

1382-2

1. Considered MAY 20, 1976
2. Name of Applicant EUGENE KNECHT
3. Post Office Address TUTHILL
4. Amount of water claimed 2.66
5. Source of water supply GROUND WATER (460' WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 288
7. Water to be diverted and used in BENNETT county
about 25.9W miles of MARTIN
8. Proof of Publication Received 5-17-68
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1382-2EUGENE KNECHT
(Applicant)

Charles Divan

TUTTILL

Martin

(Post Office Address)

SOUTH DAKOTA 57551
(State)

With the following modifications:

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

Date of first receipt of application MARCH 25 19 76
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application APRIL 27 19 76
 Approved MAY 20 19 76, Recorded in Book 15 Page 73

WATER RIGHT PERMIT NO. 1382-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1382-2 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 MARCH 25 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20 19 81
3. The whole of said work is to be completed on or before MAY 20 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20 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 2.66 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is

actually and beneficially applied for irrigation on or before MAY 20 19 83; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 24TH day of MAY 19 76

WATER RIGHTS COMMISSION

By:

John R. Ketch
 Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —



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

FOR COMMISSION USE ONLY
IRRIGATION SYSTEM _____
WATER QUALITY _____
SOILS CAPABILITY _____
APPROVED [Signature]
DISAPPROVED _____

NAME Eugene Knecht E. Knecht Well No. 1

ADDRESS Tuthill, South Dakota

COUNTY Bennett

LEGAL DESCRIPTION

1. WELL LOCATION Between NW $\frac{1}{4}$ and SW $\frac{1}{4}$, Section 26, 37-39
2. AREA TO BE IRRIGATED W $\frac{1}{2}$ Section 26, 37-39

TYPE OF IRRIGATION

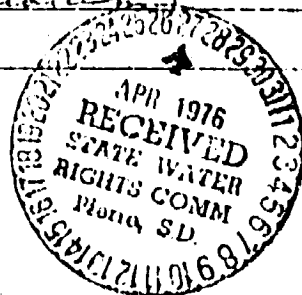
3. GRAVITY _____ SPRINKLER (INDICATE TYPE) Circular
4. CROPS TO BE IRRIGATED Corn, alfalfa and forage

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE 3-4%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION Keith and Keith Ronobud silt loam

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NUMBER 76-304
8. SALINITY EC = 473 μ mhos/cm (medium)
9. SODIUM SAR = 0.31 (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
Gary. C. Nies, Bennett County Extension Agent

AND:

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

Eugene Knecht

SUBSCRIBED AND SWORN BEFORE ME THIS

23rd DAY OF March 19 76.

Anna B Engelburt

Register of Deeds

(TITLE)

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

Submitted by: Eugen Knecht
 Address: Tuthill, SD 57574

Date Rec'd April 5, 1976
 Sample No. 76-304
 Identification #1 Well-300'
SW 1/4, Sec. 26, T 37N, R 39W

WATER ANALYSIS

Calcium (Ca)	66	ppm*	3.30	me/l**
Magnesium (Mg)	12	ppm	0.98	me/l
Sodium (Na)	10	ppm	0.46	me/l
Potassium (K)	11	ppm	0.29	me/l
Sulfate (SO ₄)	24	ppm	0.51	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.25	me/l
Bicarbonate (HCO ₃)	205	ppm	3.36	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)	168	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	423	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.31			
Sodium	9.14	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.58			

*ppm=parts per million

**me/l=millequivalents per liter

***g-p-g=grains per gallon

COMMENTS: Total cations 9.03 me/l
 Total anions 4.22 me/l



By: Shirley Little

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. 76-304

Amount Enclosed \$

Signed

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 30", Depth 460 feet(2) Casing, Type Steel Diameter 18" Thickness 1/2"
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type Steel, Diameter 18", Length 375 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 Coarse to fine sands to sandstoneDepth to top of water bearing material 40 feetDepth to bottom of water bearing material 460 feetThickness of water bearing material 420 feetDepth to water (ground surface to water level) 30 feet

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

On same owner's property 40 rds. On property owned by others 20 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.

