

Water Right Number 1255-2

1. Considered MAY 21, 1975
2. Name of Applicant ARNOLD, DALE & DALLAS LAFFERTY
3. Post Office Address RELIANCE
4. Amount of Water claimed 3.71
5. Source of Water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 260
7. Water to be diverted and used in LYMAN County
about 12E, 5N miles of RELIANCE
8. Proof of Publication Received 5-16-75
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application

SEE DUNKER LETTER



10. Remarks:

No. 1255-2

Map No. 1062-2 Water Division No. 2 WHITE RIVER District _____
 (Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

5.00

To Appropriate Water within the State of South Dakota

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

- Name of Applicant Arnold, Dale, v. Dallas Lafferty
 Postoffice address Reliance, State S. Dak.
 If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) Contract
- Name of diversion work Lafferty #1
- Amount of water claimed: (cubic feet per second) 3.71
- Source of water supply Lake Francis - Case Missouri River
- Location of point of diversion 1/2, 1/2, NE 1/4, NW 1/4, Sect. 28, T106N, R71W
BETWEEN POINTS IN THE NE 1/4 NW 1/4, SEC 28, AND IN THE SE 1/4 SW 1/4,
SEC 21, T106N, R71W County Lynn
- Annual period or periods during which water is to be used April - Sept.
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
- For irrigation use, _____ Total number of acres to be irrigated 260

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.
W 1/2	5/8 SE		E 1/2 NW NE 1/4 S 29 T106 R71	40
W 1/2	5/8 SE 1/4 Sect. 20 T106 R71	40	W 1/2 " " " " " "	40
E 1/2	5/8 SE 1/4 " " " " " "	40	W 1/2 W 1/2 NE 1/4 NW 1/4 28 " "	10
W	10A Lot 4 " " " " " "	10	NW 1/4 NW 1/4 28 " "	40

Attach sheet if more space is needed

- Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Advocate Leader, Kennebakee, S. D.
- Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.
Center Pivot Irrigation

Estimated Total Cost \$50,000

Attachments: 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 Lynn

I, Dorothy Dale Dallas Lafferty, 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 Dorothy Dale Dallas Lafferty

Subscribed and sworn to before me this 4 day of April 1925

RONALD McMANUS
 Notary Public, Lynn County, S. Dak.
 My Commission Expires May 15, 1927

Gene H. McManus
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1255-2

ARNOLD, DALE & DALLAS LAFFERTY RELIANCE
(Applicant) (Post Office Address)

SOUTH DAKOTA 57569 With the following modifications:
(State)

Date of first receipt of application APRIL 4 19 75

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

Date of receipt of corrected application _____ 19 _____

Approved MAY 21 19 75 Recorded in Book 13 Page 251

WATER RIGHT PERMIT NO. 1255-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1255-2 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 APRIL 4 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 21 19 76
3. The whole of said work is to be completed on or before MAY 21 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 21 19 80
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 3.71 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 21 19 80; said water to be used during the following described annual period: APRIL THRU SEPTEMBER

Witness my hand this 22nd day of MAY 19 75

WATER RIGHTS COMMISSION

By: Ken W. Butler
Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

Form 9 - Forwarding Permit to Appropriate Water



No. 1255-2

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Office Building Number 2, Pierre, South Dakota 57501

Phone 605/224-3151

May 22, 1975

Arnold Lafferty
Reliance
South Dakota 57569

Dear Mr. Lafferty:

Enclosed herewith is your Water Right Permit No. 1255-2 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 1255-2.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Rights Commission when you have completed the system and/or have put the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a water right.

P.S. This is to inform you that the office of the Solicitor, United States Dept. of Interior in a letter dated May 2, 1975 contends that the State of South Dakota lacks jurisdiction with respect to issuance of waters within the exterior boundaries of an Indian reservation.

