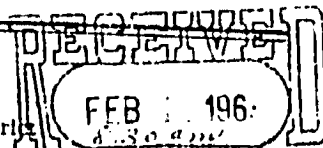


1. Considered 3-13, 1963
2. Name of Applicant Wheeler Company
3. Post Office Address Bruce
4. Amount of water claimed 1.79
5. Source of water supply Ground water
6. Water to be used for irrigation
Acres to be irrigate 125
7. Water to be diverted and used in Reynolds County
about 15 1/2 miles of Bruce
8. Proof of Publication Received 1st
Not Received _____
9. Application Approved A
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

1017-3

No. 1017-3
 Water Division No. 3 BIG SIOUX RIVER District
 (Blanks to be filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COM. **RECEIVED**
 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 Wilfred Eichay
 Postoffice address Emery, County Brookings, State So. 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 and direct labor
 - (b) Cash on hand, \$ 2,000
 - (c) Treasury stock, \$
 - (d) Bonds to be issued, \$
 - (e) Other resources, \$

2. Name of diversion work Eichay Irrigation Project #1
 3. Amount of water claimed 1.75 cubic feet per second 603 gal/min.
 4. Source of water supply Well
 5. Location of point of diversion S. 45° 00' E. 111.2 rods from R.R. Sec. 13 - 111-51
 on bank Brookings County.
 6. Annual period or periods during which water is to be used 1 April - 1 Nov.
 7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Irrigation
 (a) Number of acres to be irrigated 125 acres.

(b) Legal subdivisions to be irrigated 111-51, 111-52, 111-53, 111-54, 111-55, 111-56, 111-57, 111-58, 111-59, 111-60, 111-61, 111-62, 111-63, 111-64, 111-65, 111-66, 111-67, 111-68, 111-69, 111-70, 111-71, 111-72, 111-73, 111-74, 111-75, 111-76, 111-77, 111-78, 111-79, 111-80, 111-81, 111-82, 111-83, 111-84, 111-85, 111-86, 111-87, 111-88, 111-89, 111-90, 111-91, 111-92, 111-93, 111-94, 111-95, 111-96, 111-97, 111-98, 111-99, 111-100 Section 13-111-51
 (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.)

- 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 661-3

8. Estimated cost of work:

(a) Head Gates, \$.....

Sprinkler Equipment

And (b) Pumping plant, \$10,000

(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.)

..... Irrigating Plant

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottomfeet; 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 DEPTH AT OUTLET-ACRES	FEET	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 workyears.

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

Brockings Register, Brockings, So. Dak.

