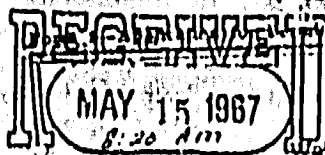


70-2

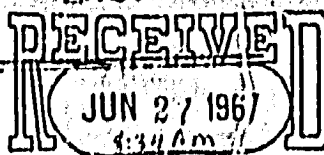
1. Considered Sept 20, 1952
2. Name of Applicant John Mulligan
3. Post Office Address Hillbary
4. Amount of water claimed 2.85
5. Source of water supply Ground
6. Water to be used for irrigation
Acres to be irrigated 240
7. Water to diverted and used in Tripp County
about 4.5 miles 10.00 of Mulligan
8. Proof of Publication
Received Sept 19
Not Received _____
9. Application
Domestic
Approved ✓
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:



to Appropriate Water - Original

No. 913-2



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

Water Division No. 2 Keyapaha River
(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of applicant John Mulligan, Box 35
Postoffice address Millboro, County Tyipp State S. Dak.

- I. If a corporation
- (a) Name of same
 - (b) Date and place of incorporation
 - (c) Amount of capital stock
 - (d) Amount paid in
 - (e) Names and addresses of directors

(NOTE - A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Contract & Direct Labor

(b) Cash on hand \$ Adequate (c) Treasury stock, \$
(d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion work Mulligan

3. Amount of water claimed 2.85 cubic feet per second

4. Source of water supply Well

5. Location of point of diversion SE corner of NE 1/4 of SW 1/4 of 27 - NE 1/4 of 27

2970' from SW corner of 27 on bank Tyipp County.

6. Annual period or periods during which water is to be used April 1st thru Nov. 1st

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Combination

(a) Number of acres to be irrigated 2.90 acres.

(b) Legal subdivisions to be irrigated NE 1/4 of SW 1/4 of 27 - NE 1/4 of SW 1/4 of 27 - SW 1/4 of SW 1/4

(NOTE - A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

SE 1/4 of SW 1/4 of 27 - NW 1/4 of SE 1/4 of 27 - SW 1/4 of SE 1/4 of 27

(c) Statement as to domestic use (giving location, etc.)

T.W.P. 95N R. 79W Sec. 27

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Name any of the above uses claimed

(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned stream

Map # 796-2

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures\$..... Total, \$.....

9. Description of diversion works:

7. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Well

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom feet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face material used in construction

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH.....FEET DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY

(c)* Head gate: Width.....feet; heightfeet;
 Material

(d) Canal: Total lengthmiles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work5.....years.

11. Time required for complete application of water to the proposed beneficial use4.....years.

12. Choice of newspaper for publication of notice of intention to appropriate

Winner Advocate, Winner, S. Dak.

STATE OF SOUTH DAKOTA NEBRASKA

County of Cherry CHERRY

I, John Mulligan, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Subscribed and sworn to before me this