Eugene Knecht
Signature of Applicant

Form 6 - Notice of Intent to Appropriate Water

No. 1382-2

Publish first publication, on or before May 6, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 26, 1976

Notice is hereby given that Eugene Knecht
whose post office address is Tuthill, 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
2.68 cubic feet of water per second of time from the ground water through the
E. Knecht Well No. 1, the point of diversion of which is to be located in the

Center of the W1
of Section 26, Twp. 37N, Range 39W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:
W1, Section 26, T37N, R39W

This application No. 1382-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 20th day of May, 1976, at 1:00 P. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/dw
cc:

Eugene Knecht, Tuthill, S.D. 57574

late water

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

No. 1382-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bennett) ss.

I, XXXXXXXXXXXX Shirlene Hahn hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Bennett County Booster IT

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

_____ City of Martin

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

_____ May 6, 1976

_____ May 13, 1976

Shirlene Hahn
(Signature)

Bookkeeper, Booster
(Title)

May 14, 1976
(Date Signed)

NOTICE INTENT TO APPROPRIATE WATER

No. 1382-2

Pierre, South Dakota 57501

April 29, 1976

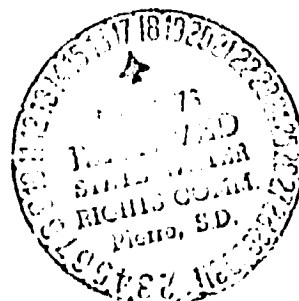
Notice is hereby given that Eugene Knecht whose post office address is Tuthill, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.66 cubic feet of water per second of time from ground water through the E. Knecht Well No. 1, the point of diversion of which is to be located in the Center of the W $\frac{1}{2}$ of Section 25, Twp. 37N, Range 39W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

W $\frac{1}{2}$, Section 26, T37N, R39W. This application No. 1382-2 will be considered by the Water Rights Commission at their office at Pierre upon the 20th day of May, 1976, at 1:00 p.m. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By: Burton F. Jones
Water Rights Specialist

21-46



13822

Eugene Knecht

5-1-79

Well depth

Station

Pym

Pump

Capacity

Pressure

Flow

Temp

Motor GE 125 HP 1770 RPM

Dr. Knecht

Model 5K6268XHA

Dr. Knecht

Ser # JMJ929131

Dr. Knecht

Pump Western Found. Bldg

Dr. Knecht

Ser # 0761069

Head 11-10-11

CP Valley, Model 4071

Ser # 26187

Approx 1050' SW at 45 degree angle from CP
8' underground pipe

only 1/2 mile SW from the very center. Now
buried and is 10' at 1' in 1' and will
not show full SW in CP

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8460

PIERRE, September 11, 1931

RECEIVED OF Charles E. Divan, 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.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of WR# 1382-2	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By *(V. H. H. H. H. H.)*
Chief Engineer, Executive Officer
John Hatch / *(H)*

SEP 1931
COMMISSION OF
WATER RIGHTS
ERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 9/9/81

W $\frac{1}{2}$ Sec. 26, Twp. 37N, R 39W 6th P.M.

formerly owned by Eugene Knecht

has been transferred to Charles E. Divan

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1382-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
) ss.
County of Bennett)

I, Eugene Knecht being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that a Owner, that I have read
the above foregoing statement, and I know of my own personal knowledge that the infor-
mation herein stated is true.

Eugene Frucht
(Signed)

Subscribed and sworn to before me this 9th Day of September, 1981.

Lucille Boyd
(Notary Public)

My commission expires: 3/11/83

Water Rights Division
605 773-3352

February 23, 1982

Charles Divan
RR. Box 48
Martin SD 57551

1382-2

Dear Mr. Divan:

This letter is in regard to our recent phone conversation concerning the 1981 Irrigation Questionnaire. You indicated you had just purchased the land covered under Permit No. 1382-2 last summer and could not properly complete the Questionnaire.