Respectfully,

WATER RIGHTS COMMISSION

VERN BUTLER
Acting Chief Engineer

VB /BFJ/bw
Encl: As stated

Publish first publication, on or before May 8, 1975

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 8, 1975

Notice is hereby given that Arnold, Dale and DeLoe Lafferty

whose post office address is Reliance, 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

3.71 cubic feet of water per second of time from the Missouri River through the Lafferty #1 the point of diversion of which is to be located in the XXXX

between points in the NE 1/4 NW 1/4, Section 28 and in the SE 1/4 SW 1/4

of Section 21, Twp. 106N, Range 71W. Said water to be used for the purpose of providing irrigation of the following described land:

S 1/2 SE 1/4, Section 20; S 1/2 SE 1/4, Section 21, N 1/2 NW 1/4, Section 22 and N 1/2 NE 1/4, Section 29
all in T106N, R71W

This application No. 1255-2 will be considered by the Water Rights Commission at its office at Pierre upon the 21st day of May, 1975, at 2:30 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bv
cc: Arnold Lafferty, Reliance, S.D. 57569

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lynn) ss.

I, E. J. Buckingham, Jr. hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Advocate-Leader

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

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

May 8, 1975
May 15, 1975

E. J. Buckingham, Jr.
(Signature)

Published
(Title)

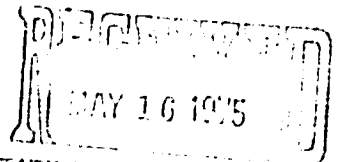
May 15 1975
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501

April 8, 1975
Notice is hereby given that
Arnold, Dale and Dallas Laf-
ferty whose post office address
is Reliance, South Dakota, have
made an application in accord-
ance with the provisions of the
water laws of South Dakota for
a permit to appropriate for
beneficial use 8.71 cubic feet
of water per second of time from
the Missouri River through the
Lafferty #1, the point of divi-
sion of which is to be located
between points in the NE 1/4,
NW 1/4, Section 20 and in the
SE 1/4 SW 1/4 of Section 21,
Twp. 106N., Range 71W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
lands:
S 1/2 SW 1/4, Section 20;
S 1/2 SW 1/4, Section 21; N 1/2
NW 1/4, Section 20 and N 1/2
NE 1/4, Section 20 all in T106N,
R71W.
This application No. 1255-2
will be considered by the Water
Rights Commission at its office
at Pierre upon the 21st day of
May, 1975, at 2:30 p.m. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION
/s/ Burton F. Jones
BURTON F. JONES
Water Rights Specialist
(May 8 - 15)



STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

1253-2 & 1255-2

April 24, 1975

Harley D. Zephier
Acting Area Director
Bureau of Indian Affairs
115 4th Avenue S.E.
Aberdeen, South Dakota 57401

Dear Mr. Zephier:

Enclosed is a copy of the Notice of Intent to Appropriate Water for Daniel Vavra (Application No. 1253-2) and for Arnold, Dale and Dallas Lafferty (Application No. 1255-2). Lands covered under both applications are within the exterior boundaries of Indian Reservations.

Sincerely,

BURTON F. JONES
Water Rights Specialist

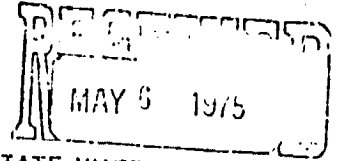
BEJ/bw
Encl: as stated



United States Department of the Interior

OFFICE OF THE SOLICITOR

ROOM 211 - FEDERAL BUILDING
P.O. BOX 519
ABERDEEN, SOUTH DAKOTA 57401



MAY 2 1975 STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Mr. Burton F. Jones
Water Rights Specialist
Water Rights Commission
Pierre, South Dakota 57501


Dear Mr. Jones:

The Area Director, Bureau of Indian Affairs, has advised that on May 21, 1975, at 2:30 p.m., a Hearing will be held in the office of the Water Rights Commission, at Pierre, South Dakota, on the application of Arnold, Dale and Dallas Lafferty, of Reliance, South Dakota, for a permit to appropriate for beneficial use 3.71 cubic feet of water per second of time from the Missouri River, the point of diversion being between points in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28 and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, T. 106 N., R. 71 W., for the purpose of irrigation.

