

1. Considered 3.17, 19 76 1342-2
2. Name of Applicant LEONARD J. NOVAK
3. Post Office Address MARTIN
4. Amount of water claimed 2.22
5. Source of water supply GROUND WATER (440' WELL)
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in BENNETT county
about 4S, 15W miles _____ of MARTIN
8. Proof of Publication Received 3-15-76
Not Received _____
9. Application Approved _____
Subject to _____
_____d _____
_____rred _____

1342-3 Leonard J. Novak
5-1-79 Well depth 457' Static flow 4 gpm
Pumping 900 gpm capacity tested to 1300 gpm
Motor - H.E. 10000
Model 5K6257X01 100A
Ser # B 110 902428
Pump Western Electric
Ser # 1217563
Head # 8 M-6 120 ft

500 ft of 8" dia 800 psi pump
to C.P.

C.P. Installation Model 100
Ser # 101025

11-29-79 Station to Washby place and get the pump
and well done from there.

No. 1342-2Map No. 1134-2 Water Division No. 2 LITTLE WHITE RIVER
(Forms to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of Applicant Leonard J. Novak Star Rt Box 218
Postoffice address Box 171, Martin, State South Dakota
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 Novak Well No. 2
4. Amount of water claimed (cubic feet per second) 1,000 gal/min
5. Source of water supply Well
6. Location of point of diversion 1,320 feet North and 1,320 feet West of SE corner section 36 T 37N 40W
- County Bennett
7. Annual period or periods during which water is to be used March thru November
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 160A

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.
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec 36-37-40	40A		
SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec 36	40A		
NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec 36	40A		
NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec 36	40A		

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.B. Works proposed to transport water to place of use. 8" aluminum pipe.C. Works proposed to apply water to beneficial use. Automatic circular sprinkler.Estimated Total Cost \$ 50,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Bennett) ss.I, Leonard J. Novak 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 Leonard J. NovakSubscribed and sworn to before me this 22 day of Jan. 1926Donald E. Oliver
Notary Public (or other qualified officer)Ben. C. Ankita

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1342-2

LEONARD J. NOVAK
(Applicant)

Box 124, MARTIN
218, (Post Office Address)
Star. ex.

SOUTH DAKOTA 57551 With the following modifications:
(State)

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

Date of first receipt of application JANUARY 26, 19 76
Date of return to applicant for correction, amendments or charges required ---, 19 ---
Date of receipt of corrected application ---, 19 ---
Approved MARCH 17, 19 76, Recorded in Book 14 Page 290

WATER RIGHT PERMIT NO. 1342-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1342-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JANUARY 26, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 17, 19 78
3. The whole of said work is to be completed on or before MARCH 17, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 17, 19 83
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 2.22 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 17, 19 83; said water to be used during the following described annual period: MARCH THRU NOVEMBER

Witness my hand this 19TH day of MARCH, 19 76

WATER RIGHTS COMMISSION

By:

John M. Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 2, 19 80

Water License Issued MAY 2, 19 80

CONSERVATION
COMMISSION
WI #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED WELL IRRIGATION ONLY)

FOR COMMISSION USE ONLY

IRRIGATION SYSTEM _____

WATER QUALITY _____

SOILS CAPABILITY _____

APPROVED _____

DISAPPROVED _____

NAME Leonard J. Novak

ADDRESS Box 171 Martin, South Dakota

COUNTY Bennett

LEGAL DESCRIPTION

1. WELL LOCATION Center SE $\frac{1}{4}$ Section 36 T37N R 40 W

2. AREA TO BE IRRIGATED SE $\frac{1}{4}$ Section 36 T37N R 40 W

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (INDICATE TYPE) Center Pivot

4. CROPS TO BE IRRIGATED Corn, Alfalfa, Grass

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE 3%

up to 6% (L.C. 7)

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION Sandy loam soil

F.M. Soil clayey These are irrigatable soils.

Oglaala - Reardan and
Keith - Reardan

WATER QUALITY

(TO BE COMPLETED BY COMMISSION)

7. SAMPLE NUMBER 76-061

8. SALINITY EC = 526 μ S/cm (medium)

9. SODIUM SAR = 1.62 (low)

I DO HEREBY CERTIFY THAT A CHEMICAL ANALYSIS OF THE GROUND WATER TO BE
ACQUIRED FOR IRRIGATION FROM SOUTH DAKOTA STATE UNIVERSITY AND:
THE LAND CAPABILITY FOR IRRIGATION INFORMATION HAS BEEN ACQUIRED FROM

AND:

THAT THE LEGAL DESCRIPTION FOR THE LOCATION OF THE WELL AND LAND TO BE
IRRIGATED IS TRUE AND CORRECT.

Leonard J. Norch

SUBSCRIBED AND SWORN BEFORE ME THIS

22 DAY OF Jan. 1976.
Donald E. Oliver

Samuel W. G. Ruben

(TITLE)



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

Submitted by: Leonard Novak
 Address: Martin, SD 57551

Date Rec'd: February 2, 1976
 Sample No. 76-061
 Identification Well-400'
Sec. 36, T. 37N, R. 40W

WATER ANALYSIS

Calcium (Ca)	59	ppm*	2.95	me/l**
Magnesium (Mg)	10	ppm	0.82	me/l
Sodium (Na)	51	ppm	2.22	me/l
Potassium (K)	18	ppm	0.46	me/l
Sulfate (SO ₄)	59	ppm	1.23	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.13	me/l
Bicarbonate (HCO ₃)	254	ppm	4.16	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)	208	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	526	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.62			
Sodium	36.4	% of cations		
Residual sodium carbonate	0.39	me/l		
pH	7.23			

*ppm=parts per million
 **me/l=millequivalents per liter

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

COMMENTS: Total cations 6.44 me/l
 Total anions 5.12 me/l

By: Shirley Witten

Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-061

Amount Enclosed \$

Signed

February 9, 1976



Mr. Leonard J. Novak
Box 171
Martin, SD 57551

Dear Mr. Novak:

We have received your WI-1 form and the water sample which you sent here February 2 has been analyzed. The original copy of the report of this analysis is enclosed for you to keep. I am also enclosing a copy of extension circular 654. On the outside back cover of this, I have plotted the approximate quality of this water for irrigation purposes by means of a red cross.

