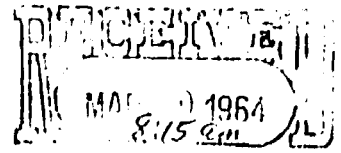


1092-3

1. Considered 5-6, 1914
2. Name of Applicant Alex Chicoma Sr
3. Post Office Address Jefferson
4. Amount of Water Claimed 2.60
5. Source of water supply Ground water
6. Water to be used for irrigation
 Acres to be irrigated 251.8
7. Water to be diverted and used in Union County about
3 N Miles of Jefferson
8. Proof of Publication Received 1st
 Not Received
9. Application Approved
 Subject to
 Not Approved
 Action deferred
10. Remarks:

No. 1092-3Water Division No. 3 Big Horn River District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable.)

1. Name of applicant Alex Chicoine
Postoffice address Jefferson, County Union, State South Dakota

- 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)

Direct labor and/or employment of others

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

2. Name of diversion work Alex Chicoine Irrigation Project No. 13. Amount of water claimed 3.6 cubic feet per second 1620 gpm4. Source of water supply Irrigation Well5. Location of point of diversion NE 1/4 - SE 1/4 6-20-48

on bank County.

6. Annual period or periods during which water is to be used April through October

7. To be used for:

(a) Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 251.8 acres.(b) Legal subdivisions to be irrigated No. 1 under remarks

(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. 726-3

8. Estimated cost of work:

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

(b) Pumping plant, \$2000.00..

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$1700.00..

(e) Other structures leveling \$50/acre.....\$.....

Total, \$3700.00..

9. Description of diversion works:

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

Irrigation Well

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-Feet 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.....5.....years.

11. Time required for complete application of water to the proposed beneficial use.....5.....years.

12. Choice of newspaper for publication of notice of intention to appropriate.....Blk Point Leader Courier

STATE OF SOUTH DAKOTA

County of.....Union.....} ss.

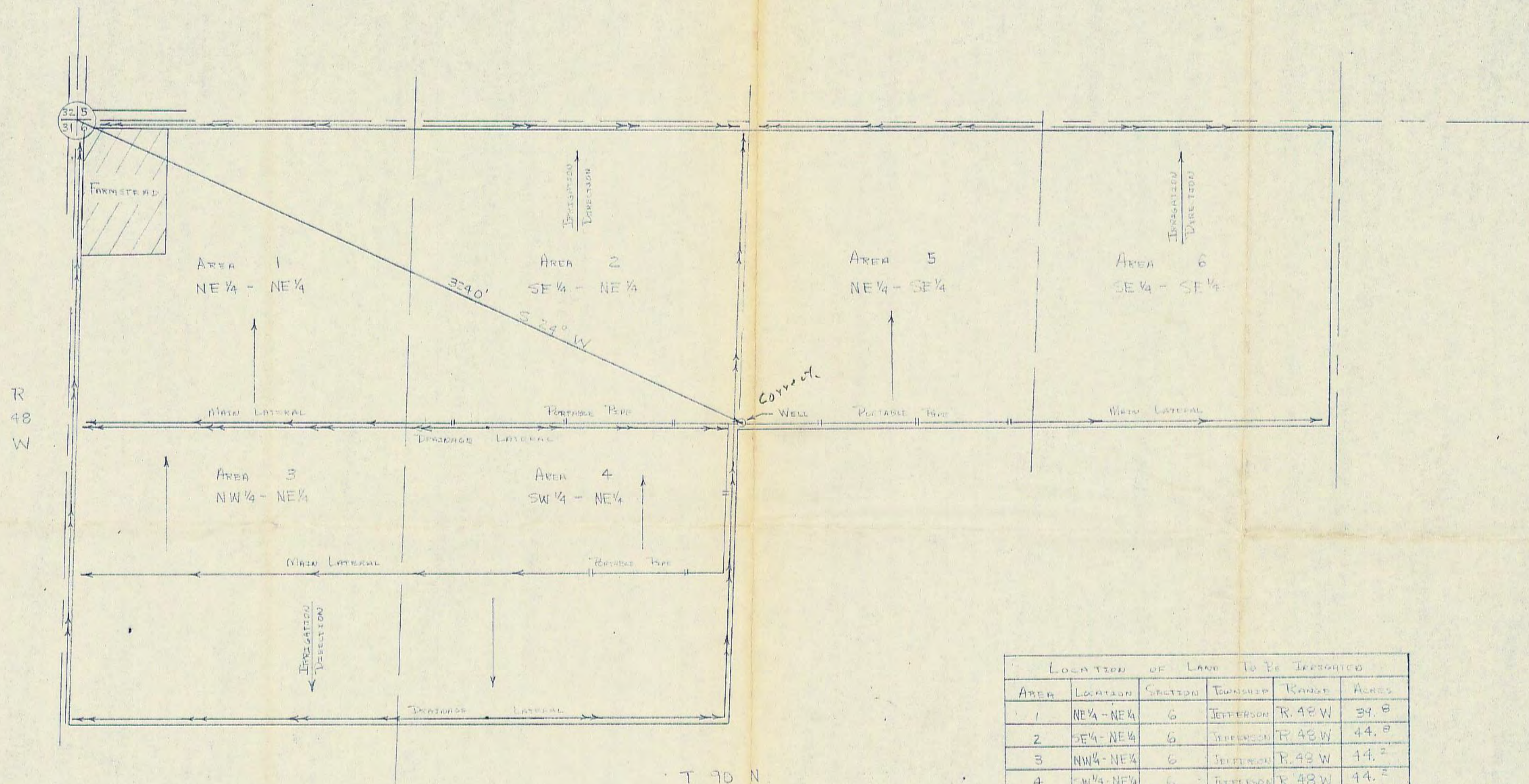
I, Alex Chicoine Sr., being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated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

