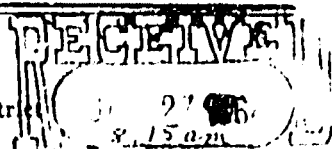


1096-3

1. Considered 5-6, 1966
2. Name of Applicant James A. Chicaire
3. Post Office Address Jefferson
4. Amount of Water Claimed 4.11
5. Source of water supply ground water
6. Water to be used for irrigation
Acres to be irrigated 78
7. Water to be diverted and used in Union County about
1 N Miles 1st of Jefferson
8. Proof of Publication Received 1st
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1096-3
 Water Division No. 3 Big Sioux River District
 (Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RESOURCES COMMISSION
 CHEROKEE, SOUTH DAKOTA

To appropriate Water within the State of South Dakota

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

1. Name of applicant Adrian ChicoinePostoffice address Indian Agency, County Union, State S. Dak.

I. If a corporation

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

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

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

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

(b) Cash on hand, \$ Adequate

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Jim Chicoine Irrigation Project No. 13. Amount of water claimed 1.11 cfs cubic feet per second 500 gpm4. Source of water supply Irrigation Well5. Location of point of diversion NW1/4-NW1/4 Section 18, R. 48, T. 90on Union bank Union County.6. Annual period or periods during which water is to be used May thru October

7. To be used for:

☒ Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 28.0 acres.(b) Legal subdivisions to be irrigated NW1/4-NW1/4 and SW1/4-NW1/4, Sec. 18, R. 48, T. 90
 (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 730-3

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$4200.00
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures leveling.....\$1000.00 Total, \$4200.00

9. Description of diversion works:

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

Pumping Plant.....

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	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.....
 Elk Point Leader Courier.....

STATE OF SOUTH DAKOTA

County of Union.....} ss.

