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

Sincerely,

Genny McMath  
Water Rights Program  
605 773-3352  
[Genny.mcmath@state.sd.us](mailto:Genny.mcmath@state.sd.us)

enclosures



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

January 19, 2024

## NOTICE

TO: CHAD R ROBISON LIVING TRUST, 10316 738TH RD, BERTRAND, NE 68927

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2 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 questionnaire(s) is (are) received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at [amanda.dewell@state.sd.us](mailto:amanda.dewell@state.sd.us). **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: JUGHAZ**

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



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

January 31, 2024

1234-2, 1235-2, 1327-2, 1414-2,  
1941A-2, 2859-2, 2855-2,  
2856-2, 2857-2, 2858-2, 2860-2,  
2861-2, 2862-2, 2863-2

Chad R Robison Living Trust  
10316 738<sup>th</sup> Rd  
Bertrand NE 68927

Dear Mr. Robison:

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

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2 & 2863-2. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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



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

January 14, 2025

**NOTICE**

TO: CHAD R ROBISON LIVING TRUST, 10316 738TH RD, BERTRAND, NE 68927

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2 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 questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at [amanda.dewell@state.sd.us](mailto:amanda.dewell@state.sd.us). **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: SKYVEK**

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



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

February 10, 2025

1234-2, 1235-2, 1327-2, 1414-2  
1941A-2, 2859-2, 2855-2, 2856-2  
2857-2, 2858-2, 2860-2  
2861-2, 2862-2, 2863-2

Chad R Robison Living Trust  
10316 738<sup>th</sup> Rd  
Bertrand NE 68927

Dear Mr. Robison:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

January 20, 2026

**NOTICE**

TO: CHAD R ROBISON LIVING TRUST, JOEY ROBISON, MGR, 10225 738TH RD,  
BERTRAND, NE 68927

FROM: Ron Duvall, Engineer III  
for Adam Mathiowetz, PE, Acting Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2 qualification:

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

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

1. Suspend or cancel Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2 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 questionnaire(s) is (are) received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at [shannon.konst@state.sd.us](mailto:shannon.konst@state.sd.us). **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LDMHQT**

CHAD ROBISON, 10316 738TH RD, BERTRAND NE 68927

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



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

February 06, 2026

Robinson Living Trust  
C/O Joey Robinson, MGR  
10225 738<sup>th</sup> Rd  
Bertrand, NE 68927

2863-2  
1941A-2  
1235-2  
1327-2  
1414-2  
2855-2  
2856-2  
2861-2  
2860-2  
2859-2  
2858-2  
2857-2  
2862-2  
1234-2

Dear Mr. Robison,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

*Shannon Konst*

Shannon Konst  
Water Rights Program  
605 773-8204  
[Shannon.konst@state.sd.us](mailto:Shannon.konst@state.sd.us)