

Wells = Charlie Nagach
Star
Hot Springs 571.1

Water Right No. 1721-2
UPPER Chay.
10120109

1. Considered SEPT. 25 1980
 2. Name of Applicant KENYON A. & SHELLA A. HARTIGAN
 3. Post Office Address HOT SPRINGS, S.D.
 4. Amount of Water Claimed .09
 5. Source of Water Supply 220' WELL Mineral 5m
 6. Water to be used for IRR.
 7. Acres to be Irrigated 1.7 maximum acre/feet
 8. Water to be diverted and used in FALL RIVER County
about IN CITY LIMITS miles of
 9. PROOF OF PUBLICATION Received ☒ 9-22-80
Not Received ☐
- APPLICATION Approved 9-26-80
Subject to DW -
Not Approved ☐
Action deferred ☐

Priority 6-17-80 Date Received JUNE 17, 1980 Application Complete ☒ no ☐ FEE 150⁰⁰
Remarks

WATER
QUALITY

Date information and/or fee or corrected Application received MARCH THRU NOVEMBER
Period of Annual use MARCH THRU NOVEMBER
Received ☒ 7/16/80 no ☐ APPROVED/CONDITIONAL (Circle one)
WI-1 Description same as application ☒ no ☐ Remarks

Disapproved

Returned

Diversion Point

SW¹ NW⁴ SE⁹
Section 14 - T 7 S - R 5 E

Lands to be Irrigated

SW¹ NW⁴ SE⁹ Section 14 -
T 7 S - R 5 E

WELL
LOG

Remarks

Driller RALPH TAYLOR - Rice 172109 Licensed ☒ no ☐

Depth 220' DEEP WELL

MAP

Map No. 1480-2 Map located In Water Right X Map file _____
 Type of Map DRAWN Prepared by DENNIS LANDGUTH
REG. LAND SURVEYOR

+++++

REVIEWED

This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 9-25-80.

Betty Westlund
 (Signed)

+++++

PROTESTS

Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS

F.F. & C

OF LAW,

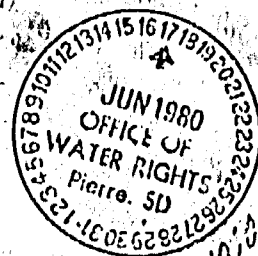
FINAL

DECISIONS

ETC.

Date _____
 Final Decision, including F.F. & C of Law were adopted _____
 Date _____
 Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____

Remarks _____

No. 1731-2Map No. 1480-2 Water Division No. 2 UPPER CHEYENNE DistrictAbove for Office Use 10120109

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1721-2

KENYON & SHEILA HARTIGAN 2244 MINNEKAHTA AVE
(Applicant) (Post Office Address)
SOUTH DAKOTA 57747 HOT SPRINGS SD
(State) With the following qualifications:

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 adequate domestic well.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application June 17, 1980
Date of return to applicant for correction, amendments or changes required 19
Date of receipt of corrected application 19
Approved September 26, 1980, Recorded in Book 21 Page 272

WATER RIGHT PERMIT NO. 1721-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1721-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is June 17, 1980
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 .02 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 irrigation purposes said appropriation must be limited to not more than 2 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, 1980; said water to be used during the following described annual period: March thru November

Witness my hand this 30th day of September, 1980

THE WATER MANAGEMENT BOARD

By: John K. Kell
Chief Engineer, Water Rights

Certificate of Construction Issued 19

Water License Issued 19

9. Continued:

2nd Minnekahta Add., vacated part of 23rd St. extending No. and So. between Minnekahta Ave. and Hampton Rd. and bounded on the E. by lots 61 thru 69 Block 29. On W. by state land. 1400 sq.ft.

Vacated alley extending E. and W. between vacated 23rd St. and municipal alley bounded on the S. by lots 59 thru 61 Block 29 bounded on the N. by lot 62 Block 29 3000 sq.ft.