I, James A. Chicoine....., 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

James A. Chicoine

Subscribed and sworn to before me this

25

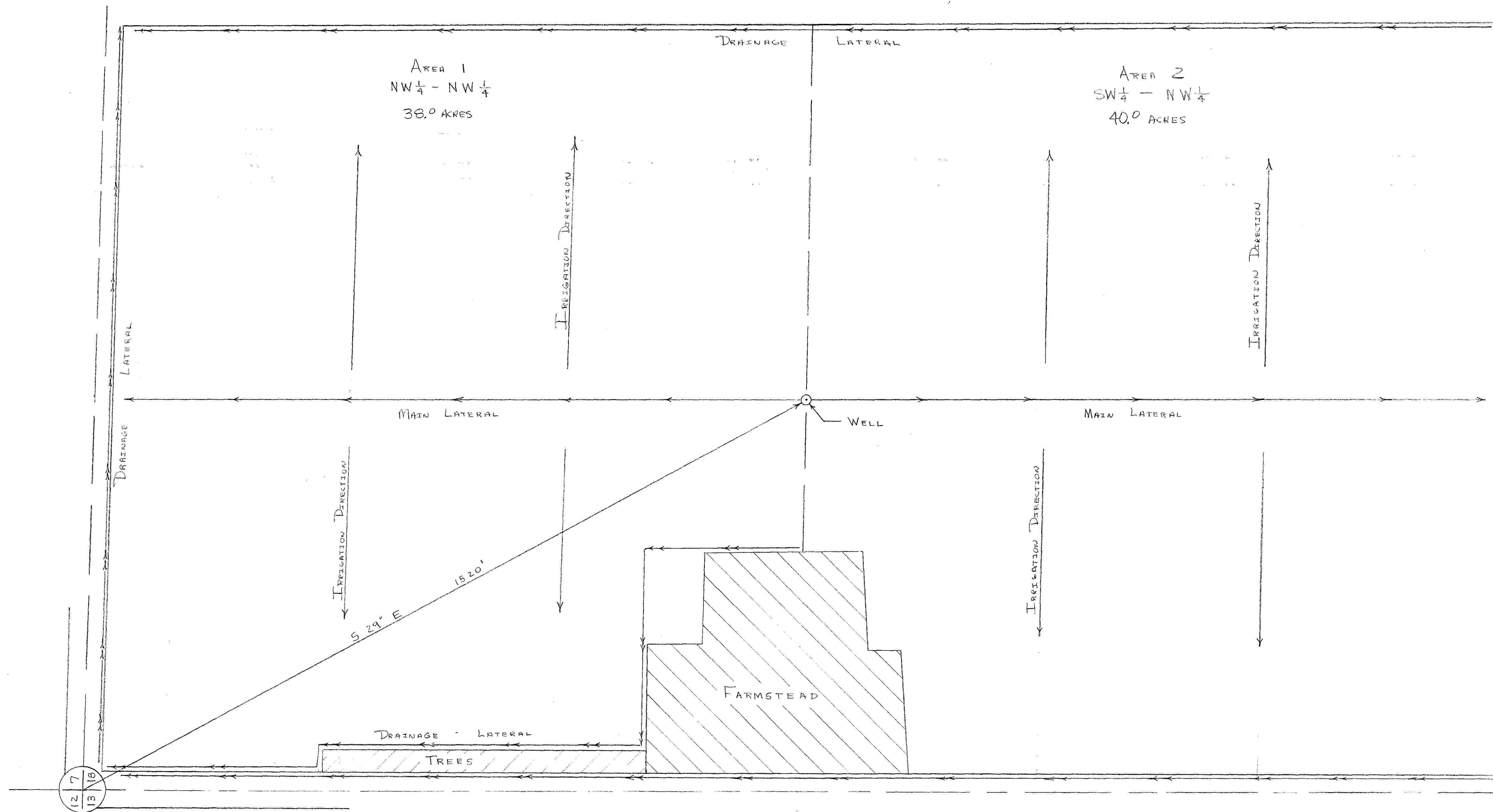
day of

May

19

60

Notary Public (or other qualified officer.)



LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NW 1/4 - NW 1/4	18	JEFFERSON	R. 48W	38.0
2	SW 1/4 - NW 1/4	18	JEFFERSON	R. 48W	40.0
TOTAL ACRES = 78.0					
LAND OWNED BY JIM CHICOINE					

JAMES A. CHICOINE
IRRIGATION PROJECT NUMBER 1
SCALE: 1" = 100'

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
a m. upon the 27th day of January, 1964

State Water Resources Commission

By:

Burt Jones
for Chief Engineer, Executive Officer

Number of permit 1096-3

Date of first receipt of application January 27, 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 January 27, 1964

Approved May 6, 1964, Recorded in Book 5 Page 195

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 1.11 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:

May thru October
Witness my hand this 11th day of May, 1964

State Water Resources Commission

By:

Burt Jones
Chief Engineer, Executive Officer

Certificate of Construction issued JANUARY 18, 1966

Water License issued JANUARY 18, 1966

Form 2A -- Wells (Supplement to Form 2)

8. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 3' , Depth 100'

Type of casing Galvanized Steel or Concrete
(wood, concrete, steel, etc.) 2 1/2 "

Size of casing 18" , Thickness of casing 16 gauge 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" , length of gravel pack 20'

(c) Water Bearing Materials

Distance to water 12 feet . Character of water bearing materials

..... Alluvium 0-70 feet

..... Outwash, gravels and sands 70-125 feet

Thickness of water bearing material 55'

(d) Pump and Motor

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

Name of pump Western Land Roller , size 10"

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

Horsepower 25 , Name of Motor -

(e) Complete well

Capacity 550 gpm .. at drawdown of - Estimated cost \$1700.00

(f) Owner of land upon which well is located James A. Chicoine
Name

..... Jefferson, South Dakota
Address

(g) Distance to nearest existing wells

On same owner's property . None .. rods. On property owned by others 150' rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1096-3 . . .

WHEREAS, On the 27th day of January A. D. 1964
James A. Chicoine

of Jefferson County of Union and State of
South Dakota duly made application (No. 1096-3) to us for a permit to use 1.11
cubic feet per second of the waters of ground water
County of Union, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 11th day of May A. D. 1964
Permit No. 1096-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 6th day of
May A. D. 1969 and for the application to beneficial use of said
water on or before the 6th day of May A. D. 1969
and,

WHEREAS, On the 13th day of January A. D. 1966
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.11
cubic feet per second of said waters, as evidenced by our Certificate No. 1096-3
dated January 18, 1966 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.11 cubic feet per second of water, with date of
priority of January 27, 1964 and,

WHEREAS, On the 13th day of January A. D. 1966
proof was duly made of the application to beneficial use of 1.11 cubic feet per second of said water;
for irrigating 78 acres in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 18, 190N, R48W.