Signed Alex Chicoine Sr.

Subscribed and sworn to before me this 28 day of March 1901

Notary Public (or other qualified officer.)

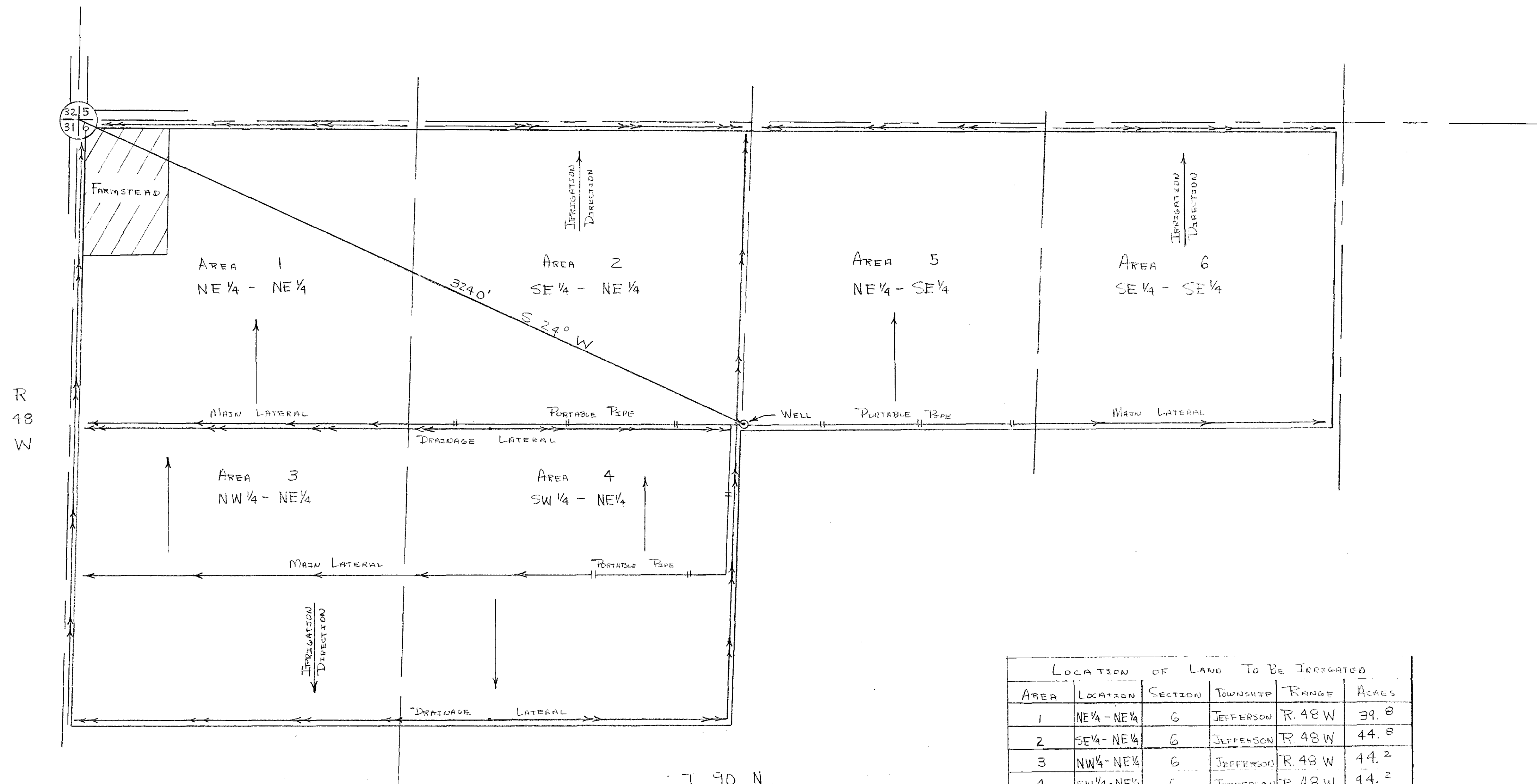
*Each diversion must have a headgate or measuring device.



LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NE 1/4 - NE 1/4	6	JEFFERSON	R. 48 W	34.8
2	SE 1/4 - NE 1/4	6	JEFFERSON	R. 48 W	44.8
3	NW 1/4 - NE 1/4	6	JEFFERSON	R. 48 W	44.2
4	SW 1/4 - NE 1/4	6	JEFFERSON	R. 48 W	44.2
5	NE 1/4 - SE 1/4	6	JEFFERSON	R. 48 W	37.5
6	SE 1/4 - SE 1/4	6	JEFFERSON	R. 48 W	37.3
TOTAL ACRES =					251.8
LAND OWNED BY ALEX CHICONE					

ALEX CHICONE IRRIGATION PROJECT NO. 1

SCALE: 1" = 300'



LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NE 1/4 - NE 1/4	6	JEFFERSON	R. 48 W	39.8
2	SE 1/4 - NE 1/4	6	JEFFERSON	R. 48 W	44.8
3	NW 1/4 - NE 1/4	6	JEFFERSON	R. 48 W	44.2
4	SW 1/4 - NE 1/4	6	JEFFERSON	R. 48 W	44.2
5	NE 1/4 - SE 1/4	6	JEFFERSON	R. 48 W	39.5
6	SE 1/4 - SE 1/4	6	JEFFERSON	R. 48 W	39.3
TOTAL ACRES = 251.8					
LAND OWNED BY ALEX CHICOTTE					

ALEX CHICOTTE IRRIGATION PROJECT NO. 1

SCALE: 1" = 300'

Map No 726-3 (Appl No 1092-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, May 11, 1964

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock
9 a.m. upon the 30th day of March, 1964

State Water Resources Commission

By:

[Signature]
for Chief Engineer, Executive Officer

Number of permit 1092-3

Date of first receipt of application March 30, 1964

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 March 30, 1964

Approved May 6, 1964, Recorded in 8 Page 143

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 November 6, 1966

2nd. The whole of said work is to be completed on or before May 6, 1969

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

May 6, 1969

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 3.6 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 May 6, 1969; said water to be used during the following described annual period:

April thru October

Witness my hand this 11th day of May, 1964

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction issued OCTOBER 27, 1970

Water License issued OCTOBER 27, 1970

Remarks by the Applicant:

1. Land to be Irrigated

<u>Location</u>		<u>Acres</u>
NE $\frac{1}{4}$ -NE $\frac{1}{4}$	6-90-48	39.8
SE $\frac{1}{4}$ -NE $\frac{1}{4}$	6-90-48	44.8
NW $\frac{1}{4}$ -NE $\frac{1}{4}$	6-90-48	44.2
SW $\frac{1}{4}$ -NE $\frac{1}{4}$	6-90-48	44.2
NE $\frac{1}{4}$ -SE $\frac{1}{4}$	6-90-48	39.5
SE $\frac{1}{4}$ -SE $\frac{1}{4}$	6-90-48	39.3
Total		251.8
Acres		

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36" , Depth 100'
 Type of casing Galvanized Steel or Concrete
 (wood, concrete, steel, etc.)
 Size of casing 18" , Thickness of casing 10 gage or 2 1/2"
 Length of casing 100' If collection gallery, length, size and depth of
 gallery

(b) Screens

Type of perforated screen galvanized steel or concrete
 Size of perforated screen 18" , 20'
 (diameter) (length)
 Thickness of gravel pack 6-9" , length of gravel pack 20'+

(c) Water Bearing Materials

Distance to water 12' Character of water bearing materials
 Aluminium 0-68'
 Sand and gravel 1, 68-74'
 Gravel (coarse) 74-104'
 Thickness of water bearing material 36'

(d) Pump and Motor

Type of pump Turbine
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump , size
 Kind of motor (gasoline, electric, diesel, etc.)
 Horsepower 30 Name of Motor
 (required)

(e) Complete well

Capacity 3.6 cfs at drawdown of Estimated cost \$1700.00

(f) Owner of land upon which well is located Alex Chicoine
 Name
 Jefferson, South Dakota
 Address

(g) Distance to nearest existing wells

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

Form 15.

Permit No. 1092-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Alex A. Chilcaine, Sr.

_____ the holder _____ of
Permit No. 1092-3, issued upon Application No. 1092-3, bearing date of priority of March 30,
1964 authorizing the diversion of 3.6 cu. ft. per second of the waters of _____
ground water County of Union, State of South Dakota at _____
a point 3240 feet, South 24° West from the NE Corner, Section 6, T90N, R48W
_____, for irrigation

_____ purposes has _____ complied with the provisions of the laws of the State of South Dakota relating to proper of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.35 cu. ft. per second of water.

Date October 27, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 19 1092-3

(1) WHEREAS, On the 30th day of March A. D. 19 64
Alex A. Chicoine, Sr.
made Water Right Application No. 1092-3 for a permit to use 3.6 cubic feet per second of the waters of ground water
County of Union, State of South Dakota, for irrigation
purposes; and
(2) WHEREAS, On the 11th day of May A. D. 19 64
Permit No. 1092-3, with a date of priority of March 30, 1964
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 6th day of May A. D. 19 69 and for the application to beneficial use of said water on or before the 6th day of May A. D. 19 69

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 3.35 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 6, T90N, R48W

	Acres
NE¼ NE¼	39.8
SE¼NE¼	44.8
NW¼ NE¼	44.2
SW¼ NE¼	44.2
NE¼ SE¼	39.5
SE¼ SE¼	39.3
Total	251.8 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 Alex A Chicoine, Sr.

_____ of Jefferson, S.D.

the holder _____ and owner _____ of said permit No. 1092-3 a water right, dating from _____

_____ to use of 3.35 cubic feet per second of the waters of ground water

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 3240 feet, South 24° West, from the NE Corner, Section 6, T90N, R48W

and conduct to and upon portions of the E½, Section 6, T90N, R48W, described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1092-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 27th day of October, A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

on or before
(First Publication April 9, 1964)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., March 30, 1964

Notice is hereby given that Alex A. Chicoine whose postoffice address is Jefferson 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 3.6 cubic feet of water per second of time from the ground water through the Alex Chicoine Irrigation Project #1, the point of diversion of which is to be located on the NE 1/4 of the SE 1/4 of Section 6 Twp. 90N Range 48W Said water to be used for the purpose of providing irrigation on the following described land:

NE 1/4 and NE 1/4 SE 1/4, Section 6, T30N, R48W

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 6th day of May, 1964, 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.