24

day of

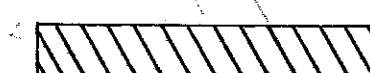
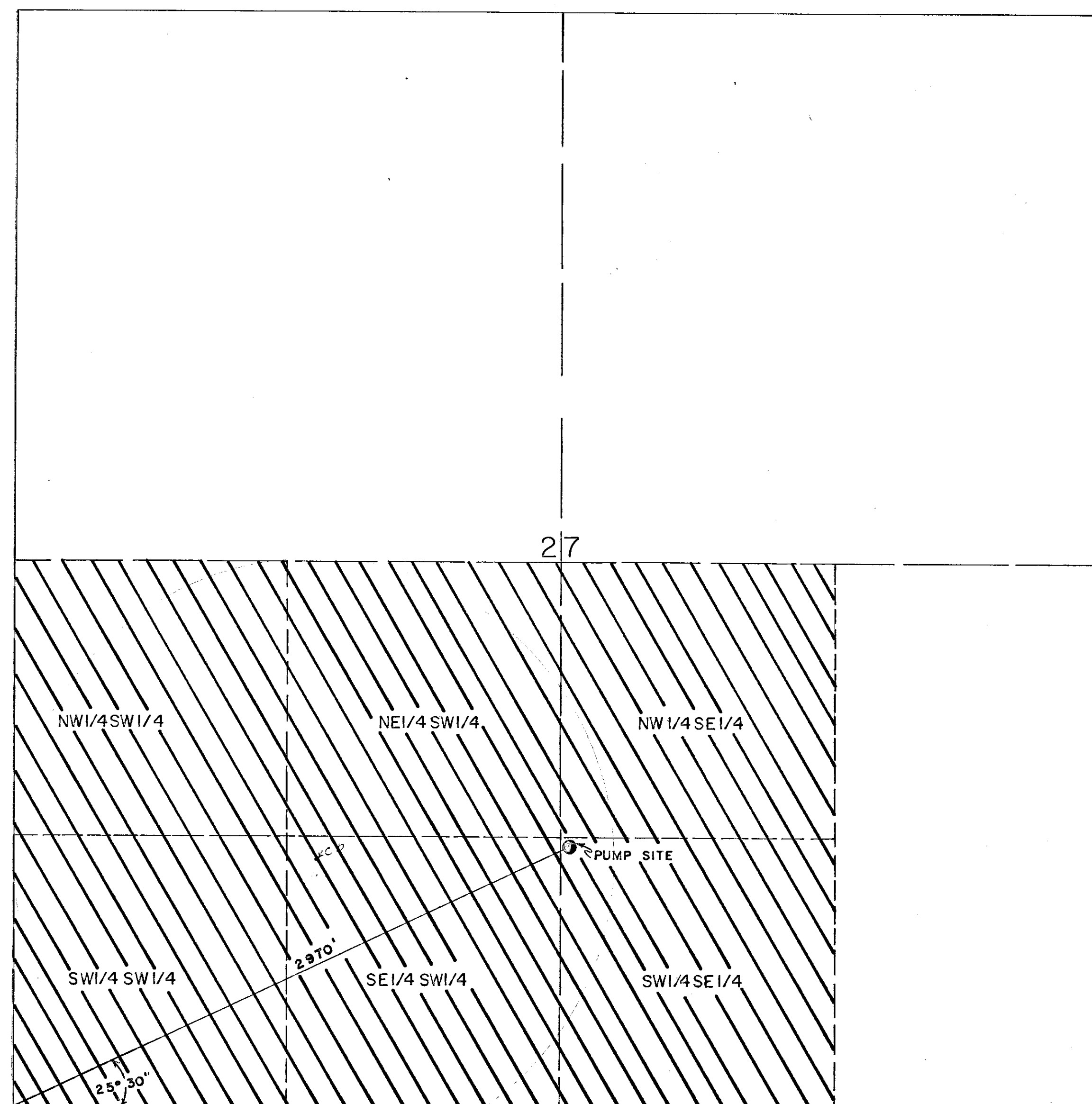
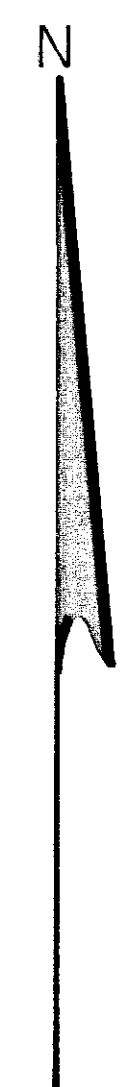
June

1967

William B. Sneyd
 Notary Public (or other qualified officer)

*Each diversion must have a headgate or measuring device.