Since you were not actually set up and ready to irrigate during the 1981 season, submission of the Questionnaire will not be necessary.

Sincerely,

Genny Young
Water Rights Specialist

GY:ks

State of South Dakota
Water License No. 1382-2

(1) Eugene Knecht
of Tuthill, South Dakota
made Application No. 1382-2, March 25, 1976 for a water permit to appropriate
2.66 cubic feet per second of water from groundwater - one well
Bennett County, South Dakota for irrigation purposes.
Permit No. 1382-2, with a priority date of March 25, 1976
was approved May 20, 1976 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before May 20, 1981 and for the application to beneficial use of said
water on or before May 20, 1983.

On September 11, 1981, Water Permit No. 1382-2 was transferrr to Charles Divan,
St Rt #1, Box 418, Martin SD, 57551

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 1.11 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 830 feet N 57°16'E of the SW corner,
Section 26, T37N, R39W (CC)

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in Section 26,

T37N, R39W

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 33.25 acres (CA)

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 33.25 acres (CB)

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 33.25 acres (CC)

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 33.25 acres (CD)

TOTAL 133.00 acres

(4) Pursuant to §46-5-30.1 Charles Divan

of St Rt #1, Box 41B, Martin, South Dakota 57551

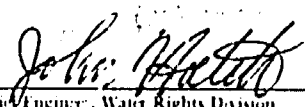
holder(s) and/or owner(s) of Water Permit No. 1382-2 is issued a license to appropriate water, the right to use

1.11 cubic feet per second of water from groundwater - (one well) Arkaree with a priority date

of March 25, 1976 from the location specified in (2) of this license. The water to be

conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1382-2 and subject to South Dakota State Law


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

December 29, 1983

Permit No. 1382-2
 Water Division 2 White River Water District 10140203

REPORT 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 Charles
DIUAN of Martin, S.D. holder
 of Permit No. 1382-2, bearing date of priority of March 25, 1976
 authorizing the diversion of 2.66 cu. ft. per second of the waters of Ground Water (Arikaree)
 for Irrigation purposes, in Bennet 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:

ONE 400 ft. deep well. Arikaree formation
ii stage western Land Roller Pump. Model C 761069
General Electric motor, model 5K 6268XH1A, 125 HP
Well pumps 500 gpm.

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

1000 ft. of 8 in. steel pipe - Buried

C. Works used to apply water to beneficial use.

10 Tower Valley Center pivot. 130 ft. spans.
1360 ft. overall length. 95 psi operating pressure
500 gpm.

The system is in the following condition: Fair

The point of diversion is located 830 ft. N. 57° 16' E. of S.W.
Corner S. 26 T 37 N R. 39 W.

The works are capable of diverting and conveying to the place of use 1.11
 cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: Irrigation of the following land:

SW⁴ S. 26 T 37 N R 39 W: NE⁴ SW⁴ - 33.25 acres
NW⁴ SW⁴ - 33.25 acres
SW⁴ SW⁴ - 33.25 acres
SE⁴ SW⁴ - 33.25 acres

comprising a total of 133 acres of land.

Well information:

Depth - 400 ft.
Casing - 121 ft. 16" steel
Screen - 280 ft. 16" perforated
Static level - Land surface

Date November 2, 1983
Frank Smith
 (Signature)

LICENSE FOR PERMIT NUMBER 1382-2 Charles DIVAN

1. Legal location of wells: 37N 39W 26 CC

dams & structures: _____

2. Well Information: Well Drilling Firm Reizenstein Drilling

No. of wells 1 Depth 400'

Casing a) diameter 16" Screen a) type Perforated-16"
b) length 121 FT. b) length 280'
c) type Steel-.219 in 11 Static Water Level Land Surface (approx.)