This letter will serve as our written objection to such application for a permit to appropriate water from the Missouri River within the boundaries of the Lower Brule Reservation. The issuance of such permit would be contrary to established law, which declares that the State lacks jurisdiction with respect to the adjudication of the waters of, or the lands within, the exterior boundaries of an Indian Reservation. See 25 U.S.C.A., Sec. 381; Winters v. United States, 207 U.S. 564, 28 S.Ct. 207; United States v. Powers, 94 F.2d 783; United States v. McIntire, 101 F.2d 650; and United States v. Alexander, 131 F.2d 359.

In filing this objection to the issuance of such proposed permit and in writing this letter to you, we do not waive our right to challenge the State's jurisdiction by legal action or otherwise, and merely intend to call the State's attention to the fact that the State lacks jurisdiction in this matter.

Very truly yours,


Wallace G. Dunker
Field Solicitor

cc: Office of the Area Director, Aberdeen
Superintendent, Lower Brule Agency, Lower Brule, S. D. 57548
Mr. Parnell Hagen, Area Soil Conservationist, BIA, Aberdeen, S.D.
Mr. Arnold Lafferty, Reliance, South Dakota 57569

1255-2

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Arnold Lafferty

ADDRESS: HCR 5 Box 8, Reliance, SD COUNTY: Lyman

DATE: January 25, 1994 TELEPHONE:

RE: status of Water Permit Nos. 1255-2 and 1799-2

COMMENTS:

On January 24, 1994, I mailed a letter to Mr. Lafferty concerning land he had irrigated under No. 1255-2 (which he reported he no longer has lease for) and land he irrigates under No. 1799-2 (part not covered under permit).

Mrs. Lafferty called to say that he reversed the permit numbers on the irrigation questionnaires. The land they lost the lease on is described under No. 1799-2. This is reservation land. The land they still own and irrigate is covered under No. 1255-2.

I contacted the Corps of Engineers, spoke with Dale Kastner concerning the lease for this land. He indicated that Jean Boleman (no address) now leases the land under No. 1799-2. Ms. Boleman is a tribal member.

An irrigation questionnaire will no longer be sent out for Water Permit No. 1799-2.

I told Mrs. Lafferty to disregard my January 24, 1994 letter stating they needed to obtain a new permit.

Genny McMath
Natural Resources Analyst

Permit No. 1255-2
White River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

On, September 2, 1998, I made a thorough examination of the water use system constructed by Dallas LaFerty of Reliance SD holder of Permit No. 1255-2, bearing the priority of April 4, 1975 authorizing the diversion of 3.71 cu. ft. per second of the waters of the Missouri River for irrigation purposes, in Lyman County.

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

- A. Works used to divert the water:
Cornell pump and Cat motor
- B. Works used to transport water to place of use:
12" aluminum distribution line, Berkeley pump and Allis Chalmers motor
- C. Works used to apply water to beneficial use:
2 - Valley center pivots

The system is in the following condition Very Good. The point of diversion is located 60' south and 2060' east of the NW corner of Section 28 T106N-R71W. The works are capable of diverting and conveying to the place of use 2.79 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

<u>All T106N-R71W</u>	<u>32.5 acres</u>
<u>SW 1/4 SE 1/4 Section 20</u>	<u>38.0 acres</u>
<u>SE 1/4 SE 1/4 Section 20</u>	<u>32.5 acres</u>
<u>NW 1/4 NE 1/4 Section 29</u>	<u>38.0 acres</u>
<u>NE 1/4 NE 1/4 Section 29</u>	<u>32.5 acres</u>
<u>SW 1/4 SW 1/4 Section 21</u>	<u>32.5 acres</u>
<u>NW 1/4 NW 1/4 Section 28</u>	<u>32.5 acres</u>

comprising a total of 206 acres of land and the license should be issued for 2.76.