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 James A. Chicoine
of Jefferson the holder and owner of said permit No. 1096-3
a water right, dating from January 27, 1964 to the use of 1.11
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 S29° E, 1520 feet from
the NW corner, Section 18, T90N, R48W
and conducted to and upon the W½ NW¼, Section 18, T90N, R48W

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 18th day of January A. D. Nineteen
Sixty-Six
Hundred and _____

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ - c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

1096-3
Permit No.

Water Division No. 3 Big Sioux River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That James A. Chicoine

of Jefferson, County of Union, and State of South Dakota, the holder of Permit No. 1096-3, issued upon Application No. 1096-3, bearing date of priority of January 27, 1964, authorizing the diversion of 1.11 cu. ft. per second of the waters of ground water County of Union, State of South Dakota, at a point S 29° E, 1520 feet from the NW corner, Section 18, T90N, R48W for irrigation

purposes, has fully 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 1.11 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: all in Section 18, T90N, R48W

NW¼ NW¼ 38 acres

SW¼ NW¼ 40 "

Total - 78 "

Witness my hand this 18th day of January A. D. 1966

State Water Resources Commission

By: J. W. GRIMES
Chief Engineer, Executive Officer

on or before
(First Publication April 9, 1964)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 3, 1964.

Notice is hereby given that James 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 1.11 cubic feet of water per second of time from ~~the~~ ground water through the Jim Chicoine Irrigation Project #1, the point of diversion of which is to be located on the ~~back of the~~ back of the in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 18 Twp. 90N Range 48W. Said water to be used for the purpose of providing irrigation on the following described land:

W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 18, T90N, R48W

~~and/or~~

~~XXXXXX~~

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.

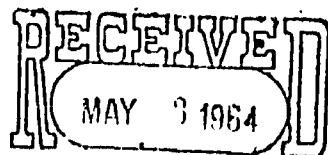
cc: **Byron Helgerson-Publisher**
Leader Courier
Elk Point, South Dakota

State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTASTATE 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 _____

19 64 and the last publication on the _____ 30th day of _____

_____ April _____ 19 64, 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. 19-64

Edith Helgerson
Notary Public Union _____ County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., April 3, 1964.

Notice is hereby given that James Chilcolne 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 1.11 cubic feet of water per second of time from ground water through the Jim Chilcolne Irrigation Project No. 1, the point of diversion of which is to be located in the NW 1/4 of the NW 1/4 of Section 18 Twp. 90N Range 48W. Said water to be used for the purpose of providing irrigation on the following described land:

W 1/2 NW 1/4, Section 18, 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, 18, 23, 30)

Permit No. 1096-3
BIG BENDWater Division No. 3 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I ~~hereby certify that in accordance with your letter of authorization dated~~
 1966, I have this day made a thorough examination of the diversion works constructed by
JIM CHICOINE of JEFFERSON
UNION County, South Dakota, holder of Permit No. 1096-3, issued
 upon Application No. 1096-3, bearing date of priority of JANUARY 27, 1964, authorizing the
 diversion of 1.11 cu. ft. per second of the waters of GROUND WATER for IRRIGATION
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 100' 1.8" CONCRETE CASED WELL WITH
8" WESTERN LAND ROLLER PUMP #G6438, POWERED BY
"630 JOHN DEERE TRACTOR. ENTIRE 78 ACRES LEVERED
USES 3/4 MILE 8" GATED PIPE (40" GATES) INTERCHANGEABLE
WITH PERMITS 1200-3 & 1208-3
 and the system is in the following condition: EXCELLENT

The point of diversion is located S 29° E 1520' FROM THE NW CORNER,
SECTION 18, T40N, R48W

The works are capable of diverting and conveying to the place of use 200 cu. ft. per second of water,
 which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: ALL IN SECTION 18, T40N, R48W
NW 1/4 NW 1/4 38
SW 1/4 NW 1/4 40

..... comprising a total of 78 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 13TH day of JANUARY, 1966

-SEAL-

Examining Engineer

OFFICER



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1096-3

December 21, 1983

Mike, Lori & Brad Chilcote
Box 460
Jefferson SD 57038

Dear Sirs:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

KAREN SCHLAACK
Administrative Aide

DWNR-820A-8/83

RECEIPT

Division of Water Rights

No 4 9502

South Dakota Department of Water and Natural Resources

Pierre, January 18, 1984

RECEIVED OF Adrian J. Chicolne, Rt#1, Box 450, 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 works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form for WR# 1096-3	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH/ins

NO. 1096-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

This is to notify you that the title to the lands described as follows:
78 acres - W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 18, R90N, R48W

_____ formerly owned by Adrian J Chicolne

has been transferred to Mike, Lori & Brad Chicolne, Box 460, Jefferson SD 57038

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1096-3 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 Div. 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 Union) ss.