Pump a) make Western Land Roller Motor a) make G.E.
b) model C 761C69 b) model no 5K6268XH1H
c) size 10 C c) horsepower rating 125
d) capacity 500 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages 11

3. Distribution lines: _____
a) size of lines 8"
b) type Steel
c) length 1000 FT.

4. Dam Information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) slideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

i) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size: _____

5. System Type: c) center pivot

- 1) make Wally
- 2) number of towers 10
- 3) distance between towers
130'
- 4) overall length 1360
- 5) End gun (Y/N) no
- 6) high or low pressure low
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 95
- 9) GPM 500

g) Gun:

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

- ☒ 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
- ☒ 2. Special Qualifications to permit being abided by.
- ☒ 3. All Structures, wells and lands on map.

REMARKS:

Conversation or File Documentation

NAME OF PERSON OR FILE: Robert Raizenstein - Raizenstein DrillingADDRESS: Gordon Nebraska COUNTY BennetDATE: 19 Jan. 1989 TELEPHONE 308-282-1101RE: Log of Charles Divan well. Permit #

COMMENTS:

Information about Divan Irrigation well:T.D. = 400'Casing = 121 ft. 16" steel. .219 wallScreen = 280 ft. 16" pert. steel "Static Level = ground levelpumped 650 gpm when drilled0'-2' Top Soil2'-8' Sand8'-172' hard sand stone172'-400' Sand stoneMr. Raizenstein will send copy of log to
office. He is no longer in business.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Frank Smith

INVOICE

REIZENSTEIN DRILLING CO.

RT. 1 • BOX 293
TORRINGTON, WYO. 82240

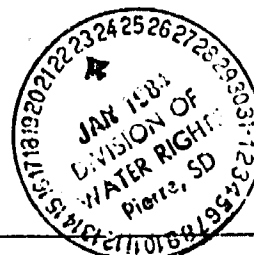
Eugene Knecht
Swett
Martin, S.D. 57551

INVOICE DATE	
August 30, 1976	
OUR ORDER NO.	
YOUR ORDER NO.	
TERMS	F.O.B.
SALESMAN	
SHIPPED VIA	

SHIPPED TO

PAY. OR COLL.

QUANTITY	DESCRIPTION	PRICE	AMOUNT
8-26-28-76	Drilled: 400ft. 28" hole @\$12.00 per ft.		4,800.00
	Cased: 280ft. perf. @\$13.00 per ft. <i>2.17 wall</i>		3,640.00
	121ft. plain @\$12.00 per ft. <i>2.17 WALL</i>		1,452.00
	pumping unit layed aluminum pipe		325.00
30"	surface casing 20ft		400.00
	5-loads of gravel @\$225.00 per load		1,125.00
	Test pump		550.00
	1-more load of gravel		225.00
			\$12,147.00
	Tax		231.51
	Total		\$12,748.51
9-8-76	Scap		9.87
9-8-76	1-load of gravel		225.00
	Tax		7.04
	<i>Paid.</i>		
	Test pump log		
	static water ground level		
	6503PM-----380ft.		
	1hrs. test pumping @\$25.00 per hrs.		25.00
			\$13,015.42



REIZENSTEIN DRILLING CO.

ROUTE 1

TORRINGTON, WYO. 82240

PHONES: (307) 532-4120

(307) 532-5394

Eugene Knecht

Martin, S.B. 57551

Test hole log

No # 1 Static water 120ft.

0-----2	Top soil
2-----75	Clay
75-----130	Hard sandstone

No #2 Static water 26ft.

0-----2	Top soil
2-----57	Clay
57-----200	Hard Sandstone
200-----300	Sandstone with layers rock

No #3 Static water 7ft.

0-----2	Top soil
2-----8	Sand
8-----172	Hard sandstone
172-----260	Sandstone
260-----400	11



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1382-2

November 8, 1983

Charles Divan
Martin,
South Dakota 57551

Dear Mr. Divan:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1382-2 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

KAREN SCHILAAK
Administrative Aide

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

RECEIPT

Division of Water Rights

No 4 9459

South Dakota Department of Water and Natural Resources

Pierre, December 26, 1983

RECEIVED OF Charles or Linda Divan, SR#1, Box 41 B, 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 works 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. 1382-2	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH (ms)

WATER RIGHTS DIVISION
(605) 773-3352

January 17, 1984

Charles Divan
Star Route #1, Box 41 B
Martin, South Dakota 57441

Dear Mr. Divan:

This letter is in regard to the inspection and licensing of your Water Permit No. 1382-2.