Kenneth A. Hartigan

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

D. Well Information

- (1) Drill Hole, Diameter 5 1/2 inches Depth 220
- (2) Casing, Type Steel Diameter 5 1/2 inches Thickness 1/2 inches
(Wood, concrete, steel, etc.)
- (3) Screen, Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 147 feet

Depth to bottom of water bearing material 220 feet

Depth to water (ground surface to water level) 120 feet

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

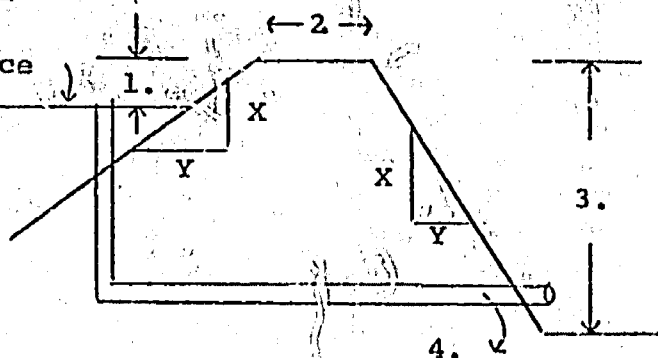
On same owner's property _____ rds.

On property owned by others 34.36 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.

Normal
Water
Surface



1. Freeboard _____
2. Crest width _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope: _____
Upstream _____
Downstream _____
Surface area of impoundment _____
Drainage area above dam _____

Kenyon A. Hartigan
Signature of Applicant

BICE & TAYLOR DRILLING CO.

1720 Evergreen Drive
RAPID CITY, SOUTH DAKOTA 57701

RALPH TAYLOR

TELEPHONE:
Office 348-3600
After Hours 342-7119

Hurtigan, Kenyon

244 Minnekahta

Hot Springs, South Dakota 57747

1500' FSL 2500' FBL 14-78-52

40' GPM

Static Water 120'

220' Drilled

147' Casing

Log

0-14 Red Shale

14-54 Minnekahta Limestone

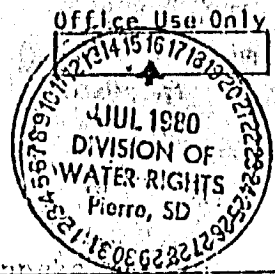
54-142 Opeche Shale

142-220 Red SS

Ralph L. Taylor, Sr.

Ralph L. Taylor, Sr., President
Bice-TAYLOR DRILLING CO., INC.

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE



OWNERS NAME: _____ OWNERS ADDRESS: _____

COUNTY LAND LOCATED IN: Butte PHONE: 724-2405

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: _____
2. SURFACE WATER SOURCE: WIA
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
Unbrk 2nd Add. Block 20, lot 50 thru 56, and vacated alley	2.00	Vacated 2nd St. extending	
located between lots 50 thru 56		between lots 50 and	
on the south and lot 56 on north		lot 50 then 50 on E. 1/2	1.2

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ STATE LAND: _____ OTHER: _____
CENTER PIVOT: _____ GUN: 2 (Specify)
5. CROPS TO BE IRRIGATED: (Wheat, corn, soybeans)
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LEGAL DESCRIPTION: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 75071E See attached
8. SALINITY (EC X 10³): 7.65
9. SODIUM (SAR): 1.22
10. ADJUSTED (SAR): 2.74 .7 = 1.92

RECEIVED

JUN 25 1980

South Dakota
Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 3 a.m./p.m., on August 16, 1976, at the following location: SEC. 14-T7-R5, Fall River County by _____ (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

16th DAY OF June, 1980.

(NOTA PUBLIC)

Kenyon A. Hartigan
APPLICANT'S SIGNATURE

Keith L. Harner
Director, Division of Conservation

- ☒ APPROVED
☐ DISAPPROVED
☐ CONDITIONALLY APPROVED

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Kenyon A. Hartigan, Hot Springs, SD

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED: unless kept in native habitat

50 Spearfish complex.

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 3 times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least inches of water.
3. ☐ Yes ☐ No Surface drainage suggested on .
4. ☐ Yes ☐ No Subsurface drainage suggested on .
5. ☐ Deep tillage (for the purpose of aiding movement of water through dense subsoils).