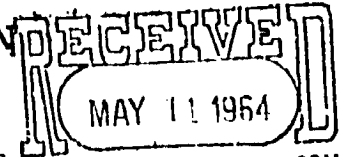
cc: **Byron Helgerson—Publisher**
Leader Courier
Elk Point, South Dakota

State Water Resources Commission

By:

~~STATE WATER RESOURCES COMMISSION~~
BURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION



STATE OF SOUTH DAKOTA }
County _____ } ss.

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

The Leader Courier 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 _____ Elk Point _____ County of _____

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

April 9, 1964

April 16, 1964

April 23, 1964

April 30, 1964

in each and every issue of the full number thereof, the first publication being made on the 9th day of April

1964 and the last publication on the 30th day of

April 1964, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was editor the printer and publisher of the said newspaper.

Byron Helgerson

Subscribed and sworn to before me this 30th day of April A. D. 1964

Edith Helgerson

Notary Public Union County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., March 30, 1964.

Notice is hereby given that Alex A. Chicoline whose post-office address is Jefferson, 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 3.6 cubic feet of water per second of time from ground water through the Alex Chicoline Irrigation Project No. 1, the point of diversion of which is to be located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6 Twp. 90N Range 48W. Said water to be used for the purpose of providing irrigation on the following described land:

NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 6, T90N, R48W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 6th day of May, 1964, 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: BURTON F. JONES

Water Right Specialist
(Pub. Apr. 9, 16, 23, 30)

Permit No. 1092-3

Water Division, 3 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 Alex Chicoine Sr.
_____ of _____ Jefferson, S.D. _____ holder _____
of Permit No. 1092-3, hearing date of priority of March 30, 1964
authorizing the diversion of 3.6 cu. ft. per second of the waters of ground water
for _____ irrigation _____ purposes, in _____ Union _____ 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:

Well, 102 ft. deep, 24 inch concrete casing
Western Land Roller pump, 8 inch - Mod. 8M
Fairbank-Morse electric Motor, 30 HP

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

820 ft. 6 inch aluminum pipe) pipe used jointly with Water Right No. 1106-3
1500 ft. 8 inch aluminum gated pipe)

C. Works used to apply water to beneficial use.

Gated pipe

Land leveling

The system is in the following condition: Good

The point of diversion is located 3240 ft. S. 24° W. from NE Corner of Section 6,
T90N, R48W

The works are capable of diverting and conveying to the place of use 3.35
cu. ft. per second of water which is to be used for irrigation

cu. ft. per second of water which is to be used for _____ All in Section 6, T90N, R48W

Water has been put to beneficial use to the maximum extent as follows: _____

NE $\frac{1}{4}$ NE $\frac{1}{4}$	39.8 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.5 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	44.8 acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$	39.5 ³ acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	44.2 acres		
SW $\frac{1}{4}$ NE $\frac{1}{4}$	44.2 acres		

comprising a total of 251.8 acres of land.

Date. ANGLIX September 30, 1970

Date: _____
Donald Driscoll
 (Signature)
 DONALD DRISCOLL, Deputy Chief Engineer
 Water Resources Commission



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 17, 2003

NOTICE

TO: ALEX CHICOINE, 32703 483RD AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 1092-3, 1106-3 & 2410-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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 8:30 am, March 5, 2003, 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) 1092-3, 1106-3 & 2410-3 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 February 28, 2003, 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 57501-3182
www.state.sd.us/denr

January 28, 2003

1092-3
1106-3
2410-3

Alex Chicoine
32703 483rd Ave
Jefferson SD 57038

Dear Mr. Chicoine:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 1092-3, 1106-3 and 2410-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



February 3, 2003

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

1092-3
1106-3
2410-3

Dennis Chicoine
32703 483rd Ave
Jefferson SD 57038

Dear Mr. Chicoine:

Thank you for calling about the irrigation questionnaires for your water rights and those listed in Alex Chicoine's name. It is my understanding from our conversation that the water rights listed in Alex's name should be transferred.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in changing the name on the water rights. Please review them and make any necessary corrections. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each. The check or money order for the fee can be made payable to the Water Rights Program.