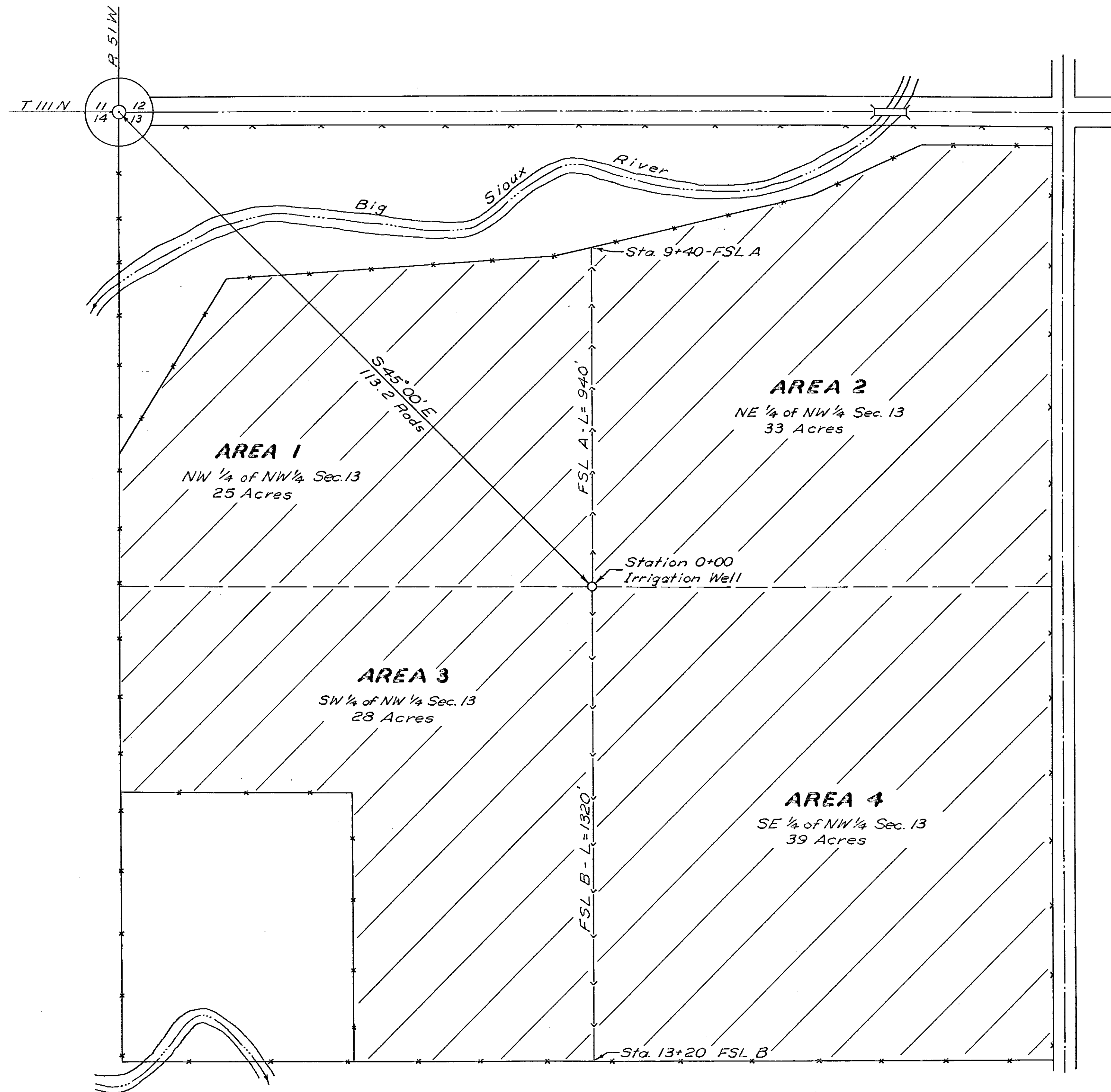
STATE OF SOUTH DAKOTA

County of Brockings ss.

I, Walter E. Ewing, 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 Walter E. EwingSubscribed and sworn to before me this 20th day of February, 1912Walter E. Ewing
Notary Public (or other qualified officer.)

*Each division must have a headgate or measuring device.



LOCATION OF LAND TO BE IRRIGATED				
WILFRED EIGHMY IRRIGATION PROJECT NO. 1				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
AREA 1	13	111 N	51 W	25
AREA 2	13	111 N	51 W	33
AREA 3	13	111 N	51 W	28
AREA 4	13	111 N	51 W	39
Total				125

SURVEYOR'S CERTIFICATE

I, Roy J. Gardner, do hereby certify that this map identifies the land of Wilfred Eighmy.....

Irrigation Project Number 1

Signature Roy J. Gardner
 Title: Construction Engineer
 Soil Conservation Service
 U.S. Dept. of Agriculture

Subscribed and sworn to before me this 3rd day of January, 1962 A.D.

Harold D. Bergdahl
 Notary Public

WILFRED EIGHMY IRRIGATION PROJECT NUMBER 1 BROOKINGS COUNTY, SO. DAK. SCALE: 1" = 200'			
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed	Date	Approved by	
Drawn		Title <u>Construction Engineer</u>	
Traced		Title	
Checked	<u>12-61</u>	Sheet	Drawing No
		No	of

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 } ss.
County of HUGHES

Pierre, South Dakota, APRIL 1, 1963

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
2 m. upon the 11 day of FEBRUARY, 1963

State Water Resources Commission

By:

Durton Jones
Chief Engineer, Executive Officer

Number of permit 1017-3

Date of first receipt of application FEBRUARY 11, 1963

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 FEBRUARY 11, 1963

Approved MARCH, 1963, Recorded in Book 8 Page 55

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 _____

SEPTEMBER 13, 1965

2nd. The whole of said work is to be completed on or before MARCH 13, 1968

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

MARCH 13, 1968

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 19 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, 1968; said water to be used during the following described annual period:

APRIL 1 TO NOVEMBER 1

Witness my hand this 1ST day of APRIL, 1963

State Water Resources Commission

By:

James
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 10, 1969

Water License Issued OCTOBER 10, 1969

Permit No. 1017-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Wilfred Eighmy

_____ the holder _____ of
Permit No. 1017-3, issued upon Application No. 1017-3, bearing date of priority of February 11,
1963 authorizing the diversion of 1.79 cu. ft. per second of the waters of _____
ground water County of Brookings, State of South Dakota at a
point S 45° E, 113.2 rods from the NW Corner, Section 13, T11N, R51W

_____, for irrigation

purposes, has _____ 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 1.44 cu. ft. per second of water.

Date October 10, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1017-3

(1) WHEREAS, On the 11th day of February A. D. 19 63

Wilfred Eighmy

made Water Right Application No. 1017-3 for a permit to use 1.79 cubic feet per second of the waters of ground water

County of Brookings, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 1st day of April A. D. 19 63

Permit No. 1017-3, with a date of priority of February 11, 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. 19 64 and for the application to beneficial use of said water on or before the 13th day of March A. D. 19 64

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 1.64 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 13, T11N, R51W

	Acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	25
NE $\frac{1}{4}$ NW $\frac{1}{4}$	33
SW $\frac{1}{4}$ NW $\frac{1}{4}$	28
SE $\frac{1}{4}$ NW $\frac{1}{4}$	39
Total	125 Acres

On or before February 17
(First Publication) 1963

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak, February 11, 1963

Notice is hereby given that Wilfred Eighay whose postoffice address is Bruce, South Dakota ~~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 1.79 cubic feet of water per second of time from ~~the~~ ground water through the Eighay Irrigation Project #2, the point of diversion of which is to be located on the ~~bank of wild stream~~ center of the NW $\frac{1}{4}$ of Section 13 Twp. 111N Range 51W. Said water to be used for the purpose of providing irrigation on ~~the fol-~~ a portion of lowing described land:

NW $\frac{1}{4}$, Section 13, T 111N, R 51W.

and for _____ purposes.

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, 19 63 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

By:

BFJ/ls
EMM:

cc: C.A. Mitchell - Publisher
Brookings Register
Brookings, South Dakota

BURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Brookings } ss.Charles A. Mitchell

being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the -----

Brookings Register ----- a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the state of South Dakota ----- County of

Brookings ----- and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Feb. 13, 1963 -----

Feb. 20, 1963 -----

Feb. 27, 1963 -----

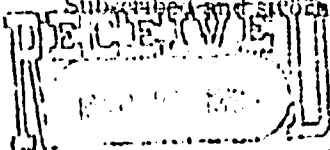
March 6, 1963 -----

in each and every issue of the ----- number thereof, the first publication being made on the 13th day of February 1963 and the last publication on the 6th day of March 1963, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was publisher ----- the printer ----- and publisher ----- of the said newspaper.

Charles A. Mitchell

Subscribed and sworn to before me this 6th day of March

A. D. 1963



STATE WATER RESOURCES COMMISSION
NOTARY PUBLIC

Notary Public Brookings County, S. D.

No. 733 — Feb. 13, 20, 27, March 6
Appropriation of Water
NOTICE IS HEREBY GIVEN that
Walter Elghmy, whose postoffice
address is Bruce, South Dakota has
made an application in accordance
with the provisions of the water laws
of South Dakota for a permit to ap-
propriate for beneficial use 1.75 cubic
feet of water per second of time from
ground water through the Elghmy
Irrigation Project No. 2, the point of
diversion of which is to be located in
the center of the NW 1/4 of Section 13
Twp. 11N Range 5W. Said water to
be used for the purpose of providing
irrigation on a portion of the following
described land:
NW 1/4, Section 13, T 11N, R 5W.
This application will be taken up by
the State Water Resources Commission
at their office at Pierre, S.D. for con-
sideration upon the 13th day of March,
1963 at 2:00 p.m. All interested per-
sons 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 of all infor-
mation presented.
State Water Resources Commission
By: BURTON F. JONES
Water Right Specialist

REPORT OF INVESTIGATION

Unlicensed Water Permits Authorized before January 1, 1964

Water Permit No. 1017-3. Approval Date March 13, 1963.