COMMENTS:

6. ☐ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application gun or other sprinkler type.

GENERAL COMMENTS:

Copy to applicant
Copy to Water Rights
Copy on File

SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL PROTECTION
Pierre, South Dakota 57501
DRINKING WATER SUPPLY CHEMICAL ANALYSIS DATA

SAMPLE DATA

LABORATORY ANALYSIS (1)
(Results in mg/l unless noted)

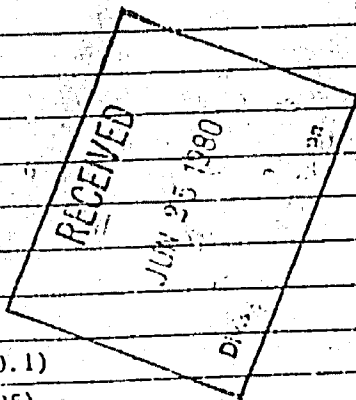
Public Water Supply: <u>private</u>	Sodium (Na) <u>47.8</u>
City Post Office: <u>57747</u>	Potassium (K) <u>6.1</u>
Sample Collector: <u>Self</u>	Calcium (Ca) <u>72</u>
Date Collected: <u>8/16/76</u>	Magnesium (Mg) <u>27.3</u>
Depth: <u>220</u> Diameter: <u>5"</u>	Manganese (Mn) <u><0.02</u>
Date Built:	Nitrate (as N) (10.0) <u>41</u>
Surface Source:	Fluoride (F) (2.4) <u>0.57</u>
Raw Sample: ☐ Treated Sample: ☐	Chloride (Cl) <u>60.8</u>
Treatment Process:	Sulfate (SO ₄) <u>97.0</u>
	Bicarbonate (HCO ₃) <u>250</u>
	Carbonate (CO ₃)
	pH (Standard Units) <u>7.49</u>
Comments:	Solids: Total <u>516</u> Diss.
	Iron (Fe) <u>1.55</u>
	Turbidity (TU)
Report to: <u>Kenyon A. Hartigan</u>	Langelier Index @ <u>11</u> of <u>8</u>
<u>Bx 233</u>	Alkalinity (m) (CaCO ₃) <u>205</u>
<u>Hot Springs, SD 57747</u>	Alkalinity (p) (CaCO ₃)
	Hardness (CaCO ₃) <u>272</u> mg/l <u>17.1</u> SP8
Copies to:	Conductivity @ <u>24</u> °C <u>750</u> (µmho/cm)
This is a true copy as sent to	Arsenic (0.05)
me by your department.	Barium (1.0)
<u>Kenyon A. Hartigan</u>	Cadmium (0.01)
Date Received: <u>8-17-76</u>	Chromium (0.05)
Analyst: <u>JSF</u>	Lead (0.05)
Report Sent: <u>8-23-76</u>	Mercury (0.002)
Posted:	Selenium (0.01)
Filing: <u>10.1 Lillian Co</u>	Silver (0.05)
<u>Office</u>	Endrin (0.0002)
Percentage of Error: <u>1.5 / 3.7</u>	Lindane (0.004)
Estimated Arrival:	Methoxychlor (0.1)
	Toxaphene (0.005)
	2, 4-D (0.1)
	2, 4, 5-TP (0.01)

(1) Numbers in parenthesis denote maximum contaminant levels as set forth by the Federal Drinking Water Standards.

pd 4/10

762715

Lab. No.



No. 1721-2

Publish first publication, on or before August 27, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

8/6/80

Notice is hereby given that Kayon A. & Sheila A. Hartigan whose post office address is Hot Springs, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .02 cubic feet of water per second of time from groundwater (one well) through the Hartigan Irrigation Proj. the point of diversion of which is (xxx) to be located in the _____

SW 1/4 NW 1/4 SE 1/4

of Section 14, Twp. 7 S, Range 5 E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NN 1/4 SE 1/4, Section 14 - T7S - R5E

This Application No. 1721-2 will be considered by the Water Management Board at the Kneip Building, Meeting Room #1, upon the 25th day of September 1980
Pierre, South Dakota 57501

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Sheila A. Hartigan
2244 Minnekahta Ave.
Hot Springs, SD 57747

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79
GROUNDWATER

No. 1721-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Fall River) ss.

