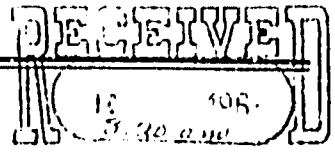


1. Considered 3. 13, 1942
2. Name of Applicant Joe Matthews
3. Post Office Address Clay
4. Amount of water claimed 1.62
5. Source of water supply Ground Water
6. Water to be used for irrigation
Acres to be irrigate 114
7. Water to be diverted and used in CLADE County
about 35 25 miles of Clay
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved A
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks: Domestic 10/10/40

1016-3



No. 1016-3
 Water Division No. 3 JAMES RIVER
 (Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.
 SIOUX FALLS, 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 Sal Mathews
 Postoffice address Liberty, County DeWitt, 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 or others, or by direct labor)

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

2. Name of diversion work Mathews No 2

3. Amount of water claimed _____ cubic feet per second

4. Source of water supply windy well, location on map

5. Location of point of diversion on map

_____ on _____ bank _____ County.

6. Annual period or periods during which water is to be used May to Oct.

7. To be used for:

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

(a) Number of acres to be irrigated 114 acres.

(b) Legal subdivisions to be irrigated on section 14 map.

(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.)

(c) Statement as to domestic use (giving location, etc.) Wells used for drinking irrigated

Nearest domestic well is 1/2 mile away.

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 to stream _____

MAP No 660-3

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:

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

II. Dimensions of works.

(a) Dam: Height-----feet; length at bottom ----- feet; length at top -----feet; thickness at bottom -----feet; thickness at top -----feet; slope at front water face -----; slope at back face -----
 material used in construction -----
 (b) Reservoir: Capacity when filled -----acre feet. Surface area at highwater mark-----acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-FOOT CAPACITY

(c)* Head gate: Width-----feet; height -----feet;
 Material -----
 (d) Canal: Total length-----miles.

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 work -----years.
 11. Time required for complete application of water to the proposed beneficial use ----- years.
 12. Choice of newspaper for publication of notice of intention to appropriate -----

STATE OF SOUTH DAKOTA

County of Clark ss.