Applicable permit qualifications have been complied with: Yes

Exceptions to compliance are: None

Jeff Shafer
Jeff Shafer
Natural Resources Engineer
DENR, Water Rights Program

9/11/98
Date

REPORT ON INSPECTION OF PERMIT NO. 1255-2

DATE OF INSPECTION: September 2, 1988

Other permit(s) associated with the project: none

Contact Person & Address: Dallas Lafferty, HRC 5, Box 8, Rollance SD 57509

DIVERSION POINT LEGAL LOCATION: NE ¼ NW ¼ Section 18 T106N-R71W

WATER SUPPLY Source: Missouri River

INTAKE:

Pump:

- | | |
|------------------------|-----------------------------|
| 1) Make <u>Cornell</u> | 2) Model <u>RBF7</u> |
| 3) Size <u>Unknown</u> | 4) Capacity <u>1250 GPM</u> |

Motor:

- | | |
|------------------------------------|--------------------------|
| 1) Make <u>Cat</u> | 2) Model No. <u>3208</u> |
| 3) Horsepower rating <u>210 hp</u> | |

Booster:

Pump:

- | | |
|-------------------------|-----------------------------|
| 1) Make <u>Berkeley</u> | 2) Model <u>B6JRMBM</u> |
| 3) Size <u>13 ½"</u> | 4) Capacity <u>1250 GPM</u> |

Motor:

- | | |
|-------------------------------------|--------------------------|
| 1) Make <u>Allis Chalmers</u> | 2) Model No. <u>3900</u> |
| 3) Horsepower rating <u>unknown</u> | |

DISTRIBUTION LINES OR CANALS:

- 1) Type Aluminum 2) Size 12 inches

SYSTEM TYPE:

Center pivots: There are two identical center pivots

- | | |
|-------------------------------------|------------------------------------|
| 1) Make <u>Valley</u> | 2) Overall length <u>1320 feet</u> |
| 3) Number of towers <u>7</u> | 4) End gun <u>Yes</u> |
| 5) High or low pressure <u>high</u> | 6) Capacity <u>unknown</u> |

CHEMIGATION EQUIPMENT:

- 1) Does chemigate No

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 17, 1998

1255-2

Dallas Lafferty
HC 5, Box 8
Reliance, SD 57569-9303

Dear Mr. Lafferty:

The investigation of your water use system was conducted on September 2, 1998, by Jeff Shafer, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1255-2. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 415876

Pierre,

September 29, 1998

RECEIVED OF Dallas or Cherie Lafferty, HC 5, Box 8, Reliance, SD 57569
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. <u>1255-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	50	00

By

Chief Engineer

John Hatch (signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 10 1998

1255-2

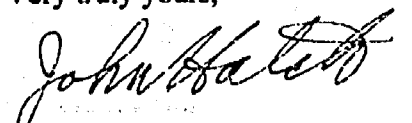
Arnold, Dale & Dallas Lafferty
%Dallas Lafferty
HC 5, Box 8
Reliance, SD 57569

Dear Sirs:

Enclosed is Water License No. 1255-2 and Receipt No. 415876 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 1255-2 is the final document which completes the process of obtaining a water right.

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

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

gm
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1255-2

(1) Arnold, Dale and Dallas Lafferty, Reliance, SD made Application No. 1255-2, April 4, 1975 for a water permit to divert 3.71 cubic feet of water per second from the Missouri River, Lyman County, South Dakota for irrigation purposes. Permit No. 1255-2, with a priority date of April 4, 1975 was approved May 21, 1975 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before May 21, 1978 and for the application to beneficial use of said water on or before May 21, 1980.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.78 cubic feet of water per second for beneficial use. The location of the diversion point is 60'S and 2,060'E of the NW corner of Section 28, T106N, R71W (NE 1/4 NW 1/4).