There is no chemical property of this water which will cause any difficulty in irrigating soils which normally are found in your vicinity. The Oglala-Rosebud and Reith soils should all respond quite well to irrigation if you are cautious not to over-irrigate or raise the water table, which could bring salt up to the surface in places.

A copy of this letter, and the water analysis, and the WI-1 form are being sent to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckh

Enclosures

cc: State Conservation Commission

D. Pahl

Gary Nies, County Extension Agent

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

D Well Information or Estimates

(1) Drill Hole, Diameter 30", Depth 440 feet

(2) Casing, Type Steel, Diameter 18", Thickness 380 feet
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type Steel, Diameter 18", Length 380 feet

(4) Gravel Pack, Thickness 12", Length of gravel pack 420 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 sandstone to black pepper
sand

Depth to top of water bearing material 20 feet

Depth to bottom of water bearing material 440 feet

Thickness of water bearing material 420 feet

Depth to water (ground surface to water level) 10 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.

Leonard J. Novak
Signature of Applicant

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7452

PIERRE, April 14 1980

RECEIVED OF Leonard J. Novak, Box 171, 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 Construction No. 1342-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1342-2		
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

Permit No. 1342-2-Water 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 / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Leonard J. Novak of Box 171, Martin, South Dakota 57551 holder of Permit No. 1342-2, bearing date of priority of January 26, 1976 authorizing the diversion of 2.22 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. 5K6257XM500 A, Ser # BAJ202406
100 HP. 1765-RPM
 Pump: Western Land Roller, Ser # E 77503,
Head # 8M-6-126-H Pumping 900

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

500 ft. 8" PVC. Underground Pipe.

C. Works used to apply water to beneficial use.

Zimmerman Center Pivot. Model 307, Ser # L 07625

The system is in the following condition: Good

The point of diversion is located 900 ft N 11070 ft W of the SE Cor of
Sec. 36, T37N R40W.

The works are capable of diverting and conveying to the place of use 2.0cu. 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 36 T37N R40W

NW 1/4 SE 1/4 - 36 AC. NE 1/4 SE 1/4 - 36 AC., S1/4 SE 1/4 36 AC.
SE 1/4 SE 1/4 - 36 AC.

comprising a total of 144 acres of land.

Well data:-

Depth 1151 ftStatic Flows in springPumping 900 gpmCapacity. Tested - 1300 gpm

4.0 gpm @ 450 ft = 2.0 cfs
License for 2.0 cfs

Date

May 1, 1977

Leroy McManis
 (Signature)

Form 6 - Notice of Intent to Appropriate Water

No. 1342-2

Publish first publication, on or before March 4, 1976.

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 24, 1976

Notice is hereby given that Leonard J. Novak
whose post office address is Martin, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
2.22 cubic feet of water per second of time from the ground water through the
Novak Well #2, the point of diversion of which is to be located in the _____

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ Center of the SE $\frac{1}{4}$

of Section 30, Twp. 37N, Range 40W. Said water to be used for the purpose
of providing irrigation or ^{portions of} the following described land:
SE $\frac{1}{4}$, Section 36, T37N, R40W

This application No. 1342-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 17th day of March, 1976, at 1:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

Leonard J. Novak, Box 171, Martin, S.D. 57551

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

No. 1342-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bennett) ss.

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

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

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

March 4, 1976
March 11, 1976

Mary E. Long
(Signature)
Owner
(Title)
March 12, 1976
(Date Signed)

NOTICE INTENT TO APPROPRIATE WATER
No. 1342-2

Pierre, South Dakota 57501
February 24, 1976
Notice is hereby given that
Leonard J. Novak whose post
office address is Martin, South
Dakota, has made an applica-
tion in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
2.22 cubic feet of water per
second of time from ground
water through the Novak Well
No. 2, the point of diversion of
which is to be located in the
Center of the SE 1/4 of Section 26,
Twp. 37N, Range 40W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land:

SE 1/4, Section 30, 23N, R40W.
This application No. 1342-2
will be considered by the Water
Rights Commission at their
office at Pierre upon the 17th
day of March, 1976, at 1:00 p.m.
All interested persons may
appear and be heard.
WATER RESOURCES
COMMISSION
By: Burton F. Jones,
Water Rights Specialist



Permit No. 1342-2

Water Diversion No. 2 Little White River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Leonard J Novak

_____ the holder _____ of
Permit No. 1342-2, issued upon Application No. 1342-2, bearing date of priority of
January 26, 1976 authorizing the diversion of 2.22 cu. ft. per second of the waters of
groundwater (one well) County of Bennett, State of South Dakota at
a point 900 feet N and 1070 feet W of the SE corner of Section 36, T37N, R40W

_____ for Irrigation

_____ purposes, has ⁵ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.0 cu. ft. per second of water

Date May 2, 1980


JOHN HATCH, Chief Engineer
Water Rights, WMD

WATER LICENSE NO. 1342-2

(1) WHEREAS, On the 26th day of January, A. D. 19 76
Leonard J Novak

made Water Right Application No. 1342-2 for a permit to use 2.22 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 17th day of March, A. D. 19 76

Permit No. 1342-2, with a date of priority of January 26, 1976

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 17th day of March, A. D. 19 81 and for the application to beneficial use of said water on or before the 17th day of March, 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 2.0 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 in Section 36, T37N, R40W

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 36 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 36 "

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 36 "

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 36 "