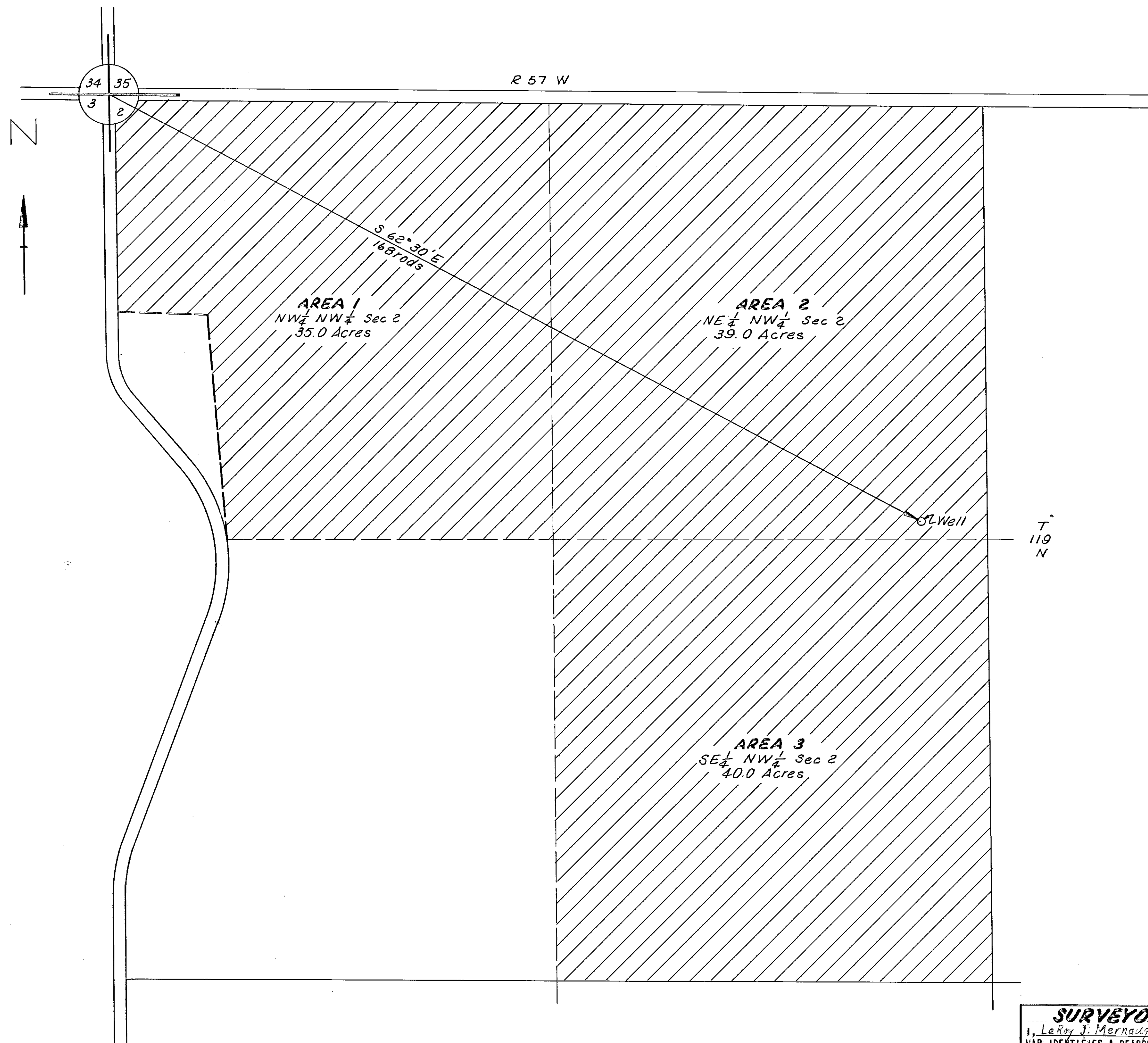
I, Edmund M. Mankiewicz, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein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

Signed Edmund M. Mankiewicz

Subscribed and sworn to before me this ----- day of ----- 1962.

W. J. (unclear)
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



All lands described belong to Joe Matthews

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NW 1/4 NW 1/4	2	119N	57W	35.0
2	NE 1/4 NW 1/4	2	119N	57W	39.0
3	SE 1/4 NW 1/4	2	119N	57W	40.0
TOTAL					114.0

SURVEYOR'S CERTIFICATE

I, LeRoy J. Mernaugh, DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE JOE MATTHEWS IRRIGATION PROJECT NUMBER 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE DAY SOIL AND WATER CONSERVATION DISTRICT.

SIGNATURE: LeRoy J. Mernaugh

TITLE: Agricultural Engineer

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 30th DAY OF July, 1962, A.D.

Eldred C. Leonard
NOTARY PUBLIC

MY COMMISSION EXPIRES Sept 13th, 1968.

Scale: 1" = 200'

JOE MATTHEWS IRRIGATION PROJECT NUMBER 1

Clark County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed _____	Date _____	Approved by _____
Drawn _____	Title _____	
Traced _____	Title _____	
Checked _____	Sheet <u>1</u> of <u>1</u>	Drawing No. _____

MAP N° 660-3 (APPL N° 1016-3)

Remarks by State Water Resources Commission:

-----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 may be required to protect the domestic water supply.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, MARCH 21, 19 63

This is to certify that the foregoing application was received by the Commission at 8:20 o'clock a.m. upon the 31ST day of JANUARY, 19 63

State Water Resources Commission

By:

Burton J. Jones
Chief Engineer, Executive Officer

Number of permit 1016-3

Date of first receipt of application JANUARY 31, 19 63

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right JANUARY 31, 19 63

Approved MARCH 13, 19 63, Recorded in Book 8 Page 54

This is to certify that we have examined _____ 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 _____

SEPTEMBER 13, 19 64

2nd. The whole of said work is to be completed on or before MARCH 13, 19 66

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

MARCH 13, 19 66

4th. 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 1.62 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 MARCH 13, 19 66; said water to be used during the following described annual period:

MAY TO SEPTEMBER

Witness my hand this 21ST day of MARCH, 19 63

State Water Resources Commission

By:

J. C. Quinn
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 20, 19 69

Water License issued OCTOBER 20, 19 69

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation Depth *well is about 6.5 ft*

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

Size of casing Thickness of casing

Length of casing If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen

Size of perforated screen
(diameter) (length)

Thickness of gravel pack length of gravel pack

(c) Water Bearing Materials

Distance to water *20-25 ft* Character of water bearing materials *course*

sand and gravel, determined by a test hole dug in late 1961. Driller indicated he would expect 500 g.p.m. from test hole

Thickness of water bearing material *about 40 ft*

(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 at drawdown of Estimated cost

(f) Owner of land upon which well is located

Joe Matthews
Name
Lily P.O.
Address

(g) Distance to nearest existing wells

On same owner's property *160* rods. On property owned by others *230* rods

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Well is not dug yet

Size of drill hole or excavation , Depth

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

Size of casing , Thickness of casing

Length of casing If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen

Size of perforated screen ,
(diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water Character of water bearing materials

Thickness of water bearing material

(d) Pump and Motor

Type of pump
(centrifugal, propeller, mixer, flow, etc.)

Name of pump , size

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

Horsepower , Name of Motor

(e) Complete well

Capacity at drawdown of Estimated cost

(f) Owner of land upon which well is located *to be located* *Joe Mankiewicz*
Name

Lily L. D.
Address

(g) Distance to nearest existing wells

On same owner's property *100* rods. On property owned by others *240* rods

Form 15.

Permit No. 1016-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Joe Matthews

_____ the holder _____ of
Permit No. 1016-3, issued upon Application No. 1016-3, bearing date of priority of January 31,
1965 authorizing the diversion of 1.62 cu. ft. per second of the waters of _____
_____ County of Clark, State of South Dakota at a
point in the NE Corner, of the NW $\frac{1}{4}$, Section 2, T119N, R57W

_____, for irrigation

_____ purposes, ha^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 1.33 cu. ft. per second of water.

Date October 20, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1016-3

(1) WHEREAS, On the 31st day of January A. D. 1963
Joe Matthews

made Water Right Application No. 1016-3 for a permit to use 1.62 cubic feet per second of the waters of ground water

County of Clark State of South Dakota, for irrigation

purposes; and
 (2) WHEREAS, On the 21st day of March A. D. 1963
 Permit No. 1016-3 with a date of priority of January 31, 1963

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 13th day of March A. D. 1966 and for the application to beneficial use of said water on or before the 13th day of March A. D. 1966

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 1.33 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 Section 2, T119N, R57W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 35 acres

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 39 acres

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres

Total 114 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 Joe Matthews

_____ of Lily
the holder _____ and owner _____ of said permit No. 1016-3 a water right, dating from January 31, 1963
_____ to use of 1.33 cubic feet per second of the waters
of ground water

in the County of Clark and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point in the NE Corner, of the NW $\frac{1}{4}$, Section 2,
T119N, R57W

and conduct to and upon a portion of the NW $\frac{1}{4}$, Section 2, T119N, R57W, described on the face
of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1016-3 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 October A. D.
Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRINES

on or before February 14, 1963,
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 31, 1963

Notice is hereby given that Joe Matthews whose postoffice address is Lily 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 1.62 cubic feet of water per second of time from ~~xxx~~ ground water through the Matthews #2, the point of diversion of which is to be located ~~on the~~ portions of ~~land of xxxxxxxx~~ in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2 Twp. 119N Range 57W. Said water to be used for the purpose of providing irrigation on the following described land:
the NE $\frac{1}{4}$ NW $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, T119N, R57W

~~xxxxxx~~ ~~xxxxxx~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 13th day of March, 1963, at 2 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

By:

CC: Harold W. Card, Publisher
Reporter and Farmer
Webster, South Dakota

BURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Day } ss.