(3) The permit holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T106N, R71W	Section 20	SW 1/4 SE 1/4	32.5 acres
		SE 1/4 SE 1/4	38.0 acres
	Section 21	SW 1/4 SW 1/4	32.5 acres
	Section 28	NW 1/4 NW 1/4	32.5 acres
	Section 29	NW 1/4 NE 1/4	32.5 acres
		NE 1/4 NE 1/4	38.0 acres
		Total	206.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Arnold, Dale & Dallas Lafferty, % Dallas Lafferty, HC 5 Box 8, Reliance, SD 57569 the holders and/or owners of Water Right No. 1255-2 are issued a license to appropriate water, the right to use 2.78 cubic feet of water per second from the Missouri River with a priority date of April 4, 1975 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Right No. 1255-2 and subject to South Dakota State Law.

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 10 1978

date





1355-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1999

NOTICE

TO: DALLAS LAFFERTY, HC 5 BOX 8, RELIANCE, SD 57569

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 1255-2. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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

1255-2

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

DALLAS LAFFERTY
 HC 5 BOX 8
 RELIANCE SD 57569

4a. Article Number
 P 378 080 667

4b. Service Type

Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 1-23-99

5. Received By: (First Name)

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

6. Signature: (Addressee or Agent)
 X Dallas Lafferty

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 1999

1255-2

Dallas Lafferty
HC 5 Box 8
Reliance, SD 57569

Dear Mr. Lafferty:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 1255-2.

I completed a questionnaire for you based on our January 25th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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

Sincerely,

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

1255-2

SENDER - COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressee to:

DALLAS LAFFERTY
HC 5 BOX 8
RELIANCE SD 57569

COMPLETE THIS SECTION ON DELIVERY

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

10/20/01

C. Signature

X Dallas Lafferty

- Agent
- Addressee

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4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 3246



1255-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
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www.state.sd.us/denr

January 19, 2001

NOTICE

TO: DALLAS LAFFERTY, HC 5 BOX 8, RELIANCE, SD 57569

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No. 1255-2. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2001

1255-2

Dallas Lafferty
11C 5 Box 8
Reliance, SD 67569

Dear Mr. Lafferty:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 1255-2.

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

1255-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: DALLAS LAFFERTY, 33568 241ST ST, RELIANCE, SD 57569

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 1255-2. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 27, 2004**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

1255-2



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Current Status

You entered 2301 3460 0000 8515 8602

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 8602

DALLAS LAFFERTY
33568 241ST ST
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Waiver of Signature YES NO

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www.state.sd.us/denr

January 21, 2004

1255-2

Dallas Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 1255-2.