TOTAL 144 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 Leonard J. Novak

_____ of Martin, SD
the holder _____ and owner _____ of said permit No. 1342-2 a water right, dating from January 26, 1976
_____ to use of 2.0 cubic feet per second of the waters
of groundwater (one well)

in the County of Bennett and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 900 feet N and 1070 feet W of the SE corner
of Section 36, T37N, R40W

and conduct to and upon portions of lands in Section 36, T37N, R40W, more fully described
on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1342-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of May A. D.
Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch
Chief Engineer

JOHN HATCH

 **Department of
Water & Natural Resources**

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

March 31, 1986

Notice

Leonard Novak
HWC Rt 1, Box 51
Martin, SD 57551

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 1342-2. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

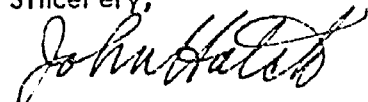
The hearings will be held at 2:00 p.m., May 14, 1986 in Room 216, Joe Foss Building, Pierre, South Dakota.

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. Amend Permit No(s). 1342-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

Sincerely,



John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

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

 **Department of
Water & Natural Resources**

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(S)

To: Leonard Novak
HWC Rt 1 Box 51
Martin SD 57551

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352



SUBJECT: Amendment to Water Permit No(s). 1342-2

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 1342-2 to add the following qualification:

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

The addition of this qualification to your Permit 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.

Equal Opportunity Employer

 **Department of
Water & Natural Resources**

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

Attachment to Water Permit No. 1342-2

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 1342-2 to add the following qualification:

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

Equal Opportunity Employer

 **Department of
Water & Natural Resources**

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

February 8, 1989

LEONARD J NOVAK
HWC RT #1 BX 51
MARTIN, SD 57551

NOTICE

RE: Violation of Water Permit No(s). 1342-2

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1342-2. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1342-2 qualification:

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

The hearing will be held at 9 45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

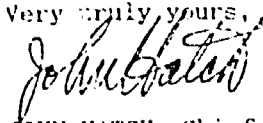
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 1342-2 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,


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



 **Department of
Water & Natural Resources**

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

#1342-3

February 21, 1989

Leonard Novak
Box 177
Batesland, SD 57551

Dear Mr. Novak:

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;



February 21, 1989
Novak
page 2

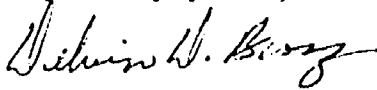
Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified.

If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


for JOHN HATCH, Chief Engineer
Water Rights Division

 **Department of
Water & Natural Resources**

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

February 23, 1989

1342-2

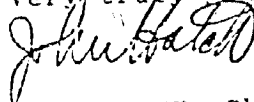
Leonard Novak
Box 177
Batesland, SD 57551

Dear Mr. Novak:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 1342-2. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division





Department of Water & Natural Resources

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

February 9, 1990

LEONARD J NOVAK
BOX 177
BATESLAND, SD 57551

NOTICE

RE: Violation of Water Permit No(s). 1342-2

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1342-2. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1342-2 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, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

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

1. Suspend Permit No(s). 1342-2 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

 **Department of
Water & Natural Resources**

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

February 28, 1990

1342-2

Leonard J Novak
Box 139
Batesland SD 57551

Dear Mr. Novak:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 1342-2. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,


RON DUVAL
Natural Resources Engineer
Water Rights Division

1342-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

LEONARD J NOVAK
BOX 139
BATESLAND SD 57551

NOTICE

RE: Violation of Water Permit No 1342-2.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 1342-2. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No 1342-2 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. 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 1342-2 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 is received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- 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):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

1342-2

LEONARD J NOVAK
BOX 139
BATESLAND, SD 57551

4a. Article Number

075156642

4b. Service Type

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

7. Date of Delivery

2-28-95 KA

5. Signature (Addressee)

6. Signature (Agent)

Andrew Novak

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

PS Form 3811, December 1991

U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 1995

NOTICE

TO: LEONARD NOVAK
BOX 139
BATESLAND, SD 57716

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

RE: Failure to Report Chemical Use under Water Permit No(s) 1342-2

The first notice to file chemigation report(s) for Permit No(s) 1342-2 was dated November 3, 1994. Our records indicate that we have not received the 1994 chemigation report for Permits No(s) 1342-2. The Water Management Board has directed that owners of water permits who have not submitted the 1994 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 8, 1995, in the Crown Room, 3RD Floor, Kings Inn Best Western Convention Center, 220 South Pierre Street, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1342-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to March 3, 1995, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to March 3, 1995, you will no longer be in violation and your name will be deleted from the Board agenda.

1342-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 1995

1342-2

Leonard Novak
% Jerald Novak
HC 1 Box 51
Martin, SD 57551

Dear Mr. Novak:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire and chemigation form. These forms were completed for you following our March 1st telephone conversation. The questionnaire will indicate that you irrigated 120 acres in May, 1994 and the chemigation form states that you did not apply chemicals during 1994.

You may disregard the February 7, 1995, Notice of Violation of Water Permit and the Notice of Failure to Report Chemical Use.

The questionnaire and chemigation form were 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 Division
(605) 773-3352



1342-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

NOTICE

TO: LEONARD NOVAK
BOX 139
BATESLAND, SD 57551

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

RE: Failure to Report Chemical Use under Water Permit No(s) 1342-2

The first notice to file chemigation report(s) for Permit No(s) 1342-2 was dated October 18, 1993. Our records indicate that we have not received the 1993 chemigation report for Permits No(s) 1342-2. The Water Management Board has directed that owners of water permits who have not submitted the 1993 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 8:45 A.M. on April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 1342-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to April 1, 1994, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to April 1, 1994, you will no longer be in violation and your name will be deleted from the Board agenda.