For informational purposes, I have one water right in your name (Dennis & Michelle) and two listed with you as the operator. The two with you listed as operator are held by Francis Chicoine and by Patty Brienzo. If these are in error, please let me know.

If I can answer any questions for you, give me a call. Thank you in advance for your help.

Sincerely,

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

enclosures



June 11, 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

1092-3
1106-3
2410-3

Dennis Chicoine
32703 483rd Ave
Jefferson SD 57038

Dear Mr. Chicoine:

In February, transfer forms were mailed to you for transferring Water Right Nos. 1092-3, 1106-3 and 2410-3 to your name. They are currently listed in Alex Chicoine's name. To date, we have not received the forms back from you.

In the event you no longer have the original forms, enclosed is another set of partially completed "Notice of Transfer of Ownership" forms for use in changing the name on the water rights. Please review them and make any necessary corrections. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$7.50). The check or money order for the fee can be made payable to the Water Rights Program.

If you have decided not to transfer the water rights and wish to leave them in Alex's name, please let me know. Thank you in advance for your help.

Sincerely,

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

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date July 2, 2003

RECEIVED OF Dennis J Chocoines, 32703 483rd Ave., Jefferson SD 57038

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>1092-3</u>		2 50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

000018

By

D. M. Ireland
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
JUL - 2 2003
WATER RIGHTS
PROGRAM

No. 1092-3

Date: _____

I/We request that Water Right No. 1092-3

formerly owned by: Alex Chicoine Sr

be transferred to: (name & address) Dennis J. Chicoine
32703 483rd Ave
Jefferson SD 57038 Telephone No. 605-966 5595

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

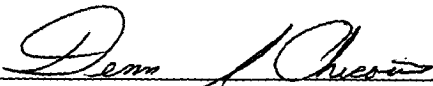
251.8 acres - NE ¼ and E ½ SE ¼ Section 6, T90N, R48W

I/We understand that the validity of Water Right No. 1092-3 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 Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Dennis J. Chicoine, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 3, 2003

1092-3
1106-3
2410-3

Dennis Chicoine
32703 483rd Ave
Jefferson SD 57038

Dear Mr. Chicoine:

Thank you for sending in the transfer of ownership forms and filing fees for Water Right Nos. 1092-3, 1106-3 and 2410-3. The water rights, formerly listed in the name of Alex Chicoine Sr or Alex Chicoine, Jr., are now listed in your name.

Enclosed are your Receipt Nos. 000817, 000818 and 000819 in the amounts of \$2.50 each. You may keep these for your records.

If you have any questions or need copies of the Water Rights, please let me know.

Sincerely,

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

enclosures



January 14, 2004

1092-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: DENNIS & MICHELLE CHICOINE, 32703 483RD AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 5282-3 & 5340-3, 59-3, 1092-3, 1106-3 & 2410-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 59-3, 1092-3, 1106-3 & 2410-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5282-3 & 5340-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5282-3 & 5340-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 59-3, 1092-3, 1106-3 & 2410-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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

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

February 9, 2004

Dennis Chicoine
32703 483rd Ave
Jefferson SD 57038

Dear Mr. Chicoine:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 59-3, 1092-3, 1106-3, 2410-3, 5282-3 and 5340-3. We also received from you the questionnaires for the SD Parks and Wildlife Foundation.