This Permit authorized the diversion of 1.79 cubic feet
per second of water from well to irrigate

125 acres in Section 13, Township 11N,

Range 51W, County Brookings.

Name and Address shown on Permit Wilfred Eighmy
Bruce, 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:

is using ready for Inspection

Contact Date 7-17-69

Signature W. A. Ellertson

Permit No. 1017-3
 Water Division 3 Big Sioux 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 Wilfred Eighmy
Bruce, South Dakota holder
 of Permit No. 1017-3, bearing date of priority of February 11, 1963
 authorizing the diversion of 1.79 cu. ft. per second of the waters of ground water
 to irrigation purposes, in Brookings 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:

Irrigation well, 28 feet deep, 18 inch concrete top with 12 feet of steel screen.
 Western Land Roller pump, Mod. 6M, U.S. Electrical Motor, 30 H.P.
 Irrigation well test pumped at 800 g.p.m.

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

Forty rods of 6 inch aluminum pipe
 Eighty rods of 5 inch aluminum pipe

C. Works used to apply water to beneficial use.

Easy Rain Sprinkler, a one nozzle (similar to Rain Master 100B) cable pulled, water operated, with 500' rubber hose attachments, also has hand carried sprinkle pipe.

The system is in the following condition: good

The point of diversion is located S. 45° E. 113.2 rods from NW Corner of Section 13, T111N, R51W

The works are capable of diverting and conveying to the place of use 1.44

cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: In NW¼ Section 13, T111N, R51W

as follows:	NW¼ NW¼	25 acres
	NE¼ NW¼	33 acres
	SW¼ NW¼	28 acres
	SE¼ NW¼	39 acres

comprising a total of 125 acres of land.

Date September 26, 1969

Donald Driscoll
 (Signature)

DONALD DRISCOLL, Deputy Chief Engineer

Water Rights Division
605 773-3352

January 4, 1983

1017-3

Wayne Elghmy
Box 118
Bruce SD 57220

Dear Mr. Elghmy:

This letter is in regard to a 1982 Irrigation Questionnaire returned by Wilfred Elghmy pertaining to Water Right No. 1017-3. Mr. Elghmy indicated on the data sheet that the land covered under Water Right No. 1017-3 had been sold to you on a contract for deed.

In order to keep our records up-to-date, it will be necessary for you to file a notice of transfer with this office. Enclosed please find our Form 20 "Notice of Transfer". Please check over, date, sign and have notarized before returning the form to this office with a \$2.50 filing fee. The water right can then be transferred to your name.

If you have any questions, please advise.

Sincerely,

GEMMY YOUNG
Water Rights Specialist

GY:ks

cc: Wilfred Elghmy, Box 120, Bruce SD

SECOND NOTICE
1017-3

WATER RIGHTS DIVISION
Phone (605) 773-3352

March 9, 1983

Wayne Elghmy
Box 118
Bruce, South Dakota 57220

Dear Mr. Elghmy:

On January 4, 1983 notice was sent to you concerning the transfer of Water Permit No. 1017-3 in the name of Wilfred Elghmy which covers irrigation of 125 acres in the NW $\frac{1}{4}$ Section 13, T111N, R51W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current.

If you have any questions please contact us.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
ENC.

NO. 1017-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 5-18-83

This is to notify you that the title to the lands described as follows:
125 acres - NW 1/4 Section 13, T11N, R51W

formerly owned by Wilfred Elghmy, Box 120, Bruce SD
has been transferred to Wayne Elghmy, Box 118, Bruce SD 57220
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 1017-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA }
County of Brookings } ss.

I, Wilfred Elghmy 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 I know of my own personal knowledge that the infor-
mation herein stated is true.

Wilfred Elghmy
(Signed)

Subscribed and sworn to before me this 18th Day of May, 1983.