1342-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

LEONARD J NOVAK
BOX 139
BATESLAND SD 57551

NOTICE

RE: Violation of Water Permit No(s) 1342-2

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 1342-2. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1342-2 qualification:

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

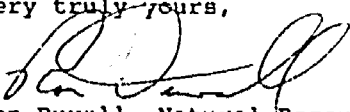
The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit 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) 1342-2 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 April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,


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

is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete item 3, and 4a & b.
- 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):

1. ☒ Addressee's address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to

LEONARD J NOVAK
BOX 139
BATESLAND SD 57551

13422

4a. Article Number

9837 692 627

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

5. Signature (Addressee)

Leonard J Novak

6. Signature (Agent)

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

Thank you for using Return Receipt Service.



1342-2

DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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

March 3, 1994

~~1342-3~~ 1342-2

Leonard Novak
Box 139
Batesland, SD 57551

Dear Mr. Novak:

I am writing to acknowledge receipt of your 1993 irrigation questionnaire and chemigation report. These were completed for you based upon your February 28th telephone conversation with Barry McLaury. You may disregard the February 16, 1994, **Notice of Violation of Water Permit No. 1342-2 and the Notice of Failure to Report Chemical Use.**

The questionnaire and chemical reporting form were completed and on file 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 Division
(605) 773-3352

1342-2



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: JERALD NOVAK, MGR
HCR 1 BOX 51
MARTIN SD 57551

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

RE: Failure to Report Chemical Use under Water Permit No(s) 1342-2

The first notice to file chemigation report(s) for Permit No(s) 1342-2 was dated 10/20/95. Our records indicate that we have not received the 1995 chemigation report for Permits No(s) 1342-2. The Water Management Board has directed that owners of water permits who have not submitted the 1995 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 A.M. on March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 1342-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the chemigation report(s) is(are) received by this office on/or before March 1, 1996 your name will be deleted from the board agenda.

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

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):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Leonard J. Novak
 Box 139
 Barksland SD 57551

4a. Article Number

2 161 984 071

4b. Service Type

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

7. Date of Delivery

1-31-95

5. Received By: (Print Name)**8. Addressee's Address (Only if requested and fee is paid)****6. Signature (Addressee or Agent)**

Leonard J. Novak



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: JERALD NOVAK, MGR, HCR 1 BOX 51, MARTIN, SD 57551
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 1342-2

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 1342-2. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1342-2 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 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. 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) 1342-2 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 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: LEONARD NOVAK, BOX 139, BATESLAND, SD 57551

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.

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.

3. Article Addressed to:

JERALD NOVAK, MGR
HCR 1 BOX 51
MARTIN SD 57551

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *J. Novak*

PS Form 3811, December 1984

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

2161-984 070

4b. Service Type

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

7. Date of Delivery

2-12-96

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

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: GERALD NOVAK, MGR
HCR 1 BOX 51
MARTIN SD 57551

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

RE: Failure to Report Chemical Use under Water Permit No(s) 1342-2

The first notice to file chemigation report(s) for Permit No(s) 1342-2 was dated 10/24/96. Our records indicate that we have not received the 1996 chemigation report for Permits No(s) 1342-2. The Water Management Board has directed that owners of water permits who have not submitted the 1996 chemigation report(s) be given notice of violation and hearing before the board. The hearing held by the board is to determine what action is to be taken concerning violation of Administrative Rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical applied.

The hearing will be held at 2:30 PM on March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to chapter 1-26. According to SDCL 46-1-12, the board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 1342-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the chemigation report(s) is(are) received by this office before February 28, 1997 your name will be deleted from the board agenda.

C: LEONARD NOVAK, BOX 139, RATESLAND, SD 57551

NOTE: Please contact the Water Rights Program (605-773-3352) to assure access to the meeting location is not impaired.

Building, 523 East Capitol, Pierre, SD (605-773-3352) or to obtain an interpreter for the hearing.



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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

ADDRESS CORRECTION REQUESTED

NAME

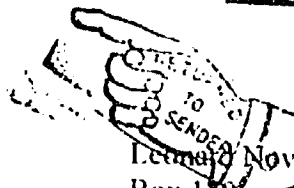
2-6

2-23

CERTIFIED

P 378 080 599

MAIL



~~LEONARD NOVAK
Box 1594
Batesland SD 57551~~

Fold at line over top of envelope to
the front of the return address

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & 5.
- 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):

- 1. ☐ Addressee's Address
 - 2. ☐ Restricted Delivery
- Consult postmaster for fees.

3. Article Addressed to.
Leonard Novak
Box 139
Batesland SD 57551

4. Article Number
P378 080599

- 4b. Service Type
- ☐ Registered ☐ Insured
 - ☒ Certified ☐ COD
 - ☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

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

6. Signature (Agent)

Thank you for using Return Receipt Service.

Fold at line over top of envelope to
the inside of the envelope

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- 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.

3. Article Addressed to:

Leonard Novak
Box 139
Batesland St 57551

5. Signature (Addressee)

6. Signature (Agent)

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

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P378 080599

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

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

PS Form 3811, December 1991 U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: GERALD NOVAK, MGR, HCR 1 BOX 51, MARTIN, SD 57551
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s). 1342-2

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 1342-2. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1342-2 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 1342-2 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 February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

LEONARD NOVAK, BOX 139, BATESLAND, SD 57551

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.

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 piece, 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):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

13422
 GERALD NOVAK, MGR
 HCR 1 BOX 51
 MARTIN SD 57551

4a. Article Number

P 378 080 559

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

2-6-97

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X

Justin Novak

Domestic Return Receipt

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES
WATER RIGHTS PROGRAM
623 E. CAPITOL JOE FOSS BLDG.
PIERRE, SOUTH DAKOTA 57501





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 7, 1997

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHT

TO: GERALD NOVAK, MGR, HCR 1 BOX 51, MARTIN, SD 57551

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

SUBJECT: One Year Suspension of Water Right No. 1342-2

Pursuant to the provisions of the notice dated February 4, 1997, and following the hearing of March 5, 1997, the Water Management Board has ordered:

That Water Right No. 1342-2 be suspended until December 31, 1997, for failure to submit the 1996 irrigation questionnaire and chemical reporting form.

