

1414-2

1. Considered 9.29. 1976
2. Name of Applicant FRANK E. BUCKLES Co.
3. Post Office Address MARTIN
4. Amount of water claimed 3.7
5. Source of water supply 450' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 2100
7. Water to be diverted and used in BENNETT county
about 4.5 miles of MARTIN
8. Proof of Publication Received 9-14-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1414-2

Map No. 1043-2 Water Division No. 2 LITTLE WHITE RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota



(NOTE: Draw a line through items not applicable)

~~Buckles Ranch~~

- Name of Applicant Frank E. Buckles Company
Principal address Martin State South Dakota 57551
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Buckles Irrigation Project
4. Amount of water claimed (cubic feet per second) 3.7
5. Source of water supply deep well
6. Location of point of diversion North 50° of East, 3100 ft. from SW Corner of
Section 1, T36N, R38W

County Bennett

- Annual period or periods during which water is to be used April thru October
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
- For irrigation use, Total number of acres to be irrigated 260
List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SW 1/4 NW 1/4	8.0	NE 1/4 SW 1/4	40.0
SE 1/4 NW 1/4 All in	31.0	NW 1/4 SE 1/4	38.0
SW 1/4 NE 1/4 Sec. 1-T36N-R38W	21.0	SE 1/4 SW 1/4	40.0
NW 1/4 SW 1/4	20.0	SW 1/4 SE 1/4	35.0

SW 1/4 SW 1/4 19.0 acres Attach sheet if more space is needed SE 1/4 SE 1/4 2.0

- Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use Two years.

- Choice of newspaper for Notice of Intent to Appropriate Water publication Bennett County Booster II

- Principal Features of the Proposed Water Supply System.

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

High Volume pump - motor powered

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

16" PVC pipe

C. Works proposed to apply water to beneficial use.

Sprinkler Irrigation system

Estimated Total Cost \$ 53,500.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Bennett

Frank E. Buckles Pres. of

Frank E. Buckles Co.

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 do so, to comply with the provisions of the Act.

Signed

Frank E. Buckles (pres)

Subscribed and sworn to before me this

9th

day of

July

1976

My commission expires: 3/11/77

Quella Cozz
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1414-2

FRANK E. BUCKLES, GUY-Buckles Ranch MARTIN
(Applicant) (Post Office Address)

SOUTH DAKOTA 57551 With the following modifications:
(State)

PRIORITY FOR 3.16 CFS. OF WATER FOR THIS PERMIT WAS ESTABLISHED UNDER PERMIT NO 1233-2. APPLICABLE PORTIONS OF PERMIT NO 1233-2 HAVE BEEN INCORPORATED INTO THIS PERMIT, AND PERMIT NO 1233-2 IS CANCELLED.

The irrigation well approved under this Permit is located near domestic 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.

Date of first receipt of application JULY 12, 19 76

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

Date of receipt of corrected application _____, 19 _____

Approved: SEPTEMBER 30, 19 76, Recorded in Book 15 Page 332

WATER RIGHT PERMIT NO. 1414-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1414-2 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 3.16 CFS - JANUARY 9, 1995
3.16 CFS - JULY 12, 1976
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed on or before _____, 19 _____
3. The whole of said work is ~~to be~~ completed on or before _____, 19 _____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED, 19 _____
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 3.7 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 THIS DATE, 19 _____; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 27th day of NOVEMBER, 19 76

WATER RIGHTS COMMISSION

By:

John Walsh
Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 5, 19 78

Water License Issued DECEMBER 5, 19 78

12. Principal Features of the Proposed Water Supply System (continued.) Well No. 1

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 450'
- (2) Casing, Type steel (wood, concrete, steel, etc) Diameter 24" Thickness 1/4"
- (3) Perforated Screen,
Type steel, Diameter 24", Length 80'
- (4) Gravel Pack, Thickness 5", Length of gravel pack 430'

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 Sands to fine and coarse gravel

Depth to top of water bearing material 104'

Depth to bottom of water bearing material 450'

Thickness of water bearing material 346'

Depth to water (ground surface to water level) 65'

- (2) Distance to nearest existing household or livestock watering well's.