17 10 77



= LAND TO BE IRRIGATED

T 95 N R 79 W

SCALE 3"=1320'

LOCATION	SEC.	TWP.	RANGE	ACRES
NW 1/4 SE 1/4	27	95 N	79 W	40.0
NE 1/4 SW 1/4	27	95 N	79 W	40.0
NW 1/4 SW 1/4	27	95 N	79 W	40.0
SW 1/4 SW 1/4	27	95 N	79 W	40.0
SE 1/4 SW 1/4	27	95 N	79 W	40.0
SW 1/4 SE 1/4	27	95 N	79 W	40.0
TOTAL				240.0

ENGINEER'S CERTIFICATE

I, WILLIAM J. O'DONNELL, SOUTH DAKOTA REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR (221), CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT DELINEATION OF AN IRRIGATION PUMP SITE LOCATED IN THE SW 1/4 SEC. 27 T 95 N R 79 W OF 5TH P.M. TRIPP COUNTY, SOUTH DAKOTA. THE ABOVE DESCRIBED LAND BEING OWNED BY JOHN J. MULLIGAN

DATE May 29, 1967

William J. O'Donnell
WILLIAM J. O'DONNELL

PE - LS 1221

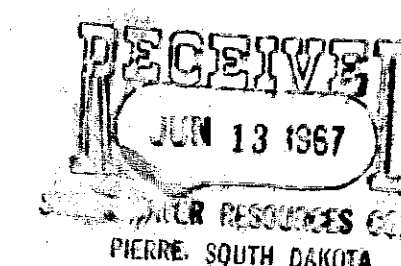
ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF CHERRY) ss

ON THIS THE 29 DAY OF May, 1967, BEFORE ME, Ray Schaefer, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY APPEARED Wm. J. O'Donnell WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME AND HE ACKNOWLEDGED THE SIGNING OF SAID ENGINEER'S CERTIFICATE TO BE HIS VOLUNTARY ACT AND DEED, WITNESS MY HAND AND OFFICIAL SEAL AT VALENTINE, NEBRASKA IN CHERRY COUNTY, THE AFORESAID DATE.

Ray Schaefer
NOTARY PUBLIC

MY COMMISSION EXPIRES: 5-24-72



Map# 796-2
(App# 913-2)

 This well is located near domestic wells which may obtain water from the same aquifer. If the well covered by this Permit to Appropriate Water depletes the domestic water supply, restrictions, to the extent necessary, of the capacity of this well or periods of operation or other arrangements will be required to protect the domestic water supply.

STATE OF SOUTH DAKOTA

County of Hughes } ss.Pierre, South Dakota, September 25, 1967This is to certify that the foregoing application was received by the Commission at 8:20 o'clockA m. upon the 15th day of May, 1967

State Water Resources Commission

By: Richard D Schroyer
7th Chief Engineer, Executive OfficerNumber of permit 913-2Date of first receipt of application May 15, 1967Date of return to applicant for correction, amendments or changes required as follows: May 16, 1967Date of receipt of corrected application June 27, 1967Date from which applicant may claim right May 15, 1967Approved September 20, 1967, Recorded in Book 7 Page 346

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before -----

March 20, 19702nd. The whole of said work is to be completed on or before September 20, 1972

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

September 20, 19764th. The water appropriated shall be used for the purpose of irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 2.85 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 September 20, 1976; said water to be used during the following described annual period:

April 1st through November 1stWitness my hand this 25th day of September, 1967

State Water Resources Commission

By: John J. J. J.
 Chief Engineer, Executive OfficerCertificate of Construction Issued APRIL 20, 1976Water License Issued APRIL 20, 1976

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation: 36 inches, Depth 250 ft

Type of casing steel
(wood, concrete, steel, etc.)

Size of casing 20 or 24 inch; Thickness of casing 1/4 in.