Suspension of a water right or permit means water may not be pumped during the 1997 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension, you will need to submit the 1996 irrigation questionnaire, chemical reporting form and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for April 29, 1997, in Pierre, SD. The letter should include your reasons for not completing the 1996 irrigation questionnaire.

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

c: Leonard Novak, Box 139, Batesland, SD 57551

CERTIFICATION

I hereby certify that on March 7, 1997, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 7, 1997, regarding One Year Suspension of the following Water Rights/Permits, addressed as stated below:

W.R. #884B-1: Dale Johnson, RR 3, Box 23AA, Vale, SD 57788.

W.R. #816-2 & W.P. #973-2: Lien Ranch, Inc., HCR 80, Box 17, Presho, SD 57568.

W.R. #1280-2: Odie Dale Bowen. Box 407, Philip, SD 57567.

W.R. #1342-2: Gerald Novak, Manager, HCR 1, Box 51, Martin, SD 57551.

Copy sent to: Leonard Novak, Box 139, Batesland, SD 57551.

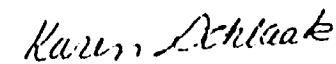
W.R. #3466-3: I. A. Schwan, P.O. Box 97, Hitchcock, SD 57348-0097.

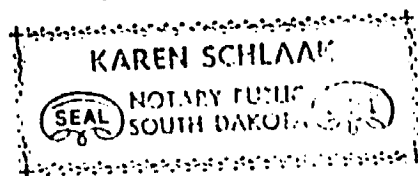


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1997


Notary Public





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 28, 1997

1342-2

Leonard Novak
Box 139
Batesland, SD 57551

Dear Mr. Novak:

On March 17, 1997, you contacted our office and gave the 1996 irrigation questionnaire and chemical reporting information to me over the phone. At that time, I discussed with you the action the Water Management Board had taken on March 5th. Failure to return the 1996 irrigation questionnaire and chemical reporting form resulted in a one year suspension of Water Right No. 1342-2.

Submission of the irrigation questionnaire and chemical reporting forms **does not** mean the suspension of your water right is automatically lifted. In order for you to be able to irrigate during the 1997 irrigation season, the Water Management Board will need to reconsider their action to suspend your water right.

As we discussed during our phone conversation, if you would like Board to reconsider the suspension of your water right, you will need to write a letter to us requesting the matter be scheduled for hearing. The letter should include reason(s) for not submitting the forms in a more timely manner.

The next Water Management Board meeting is April 29, 1997, here in Pierre. I need to hear from you as soon as possible in order to get this matter scheduled. If you have any questions, please contact me.

Sincerely,

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

c: Gerald Novak, Mgr., HCR 1 Box 51, Martin, SD 57551



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 14, 1997

NOTICE

TO: Leonard Novak, HC 55 Box 5A, Batesland, SD 57716
Gerald Novak, Mgr., HCR 1 Box 51, Martin, SD 57551

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

SUBJECT: Notice of Hearing to Consider Request to Rescind Suspension of Water Right No. 1342-2

On April 14, 1997, a letter was received from you outlining the reasons for the delay in returning your 1996 irrigation questionnaire and chemical reporting form. You indicated you would like the Water Management Board to consider rescinding the suspension. The hearing before the Board to reconsider suspension of Water Right No. 1342-2 has been scheduled for 10:00 am, April 29, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD.

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

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of the water right, defer action or take no action. The hearing is an adversary proceeding and any party 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 at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

c: Diane Best, Assistant Attorney General

CERTIFICATION

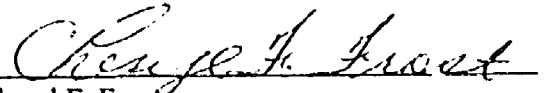
I hereby certify that on April 14, 1997, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated April 14, 1997, regarding Notice of Hearing to Consider Request to Rescind Suspension of Water Right No. 1342-2, addressed as stated below:

Leonard Novak, HC 55, Box 5A, Batesland, SD 57716.

Gerald Novak, Manager, HCR 1, Box 51, Martin, SD 57551.

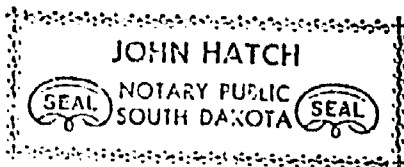
A copy of the above described Notice and copy of letter requesting reconsideration of suspension of Water Right No. 1342-2 was sent inter-office to:

Diane Best, Assistant Attorney General, Capitol Building.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 15th day of April, 1997




Notary Public

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



4-10-97

Batesland, D.D.

P.E. water Right no 1342-2

Environmental Scientist

Water Rights Program

Dear Sirs:

I was unable to get the water Rights questionnaire, I had foot surgery at the time at Hatterbury and then was transferred to the Menapolois VA for some longer work, so I did forget but I also hope that you realize that I had plenty on my mind, so I hope and pray that the board will reinstate the water usage for 1997

Yours Truly

Leonard P. Pouch

Hc 55 Box 5A

Batesland, D.D.

57716

IRRIGATION QUESTIONNAIRE VIOLATION
WATER RIGHT NO. 1342-2, LEONARD J NOVAK
April 14, 1997

BRIEF DESCRIPTION:

Water Right No. 1342-2, Leonard J Novak, Batesland, SD authorizes diversion of 2.00 cubic feet of water per second (cfs) from ground water (457' deep well) to irrigate 144 acres in the SE¼ Section 36, T37N, R40W, Bennett County. Water Right No. 1342-2 was amended May 14, 1986, to include the irrigation questionnaire qualification.