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



CONSERVATION PLAN

UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE

cooperating with
American Creek
Soil Conservation District

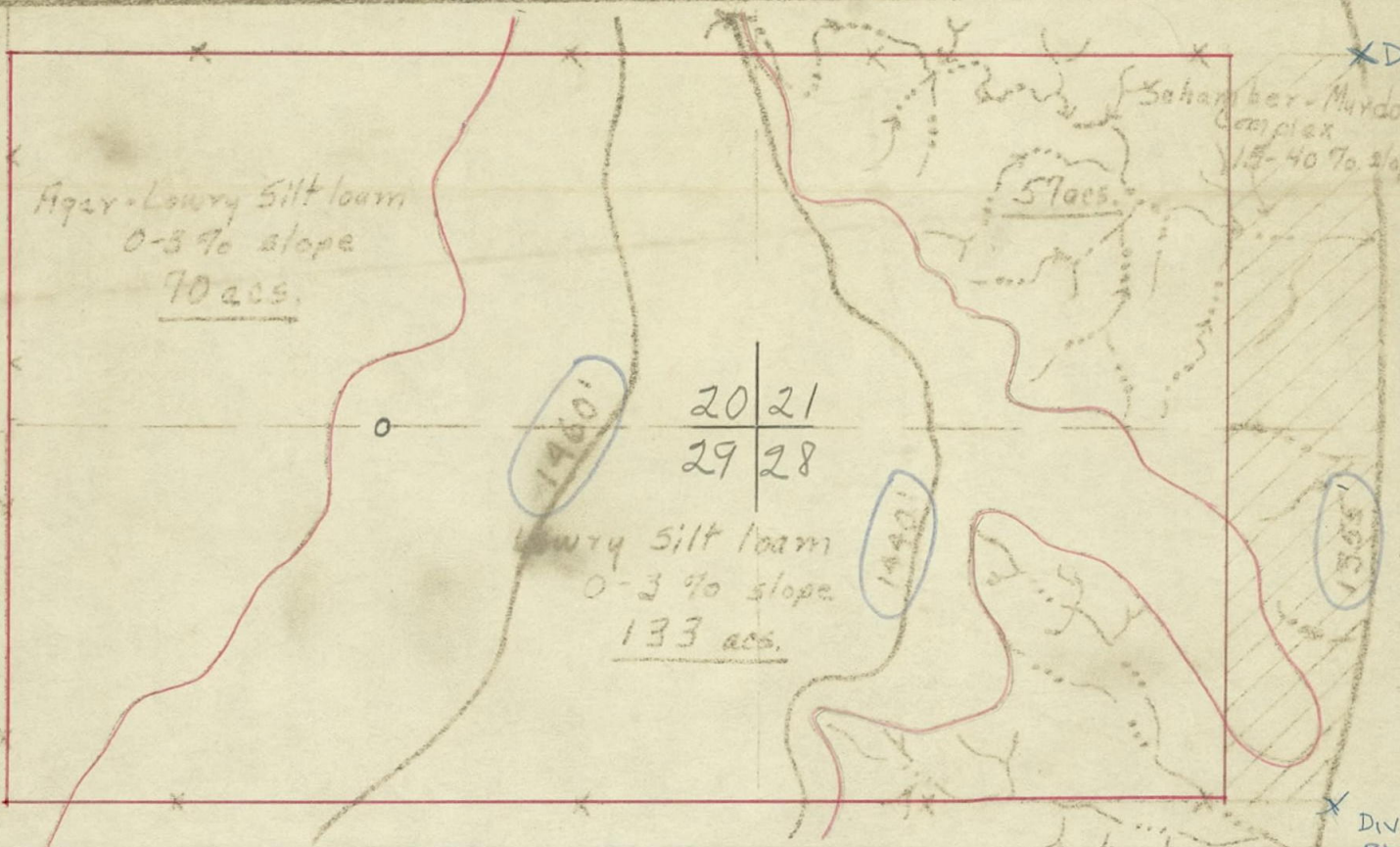
All lands in T.106N.-R.71W.

Owner Arnold Lafferty
Operator _____
Lyman So. Dak. Gil Bierwagen
County State Assisted By

Plan No. _____ Date 3-13-75
Scale 1" = 660' Acres 269
Photo No. 1969 Flight-5BK-223

LEGEND

- (2) Field No.
- Property Boundary
- - - Land use bdy
- ~ Soil boundary
- == Road
- X - Fence
- Stream
- ▨ U.S.A. Land
- Sea Level Elevation



RECORD OF COOPERATOR'S DECISIONS AND PROGRESS IN APPLICATION

FIELD NUMBER	PLANNED		APPLIED		LAND USE AND TREATMENT
	AMOUNT	YEAR	AMOUNT	MONTH AND YEAR	
					<p>Soils interpreted from MARI Survey: Agar-Lowry & Lowry Silt loams are deep well drained, loamy soils with moderate permeability. As you go up slope further away from the reservoir the soils would probably be older and have a higher clay content in the B horizon or subsoil. These are shown as the Agar-Lowry Silt loam complex.</p> <p>Schanber-Murdo Complex are soils with less than 20" of loamy material over sand and gravel on rolling to very hilly uplands.</p> <p>Average elevation of reservoir during recreational season is 1355' above sea level. After Labor Day reservoir is lowered gradually so by late Nov. it could get down to 1320'.</p>