I, Charles Najacht hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Hot Springs Star

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 Hot Springs

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

August 13, 1980

August 20, 1980

Charles Najacht
(Signature)

Publisher
(Title)

August 20, 1980
(Date Signed)



283
NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
8/6/80

Notice is hereby given that
Kenyon A. & Sheila A. Hartigan
whose post office address is Hot
Springs, South Dakota, has made
an application in accordance with
the provisions of SDCL 46-1-1
thru 46-1-9, 46-1-14; 46-2-9 thru
46-2-11, 46-2-13; 46-3-1 thru
46-5-8; 46-5-10 thru 46-5-22;
46-5-41; 46-6-3, 46-6-3.1, 46-6-5,
46-6-6.1, 46-6-10; 46-6-14 and
Board Rules ARSL 52:01-01:01
thru 52:01-01:13, for a permit to
appropriate for beneficial use .02
cubic feet of water per second of
time from groundwater (one well)
through the Hartigan Irrigation
Project the point of diversion of
which is to be located in the
SW 1/4 NW 1/4 SE 1/4 of Section 14,
Twp. 7 S, Range 5 E. Said water
to be used for the purpose of
providing irrigation on portions of
the following described land:
NW 1/4 SE 1/4, Section 14 - T7S -
R3E.

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be considered by the Water
Management Board at the Knap
Building, Meeting Room #1,
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the 25th day of September, 1980,
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rized to make a determination
on this application at the hearing.
All interested persons may ap-
pear and be heard. Any person
who may be affected by a Board
decision who desires to present
evidence or cross examine wit-
nesses according to SDCL 1-26
may notify the Board in writing
prior to the hearing or orally at
the hearing.

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ercised at the hearing. Decisions of
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the Courts as provided by law.

Any handicapped person wish-
ing to attend this hearing can
contact the Water Rights Divi-
sion, DWRN, Joe Foss Building,
Pierre, SD, prior to the hearing
date for assistance to assure
access to the hearing.

Water Management Board
BETTY WESTLUND
Water Rights Specialist
Aug 13, 20

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7542

June 17, 1970

PIERRE

RECEIVED OF Sheila A. Hartigan, 2244 Minnekahta Ave, Hot Springs, SD 57731

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

Fee for Application for Permit to Appropriate Water No. 1731-2 (examination, processing, recording and filing)	150.00
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	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	150.00

WATER RIGHTS COMMISSION

By (John Hatch) Chief Engineer, Executive Officer
JOHN HATCH (61)

May 30, 1980

Mr. Kenyon A. Hartigan
2244 Minnekahta Avenue
Hot Springs, South Dakota 57747

Re: State v. Rippling Water Ranch, Inc.

Dear Mr. Hartigan:

Thank you for your phone call of May 29, 1980. In that call you conveyed to us that you presently irrigate approximately 1-1/2 acres within the City of Hot Springs. You wish to know whether or not you would be included in the above-entitled lawsuit. I replied that you would be included and that you would be served with process some time after the first of July, 1980.

You also mentioned the question of whether or not you should have a water permit from the State Water Management Board. According to the law, one who irrigates less than 1/2 acre does not require a water permit from the Water Management Board. However, one who irrigates over 1/2 acre does require a water permit. You noted that you had contacted the Water Management Board staff in the past and inquired about this and had received an answer to the effect that you did not require a water permit. You also very freely told me that you were irrigating about an acre and 1/2. Under these circumstances,, I can see no impediment to your being granted a water permit now even though you have apparently been irrigating for some time in the past. I would therefore advise you to contact Mr. John Hatch, State Engineer, Anderson Building, Pierre, South Dakota 57501, to talk to him further about this matter.