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

On a couple of the forms, I noticed you included notations about possible changes to the water rights. With respect to using the well authorized under Water Right 59-3 to irrigate land authorized for irrigation from the Big Sioux River under Water Right No. 5282-3; this change will require a new permit. I am enclosing an application for this purpose. I have included a copy of both water rights for reference purposes.

In regard to your notation on the forms for the SD Parks and Wildlife Foundation, I need to visit with Tim Bjork (Director for the Foundation) to see how he wants to handle the application. I will be in touch with you as soon as I have had a chance to talk to Tim.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: DENNIS & MICHELLE CHICOINE, 32703 483RD AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaires

Our records indicate that the 2007 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 59-3, 1092-3, 1106-3 & 2410-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 53-3, 5282-3 & 5340-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2008** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 53-3, 5282-3 & 5340-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 59-3, 1092-3, 1106-3 & 2410-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 3, 2008**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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**

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

February 1, 2008

Dennis Chicoine
32703 483rd Ave
Jefferson SD 57038

RE: Water Right Nos. 53-3, 59-3, 1092-3, 1106-3, 2410-3, 5282-3 and 5340-3

Dear Mr. Chicoine:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 53-3, 59-3, 1092-3, 1106-3, 2410-3, 5282-3 and 5340-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



1092-3
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 16, 2015

NOTICE

TO: DENNIS CHICOINE, 32703 483RD AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 59-3, 1092-3 & 2410-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 53-3, 5340-3 & 7608-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 53-3, 5340-3 & 7608-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 59-3, 1092-3 & 2410-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** 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: <http://denr.sd.gov/iq.aspx>

c: KATHLEEN FITZPATRICK, 2925 SAFFORD AVE, DANBURY IA 51019

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.



1092-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 28, 2015

Dennis Chicoine
32703 483rd Ave
Jefferson SD 57038

RE: Water Right or Permit Nos. 53-3, 59-3, 1092-3, 2410-3, 5340-3 & 7608-3

Dear Mr. Chicoine:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right or Permit Nos. 53-3, 59-3, 1092-3, 2410-3, 5340-3 & 7608-3. 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
email: genny.mcmath@state.sd.us



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 20, 2017

NOTICE

TO: DENNIS CHICOINE, 32703 483RD AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaires

Our records indicate your 2016 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 59-3, 1092-3 & 2410-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 53-3, 5340-3 & 7608-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 53-3, 5340-3 & 7608-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 59-3, 1092-3 & 2410-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



1092-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 31, 2017

Dennis Chicoine
32703 483rd Ave
Jefferson SD 57038

RE: Water Permit/Right Nos. 53-3, 59-3, 1092-3, 2410-3, 5340-3 & 7608-3

Dear Mr. Chicoine:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Permit/Right Nos. 53-3, 59-3, 1092-3, 2410-3, 5340-3 & 7608-3. 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
email: genny.mcmath@state.sd.us

FILE DOCUMENTATION FOR WATER RIGHT NO. 1092-3

Water License No. 1092-3, held by Dennis J Chicoine authorizes diversion of 3.35 cubic feet of water per second (cfs) from ground water, one well (Missouri Elk Point Aquifer), Union County, South Dakota for irrigation of 251.8 acres in the NE ¼ & E ½ SE ¼ Section 6, T90N, R48W.

On July 8, 2019, an ownership change was filed for the portion of land described in Water Right No. 1092-3 located in the SE ¼ Section 6, T90N, R48W. Based on the ownership change, Water Right No. 1092-3 was divided and reissued to reflect separate ownership as follows:

- **No. 1092A-3**, Dennis J Chicoine, 32703 483rd Ave., Jefferson SD 57038 authorizing diversion of 2.30 cfs from one well located in the NE ¼ SE ¼ Section 6 to irrigate 173 acres located in the NE ¼ Section 6, all in T90N, R48W;
- **No. 1092B-3**, Kenneth Calvin Chicoine, 48042 329th St., Jefferson SD 57038-6802 authorizing diversion of 1.05 cfs from one well located in the NE ¼ SE ¼ Section 6 to irrigate 78.8 acres located in the E ½ SE ¼ Section 6, T90N, R48W.