Length of casing 250 ft. If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen perforated casing

Size of perforated screen 20 or 24 in.
(diameter) (length)

Thickness of gravel pack _____, length of gravel pack _____

(c) Water Bearing Materials

Distance to water 30 ft. Character of water bearing materials 0-5 top soil
5-20 fine sand 20-22 clay 22-180 soft sandstone 180-190 stone with thin streak of clay
190-210 soft sandstone 210-230 coarse dark brown sandstone 230-240 green shale
with clay & thin layers of sandstone 240-248 sandstone 248-250 Red Rock

Thickness of water bearing material _____

(d) Pump and Motor

Type of pump _____
(centrifugal, propeller, mixed flow, etc.)

Name of pump _____, size _____

Kind of motor _____
(gasoline, electric, diesel, etc.)

Horsepower _____, Name of Motor _____

(e) Complete well

Capacity 15 to 1800 gal at drawdown of _____ Estimated cost _____

(f) Owner of land upon which well is located John J. Mulligan
Name

Millboro, So. Dak.
Address

(g) Distance to nearest existing wells stock

On same owner's property 160 rods. On property owned by others 160 rods

No. 913-2

on or before August 24, 1967
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., July 31, 1967

Notice is hereby given that John Mulligan whose postoffice

address is Millboro S. Dak., has made an application in accordance with

the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.65

cubic feet of water per second of time from the Ground Water through the

Mulligan #1, the point of diversion of which is to be located on the

bank of said stream in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27

Twp. 95N Range 79W. Said water to be used for the purpose of providing irrigation on the fol-

lowing described land:

SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, T95N, R79W

XXXXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 30th day of September, 1967, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

cc: D.L. Johannsen, Publisher
Winner Advocate
Winner, S.D.

By:

XXXXXXXXXXXXXXXXXXXX
RICHARD SCHMOYER
Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA | ss.

County of Tripp

O. L. Johansen being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the _____

Winnier Advocate 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 Winnier County of

Tripp and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

August 17, 1967

August 24, 1967

August 31, 1967

September 7, 1967

in each and every issue of the full number thereof, the first

publication being made on the 17th day of August

1967 and the last publication on the 7th day of

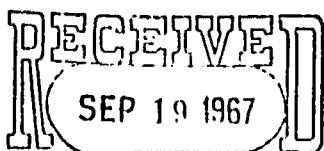
September 1967, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was _____ the ~~print~~ publisher of the said newspaper.

O. L. Johansen

Subscribed and sworn to before me this 14 day of September A. D. 1967



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

Notary Public Tripp County, S. D.

APPROPRIATION OF WATER
Office of State Water Resources Commission,
Pierre, S. Dak., July 31, 1967
Notice is hereby given that John Mulligan whose postoffice address is Millboro, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.85 cubic feet of water per

second of time from Ground Water through the Mulligan No. 1, the point of diversion of which is to be located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27 Twp. 49N Range 79W. Said water to be used for the purpose of providing irrigation on the portions of the following described land:

SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 27, T95N, R79W

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of September, 1967, at 2:00 P.M. All interested persons may appear and be heard.

NOTICE OF HEARING

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By: RICHARD SCHMOYER
Water Rights Specialist. (33-36)

Permit No. 913-2Water Division 2 Keokuk-Huron Water DistrictREPORT 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 John Mulligan of Millboro, S. Dak. holder of Permit No. 913-2, bearing date of priority of May 15, 1967 authorizing the diversion of 2.85 cu. ft. per second of the waters of Ground water for Irrigation purposes, in Trippe 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:

Pump - Amarillo - Serial # 5100 99471 - HP-100 @ 1760 RPM
1000 GPM

Engine - Case - 6 Cyl. Diesel, Model # 504B D.

Serial # 257562 Unit # 876472 - RPM 2200; Full Load 2375

hina Alternator to operate Center Pivot.

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

60 ft 8" Pipe.