Thank you very much for your call. If you have any further questions or comments, please do not hesitate to contact me.

Sincerely yours,

John P. Guhin
Assistant Attorney General

JPG/dh

cc: John Hatch, State Engineer

Handwritten: 2/6/81
1/1/81
10/1/81



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1721-2

April 18, 1985

Kenyon & Shella Hartigan
2244 Mnkt Ave.
Hot Springs, South Dakota 57747

Dear Mr. & Mrs. Hartigan:

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. 1721-2 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

Maxine Stirling
Staff Assistant

ms/

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

DWNR-814 8/83

Dear Sir,

Please issue Water Permit
in my name, as my wife
died 16 months ago.

KENYON A. HARTIGAN
2244 Minnehaha Ave.
Hot Springs, South Dakota 57747

Yours,

Kenyon A Hartigan

Water Permit # 1721-2

State of South Dakota
Water License No. 1721-2

(1) Kenyon A. Hartigan
of 2244 Minnekahta Avenue, Hot Springs, South Dakota 57747
made Application No. 1721-2, June 17, 1980 for a water permit to appropriate
0.02 cubic feet per second of water from groundwater (one well),
Fall River County, South Dakota for Irrigation purposes.
Permit No. 1721-2, with a priority date of June 17, 1980
was approved September 26, 1980 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ and ~~for~~ the application to beneficial use of said
water ~~on or before~~ completed

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 0.02 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is S 5°E 998 feet from the center of Section
14, T7S, R5E

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 T7S, R5E

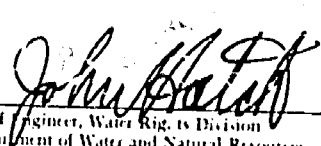
Section 14 SW1NW1SE1 1.7 Acres (DBC)

(4) Pursuant to §46-5-30.1 Kenyon A. Hartigan

of 234 Minnekahta Avenue, Hot Springs, South Dakota

the holder(s) and/or owner(s) of Water Permit No. 1721-2 is issued a license to appropriate water, the right to use 0.02 cubic feet per second of water from groundwater (one well) with a priority date of June 17, 1980 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. 1721-2 and subject to South Dakota State Law.


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

JOHN HATCH

APR 24 1985

Permit No. 1721-2Upper Cheyenne Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Kenyon and
Don (deceased) Hartigan of 2242 Martin Ave., Hot Springs, SD holder ofPermit No. 1721-2, bearing the priority of June 17, 1980 authorizingthe diversion of 0.02 cu. ft. per second of the waters of ground waterfor irrigation purposes, in Fall River county.

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

A. Works used to divert the water: 220 feet deep well, 5 1/2 inch steel casing to a depth
of 147 feet, and static water level at 120 feet. The well is pumped with
a Valley submersible at approximately 26 gpm.

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

1 1/2 inch PVC pipe from the well to the shut-off valves. 3/4 inch
PVC pipe from the valves to the sprinkler heads.

C. Works used to apply water to beneficial use:

lawn type impact sprinklersThe system is in the following condition ExcellentThe point of diversion is located S 5° E 998 feet from the center of
Section 18, T7S, R5EThe works are capable of diverting and conveying to the place of use 0.06cu. ft. per second of water which is to be used for lawn irrigationWater has been put to beneficial use to the maximum extent as follows: 1.7 acres in theSW¹ NW² SE² of Section 18, T7S, R5Ecomprising a total of 1.7 acres of land and the license should be issued for 0.02 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date April 11, 1985William D. Bray, P.E.
(signature)
Hydrologist

LICENSE FOR PERMIT NUMBER 1721-2

1. Legal location of wells: 55°E 99.8 feet from the center of
Section 18, T7S, R5E

dams & structures: _____

2. Well Information: Well Drilling Firm Bice / Taylor - Rapid City, SD

No. of wells 1 Depth 220'

Casing a) diameter 5 1/2 inch
b) length 147 feet
c) type steel

Screen a) type _____
b) length _____

Static Water Level 120 feet
drawdown to 180 feet

Pump a) make Valley
b) model Submersible
c) size _____
d) capacity 26 GPH
e) turbine pump
no. of stages _____