On same owner's property 160 rds. On property owned by others 240 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Frank E. Buckner
Signature of Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1414-2

(1) WHEREAS, On the 12th day of July A. D. 19 76
Frank E. Buckles Co.

made Water Right Application No. 1414-2 for a permit to use 3.7 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 30th day of September A. D. 19 76

Permit No. 1414-2 with a date of priority of July 12, 1976 & January 9, 1975

was issued to said applicant recognizing the completion of construction of the water supply system therein described and for the application of beneficial use of said water.

WHEREAS, priority for 3.16 cfs of water was established under Permit No. 1233-2. Applicable portions of Permit No. 1233-2 have been incorporated under Permit No. 1414-2 and Permit No. 1233-2 has been cancelled.

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 3.4 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 lands all in Section 1-T36N-R38W

Description	Acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	8
SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	31
SW $\frac{1}{4}$ NE $\frac{1}{4}$	21
NW $\frac{1}{4}$ SW $\frac{1}{4}$	26
NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
SW $\frac{1}{4}$ SW $\frac{1}{4}$	19
SE $\frac{1}{4}$ SW $\frac{1}{4}$	40
NW $\frac{1}{4}$ SE $\frac{1}{4}$	38
SW $\frac{1}{4}$ SE $\frac{1}{4}$	35
SE $\frac{1}{4}$ SE $\frac{1}{4}$	2

TOTAL 260

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

_____ of Martin SD
the holder _____ and owner _____ of said permit No. 1414-2 a water right, dating from January 9, 1975
and July 12, 1976 to use of 3.4 cubic feet per second of the waters
of ground water (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 north 59° East, 3100 feet from the SE
corner of Section 1-T36N-R38W

and conduct to and upon lands to be irrigated in Section 1-T36N-R38W more fully
described on the face of this license

for the purpose of irrigation

Subject to any limitation listed in Water Right Permit No. 1414-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 5th day of December A. D.

Nineteen Hundred and Seventy-Eight

WATER RIGHTS COMMISSION
WATER RESOURCES COMMISSION

By:

John Hatch

Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 1414-2

Water Diversion No. 2 Little White River Water District

CERTIFICATE OF CONSTRUCTION

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

_____ the holder _____ of
Permit No. 1414-2, issued upon Application No. 1414-2, bearing date of priority of January 9, 1975
& July 12, 1976 authorizing the diversion of 3.7 cu. ft. per second of the waters of _____
groundwater County of Bennett, State of South Dakota at _____
north 50th East, 3100 feet from the SW corner of Section 1, T36N-
R38W

_____, for irrigation

_____, has S 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 3.4 cu. ft. per second of water.

Date December 5, 1978

By: WATER RIGHTS COMMISSION
John Hatch
JOHN HATCH, Chief Engineer

Form 6 - Notice of Intent to Appropriate Water

No. 1414-2

Publish first publication, on or before September 16, 1976

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

August 10, 1976

Notice is hereby given that Frank E. Buckles Company

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 change the point of diversion

an additional .68 cubic feet of water per second of time from the ground water through the diversion (total of 3.70)

Buckles Well #1, the point of diversion of which is to be located in the _____

NE 1/4 SW 1/4

of Section 1, Twp. 36N, Range 18W. Said water to be used for the purpose

of providing irrigation on the following described land:

SW 1/4, S 1/4 NW 1/4, SW 1/4 NE 1/4, W 1/4 SE 1/4, SE 1/4 SE 1/4, Section 1, T36N, R38W

This application No. 1414-2 will be considered by the Water Rights Commission at their office at Pierre upon the 20th day of September, 19 76, at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

Frank E. Buckles Company, Martin, S.D. 57561

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

No. 1414-2

PROOF OF PUBLICATION

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

I, Burton F. Jones hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Bennett County Reporter

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 Monte Carlo

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

August 19, 1976

August 26, 1976

Burton F. Jones
(Signature)

Water Rights Specialist
(Title)

1-2-76
(Date Signed)

NOTICE INTENT TO
APPROPRIATE WATER
No. 1414-2

Pierre, South Dakota 57501
August 10, 1976
Notice is hereby given that
Frank E. Buckles Company
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 change the point of
diversion for beneficial use an
additional .68 cubic feet (total of
3.70) of water per second of time
from ground water through the
Buckles Well No. 1, the point of
diversion of which is to be located
in the NE 1/4 SW 1/4 of Section 1,
Twp. 36N, Range 38W. Said water
to be used for the purpose of
providing irrigation on portions
of the following described land:
SW 1/4, S 1/2 NW 1/4, SW 1/4 NE 1/4, W 1/2
SE 1/4, SE 1/4 SE 1/4, Section 1, T36N,
R38W.

This application No. 1414-2 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 29th day of
September, 1976, at 10 a.m. All
interested persons may appear
and be heard.

WATER RIGHTS
COMMISSION

By Burton F. Jones
Water Rights Specialist

21-9



Permit No. 1414-2Water Division 2 Little White River Water District

REPORT OF EXAMINATION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Frank E. Buckles, Co.
_____ of Martin South Dakota 57551 holder _____
 of Permit No. 1414-2, bearing date of priority of July 21, 1975 1975
 authorizing the diversion of 3.7 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 - 200 HP G.E. Model #5K C278 x H2A
Ser # 44J122122Pump - Western Hand Roller, Ser # B75610B. Works used to transport water to place of use,
10" dia PVC Pipe, underground - 275 ft. long.C. Works used to apply water to beneficial use.
Valley C.P. with corner system. Model 5071, Ser # 19248.The system is in the following condition: GoodThe point of diversion is located N 50° E, 3100 ft from the SW corner of
Section 1, T36N R38WThe works are capable of diverting and conveying to the place of use 3.4
 cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Sec. 1 T36N R38W
SW 1/4 NW 1/4 - 8 Ac, SW 1/4 NW 1/4 - 31 Ac, SW 1/4 NE 1/4 - 24 Ac, NW 1/4 SW 1/4 - 26 Ac,
NE 1/4 SW 1/4 - 40 Ac, SW 1/4 SW 1/4 - 19 Ac, SE 1/4 SW 1/4 - 40 Ac, NW 1/4 SE 1/4 - 38 Ac,
SW 1/4 SE 1/4 - 35 Ac, SE 1/4 SE 1/4 - 2 Ac.comprising a total of 260 acres of land.

Well data:

Depth - 530 ft.Pumping - 1530 gpmCapacity - 2500 gpmDate November 1, 1978Le Roy J. Mennick



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
January 19, 1988

1414-2

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

NOTICE

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

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

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

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

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

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

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

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

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

Sincerely,

John Hatch

John Hatch, Chief Engineer
Water Rights Division

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

1414-2

SOUTH DAKOTA
Department of
Water & Natural Resources

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

March 14, 1988

NOTICE OF AMENDMENT TO WATER PERMIT(S)

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

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

John Hatch

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

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

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

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



Department of Water & Natural Resources

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

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

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

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

1721

 **Department of
Water & Natural Resources**

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

1234-2

1327-2

1414-2

1731-2

February 17, 1989

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

Dear Mr. Buckles:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

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

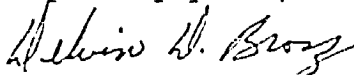


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1414-2
Date: April 4, 2005

I/We request that Water Right/Permit No. 1414-2

formerly owned by: FRANK E. BUCKLES CO.

be transferred to: (name & address) Roger + Deborah Sieck
5636 221 ST.
CONVAL BLUFFS, IOWA 51503 Telephone No. 712-366-2336

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

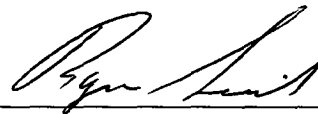
1- 36-38 BENNETT COUNTY

I/We understand that the validity of Water Right/Permit No. 1414-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Roger Sieck
Deborah Sieck, the new owner, certify that the above information is true and correct.



(Signed by new owner)

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

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

RECEIVED
APR - 7 2005
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 7, 20 05

RECEIVED OF Roger Steck, 50636 221st Street, Council Bluffs IA 51503-6496

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1414-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

0-1410

By

Darland White
Chief Engineer
gm



1414-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 7, 2005

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

Roger & Debrah Sieck
50636 221 St
Council Bluffs IA 51503

Dear Mr. & Mrs. Sieck:

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

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

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

Also enclosed is your Receipt Nos. 001838, 001839, 001840 and 001841 in the amounts of \$2.50 each. You may keep these for your records. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

NOT TO SCALE

R 38 W

30/30
45/70

1-156 L

299.5

SW 1/4 NW 1/4 8 AC
SE 1/4 NW 1/4 31 AC
SW 1/4 NE 1/4 21 AC
NE 1/4 SW 1/4 40 AC
NW 1/4 SE 1/4 38 AC
SW 1/4 SW 1/4 26 AC
SW 1/4 SW 1/4 19 AC
SE 1/4 SW 1/4 40 AC
SW 1/4 SE 1/4 35 AC

I 21 AC

275' P. Well
C.P.

129.0

SE 1/4 SE 1/4 2 AC

4m-181 Frank Buckles
36-38

4m-181 Frank B.

317.2

Point of Diversion
N-50° 0' E, 3100 ft
from SW cor. Sec. I
T36 N, R38 W.

13.0
15.4 TOTAL
141.4

15.3

52.2

44.6

12

72.7

23.2
4m
mi
50

3
3
1
7
5
4
0
7
7

T36 N

Scale
1" = 1000'

MAP NO 1043-2 (APP. NO 1414-2)



1414-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2013

NOTICE

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

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

1414-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 2013

Roger and Debrah Sieck
29581 218th Ave
Martin SD 57551

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

Dear Mr. & Mrs. Sieck:

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

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 1234-2, 1235-2, 1327-2, 1414-2 and 1941A-2. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

No. 1234-2 and 1414-2

August 23, 2021

Roger & Debrah Sieck
11504 Melcert Pl
Hill City SD 57745

Dear Mr. & Mrs. Sieck:

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

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

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

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

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

Thank you for your cooperation,

Ron Duvall
Water Rights Program, DANR

Water Rights Program - File Documentation

DATE: 9-16-21

RE: Overspray complaint

COMMENTS:

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

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

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



Karen Schlaak
Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

1234-2 and 1414-2

September 17, 2021

Roger & Debrah Sieck
11504 Melcert Pl
Hill City SD 57745

Dear Mr. & Mrs. Sieck:

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

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

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

Thank you for your cooperation,

Ron Duvall
Water Rights Program, DANR



1414-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 26, 2022

Chad Robinson
10316 738th Rd
Bertrand, NE 68927

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

Dear Mr. Robinson:

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

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

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

Sincerely,

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

1414-2

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

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

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>1414-2</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
Em

PAID

NOV 28 2022

Ck# 2108

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

NOV 28 2022

OFFICE OF
WATER

No. 1414-2

Date: 11-18-22

I/We request that Water Right No. 1414-2

formerly owned by: Roger and Debrah Sieck

be transferred to: (name & address)

Chad Robison living trust

10316 738 Rd

Bertrand, NE 68927

Telephone No. 308-991-1505

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

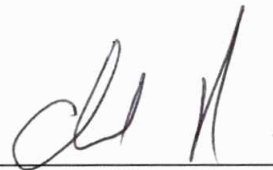
260 acres – Section 1, T36N, R38W

I/We understand that the validity of Water Right No. 1414-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Chad Robison, the new owner, certify that the above information is true and correct.



(Signed by new owner)

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 29, 2022

Chad Robison
10316 738th Rd
Bertrand, NE 68927

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

Dear Mr. Robison:

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

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

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

Sincerely,

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

enclosures



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

January 19, 2024

NOTICE

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

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

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

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

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

1. Suspend or cancel Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: JUGHAZ**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 31, 2024

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

Chad R Robison Living Trust
10316 738th Rd
Bertrand NE 68927

Dear Mr. Robison:

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

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

If you have any questions, please contact me.

Sincerely,

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



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

January 14, 2025

NOTICE

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

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

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

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

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

1. Suspend or cancel Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: SKYVEK**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 10, 2025

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

Chad R Robison Living Trust
10316 738th Rd
Bertrand NE 68927

Dear Mr. Robison:

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

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

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

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

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

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

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

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

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

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

1. Suspend or cancel Permit No(s) 1234-2, 1235-2, 1327-2, 1414-2, 1941A-2, 2859-2, 2855-2, 2856-2, 2857-2, 2858-2, 2860-2, 2861-2, 2862-2, 2863-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LDMHQT**

CHAD ROBISON, 10316 738TH RD, BERTRAND NE 68927

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 06, 2026

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

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

Dear Mr. Robison,

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

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). The information was received in our office prior to the Water Management Board meeting, and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us