SUBMISSION OF PAST IRRIGATION QUESTIONNAIRES:

DATE MAILED	DATE DUE IN OFFICE	DATE RECEIVED	BOARD ACTION
November, 1986	December 20, 1986	received-no date recorded	none
October, 1987	November 30, 1987	January 13, 1988	none
October, 1988	December 20, 1988	February 16, 1989	none
October, 1989	December 15, 1989	February 27, 1990	none
October, 1990	December 14, 1990	November 14, 1990	none
October, 1991	December 20, 1991	---	none
October, 1992	December 18, 1992	December 4, 1992	none
October, 1993	December 17, 1993	February 28, 1994	none
November, 1994	December 16, 1994	March 1, 1995	none
October, 1995	December 15, 1995	February 1, 1996	none
October, 1996	December 20, 1996	March 17, 1997	SUSPENDED

CURRENT STATUS

On March 5, 1997, the Water Management Board suspended Water Right No. 1342-2 until December 31, 1997, for failure to return the 1996 irrigation questionnaire and chemical reporting form. Failure to return the 1996 irrigation questionnaire and chemical reporting form was the first violation of the water right.

On April 14, 1997, the water right holder submitted a letter explaining the circumstances involving the late submission of the form (copy attached). The letter requested the matter be placed on the agenda for Board consideration.

Note: SDCL 46-1-12 states the board may suspend the permit or license for a period of up to one year for the first violation; up to three years for the second violation; and may cancel the permit for license for a third violation.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

OF LOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

May 1, 1997

NOTICE

TO: Leonard Novak, HC 55 Box 5A, Batesland, SD 57716
Gerald Novak, Mgr., HCR 1 Box 51, Martin, SD 57551

FROM: John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

SUBJECT: Reinstatement of Water Right No. 1342-2

On April 29, 1997 the Water Management Board passed a motion to reinstate Water Right No. 1342-2 effective immediately. This action means that you will be allowed to irrigate during the 1997 irrigation season.

They took into consideration that the irrigation questionnaire was now on file with the Water Rights Program and that this was the first violation of Water Right No. 1342-2. However, the Board did want to make you aware that future violations could result in suspension or possible cancellation of the water right with no opportunity for reinstatement.

Violations of any qualifications on irrigation rights and the subsequent Board action become part of the permanent record. This notice will be placed in Water Right No. 1342-2 and failure to submit future irrigation questionnaires will result in past violations being reviewed by the Water Management Board.

Currently, irrigation questionnaires for Water Right No. 1342-2 are directed to Gerald Novak. If a change needs to be made to our mailing list, please contact Genny McMath with our program at (605) 773-3352.

c: Diane Best, Assistant Attorney General

7572-12

CERTIFICATION

I hereby certify that on May 1, 1997, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated May 1, 1997, regarding Reinstatement of Water Right No. 1342-2, addressed as stated below:

Leonard Novak, HC 55, Box 5A, Batesland, SD 57716.

Gerald Novak, Manager, HCR 1, Box 51, Martin, SD 57551.

A copy of the above described Notice was sent inter-office to:

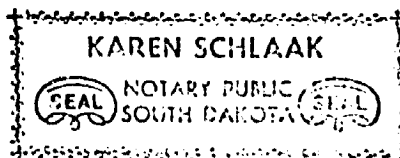
Diane Best, Assistant Attorney General, Capitol Building.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

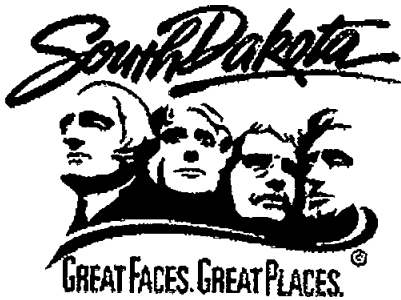
Sworn to, before me, this 1st day of May, 1997


Notary Public



KAREN SCHLAACK, Notary Public
My Commission Expires
April 1, 2001





1342-2
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 15, 2016

NOTICE

TO: GERALD NOVAK, MGR, 29267 203rd AVE, MARTIN, SD 57551
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(s) has not been submitted for Permit No(s) 1342-2. 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(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) 1342-2 qualification:

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

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. 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) 1342-2 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 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>

c: LEONARD NOVAK, BOX 139, BATESLAND, SD 57551

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

RETURN SERVICE REQUESTED



7015 1520 0003 3179 9403

LEONARD NOVAK
BOX 139
BATESLAND SD 57551

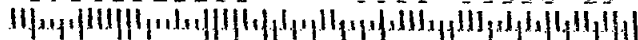
deceased

NIXIE 571 DE 1 0001/22/16

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

5771600199 5002
5750103182

BC: 57501318299 *0935-06936-15-43



02 1R \$03.93⁶
0002007087 JAN 15 2016
MAILED FROM ZIP CODE 57501



USPS Tracking®



Customer Service ›
Have questions? We're here to help.



Get Easy Tracking Updates ›
Sign up for My USPS.

Tracking Number: 70151520000331798888

Product & Tracking Information

Available Actions

Postal Product:

Features:
Certified Mail™

DATE & TIME

STATUS OF ITEM

LOCATION

January 20, 2016 , 11:57
am

Delivered

MARTIN, SD 57551

Your item was delivered at 11:57 am on January 20, 2016 in MARTIN, SD 57551.

January 18, 2016 , 7:20 pm

Departed USPS Facility

HURON, SD 57399

January 15, 2016 , 9:41 pm

Arrived at USPS Facility

HURON, SD 57399

Track Another Package

Tracking (or receipt) number

HELPFUL LINKS

Contact Us
Site Index
FAQs

ON ABOUT.USPS.COM

About USPS Home
Newsroom
USPS Service Updates
Forms & Publications
Government Services
Careers

Copyright © 2016 USPS. All Rights Reserved.

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postmark

1-20-16
Postmark
Here

GERALD NOVAK, MGR
29267 203rd AVE
MARTIN SD 57551

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Search or Enter a Tracking Number



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 3, 2016

NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION OF WATER RIGHT

TO: Gerald Novak, Mgr., 29267 203rd Ave, Martin SD 57551

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program *Jeanne Goodman*

SUBJECT: One Year Suspension of Water Right No. 1342-2

On March 3, 2016, the Water Management Board ordered:

Effective April 4, 2016, Water Right No. 1342-2 be suspended for the 2016 irrigation season for failure to submit the 2015 irrigation questionnaire.

If the 2015 irrigation questionnaire is received prior to April 4, 2016, the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2016 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2016 unless the 2015 irrigation questionnaire is submitted by April 4th.

After April 4th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2015 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 4-5, 2016, in Pierre, SD. The letter should include your reasons for not completing your 2015 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.



USPS Tracking®



Customer Service ›
Have questions? We're here to help.



Get Easy Tracking Updates ›
Sign up for My USPS.

Tracking Number: 70151520000331799496

Product & Tracking Information

Postal Product:

Features:
Certified Mail™

Available Actions

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
March 14, 2016 , 9:34 am	Delivered	MARTIN, SD 57551

Your item was delivered at 9:34 am on March 14, 2016 in MARTIN, SD 57551.

March 5, 2016 , 8:30 am	Notice Left	MARTIN, SD 57551
March 4, 2016 , 9:07 pm	Departed USPS Origin Facility	HURON, SD 57399
March 3, 2016 , 10:19 pm	Arrived at USPS Origin Facility	HURON, SD 57399
March 3, 2016 , 2:00 pm	Acceptance	PIERRE, SD 57501

Track Another Package

Tracking (or receipt) number

HELPFUL LINKS

Contact Us
Site Index
FAQs

ON ABOUT.USPS.COM

About USPS Home
Newsroom
USPS Service Updates
Forms & Publications
Government Services
Careers

Copyright © 2016 USPS. All Rights Reserved.

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	
Total Postage	\$
Sent To GERALD NOVAK 29267 203RD AVE MARTIN SD 57551	
Street and City, State, ZIP+4	
Postmark Here	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



1342-2
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: GERALD NOVAK, MGR, 29267 203rd AVE, MARTIN, SD 57551
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(s) has not been submitted for Permit No(s) 1342-2. 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(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) 1342-2 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, 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. 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) 1342-2 in accordance with applicable provisions of SDCL 46-1-12; **Due to a past violation, the Water Rights Staff will recommend the water right be suspended for a period of up to three years.**
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.

ALERT: PAYMENT TRANSACTIONS ON SOME APPLICATIONS WILL BE TEMPORARILY...

USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)**Track Another Package +****Tracking Number:** 70173380000059186154

Remove X

Your item was delivered at 9:38 am on February 4, 2019 in MARTIN, SD 57551.

✓ DeliveredFebruary 4, 2019 at 9:38 am
Delivered
MARTIN, SD 57551

Get Updates ✓

Text & Email Updates

Tracking History

Product Information

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	2-4-19
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
GERALD NOVAK, MGR 29267 203rd AVE MARTIN SD 57551	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.



1342-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

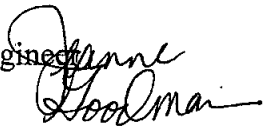
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 7, 2019

NOTICE OF ENTRY OF ORDER OF THREE YEAR SUSPENSION OF WATER RIGHT

TO: Gerald Novak, 29267 203rd Ave, Martin SD 57551

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: Three Year Suspension of Water Right No. 1342-2

On March 6, 2019, the Water Management Board ordered:

That effective April 6, 2019, Water Right No. 1342-2 is suspended for the 2019, 2020 and 2021 irrigation seasons for failure to submit your 2018 irrigation questionnaire.

If the 2018 irrigation questionnaire is received prior to April 6, 2019, the suspension will not take effect.

Suspension means water may not be pumped during the 2019, 2020 and 2021 irrigation seasons. Consistent with the Board's order, you are not permitted to irrigate for three years unless the irrigation questionnaire is submitted by April 6th.

After April 6th, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2018 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 8-9, 2019 in Pierre, SD. The letter should include your reasons for not completing the 2018 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

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

USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstrack>)

Track Another Package +

Tracking Number: 70180040000038017519

Remove X

Your item was delivered at 2:37 pm on March 26, 2019 in MARTIN, SD 57551.

✓ Delivered

March 26, 2019 at 2:37 pm
Delivered
MARTIN, SD 57551

Get Updates ✓

Text & Email Updates

Tracking History

Product Information

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	Feedback ✓ ✓ ✓ ✓
☐ Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Set	GERALD NOVAK, MGR
Stre	29267 203rd AVE
Cit	MARTIN SD 57551
PS Form 3800, April 2015 PSN 7530-02-000-6047 See Reverse for Instructions	

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 7, 2021

1342-2

Christian Novak
Novak Cattle Co LLC
PO Box 304
Martin SD 57551-0304

Dear Mr. Novak:

I am writing regarding Water Right No. 1342-2. The water right, listed under Leonard Novak, authorizes irrigation of 144 acres in the SE ¼ Section 36, T37N, R40W (copy enclosed).

Since the late 90's, at the request of Leonard, we have corresponded with Gerald Novak concerning the annual irrigation questionnaires. These forms are due on an annual basis. In 2019, the water right was suspended for a period of three years due to non-return of the 2018 irrigation questionnaire (see enclosed copy of the notice directed to Gerald Novak).

It appears from the file we did not send a transfer of ownership form to Gerald after Leonard passed away in 2016. If you or the LLC now own the land, the water right should be transferred to reflect current ownership if there is any intent to irrigate the acreage.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

If the land will no longer be irrigated, there will be no need for the ownership change. Please contact our office with any questions or concerns and to let us know the intent towards the water right.