Motor a) make _____
b) model no. _____
c) horsepower rating 3
d) motor efficiency rating _____

3. Distribution lines:

a) size of lines 143 feet of 1 1/4" to control valves & 3/4" to sprinklers
b) type PVC
c) length See map

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 _____

i) Outlet tubes:

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

h) Distribution lines or canals:

1) size _____
2) type _____
3) length _____

5. System Type: a) sideroll:

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

b) towline:

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

RECEIPT

Division of Water Rights

No 4 10009

South Dakota Department of Water and Natural Resources

Pierre,

April 22

19 85

RECEIVED OF Kenyon A. Hartigan, 2244 Minnekahta, Hot Springs, SD 57747

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. 1721-2	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

Chief Engineer

JOHN HATCH (ms)

No. 1721-2

**Dakota Department of
Water & Natural Resources**

Joe Foss Building

573 East Capitol

Pierre, South Dakota 57601

WATER RIGHTS DIVISION

Phone (605) 773-3352

APR 24 1985

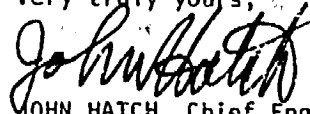
Kenyon A. Hartigan
2244 Minnekahta,
Hot Springs, South Dakota 57747

Dear Mr. Hartigan:

Enclosed herewith is, Water License No. 1721-2. 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,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

Enclosures

WNR-817 3/83

Transmittal of Water License



Department of Water & Natural Resources

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

February 9, 1990

KENYON A HARTIGAN
2244 MINNEKANTA
HOT SPRINGS, SD 57747

NOTICE

RE: Violation of Water Permit No(s). 1721-2

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1721-2. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1721-2 qualification:

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

The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

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

1. Suspend Permit No(s). 1721-2 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

Department of Water & Natural Resources

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

February 16, 1990

1721-2

Kenyon A Hartigan
2244 Minnekahta
Hot Springs SD 57747

Dear Mr. Hartigan:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 1721-2. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall /ks

RON DUVAL
Natural Resources Engineer
Water Rights Division

1721-2

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 1, 1991

KENYON A HARTIGAN
2244 MINNEKAHTA
HOT SPRINGS SD 57747

NOTICE

RE: Violation of Water Permit No(s) 1721-2

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 1721-2. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 1721-2 qualification:

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

The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

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

1. Suspend Permit No(s) 1721-2 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

2. **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge)
 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: KENYON A HARTIGAN 2244 MINNEKAHTA HOT SPRINGS SD 57747	4. Article Number P 694 057 413 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and <u>DATE DELIVERED</u> .
5. Signature — Addressee X <i>Kenyon A Hartigan</i> 6. Signature — Agent X 7. Date of Delivery FEB - 2 1989	8. Addressee's Address (ONLY if requested and fee paid)



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 12, 1991

1721-2

Kenyon A Hartigan
2244 Minnekahta
Hot Springs, SD 57747

Dear Mr. Hartigan:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Right No. 1721-2. You may disregard the February 1, 1991. Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

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:

KENYON A HARTIGAN
2244 MINNEKAHTA
HOT SPRINGS SD 57747 1244

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Ken Hartigan B. Date of Delivery 1/20
C. Signature [Signature] ☐ Agent ☒ Addressee
D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

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 0600 0026 9314 2508

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



1721-2
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: KENYON A HARTIGAN, 2244 MINNEKAHTA, HOT SPRINGS, SD 57747 1244
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1721-2. 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(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) 1721-2 qualification:

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

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. 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) 1721-2 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 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

January 30, 2001

1721-2

Kenyon A Hartigan
2244 Minnekahta
Hot Springs, SD 57747 1244

Dear Mr. Hartigan:

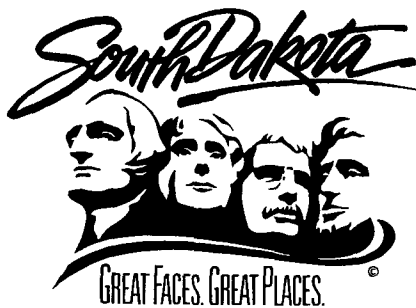
I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 1721-2.