I was unable to locate the well driller's construction report for the irrigation well in the SW $\frac{1}{4}$ Section 26, Township 37N, Range 39W. Please submit a copy of the driller's log or any other information about the well construction to this office. If you do not have these records available, I can probably get the information from the driller if you would inform me which company did the work.

Sincerely,

Frank Smith
Water Resources Engineer

FS:ms

WATER RIGHTS DIVISION
(605) 773-3352

January 24, 1984

Charles Divan
Star Route #1, Box 41B
Martin, South Dakota 57551

Dear Mr. Divan:

I have located a copy of the construction report for your irrigation well, which we discussed over the phone last week. I have enclosed a copy of the report for your records.

Sincerely,

Frank Smith
Water Resources Engineer

fS:ms
Enc.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

December 29, 1983

Charles Divan
ST RT #1, Box 41B
Martin SD 57551

Dear Mr. Divan:

Enclosed herewith is, Water License No. 1382-2. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

Enclosures

WRR-817 3/83
Transmittal of Water License

1382-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: CHARLES DIVAN
HCR #1 BOX 41B
MARTIN SD 57551

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

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1382-2. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, 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 questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

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 (in following services (for an extra fee):

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

Consult postmaster for fee.

3. Article Addressed to:

1382-2

4. Article Number

P906 360 047

CHARLES DIVAN
HCR #1 BOX 41E
MARTIN SD 57551

5. Service Type

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

7. Date of Delivery

2-3-93

5. Signature (Addressee)

Charles E. Divan

6. Signature (Agent)

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

PS Form 3811, December 1991 U.S. P.O. 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

1382-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 19, 1993

1382-2

Charles Divan
HCR 1 Box 41B
Martin, SD 57551

Dear Mr. Divan:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Questionnaire.

The questionnaire was received in our office prior to the Water Management Board meeting, your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



1382-2

January 30, 1996

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

NOTICE

TO: CHARLES DIVAN, HCR #1 BOX 41B, MARTIN, SD 57551

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

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 1382-2. 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 hearing to determine if any Board action is to be taken concerning the violation.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Ginny McMath at (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 15, 1996

1382-2

Charles Divan
HCR 1 Box 41B
Martin, SD 57551

Dear Mr. Divan:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 irrigation questionnaire.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

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:

CHARLES DIVAN
HCR #1 BOX 41B
MARTIN SD 57551

4. Article Number

2 348 318 837

4b. Service Type

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

7. Date of Delivery

2 - 9 - 96

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Charles Divan*

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

Domestic Return Receipt

In your RETURN ADDRESS completed on the reverse side.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

CHARLES DIVAN
HCR 1 BOX 41B
MARTIN SD 57551

1382-2

4a. Article Number

P 378 081 335

4b. Service Type

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

7. Date of Delivery

2-6-97

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Charles E. Divan

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



1382-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 4, 1997

NOTICE**TO:** CHARLES DIVAN, HCR 1 BOX 41B, MARTIN, SD 57551**FROM:** Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program**SUBJECT:** Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 1382-2. 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 hearing to determine if any Board action is to be taken concerning the violation.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 1997

1382-2

Charles Divan
HCR 1 Box 41B
Martin, SD 57551

Dear Mr. Divan:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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

Sincerely,

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



1382-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 22, 1999

NOTICE**TO:** CHARLES DIVAN, HCR 1 BOX 41B, MARTIN, SD 57551**FROM:** Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program**SUBJECT:** Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 1382-2. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No(s) 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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

1382-2

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: CHARLES DIVAN HCR 1 BOX 41B MARTIN SD 57551		4a. Article Number 2119 141 658 Service Type Registered ☒ Certified Express Mail ☐ Insured Return Receipt for Merchandise ☐ COD Date of Delivery 1-26-99	
5. Received By: (Print Name) Charles E. Divan		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature: (Addressee or Agent) X Charles E. Divan			

Post on the reverse side

is your return

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 5, 1999

1382-2

Charles Divan
HCR 1 Box 41B
Martin, SD 57551

Dear Mr. Divan:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 1382-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



1382-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: CHARLES DIVAN, HCR 1 BOX 41B, MARTIN, SD 57551

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 1382-2. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 1:30 pm, March 1, 2000, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

1382-2

SENDER, COMPLETE THIS SECTION

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

1. Article Addressed to:

CHARLES DIVAN
HCR 1 BOX 41B
MARTIN SD 57551

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *Charles Divan* B. Date of Delivery *1-25-00*

C. Signature *X Charles E. Divan* ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

Z 227 670 324

PS Form 3811, July 1999

Domestic Return Receipt

102595 99 M-1789



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2000

1382-2

Charles Divan
HC 1 Box 41B
Martin SD 57551

Dear Mr. Divan:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 1382-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

1382-2

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

CHARLES DIVAN
HCR 1 BOX 41B
MARTIN SD 57551

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature

X: *[Signature]* ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 C6CC 0026 9514 3697

PS Form 3811, July 1999

Domestic Return Receipt

102595-00 M-0952



1382-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: CHARLES DIVAN, HCR 1 BOX 41B, MARTIN, SD 57551

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No. 1382-2. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No. 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 2, 2001

1382-2

Charles Divan
HCR 1 Box 41B
Martin, SD 57551

Dear Mr. Divan:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 1382-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



1382-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: CHARLES DIVAN, HCR 1 BOX 41B, MARTIN, SD 57551

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 1382-2. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

1382-2

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

CHARLES DIVAN
HCR 1 BOX 41B
MARTIN SD 57551

COMPLETE THIS SECTION ON DELIVERY

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

Charles E. Divan 1-22-02

C. Signature

X Charles E. Divan ☐ Agent ☐ AddresseeD. Is delivery address different from item 1? ☒ Yes
If YES, enter delivery address ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2

7001 2510 0004 4797 5385



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 2002

1382-2

Charles Divan
HCR 1 Box 41B
Martin SD 57551

Dear Mr. Divan:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 1382-2.

I completed a questionnaire for you based on our February 11th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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

Sincerely,

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

NOT TO SCALE

37-39

1-151 R

1-151-R
37-39

07.6

1474

68.0

94.0

$$1'' = 1000$$

elson 245 Eugene Knacht. 26 5m-350 Rodney Rayhill

157.7
TOTAL
44.5

116.2

77.6

74.8

133

Well

353

5M-~~276~~³⁵³ Robert Pick 37-39

1-151R

183.6
TOTAL
528

49.2

2 George Cottier

5-191 George Catten. 35

3.8

107.0

69.

map 4
1169-2
w/e 1382-2

This map is one of a set compiled in 1965 as part of a soil survey by the United States Department of Agriculture, Soil Conservation Service, the United States Department of the Interior, Bureau of Indian Affairs, and the South Dakota Agricultural Experiment Station. Land division corners are approximately positioned on this map.

BENNETT COUNTY, SOUTH DAKOTA NO. 53



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

(Joins sheet 63) | (64)

MAP N^o ~~1165~~ 2 APPL N^o 1382-2



1382-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: CHARLES DIVAN, 28807 199th AVE, MARTIN, SD 57551

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire has not been submitted for Permit No(s) 1382-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 7, 2012**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2012

1382-2

Charles Divan
28807 199th Ave
Martin SD 57551

Dear Mr. Divan:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 1382-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath".

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

McMath, Genny

From: Directors Office <bcdoe@gwtc.net>
Sent: Thursday, November 07, 2013 8:49 AM
To: McMath, Genny
Subject: RE: land ownership in Bennett County

Genny McMath,
I show Charles Divan as owning that parcel of property, and I have his address as 28801 199th Ave.
You are using 28809, but I don't know if the difference would make his mail undeliverable.
According to our phone book, his phone number is 605-685-6799.
The phone book lists his address the same.
Hope this helps, contact me if you have further questions.