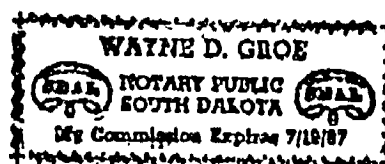
I, Adrian J Chicolne being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Adrian J. Chicolne
(Signed)

Subscribed and sworn to before me this _____ Day of _____, 19____.



[Signature]
(Notary Public)



1096-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MIKE, LORI & BRAD CHICOINE
RR #1 BOX 410
JEFFERSON SD 57038

NOTICE

RE: Violation of Water Permit Nos 1096-3, 4558-3 and 1991 Irrigation
Questionnaire Requirements

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit Nos 1096-3, 4558-3. The request for the Questionnaires was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1096-3 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) 4558-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, at 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 SDCL 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) 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1096-3 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 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 1992

1096-3
1208A-3
4558-3

Michael, Brad & Lori Chicoine
RR #1 Box 460
Jefferson, SD 57038

Dear Sirs:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 1096-3, 1208A-3 and 4558-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath
Natural Resources Analyst
Water Rights Division

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

MIKE, LORI & BRAD CHICOINE
RR #1 BOX 410
JEFFERSON, SD 57038

4a. Article Number

P 906 557 610

4b. Service Type

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

7. Date of Delivery

1-29-92

5. Signature (Addressee)

Brad Chicoine

6. Signature (Agent)

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



1096-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: ADRIAN/MICHAEL/BRAD CHICOINE
RR 1 BOX 460
JEFFERSON SD 57038

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1096-3, 1208A-3 & 1208B-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 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 9:30 am, March 3, 1993, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1096-3, 1208A-3 & 1208B-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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

1096-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 5, 1993

1096-3
1208A-3
1208B-3

Adrian, Michael & Brad Chicoine
RR #1 Box 460
Jefferson, SD 57038

Dear Sirs:

I am writing to acknowledge receipt of your 1992 irrigation questionnaires. You may disregard the January 29, 1993, Notice of Violation of Violation of the Requirement to Submit the 1992 Irrigation Questionnaires.

The questionnaires were received in our office prior to the Water Management Board Meeting and your names have been deleted from the agenda. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



1096-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

MIKE, LORI & BRAD CHICOINE
RR #1 BOX 460
JEFFERSON SD 57038

NOTICE

RE: Violation of Water Permit No(s) 1096-3, 4558-3 and 1993 Irrigation
Questionnaire Requirements

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 1096-3, 4558-3. The request for the Questionnaires was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1096-3 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) 4558-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, 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 SDCL 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) 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1096-3 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 April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



1096-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 3, 1994

1096-3 ✓
1208A-3
1208B-3
4558-3

Adrian, Michael,
Brad & Lori Chicoine
RR #1 Box 460
Jefferson, SD 57038

I am writing to acknowledge receipt of your 1993 Irrigation questionnaires. You may disregard the February 16, 1994, **Notice of Violation of Water Permits and Notice of Violation of the Requirement to Submit the 1993 Irrigation Questionnaires.**

The questionnaires were received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



1096-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

MIKE, LORI & BRAD CHICOINE
RR 1 BOX 460
JEFFERSON SD 57038

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit Nos. 1096-3, 1208A-3 & 1208B-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 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 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit Nos. 1096-3, 1208A-3 & 1208B-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 questionnaires are received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

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

is your RETURN A
used on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

1096-3

MIKE, LORI & BRAD CHICOINE

RR #1 BOX 460

JEFFERSON, SD 57038

4a. Article Number

9757 564 357

4b. Service Type

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

7. Date of Delivery

29-95

5. Signature (Addressee)

Thane Chicoine - Mike

6. Signature (Agent)

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

Thank you for using Return Receipt Service.