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



1721-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: KENYON A HARTIGAN, 2244 MINNEKAHTA, HOT SPRINGS, SD 57747 1244
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1721-2. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 1721-2 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 2, 2005 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) 1721-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 25, 2005, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



1721-2

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 0414

Your item was delivered at 3:36 pm on January 21, 2005 in HOT SPRINGS, SD 57747. The item was signed for by K HARTIGAN.

[Shipment Details >](#)

Notification Options

- ▶ Track & Confirm by email [What is this?](#) [Go >](#)
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Track & Confirm

Enter label number:

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 0414

KENYON A HARTIGAN
2244 MINNEKAHTA
HOT SPRINGS SD 57747 1244

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail®
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(See Reverse)

PS Form 158, July 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 2005

1721-2

Kenyon A Hartigan
2244 Minnekahta
Hot Springs SD 57747-1244

Dear Mr. Hartigan:

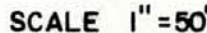
I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 1721-2.

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



 WELL HEAD
 SHUT-OFF VALVES
 FEEDER LINES

TOTAL AREA IRRIGATED
WITH SPRINKLER SYSTEM
IS 1.7 ± ACRES

Surveyor's Certificate

Dennis P. Landry
Registered Land Surveyor
Reg. No. 3102

Susan Landguth
Notary Public, South Dakota

(SEAL)

Map No. 1480-2 app # 1721-2



1721-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: KENYON A HARTIGAN, 2244 MINNEKAHTA, HOT SPRINGS, SD 57747 1244

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1721-2. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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) 1721-2 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 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) 1721-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4978

Your item was delivered at 3:45 pm on January 26, 2006 in HOT SPRINGS, SD 57747. The item was signed for by M SADLER.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 4978

KENYON A HARTIGAN
2244 MINNEKAHTA
HOT SPRINGS SD 57747 1244

mailing.

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2006

1721-2

Kenyon A Hartigan
2244 Minnehahata Ave
Hot Springs SD 57747

Dear Mr. Hartigan:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 1721-2.

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

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 19, 2010

1721-2

Kenyon Hartigan
12774 US Hwy 18
Hot Springs SD 57747-7516

Dear Mr. Hartigan:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaire.

The notice was originally mailed to 2244 Minnekahta, Hot Springs SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 8, 2010

1721-2

Lance Burgen
PO Box 966
Hot Springs SD 57747-0966

Dear Mr. Burgen:

I am writing in follow-up to our phone conversation concerning Water Right No. 1721-2. I have included a copy of the water right for your records.

Domestic use, as defined in statute is water use that does not exceed 18 gallons per minute on a continuous basis (25,920 gallons per day) and irrigation of an acre or less. Mr. Kenyon obtained a water permit in 1980 because his use of water exceeded domestic use. The permit approval contained a qualification requiring annual submission of the irrigation questionnaire. Enclosed is the form we sent to Mr. Hartigan for this year. Please complete it as best as you can and call me if you have any questions.

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

You may keep the copy of the water right. We need the completed questionnaire, the transfer of ownership form and the filing fee back. I am including a postage paid envelope for your convenience. If you have any questions, please contact me.

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

NOV 16 2010

WATER RIGHTS
PROGRAM

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

No. 1721-2

Date: _____

I/We request that Water Right No. 1721-2

formerly owned by: Kenyon A Hartigan

be transferred to: (name & address) LANCE F. BURGAN LOCATION
2244 MINNEKAHTA AVE. MAILING ADDRESS - P.O. Box 966
HOT SPRINGS, S.D. - 57747 Telephone No. 605-745-7610

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

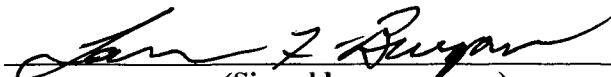
1.7 acres - NW ¼ SE ¼ Section 14, T7S, R5E

I/We understand that the validity of Water Right No. 1721-2 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 LANCE F. BURGAN, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/16, 20 10

RECEIVED OF Lance F Burgan PO Box 966 Hot Springs SD 57747

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>1721-2</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.