Jeff Siscoe
Bennett County DOE

From: McMath, Genny [<mailto:Genny.McMath@state.sd.us>]
Sent: Thursday, November 07, 2013 8:15 AM
To: 'bcdoe@gwtc.net'
Subject: land ownership in Bennett County

I am currently trying to send correspondence to a water right holder in Bennett County by the name of Charles Divan. The post office keeps returning it to me indicating it is not deliverable as addressed. The land is located in the SW ¼ Section 26, T37N, R39W. Can you tell me if Mr. Divan still owns the land and if so, what mailing address to you have for him?
The address I was using for him is 28809 199th Ave, Martin SD.

Any information you have would be appreciated.
Thank you in advance,

Genny McMath
Water Rights Program
605.773.5455



1382-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: CHARLES DIVAN, 28801 199th AVE, MARTIN, SD 57551

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 1382-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **9:00 am, March 6, 2014**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 2014

1382-2

Charles Divan
28801 199th Ave
Martin SD 57551

Dear Mr. Divan:

I am writing to acknowledge receipt of your 2013 irrigation questionnaire.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 1382-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



1382-2
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 16, 2015

NOTICE

TO: CHARLES DIVAN, 28801 199th AVE, MARTIN, SD 57551

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire

Our records indicate your 2014 Irrigation Questionnaire has not been submitted for Permit No(s) 1382-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 4, 2015**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 27, 2015

1382-2

Charles Divan
28801 199th Ave
Martin SD 57551

Dear Mr. Divan:

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

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 1382-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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

Sincerely,

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

RECEIVED

FEB 04 2016

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1382-2

Date: Jan. 29, 2016

I/We request that Water Right/Permit No. 1382-2

formerly owned by: Charles Divan

be transferred to: (name & address) Scott E. Divan & Nancey Divan
29338 209th Ave.
Martin, SD 57551 Telephone No. 605-685-6218

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

SW ¼ Section 26, T37N, R39W

I/We understand that the validity of Water Right/Permit No. 1382-2 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 Scott Divan, the new owner, certify that the above information is true and correct.

Scott Divan
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/4, 20 16

RECEIVED OF Charles Divan 28801 199th Ave 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	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1382-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 07745

By James Goodman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 5, 2016

1382-2

Scott E & Nancey Divan
29338 209th Ave
Martin SD 57551

Dear Mr. & Mrs. Divan:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 1382-2.

The ownership change has been completed. Water Right No. 1382-2 formerly held by Charles Divan is now listed in your names.

Enclosed for your records is Receipt No. 07745 in the amount of \$50. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure



1382-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: SCOTT E & NANCEY DIVAN, 29338 209TH AVE, MARTIN, SD 57551

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 1382-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

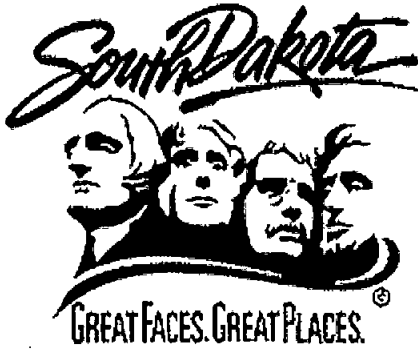
The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2018

1382-2

Scott E & Nancey Divan
29338 209th Ave
Martin SD 57551

Dear Mr. & Mrs. Divan:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 1382-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: SCOTT E & NANCEY DIVAN, 29338 209TH AVE, MARTIN, SD 57551

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire has not been submitted for Permit No(s) 1382-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1382-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: DKVHBM**

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.

1382-2



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2021

1382-2

Scott & Nancey Divan
29338 209th Ave
Martin SD 57551

Dear Mr. & Mrs. Divan:

I am writing to acknowledge receipt of your 2020 irrigation questionnaire.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right No. 1382-2. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath". The signature is fluid and cursive.

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