C. Works used to apply water to beneficial use.

Lockwood - Electrically operated Center Pivot -
10 towers extended to cover 160 AcresThe system is in the following condition: GoodThe point of diversion is located N 52°30' E 1860 ft from SW corner of Section 27, T 95N, R 79W.The works are capable of diverting and conveying to the place of use 2.22cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: T 95N R 79W

NW 1/4 SE 1/4 - 5.0 Ac, NE 1/4 SW 1/4 - 35.0 Ac, NW 1/4 SW 1/4 - 29.0 Ac, SW 1/4 SW 1/4 - 35.0 Ac, SE 1/4 SW 1/4 - 38.0 Ac, SW 1/4 SE 1/4 - 7.0 Ac. T 95N R 79W
T 95N R 79W: NW 1/4 NW 1/4 - 4.0 Ac, NE 1/4 NW 1/4 - 7.0 Ac.

comprising a total of 160. acres of land.

Well - 16" dia Concrete casing, 235 ft. Sited to 205 ft

Tested: 84 ft draw down 1000 gpm

90 ft draw down 1350 gpm

Date

Feb 27, 1976Ledley J. McNaught
(Signature)

Permit No. 913-2

Water Diversion No. 2 KEYAPAHIA RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That John Mulligan

_____ the holder _____ of
Permit No. 913-2, issued upon Application No. 913-2, bearing date of priority of May 15, 1967

_____ authorizing the diversion of 2.85 cu. ft. per second of the waters of _____
ground water County of Tripp, State of South Dakota at _____
a point North 52° 30' East, 1860 feet from the SW Corner,
Section 27, T95N, R79W

_____, for irrigation

purposes, 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. 2.22 cu. ft. per second of water.

Date April 20, 1976

By: WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

WATER LICENSE NO. ... 913-2

(1) WHEREAS, On the 15th day of May A. D. 19 67
John Mulligan

made Water Right Application No. 913-2 for a permit to use 2.25 cubic feet per second of the waters
of ground water
County of Tripp, State of South Dakota, for irrigation

_____ purposes; and
(2) WHEREAS, On the 25th day of September A. D. 19 67
Permit No. 913-2, with a date of priority of May 15, 1967

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 20th day of September D. 19 72 and for the
application to beneficial use of said water on or before the 20th day of September A. D. 19 76

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 2.22 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:

for irrigating the following land in T95N, R79W

Section 27 **NW $\frac{1}{4}$ SE $\frac{1}{4}$ 5.0 acres**
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 35.0 acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 29.0 acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 35.0 acres

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 38.0 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.0 acres

Section 34 **NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.0 acres**
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.0 acres

Total 160.0 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to John Mulligan

_____ of Millboro, S.D.

the holder _____ and owner _____ of said permit No. 913-2 water right, dating from May 15, 1967

_____ to use of 2.22 cubic feet per second of the waters of ground water

in the County of Tripp and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at _____

a point North 52° 30' East, 1860 feet from the SW Corner,

Section 27, T95N, R79W

and conduct to and upon portions of Sections 27 and 34, T95N, R79W,

more fully described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 913-2 and subject to the laws of the State of South Dakota.