Harold W. Card being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Reporter and Farmer a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the city of Webster County of Day and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Feb. 6, 1963

Feb. 13, 1963

Feb. 20, 1963

Feb. 27, 1963

in each and every issue of the full number thereof, the first publication being made on the 6th day of Feb.

19.63 and the last publication on the 27 th day of

Feb. 19.63, 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 printer ~~and~~ publisher of the said newspaper.

Harold W. Card

Subscribed and sworn to before me this 27 th day of Feb. A. D. 19 63

Gusa Herr

Notary Public Day County, S. D.

Gus A. Herr
 Notary Public, Day County, S. Dak.
 My Commission Expires July 10, 1963

No. 1015-3

Office of State Water Resources
 Commission, Pierre, S. Dak., January 30, 1963.

Notice is hereby given that Vernon L. Parks whose postoffice address is Lily, 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 3.48 cubic feet of water per second of time from ground water through the Parks Irrigation Project No. 1, the points of diversion of which are to be located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, Twp. 120N, Range 57W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ & W $\frac{1}{2}$ SE $\frac{1}{4}$
 Sec. 26, T120N, R57W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 13th day of March, 1963, at 2 P. M. All interested persons may appear and be heard. Appropriate action will be taken if the Water Resources Commission after suitable time has elapsed for consideration of any or all information presented.

State Water Resources Commission
 By: BURTON F. JONES
 Water Right Specialist
 (Last Feb. 27)

RECEIVED
 FEB 27 1963
 STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

REPORT OF INVESTIGATION

Unlicensed Water Permits Authorized before January 1, 1964

Water Permit No. 10163 Approval Date March 13, 1963

This Permit authorized the diversion of 1.62 cubic feet
per second of water from Well - Dugout. to irrigate
114. acres in Section 27., Township 119N.,
Range 52W., County Clark.

Name and Address shown on Permit Joe Matthews.

Lily S. Dak.

Name and Address of present owner of land Same.

WATER PERMITS NOT CONSTRUCTED WITHIN THE FIVE YEAR PERIOD ARE
SUBJECT TO CANCELLATION BY ACTION OF THE WATER RESOURCES COMMISSION

Indicate the following:

1. The irrigation system was never started nor was not completed.
The present landowner has been informed that cancellation of
Water Permit No. _____ will be considered by the Water
Resources Commission and he will be notified of the date, time
and place of such consideration. _____
2. Some questions exists and further consideration is advisable.

- ✓ 3. The irrigation system was completed within the five year period
and is being used. A final inspection should be scheduled.

REMARKS: used each year - Ready for inspection

Date 7-11-69

Signature Wm J. Elliott

Permit No. 1016-3Water Division 3 James River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Joe Matthews of Lily, South Dakota holder of Permit No. 1016-3, bearing date of priority of January 31, 1963 authorizing the diversion of 1.62 cu. ft. per second of the waters of ground water for irrigation purposes, in Clark 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:

Dugout 100' x 60' x 18'

Cornell pump 4", Mod. 60B-4-4

International tractor, Mod. 14HT, 1771, propane, 40 H.P.

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

1400 feet of six inch aluminum pipe

1000 feet of five inch aluminum pipe

C. Works used to apply water to beneficial use.

Two tow lines, total 120 rods long, 4 inch diameter

The system is in the following condition: goodThe point of diversion is located In the NE Corner of NW $\frac{1}{4}$ of Section 2, T119N, R57WThe works are capable of diverting and conveying to the place of use 1.33cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: irrigation of:NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, T119N, R57W 35.0 acresNE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, T119N, R57W 39.0 acresSE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, T119N, R57W 40.0 acrescomprising a total of 114 acres of land.