MAP NO 1062.2 (APRIL 1975)

Lake Francis Case
Ft. Arnold Reservoir
1975. Reservoir level during recreational season



DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

PMB 2020
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January 26, 2007

NOTICE

TO: DALLAS LAFFERTY, 33568 241ST ST, RELIANCE, SD 57569

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

Handwritten signature of Ron Duvall

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 1255-2. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

- 1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 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.

1255-2



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Status: **Acceptance**

Your item was accepted at 11:12 AM on January 26, 2007 in PIERRE, SD 57501. No further information is available for this item.

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 6705

Pc
 DALLAS LAFFERTY
 33568 241ST ST
 RELIANCE SD 57569

Waiver of Signature YES NO

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1255-2 (Rev. 1/01) May 2002 (See Reverse)

Postoffice has no record of above mail - however investigation question name was received so no further action is needed.





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www.state.sd.us/denr

February 2, 2007

1255-2

Dallas Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 1255-2.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 23, 2009

NOTICE

TO: DALLAS LAFFERTY, 33568 241ST ST, RELIANCE, SD 57569

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 1255-2. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2009**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pd>

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.

12552



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Signature Confirmation

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 5671

DALLAS LAFFERTY
33568 241ST ST
RELIANCE SD 57569

Waiver of Signature YES NO

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www.state.sd.us/denr

February 2, 2009

1255-2

Dallas Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 1255-2.

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
email: genny.mcmath@state.sd.us



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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January 21, 2011

NOTICE

TO: DALLAS LAFFERTY, 33568 241ST ST, RELIANCE, SD 57569

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire has not been submitted for Permit No(s) 1255-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 9, 2011**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

1255-2



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DALLAS LAFFERTY
33568 241ST ST
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January 26, 2011

1255-2

Dallas Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

I am writing to acknowledge receipt of your 2010 irrigation questionnaire.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 1255-2. 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
email: genny.mcmath@state.sd.us



1255-2
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and NATURAL RESOURCES

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www.state.sd.us/denr

January 16, 2015

NOTICE

TO: DALLAS LAFFERTY, 33568 241ST ST, RELIANCE, SD 57569

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire has not been submitted for Permit No(s) 1255-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 4, 2015**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

January 26, 2015

1255-2

Dallas Lafferty
33568 241st ST
Reliance SD 57569

Dear Lafferty:

I am writing to acknowledge receipt of your 2014 irrigation questionnaire.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 1255-2. 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



1255-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: DALLAS LAFFERTY, 33568 241ST ST, RELIANCE, SD 57569

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire has not been submitted for Permit No(s) 1255-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Thursday, March 3, 2016 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 3, 2016

1255-2

Dallas Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

I am writing to acknowledge receipt of your 2015 irrigation questionnaire.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 1255-2. 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



1255-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 12, 2017

1255-2

Cody Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

I am writing in follow-up to the 2016 irrigation questionnaire indicating an ownership change is needed for Water Right No. 1255-2.

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

I have included a copy of the water right for your records. If you have any questions concerning the water right or completion of the transfer form, please give me a call.