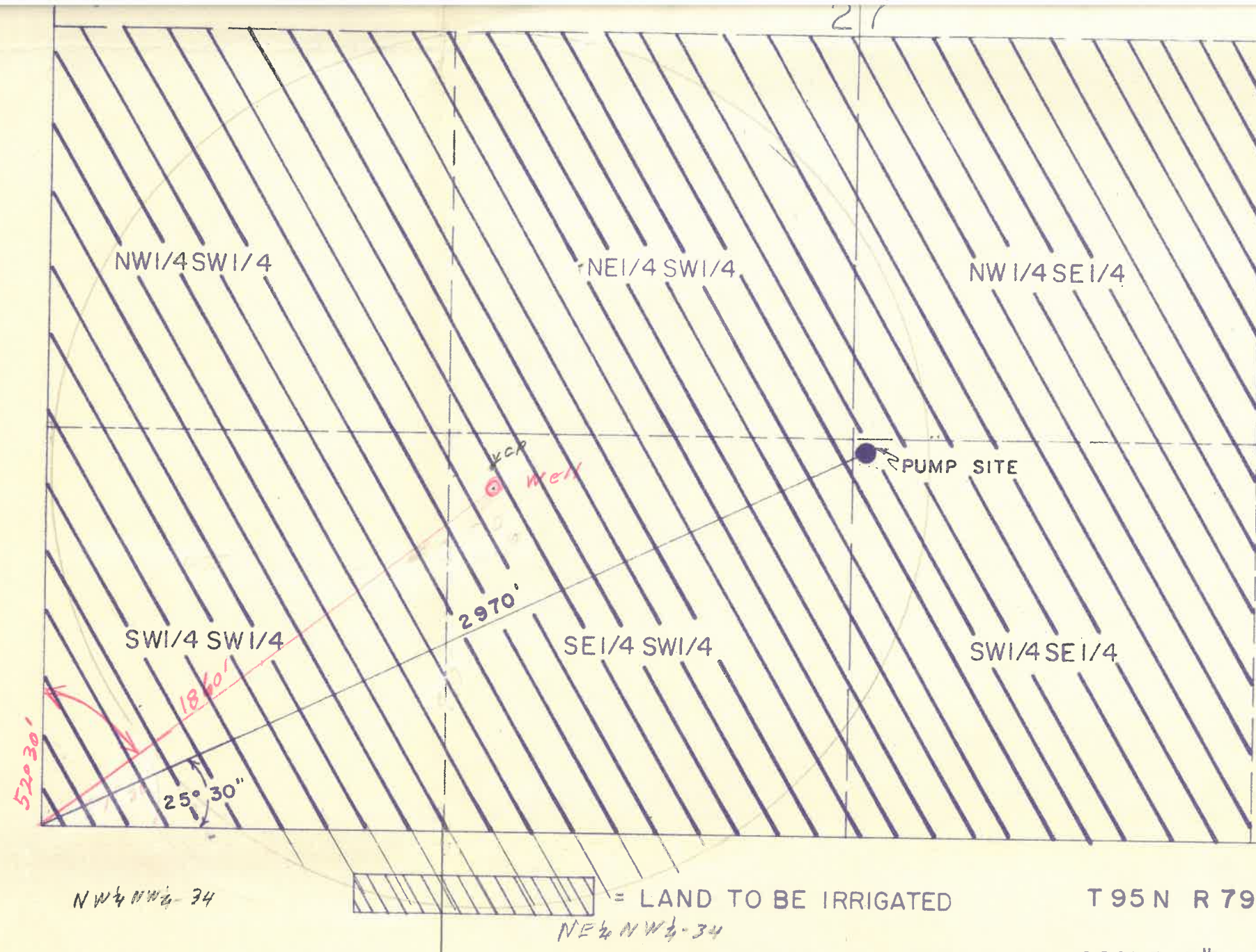
WITNESS, My hand and seal of our office at Pierre, South Dakota
this 20th day of April A. D.

Nineteen Hundred and Seventy-six

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH



LOCATION	SEC.	TWP.	RANGE	ACRES
NW 1/4 SE 1/4	27	95 N	79 W	40.0
NE 1/4 SW 1/4	27	95 N	79 W	40.0
NW 1/4 SW 1/4	27	95 N	79 W	40.0
SW 1/4 SW 1/4	27	95 N	79 W	40.0
SE 1/4 SW 1/4	27	95 N	79 W	40.0
SW 1/4 SE 1/4	27	95 N	79 W	40.0
TOTAL				240.0

5.0

35.0

29.0

35.0

38.0

7.0

NW 1/4 NW 1/4 - 34 - T 95 N R 79 W - 4.0 AC

NE 1/4 NW 1/4 34 - T 95 N R 79 W 7.0 AC

160 AC

South Dakota



GREAT FACES. GREAT PLACES.