Sincerely,

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

enclosures

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Gerald Novak, Martin SD

DATE: July 28, 2021

RE: site visit for Water Right No. 1342-2

COMMENTS:

The water right, listed under Leonard Novak, covers irrigation of 144 acres in the SE ¼ Section 36, T37N, R40W in Bennett County. The Water Management Board suspended the water right for a period of three years in March, 2019 for failure to submit the 2018 irrigation questionnaire.

On July 26, 2021, a drive by site visit of the area was conducted by Travis Newling to ensure no irrigation was taking place. He noted a pivot in the field but no irrigation taking place. His comments were:

- ***On July 26, 2021 we did an onsite visit for irrigation permit No. 1342-2 in Bennett County, Southeast of Martin SD. There was an irrigation pivot in the field but looked like there was no irrigation going on. Field is in alfalfa and was short in height and was not a lush green. It looked like it was starting to dry up from the heat.***



Genny McMath
Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 14, 2021

1342-2

Christian Novak
Novak Cattle Co LLC
PO Box 304
Martin SD 57551-0304

Dear Mr. Novak:

In April 2021, I wrote to you concerning ownership of land described in Water Right No. 1342-2. The water right, listed under Leonard Novak, authorizes irrigation of 144 acres in the SE ¼ Section 36, T37N, R40W. We have not heard back from you as to whether you or the LLC now own the land or even if there is an intent to maintain the water right.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

If the land will no longer be irrigated, there will be no need for the ownership change. Please contact our office with any questions or concerns and to let us know the intent towards the water right.

Sincerely,

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

enclosure



1342-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 28, 2023

John & Maureen Novak
5515 Derringer Dr
Gillette WY 82718

Dear Mr. & Ms. Novak:

I am writing you regarding Water Right No. 1342-2, currently listed under Leonard Novak, authorizing one well for irrigation of 144 acres within the SE ¼ of Section 36, T37N, R40W, Bennett County. (I've enclosed a map for reference.) We had sent correspondence to Christian Novak in 2021 with questions concerning the ownership and irrigation status. To date we have not received a response. However, research into current land ownership in Bennett County has provided your information.

If there is no irrigation taking place (as current aerial imaging suggests), we would move forward with the cancellation of the water right. If the well is valved for domestic/livestock use it would be allowed to remain operational even after the cancellation of the water right.

If some level of irrigation is being maintained, ownership of the water right will need to be transferred. It is very important that current ownership records be maintained. I have enclosed a partially completed Transfer Form. A \$50.00 transfer fee is required. Checks can be made payable to the SD Water Rights Program.

Either way, it is important that we discuss the status of the property and how to proceed.

I look forward to hearing from you.

Sincerely,

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

Enclosure



1342-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 28, 2023

Novak Cattle Co LLC
c/o Christian Novak
PO Box 304
Martin SD 57551

Dear Mr. Novak:

I am writing you regarding Water Right No. 1342-2, currently listed under Leonard Novak, authorizing the one well for irrigation of 144 acres within the SE ¼ of Section 36, T37N, R40W, Bennett County. We had sent you correspondence in 2021 with questions concerning the ownership and irrigation status. To date we have not received a response.

If there is no irrigation taking place (as current aerial imaging suggests), we would move forward with the cancellation of the water right. If the well is valved for domestic/livestock use it would be allowed to remain operational even after the cancellation of the water right.

If some level of irrigation is being maintained, ownership of the water right will need to be transferred. It is very important that current ownership records be maintained. I have enclosed a partially completed Transfer Form. A \$50.00 transfer fee is required. Checks can be made payable to the SD Water Rights Program.

Either way, it is important that we discuss the status of the property and how to proceed.

I look forward to hearing from you.

Sincerely,

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

enclosure

1342-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 9, 2023

Nathan Novak
PO Box 178
Martin SD 57551

Dear Mr. Novak:

Thank you for taking time to speak with me regarding the ownership of Water Right No. 1342-2. This water right authorizes the diversion of 2.0 cubic feet of water per second, from one well, for the irrigation of 144.0 acres within the SE $\frac{1}{4}$ of Section 36, T37N, R40W.

I have enclosed a partially completed "Transfer of Ownership" form for you to fill out and return. A fee of \$50.00 is required. Checks can be made payable to the SD Water Rights Program.

Sincerely,

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



1342-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 19, 2023

1342-2

Nathan J Novak
PO Box 178
Martin SD 57551

Dear Mr. Novak:

I have received your "Notice of Transfer of Ownership" form and the required fees. Enclosed is a receipt of payment for your records.

Water Right No. 1342-2 previously owned by Leonard Novak is now listed under Nathan J Novak. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Water Right, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Right will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

PAID

SEP 18 2023

Ck# 1221

Rec't# 9/18/23

No. 1342-2

Date: 9-14-2023

I/We request that Water Right No.

1342-2

formerly owned by: Leonard Novak

be transferred to: (name & address)

Nathan James Novak

PO Box 176

Martin S.D 57551

Telephone No. 605-441-0076

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

144 acres - SE ¼ - Sec 36 - T37N - R40W

I/We understand that the validity of Water Right No. 1342-2 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 Nathan Novak, the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for non-construction 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

SEP 19 2023

**OFFICE OF
WATER**

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date September 18, 2023

RECEIVED OF Malesa/Nathan Novak PO Box 178 Martin SD 57551

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 1342-2 _____	\$ <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 Engineer
zmu



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 21, 2025

1342-2

Nathan Novak
28906 205th Ave
Martin SD 57551

Dear Mr. Novak:

Enclosed is a "Notice" dated October 8, 2025, concerning the 2025 Irrigation Questionnaire.

The notice was originally mailed to you at PO Box 178, Martin SD 57551. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaire or submit your report online at <https://danr.sd.gov/iq/> using this password **COENQV**.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

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

enclosures

581 NFE 114162510010/14/25
RETURN TO SENDER
NOVAK
28906 205TH AVE
MARTIN SD 57551-5837

RETURN TO SENDER
114162510010/14/25