Sincerely,

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

enclosures

RECEIVED

JAN 23 2017

WATER RIGHTS PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1255-2

Date: 1-18-2017

I/We request that Water Right No. 1255-2

formerly owned by: Arnold, Dale and Dallas Lafferty

be transferred to: (name & address) Cody Lafferty
33568 241ST ST

Reliance, SD 57569 Telephone No. 605-473-5363

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

206 acres - S 1/2 SE 1/4 Section 20; SW 1/4 SW 1/4 Section 21; NW 1/4 NW 1/4 Section 28; N 1/2 N E 1/4

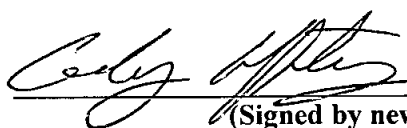
Section 29; all in T106N, R71W

I/We understand that the validity of Water Right No. 1255-2 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 Cody Lafferty, 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 1/23, 20 17

RECEIVED OF Cody B Lafferty 33568 241st St Reliance SD 57569

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>1255-2</u>	50	00
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. **08121**

By Jenna Hoarmer
Chief Engineer

1255-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 23, 2017

1255-2

Cody Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 1255-2.

The ownership change has been completed. Water Right No. 1255-2, formerly held by Arnold, Dale and Dallas Lafferty is now listed in your name.

Enclosed for your records is Receipt No. 08121 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosure



1255-2
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 25, 2019

NOTICE

TO: CODY LAFFERTY, 33568 241ST ST, RELIANCE, SD 57569

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 1255-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

1255-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 2019

1255-2

Cody Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 1255-2. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



1255-2
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 23, 2020

NOTICE

TO: CODY LAFFERTY, 33568 241ST ST, RELIANCE, SD 57569

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire has not been submitted for Permit No(s) 1255-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: TWCBMD**

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.denr.sd.gov

February 10, 2020

1255-2

Cody Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

I am writing to acknowledge receipt of your 2019 irrigation questionnaire.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 1255-2. 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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: CODY LAFFERTY, 33568 241ST ST, RELIANCE, SD 57569
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire has not been submitted for Permit No(s) 1255-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 2, 2022 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TILHBS**

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 14, 2022

1255-2

Cody Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

I am writing to acknowledge receipt of your 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 1255-2. 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
Genny.mcmath@state.sd.us

1255-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: CODY LAFFERTY, 33568 241ST ST, RELIANCE, SD 57569

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire has not been submitted for Permit No(s) 1255-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: XIKKQP**

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 13, 2023

1255-2

Cody Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 1255-2. 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
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

May 14, 2024

1255-2

Cody Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

I am writing in regard to Water Right No. 1255-2. The water right authorizes diversion 2.78 cfs (approx. 1250 gpm) of water from the Missouri River for the irrigation of 206 acres in the S ½ SE ¼ Section 20, SW ¼ SW ¼ Section 21, NW ¼ NW ¼ Section 28, and N ½ NE ¼ Section 29; all in T106N, R71W, Lyman County.

In reviewing your 2023 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Right No. 1255-2 allows you to use up to 2 acre-feet (ac-ft) (24 inches) of water, per acre, per year. On the questionnaire you reported substantially more water use. The following information is what was reported and what is authorized:

- 206 acres irrigated
- Reported water use – 1,225 ac-ft of water (approximately 71 inches)
- Authorized water use – 412 acre-feet (206 acres x 2 ac-ft per year)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 24 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

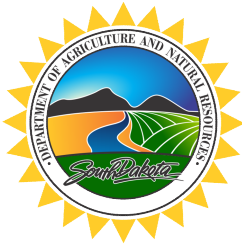
If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water right and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

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

NOTE: Water Right No. 1255-2 authorizes a diversion rate of 2.78 cubic feet or water per second (approx. 1250 gallons per minute). The 2023 irrigation questionnaire you submitted lists a pump rate of 1800 gpm. A new permit would be required to increase the rate of diversion from 2.78 cfs to 4.0 cfs.

enclosure



**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: CODY LAFFERTY, 33568 241ST ST, RELIANCE, SD 57569

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 has not been submitted for Permit No(s) 1255-2 as required by administrative rule 74:02:01:14.02. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1255-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 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. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: YWVKBS**

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 4, 2025

1255-2

Cody Lafferty
33568 241st St
Reliance SD 57569

Dear Mr. Lafferty:

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). 1255-2. 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