913-2
DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 1, 1991

JOHN MULLIGAN
RT 5 BOX 54
MILLBORO SD 57554

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 913-2. 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 hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 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(s), the Water Management Board can:

1. Amend Permit No(s) 913-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the February 27th hearing date, 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

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:

JOHN MULLIGAN
RT 5 BOX 54
MILLBORO SD 57554

4. Article Number

P 624 057 394

Type of Service:

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

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature - Addressee

X Mrs. John Mulligan

6. Signature - Agent

X

7. Date of Delivery

FEB - 4 1991

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

PS Form 3811, Apr. 1989

• U.S. G.P.O. 1989-234-815

DOMESTIC RETURN RECEIPT



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 15, 1991

913-2

John Mulligan
RR 5 Box 54
Millboro, SD 57554

Dear Mr. Mulligan:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Right No. 913-2. 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



913-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 1994

No. 913-2

Dennis A. Bammerlin
HC 88, Box 64
Millboro, SD 57580-9421

Dear Mr. Bammerlin:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 913-2. The water right is currently listed in the name of John Mulligan.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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 me.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

913-2

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 913-2

Date: 1-19-94

I/We request that Water Right No. 913-2

formerly owned by: John Mulligan

be transferred to: Dennis A Bammerlin, HC 88 Box 64, Millboro, SD 57580-9421 (Telephone No) 402-376-2519

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

160 acres - SW¼ and W½ SE¼ Section 27, N½ NW¼ Section 34, all in T95N, R79W

I/We understand that the validity of Water Right No. 913-2 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 at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Tripp)

I/We Dennis A Bammerlin, being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Dennis A Bammerlin
(Signed)

Subscribed and sworn to before me this 19th day of January, 1994.

My Commission Expires: 3/13/95

[Signature]
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

Division of Water Rights

South Dakota Department of Environment and Natural Resources

913-2
414037

Pierre, January 21, 1994

RECEIVED OF Dennis Barmerlin, Rte 5 Pox 64, Millboro, SD 57554

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 _____ Water Right No. 913-2	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John H. Halderson
Chief Engineer



913-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 8, 1994

No. 913-2

Dennis A. Bammerlin
HC 88, Box 64
Millboro, SD 57580-9421

Dear Mr. Bammerlin:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 913-2.

Our records now show you as the owner of Water Right No. 913-2.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

913-2

DENNIS A BAMMERLIN
HC 88 BOX 64
MILLBORO SD 57580 9421

4a. Article Number

P 378 081 322

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Dennis A Bammerlin

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

PS Form 3811, December 1994

Domestic Return Receipt



913-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: DENNIS A BAMMERLIN, HC 88 BOX 64, MILLBORO, SD 57580 9421

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 913-2. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 913-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 21, 1997

913-2

Dennis A Bammerlin
HC 88 Box 64
Millboro, SD 57580-9421

Dear Bammerlin:

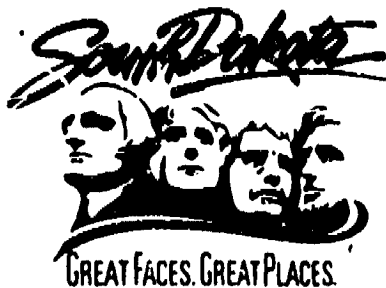
I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire Requirement.

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



913-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: DENNIS A BAMMERLIN, HC 88 BOX 64, MILLBORO, SD 57580 9421

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 913-2. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 913-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

DENNIS A BAMMERLIN
HC 88 BOX 64
MILLBORO SD 57580 9421

4a. Article Number

913-2 21797157170

4b. Service Type

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

7. Date of Delivery

1-13-98

5. Received By: (Print Name)

Dennis A Bammerlin

6. Signature: (Addressee or Agent)

X Dennis A Bammerlin

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

PS Form 3811, December 1994

102595-97-8-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

913-2



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

January 26, 1998

913-2

Dennis A Bammerlin
HC 88 Box 64
Millboro, SD 57580-9421

Dear Mr. Bammerlin:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 913-2.

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