[Signature]
(Notary Public)

My commission expires August 25, 1985



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 9284

PIERRE, July 6, 1983

RECEIVED OF Wayne Elghmy, Box 118, Bruce, SD 57220

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No. Transfer of WR # 1017-3	2	50
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	2	50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH

No. 1017-3

South Dakota Department of
Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

July 6, 1983

Wayne Elghmy
Box 118
Bruce SD 57820

Dear Mr. Elghmy:

Enclosed is receipt No. 4 9284 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1017-3.

Our records now show you as the owner of this Water Right.

Sincerely,

KAREN SCHLAACK
Administrative Aide

enclosure



1017-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: WAYNE EIGHMY, 46690 204TH ST, BRUCE, SD 57220 5810

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire has not been submitted for Permit No(s) 1017-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

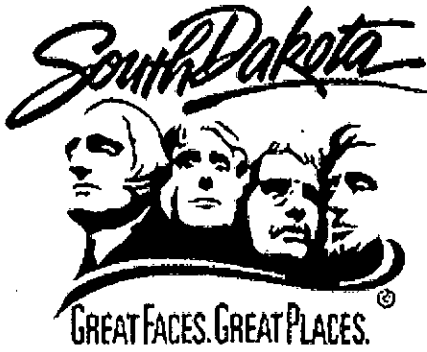
1. Amend Permit No(s) 1017-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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 before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: IVEMMW**

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.

1017-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 2020

1017-3

Natasha Swier
220 E Hwy 14 #4
Volga, SD 57071

Dear Ms. Swier:

Thank you for sending in the irrigation questionnaire for Water Right No. 1017-3, listed in the name of Wayne Eighmy.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right that you may keep for your records. 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

PAID

APR - 8 2020

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

Ck# 1028

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

APR 08 2020

WATER RIGHTS
PROGRAM

No. 1017-3

Date: 3/31/2020

I/We request that Water Right No. 1017-3

formerly owned by: Wayne Eighmy

be transferred to: (name & address) Natasha Swier
220 E Hwy 14 #4
Volga, SD 57071 Telephone No. (605) 695-0518

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

125 acres - NW 1/4 Section 13, T111N, R51W

I/We understand that the validity of Water Right No. 1017-3 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 Natasha Swier, the new owner, certify that the above information is true and correct.

Natasha Swier

(Signed by new owner)

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 8, 2020

1017-3

Natasha Swier
220 E Hwy 14 #4
Volga SD 57071

Dear Ms. Swier:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 1017-3.

The ownership change has been completed. Water Right No. 1017-3 formerly held by Wayne Eighmy is now listed under your name.

Enclosed is a receipt for the filing fee you paid. If I can answer any questions, please let me know.

Sincerely,

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

enclosure

1017-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date April 8, 2020RECEIVED OF Jesse/Natasha Swier 220 E Hwy 14 #4 Volga SD 57071

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>1017-3</u>	\$50.00
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	\$50.00

By Eric Gronlund
Chief Engineer

vm

1017-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 28, 2021

1017-3

Natasha Swier
606 Kasan Ave
Volga SD 57071 9119

Dear Ms. Swier:

Enclosed is a "Notice" dated October 22, 2021 concerning the 2021 irrigation questionnaire.

The notice was originally mailed to 220 E Hwy 14 #4, Volga 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,

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

enclosures

1017-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: NATASHA SWIER, 606 KASAN AVE, VOLGA, SD 57071 9119

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire has not been submitted for Permit No(s) 1017-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1017-3 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 before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: PMBJUV**

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.

1017-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 26, 2022

1017-3

Natasha Swier
606 Kasan Ave
Volga SD 57071 9119

Dear Ms. Swier:

I am writing to acknowledge receipt of your 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 1017-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

1017-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: NATASHA SWIER, 606 KASAN AVE, VOLGA, SD 57071 9119

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire has not been submitted for Permit No(s) 1017-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1017-3 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 before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: WSQPDT**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 23, 2023

1017-3

Natasha Swier
606 Kasan Ave
Volga SD 57071-9119

Dear Ms. Swier:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 1017-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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