04674

By

Harold Erdahl
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 16, 2010

1721-2

Lance Burgan
PO Box 966
Hot Springs SD 57747-0966

Dear Mr. Burgan:

I am writing to acknowledge receipt of the ownership change, filing fee and the 2010 irrigation questionnaire for Water Right No. 1721-2.

The ownership change has been completed. The water right formerly held by Kenyon A Hartigan is now listed in your name.

Enclosed for your records is Receipt No. 04674 in the amount of \$50.00. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



October 31, 2014

1721-2

Lance Burgan
PO Box 966
Hot Springs SD 57747 0966

Dear Mr. Burgan:

In follow-up to our phone conversation, I completed an irrigation questionnaire for you for 2014. The questionnaire indicates that you did not need to irrigate due to excessive moisture.

Thank you for letting me know the property was up for sale. I am enclosing a copy of the water right and a partially completed transfer of ownership form for the new owners to use. The copy of the water right is theirs to keep. The transfer form will need to be completed and returned to us with a \$50 fee as required by Statute. I included a postage paid envelope for their use.

Thank you for passing the information along to the new owners. If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

December 4, 2015

No. 1721-2

Randy D Luallin & Caryn G Lerman
2244 Minnekahta Ave
Hot Springs SD 57747

Dear Mr. Luallin and Ms. Lerman:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1721-2 (copy enclosed). The water right is currently listed in the name of Lance F Burgan.

The transfer form should be checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$50.00.

For informational purposes, under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain water permit. This three year period can be waived if legal excuse exists for the years of nonuse.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath or me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosure

RECEIVED

DEC 10 2015

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1721-2

Date: 8 Dec 2015

I/We request that Water Right/Permit No. 1721-2

formerly owned by: Lance F Burgan

X be transferred to: (name & address)

Randy Lugglin
2244 Minnekahta Ave
Hot Springs SD
57747

Telephone No. 303-665-4995

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

1.7 acres located in Lots 59-66, Minnekahta 2nd Addition, City of Hot Springs,
SW 1/4 NW 1/4 SE 1/4 Section 14-T7S-R5E

I/We understand that the validity of Water Right/Permit No. 1721-2 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 Randy Lugglin, the new owner, certify that the above information is true and correct.

X 
(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 12/10, 20 15

RECEIVED OF Randy Dale Luallin 301 EAST ST Louisville CO 80027

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>1721-2</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. 07546

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

December 18, 2015

1721-2

Randy Luallin
2244 Minnekahta Ave
Hot Springs SD 57747

Dear Mr. Luallin:

Thank you for submitting the transfer form for Water Right No. 1721-2. The ownership change has been completed. Water Right No. 1721-2 formerly held by Lance F Burgan is now listed in your name.

For informational purposes, each year in October, we send out an irrigation questionnaire to report how much water was used during the season. The requirement has been met for 2015. I am enclosing a sample copy of the questionnaire for your review. This will give you an idea of what type of information to keep track of for next season.

Enclosed for your records is Receipt No. 07546 in the amount of \$50 which you paid for filing the ownership change. 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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 1, 2024

1721-2

Randy Luallin
2207 Hampton Dr
Hot Springs SD 57747

Dear Mr. Luallin:

Enclosed is a "Notice" dated October 23, 2024, concerning the 2024 Irrigation Questionnaire.

The notice was originally mailed to 2244 Minnekahta Ave, Hot Springs SD 57747. The post office notified our office that your address has changed, and your records have been updated accordingly.

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

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

Sincerely,

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

enclosures

523 NOV 11 41874T0818/28/74
RETURN TO SENDER
UNDELIVERED
2207 HAMPTON DR
HOT SPRINGS SD 57747-1407
RETURN TO SENDER