The following should be attached to the letter of notification to Mr. Matthews:
"You already have water License No. 760-3 authorizing the irrigation of 167.2 acres from dugouts. Water Permit No. 959-3 was cancelled, as you requested, in 1963".

Date September 25, 1969

Donald Driscoll
(Signature)

DONALD DRISCOLL, Deputy Chief Engineer



Department of Water & Natural Resources

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

1016-3
4186-3

February 17, 1989

Joe Matthews
RR 1, Box 42
Lily, SD 57250

Dear Mr. Matthews:

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

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

The new standards include:

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



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

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

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

Very truly yours,

John Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division



1016-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

NOTICE

TO: JOE MATTHEWS, RR #3 BOX 662, LILY, SD 57274

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

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 1016-3, 760-3 & 4186-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am, March 5, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1016-3, 760-3 & 4186-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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



1016-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1996

760-3

1016-3

4186-3

Joe Matthews
RR 3 Box 662
Lily, SD 57274

Dear Mr. Matthews:

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

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 AGRICULTURE
and NATURAL RESOURCES**

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

November 1, 2024

760-3
1016-3
4186-3

Mike Matthews
42842 154th St
Lily SD 57274

Dear Mr. Matthews:

This letter is in response to the 2024 Irrigation Questionnaires you submitted for Water Right Nos. 760-3, 1016-3, 4186-3, and our brief telephone conversation regarding the needed change in ownership. For your convenience I have enclosed a partially completed "Notice of Transfer of Ownership" form for each water right.

Water Right No. 4186-3 is listed in the name of both yourself and your late father, while the other two are listed solely in his name. If you do not wish to transfer Water Right No. 4186-3 at this time, that would be acceptable since your name is listed on the license, however, filing a transfer now may avoid confusion in the future.

Please return the completed forms with a check for (\$50.00 per transfer) made payable to "SD Water Rights Program" to cover the transfer fees. If you would prefer to pay by card you may call our Fiscal Office at 605.773.5559. These forms will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.910.5187

Sincerely,

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

enclosures

1016-3

PAID

NOV 18 2024

Ck# 1403

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 1016-3

Rec't#

Date: 11-16-2024

I/We request that Water Right/Permit No. 1016-3 formerly owned by:

Joe Matthews - Lily SD be transferred to:

New Owner Name: Mike Matthews

Address: 42842 154 St mobile:

City, State, Zip Webster, S.D. 57274 email:

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

Section 2, T119N, R57W
NW 1/4 NW 1/4 - 35 acres
NE 1/4 NW 1/4 - 39 acres
SE 1/4 NW 1/4 - 40 acres
TOTAL: 114 acres

☒ I understand that the validity of Water Right/Permit No. 1016-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Mike Matthews, 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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

2021-08

RECEIVED

NOV 18 2024

OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date November 20TH, 2024

RECEIVED OF Matthews Inc C/O Mike Matthews 42842 154th St Webster SD 57274

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>#4186-3 #760-3 #1016-3</u>	<u>\$150.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$150.00</u>

By Eric Gronlund
Chief Engineer

JK



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 21, 2024

760-3
1016-3
4186-3

Mike Matthews
42842 154th St
Webster SD 57274

Dear Mr. Matthews:

I have received your "Notice of Transfer of Ownership" forms and the required fees for Water Right Nos. 760-3, 1016-3, and 4186-3. Enclosed is a receipt of payment for your records.

Water Right Nos. 760-3, 1016-3, and 4186-3, previously held by Joe Matthews are now listed under yourself. I have also updated your contact information in our system.

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

If you have any questions, please contact me.

Sincerely,

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

NOTE: The validity of Water Right Nos. 760-3, 1016-3, and 4186-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure