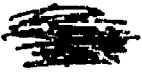


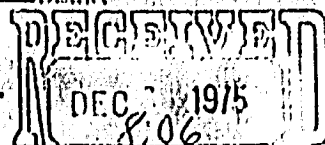
Water Right Number 1321-2

1. Considered 1-22, 19 76
2. Name of Applicant FRANK E. BUCKLES CO.
3. Post Office Address MARTIN
4. Amount of water claimed 2.00
5. Source of water supply GROUND WATER (460' DEEPWELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 140
7. Water to be diverted and used in BENNETT County
about 65.2W Miles 0.5 of MARTIN
8. Proof of Publication
Received ~~12~~ 2-9-76
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks: 

No. 1327-2Map No. 1045-2 Water Division No. 2 LITTLE WHITE RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

STATE WATER RIGHTS
PIERRE, SOUTH DAKOTA

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

- Buckles Ranch
1. Name of Applicant Frank E. Buckles & Co.
Post-office 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 Buckles Well No. 3
4. Amount of water claimed (cubic feet per second) 1,500/min 2.0 MAXIMUM ALLOWABLE
5. Source of water supply Deep well.
6. Location of point of diversion Center of NE $\frac{1}{4}$, Section 14, 36-38.

County Bennett

7. Annual period or periods during which water is to be used April through 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 140 Acres

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.
NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec 14, 36-38	35 Acres	SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec 14 36-38	35 Acres
NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec 14, 36-38	35 Acres	SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec 14, 36-38	35 Acres

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five (5) years. Additional time required to complete application of water to the proposed beneficial use Two (2) years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Bennett County Booster
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. Deep well and high volume pump.B. Works proposed to transport water to place of use. 8 Inch aluminum pipe.C. Works proposed to apply water to beneficial use. Circular sprinkler.Estimated Total Cost \$ 48,500Attachments: 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 Bennett)
ss.)I, Leo 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

Subscribed and sworn to before me this

5th

day of

December1975

Notary Public (or other qualified officer)

Regester of Deeds

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1327-2FRANK E. BUCKLES, Co (Applicant) X-Buckles Co MARTIN (Post Office Address)SOUTH DAKOTA 57551 (State) With the following modifications:

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 DECEMBER 8, 1975

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

Date of receipt of corrected application DECEMBER 24, 1975Approved JANUARY 23, 1976, Recorded in Book 14 Page 272WATER RIGHT PERMIT NO. 1327.2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1327.2 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 DECEMBER 8, 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23, 1978
3. The whole of said work is to be completed on or before JANUARY 23, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23, 1983
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 2.0 cubic feet per second, nor 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 beneficially applied for irrigation on or before JANUARY 23, 1983, said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 9TH day of FEBRUARY, 1976

WATER RIGHTS COMMISSION

By:

John Hartsh
Chief Engineer, Executive Officer

Certificate of Construction issued DECEMBER 17, 1979Water License Issued DECEMBER 17, 1979

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30 inches, Depth 460 feet
 (2) Casing, Type steel Diameter 18 inches Thickness 1/2 inch
 (wood, concrete, steel, etc.)
 (3) Perforated Screen.
 Type Steel, Diameter 18 inches, Length 350 feet
 (4) Gravel Pack, Thickness 12 inches, Length of gravel pack 460 feet

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 sands to coarse gravel.

Depth to top of water bearing material 90 feet.

Depth to bottom of water bearing material 460 feet.

Thickness of water bearing material 370 feet.

Depth to water (ground surface to water level) 75 feet.

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

On same owner's property 40 rds. On property owned by others 80 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.

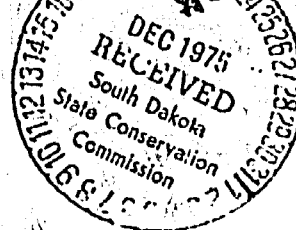
Frank E. Buckler Co.
Geo E. Buckler

Signature of Applicant

FOR COMMISSION USE ON:
Irrigation System: _____
Water Quality: _____
Soils Capability: _____
Approved: [Signature]
Disapproved: _____

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)

REC 24 1975



NAME: Frank E. Buckles Co.

ADDRESS: Martin, South Dakota 57551

COUNTY: Bennett

LEGAL DESCRIPTION

1. WELL LOCATION: Center of NE $\frac{1}{4}$ of Sec 14, 36-38
2. AREA TO BE IRRIGATED: NE $\frac{1}{4}$ of Section 14, 36-38

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate type): Automatic circular sprinkler.
4. CROPS TO BE IRRIGATED: Corn and alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 2-4 percent.
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Keith Rosebud silt loam with areas of Loup fine sandy loam and Tuthill and Arselmo fine sandy loam

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-1138
8. SALINITY: EC = 443 micromhos/cm (medium)
9. SODIUM: SAR = 0.59 (low)
Residual sodium carbonate = 0.78
(Not a problem here)

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

and:

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

Frank E. Buckles Co.
Frank E. Buckles

Subscribed and sworn before me this

5th day of Dec. 1975.

Anna B. Engellhart

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 Enckles

Date Rec'd December 15, 1975

Address: Martin, SD 57551

Sample No. 75-2138

Identification 7-11-150

101, Sec. 14, T. 36N, R. 33W

WATER ANALYSIS

Calcium (Ca)	56	ppm*	2.80	me/l**
Magnesium (Mg)	9	ppm	0.74	me/l
Sodium (Na)	18	ppm	0.78	me/l
Potassium (K)	13	ppm	0.34	me/l
Sulfate (SO ₄)	8	ppm	0.16	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	264	ppm	4.32	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	216	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	443	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.59			
Sodium	16.73	% of cations		
Residual sodium carbonate	0.78	me/l		
pH	7.66			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 4.66 me/l
 Total anions 4.56 me/l



DEC 21 1975

By: Shirley Eitten

Service Performed

Amount Due

Irrigation analysis

16.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-2138

Amount Enclosed \$

Signed

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1327-2

(1) WHEREAS, On the 8th day of December A. D. 19 75
Frank E. Buckles, Co.

made Water Right Application No. 1327-2 for a permit to use 2.0 cubic feet per second of the waters of groundwater (one well)

County of Bennett, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 23rd day of January A. D. 19 76
 Permit No. 1327-2, with a date of priority of December 8, 1975

was issued to said applicant for for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 23rd day of January A. D. 19 81 and for the application to beneficial use of said water on or before the 23rd day of January A. D. 19 83

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.75 cubic feet per second of water for beneficial use and,

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

to irrigate the following lands all in Section 14, T36N, R35W

	Acres
NE 1/4 NE 1/4	37
NE 1/4 SE 1/4	37
SW 1/4 NE 1/4	28
SE 1/4 NE 1/4	28
TOTAL	130 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Frank E. Buckels Co.

of Martin SD

the holder S and owner S of said permit No. 1327-2 a water right, dating from December 8, 1975 to use of 1.78 cubic feet per second of the water of groundwater (one well)

in the County of Bennett and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1320 feet south and 1320 feet West of the corner Section 14, T36N, R38W

and conduct to and upon portions of land in Section 14, T36N, R38W more fully described on the face of this License.

for the purpose of irrigation.

Subject to any limitations listed in Water Right Permit No. 1327-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 17th day of December A. D.
Nineteen Hundred and Seventy-nine

Board of Water Management

By:

John Hatch
Chief Engineer, JOHN HATCH

Permit No. 1327-2

Water Diversion No. 2 Little White River Water District

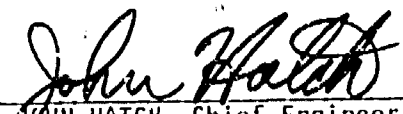
CERTIFICATE OF CONSTRUCTION

This is to Certify That Frank T. Buckles, Co.

_____ the holder _____ of
Permit No. 1327-2, issued upon Application No. 1327-2, bearing date of priority of December 8,
1975 authorizing the diversion of 2.0 cu. ft. per second of the waters of _____
groundwater (one well) County of Bennett, State of South Dakota at _____
a point 1320 feet south and 1320 feet West of the NE corner
Section 14, T36N, R38W
_____ for irrigation

purposes, have 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 1.78 cu. ft. per second of water

Date December 17, 1979


JOHN HATCH, Chief Engineer
Water Rights, WND

Publish first publication, on or before January 8, 19 76NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 2, 19 76Notice is hereby given that Frank E. Buckles Co.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 use2.0 cubic feet of water per second of time from ~~the~~ ground water through theBuckles Well #3, the point of diversion of which is to be located in the _____Center of the NE $\frac{1}{4}$ of Section 14, Twp. 36N, Range 38W. Said water to be used for the purpose of providing irrigation on portions of the following described land:NE $\frac{1}{4}$, Section 14, T36N, R38WThis application No. 1327-2 will be considered by the Water Rights Commission at their office at Pierre upon the 22nd day of January, 19 76, at 2:30 P.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc:

Frank E. Buckles Co.

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

No. 1327-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bennett) ss.

I, Wendell E. Long hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Bennett County Booster II

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

City of Martin

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

January 9, 1976

January 15, 1976

Wendell E. Long
(Signature)

Owner
(Title)

February 5, 1976
(Date signed)

NOTICE INTENT TO APPROPRIATE WATER

No. 1327-2

Pierre, South Dakota 57501
January 2, 1976

Notice is hereby given that
Frank E. Buckles Co. whose
post office address is Martin,
South Dakota, has made an
application in accordance with
the provisions of the laws
of South Dakota for a permit to
appropriate for beneficial use
2.0 cubic feet of water per
second of time from ground
water through the Buckles Well
No. 3, the point of diversion of
which is to be located in the
center of the NE 1/4 of Section 14,
Twp. 30N, Range 33W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land: NE 1/4, Section 14, T36N,
R38W.

This application No. 1327-2
will be considered by the Water
Rights Commission at their
office at Pierre upon the 22nd
day of January, 1976, at 2:30
p.m. All interested persons may
appear and be heard.

WATER RIGHTS
COMMISSION

By: Burton F. Jones,
Water Rights Specialist

21-29



Permit No. 1327-2Water Division 2 Little White River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / POSE BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Frank E
Buckles, Co. of Martin, South Dakota 57551 holder
of Permit No. 1327-2, bearing date of priority of December 8, 1975
authorizing the diversion of 2.0 cu. ft. per second of the waters of one 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:
Motor: - GE, Model 5K6268 X H1A, Ser# LMJ1103131
HP - 125, RPM - 1770
Pump: - Western Hand Roller, Ser# E70763
Head 8M - 7120H Pumping 800 gpm.
- B. Works used to transport water to place of use,
160 ft. 8" PVC underground Pipe
- C. Works used to apply water to beneficial use.
Valley Center Pivot, Model 5071, Ser# 19427
Has corner system, covers 130 Ac.

The system is in the following condition: GoodThe point of diversion is located 1320 ft S + 1320 ft W of the NE cor
of Sec. 14, T36N R38W.The works are capable of diverting and conveying to the place of use 1.75cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Sec. 14, T36N R38W
NW 1/4 NE 1/4 - 37 Ac NE 1/4 NE 1/4 - 37 Ac SW 1/4 NE 1/4 - 28 Ac.
SE 1/4 NE 1/4 - 28 Ac.
comprising a total of 130 acres of land.

Well data:

Depth 400 ft.
Static 50 ft
Pumping 800 gpm
Capacity 800 gpm

Date May 2, 1978
LeRoy J. McLaughlin
(Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7164

PIERRE, December 13, 1979

RECEIVED OF Frank E. Buckles Co., Martin SD 57551

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Constructor No. 1327-2)	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1327-2)		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

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

1327-2

 **Department of
Water & Natural Resources**

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

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.

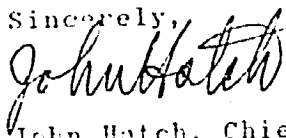
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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.

1327-2



Department of Water & Natural Resources

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

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

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

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.

1327-2



Department of Water & Natural Resources

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

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."

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

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

1254-2
1307-2
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 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

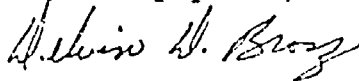


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Rowar, 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. 1327-2
Date: April 4, 2005

I/We request that Water Right/Permit No. 1327-2

formerly owned by: Frank E. Burles Co.

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:

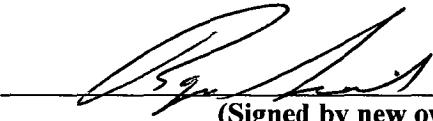
NE 1/4 14-36-38- BENNETT County

I/We understand that the validity of Water Right/Permit No. 1327-2 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.

Roger Sieck
I/We 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 Roger Slack, 50636 221st 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	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1327-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	2.50	

No. 001879

By Darland E. White
Chief Engineer gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

enclosures

Appl. # 1327-3

North

1320'

1320'

NW 1/4 NE 1/4

37 Ac.

NE 1/4 NE 1/4

37 Ac.



SW 1/4 NE 1/4

28 Ac.

SE 1/4 NE 1/4

28 Ac.



Sec. 14, T36N R38W.

Scale 1" = 660'
8" = 1 mile

Map by H. Mearns - 11-28-79

Frank. Buckles, Co.

Bennett Co.

Permit # 1327-2.

~~Map # 1327-3~~

T 36N

129.6

Scale 1" = 1000 ft.

34-38

330

R38W

36-38

156.0

250.6

312.4

275

R54.8

S 46° 30' W

Well

Well No 3
SE 1/4, Sec 11, 36-38

Owner:
Frank Buckles
MARTIN, S.DAK.
Plot location
established by
GARY NIES
Bennett Co.
Extension Agent.

62.0

CP
Well Location

36-38

1327.2

36-38

shot points - 140 ft
into cover
with 10 lb
sub. set
130 lbs

MAP NO 1045-2
APPL NO 1235-2
1327-2



1327-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 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. 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.

1327-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 2013

Roger and Debrah Sieck
29581 218th 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



1327-2

**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 738th 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

1327-2

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>1327-2</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)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief EngineerEm

PAID

NOV 28 2022

NOTICE OF TRANSFER OF OWNERSHIP

Ck#

2108

Rec't#

1327-2

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

RECEIVED

No.

NOV 28 2022

Date:

11-18-22

OFFICE OF
WATER

I/We request that Water Right No. 1327-2

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:

130 acres - NE 1/4 Section 14, T36N, R38W

I/We understand that the validity of Water Right No. 1327-2 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

November 29, 2022

Chad Robison
10316 738th 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

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. **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 738th 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. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: SKYVFK**

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 738th 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. **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 738th 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