1096-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 28, 1995

1096-3

1208A-3

1208B-3

4558-3

Mike, Lori, Brad & Adrian Chicoine
RR #1 Box 1255
Jefferson, SD 57038

Dear Sirs:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires. You may disregard the February 7, 1995, **Notices of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire and Violation of Water Permit.**

The questionnaires were received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

REDUCTION RATIO

ROLL NUMBER

GATE MICROFILMED

CAMERA OPERATOR SIGNATURE



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

June 10, 1999

1096-3
1200-3
1208B-3
4558-3

Brad Chicoine
32849 483rd Ave
Jefferson, SD 57038

Dear Mr. Chicoine:

I am contacting you in regard to ownership of land described in Water Right Nos. 1096-3, 1200-3, 1208B-3 and Water Permit No. 4558-3. Last fall when submitting your irrigation questionnaires, you made notations on the forms to change our ownership records.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the changes. I completed the forms based on the information in the water right files and the information you included with your irrigation questionnaires. Please review the forms and make any necessary corrections or additions.

Once you have completed the forms, please sign them in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (total of \$10.00). As soon as we receive the signed forms and the filing fees, we will transfer the water rights accordingly.

Thank you in advance for your help. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1096-3

Date: 11-9-99

I/We request that Water Right No. 1096-3

formerly owned by: Mike, Lori & Brad Chicoine

be transferred to: (name & address) Mike & Brad Chicoine, 32849 483rd Ave, Jefferson, SD 57038

Telephone No. (605) 966-5342

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

78 acres in the W 1/4 NW 1/4 Section 18, T90N, R48W

I/We understand that the validity of Water Right No. 1096-3 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.

STATE OF SOUTH DAKOTA)

County of Union)

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

Mike Chicoine
Brad Chicoine
(Signed)

Subscribed and sworn to before me this 23rd day of November, 1999.

James R. McQuinn
(Notary Public)

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416278

November 30, 19 99

Pierre,

RECEIVED OF Brad & Mike Chicoine, 32849 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 Water Right No. 1096-2

Fee for Filing Extension Request _____

Fee for _____

2 50

2 50

Total

(Any Other Work Provided by Law)

By

John Hatch
Chief Engineer

1096-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr



December 6, 1999

1096-3
1208B-3
4558-3

Mike & Brad Chicoine
32849 483rd Ave
Jefferson, SD 57038

Dear Sirs:

Thank you for returning the 1999 irrigation questionnaires and the "Notice of Transfer of Ownership" forms and filing fees.

The transfers have been completed and Water Right Nos. 1096-3 & 1208B-3 and Water Permit No. 4558-3 are now listed in your names. I am enclosing your receipts and also a copy of each of the transfer forms you filed. You may keep these for your records.

If I can answer any questions for you, please get in touch with me.

Sincerely,

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



10 96-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: MIKE & BRAD CHICOINE, 32849 483RD AVE, JEFFERSON, SD 57038
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 1096-3, 1200-3, 1208A-3 & 1208B-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) 4558-3 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 2, 2005 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1096-3, 1200-3, 1208A-3 & 1208B-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 25, 2005, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



1096-3
**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 2, 2005

Brad & Mike Chicoine
306 E Lincoln St
Elk Point SD 57025

RE: Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3

Dear Sirs:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3.

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

If you have any questions, please contact me.

Sincerely,

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



January 26, 2007

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: MIKE & BRAD CHICOINE, 306 E LINCOLN ST, ELK POINT, SD 57025
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 1096-3, 1200-3, 1208A-3 & 1208B-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) 4558-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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) 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1096-3, 1200-3, 1208A-3 & 1208B-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 1, 2007, 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/E0455V5-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.

1096-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0799 7115
Status: **Delivered**

Your item was delivered at 12:14 PM on January 29, 2007 in ELK POINT, SD 57025. The item was signed for by B CHICOINE.

[Additional Details >](#)[Return to USPS.com Home >](#)

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)



POSTAL INSPECTORS
Preserving the Trust

[site map](#)[contact us](#)[government services](#)[jobs](#)[National & Premier Accounts](#)

Copyright © 1999-2004 USPS. All Rights Reserved. Terms of Use Privacy Policy

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 7115

MIKE & BRAD CHICOINE
306 E LINCOLN ST
ELK POINT SD 57025

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL SERVICE)

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

LOT 1000 1000 May 2002

((See Reverse))

1096-3



**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 2, 2007

Mike & Brad Chicoine
306 E Lincoln St
Elk Point SD 57025

RE: Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3

Dear Mr. Chicoine:

I am writing to acknowledge receipt of your "2006" irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 23, 2007

Mike or Brad Chicoine
1702 Country Club Dr
Elk Point SD 57025-2324

RE: Water Right or Permit Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3

Dear Sirs:

Enclosed is a "Notice" dated October 19, 2007 concerning your 2007 irrigation questionnaires. The notice was originally mailed to 306 E Lincoln St., Elk Point 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
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 28, 2015

Mike & Brad Chicoine
1705 Arnold Palmer Ln
Elk Point SD 57025-2313

RE: Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 and 4558-3

Dear Sirs:

Enclosed is a "Notice" dated October 23, 2015 concerning the 2015 irrigation questionnaires.

The notice was originally mailed to 1702 Country Club Dr., Elk Point SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: MIKE & BRAD CHICOINE, 1705 ARNOLD PALMER, ELK POINT, SD 57025

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) 1096-3, 1200-3, 1208A-3 & 1208B-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) 4558-3 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) 4558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1096-3, 1200-3, 1208A-3 & 1208B-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.



1096-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

January 31, 2017

Mike & Brad Chicoine
1705 Arnold Palmer
Elk Point SD 57025

RE: Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 & 4558-3

Dear Sirs:

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

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right Nos. 1096-3, 1200-3, 1208A-3, 1208B-3 & 4558-3. 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



1096-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 20, 2017

1096-3
1200-3
4558-3

Mike Chicoine
508 E Clay
Elk Point SD 57025

Dear Mr. Chicoine:

I am writing in follow-up to our phone conversation concerning irrigation questionnaires for Water Right Nos. 1096-3, 1200-3 and 4558-3 (copies enclosed).

The notation on the forms indicates you now own the land. If you own rather than manage them, they should be listed in your name. Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership change. Please review and complete as needed. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

In the event you do not have a copy of the water rights, I am including copies for your records. Please return the completed transfer forms, filing fee and the 2017 irrigation questionnaires as soon as possible.

If you have any questions, please contact me.

Sincerely,

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

1096-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 11, 2018

1096-3
1200-3
4558-3

Mike Chicoine
508 E Clay
Elk Point SD 57025

Dear Mr. Chicoine:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on Water Right Nos. 1096-3, 1200-3 and 4558-3. The irrigation questionnaires for each water right were also received.

The ownership changes have been completed. Water Right Nos. 1096-3, 1200-3 and 4558-3 are now listed in your name.

Enclosed for your records are Receipt Nos. 08469, 08470 and 08471 in the amount of \$50 each. 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 10, 20 18

RECEIVED OF Michael Chicoine 508 E Clay Elk Point, SD 57025

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1096-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **08470**

By

Jeanne Goodman
Chief Engineer *Jm*

RECEIVED

JAN 10 2018

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1096-3

Date: 1-6-17

I/We request that Water Right No. 1096-3

formerly owned by: Mike & Brad Chicione

be transferred to: (name & address) Mike Chicione

Telephone No. 712-898-9173

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

78 acres - W 1/2 NW 1/4 Section 18, T90N, R48W

I/We understand that the validity of Water Right No. 1096-3 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 Mike Chicione, the new owner, certify that the above information is true and correct.

Mike Chicione

(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 AGRICULTURE
and NATURAL RESOURCES**

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

October 20, 2025

*8474-3,*8475-3,*8476-3,*1096-3
*2620-3,*2621-3,*3451A-3,*4558-3
*6557-3,*7218-3,*7221-3,*7222-3
*7223-3,*7711-3,*7713-3

Michael Chicoine
32427 472nd Ave
Elk Point SD 57025

Dear Mr. Chicoine:

Enclosed is a "Notice" dated October 8, 2025, concerning the 2025 Irrigation Questionnaires.

The notice was originally mailed to you at 32926 482nd Ave, Jefferson SD 570383. The post office notified our office that your address has changed, and your records have been updated accordingly.

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

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

Sincerely,

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

enclosures

CHIC926 570382006-1425
RETURN TO SENDER
CHICOINE, MICHAEL JAMES
32427 472ND AVE
ELK POINT SD 57025-6712
RETURN TO SENDER

10/14/25

