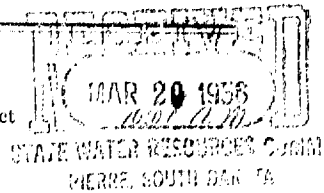


No. #127-3Water Division No. 2 James District
(Blanks to be filled by the Engineer for the W. R. C.)

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

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

1. Name of applicant Arthur P. Giesee
4, Box 186
Postoffice address Rt. #2 Yankton, County Yankton, State So. Dak.

I. If a corporation XXXXXX

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

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

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

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

Contract(b) Cash on hand, \$XXXXXXXX

(c) Treasury stock, \$

(d) Bonds to be issued, \$XXXX

(e) Other resources, \$

2. Name of diversion work None3. Amount of water claimed _____ cubic feet per second 2.284. Source of water supply Dug Well5. Location of point of diversion Survey Repts (attached)

_____ on _____ bank _____ County.

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

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 160 acres East 1/2 of SE 1/4 of Sec. II
and W 1/2 of SW 1/4 of Sec. 12(b) Legal subdivisions to be irrigated Twp. 93 R. 55 Yankton Co. So. Dak.
(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.) XXXXXX

II. Stock watering, 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

One & 1/4 mile

Map No. 122-3

8. Estimated cost of work:

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

9. Description of diversion works:

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

II. Dimensions of works:

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

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

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work -----3-----years.
 11. Time required for complete application of water to the proposed beneficial use -----2----- years.
 12. Choice of newspaper for publication of notice of intention to appropriate -----
Yankton Public Opinion

STATE OF SOUTH DAKOTA
 County of Yankton } ss.

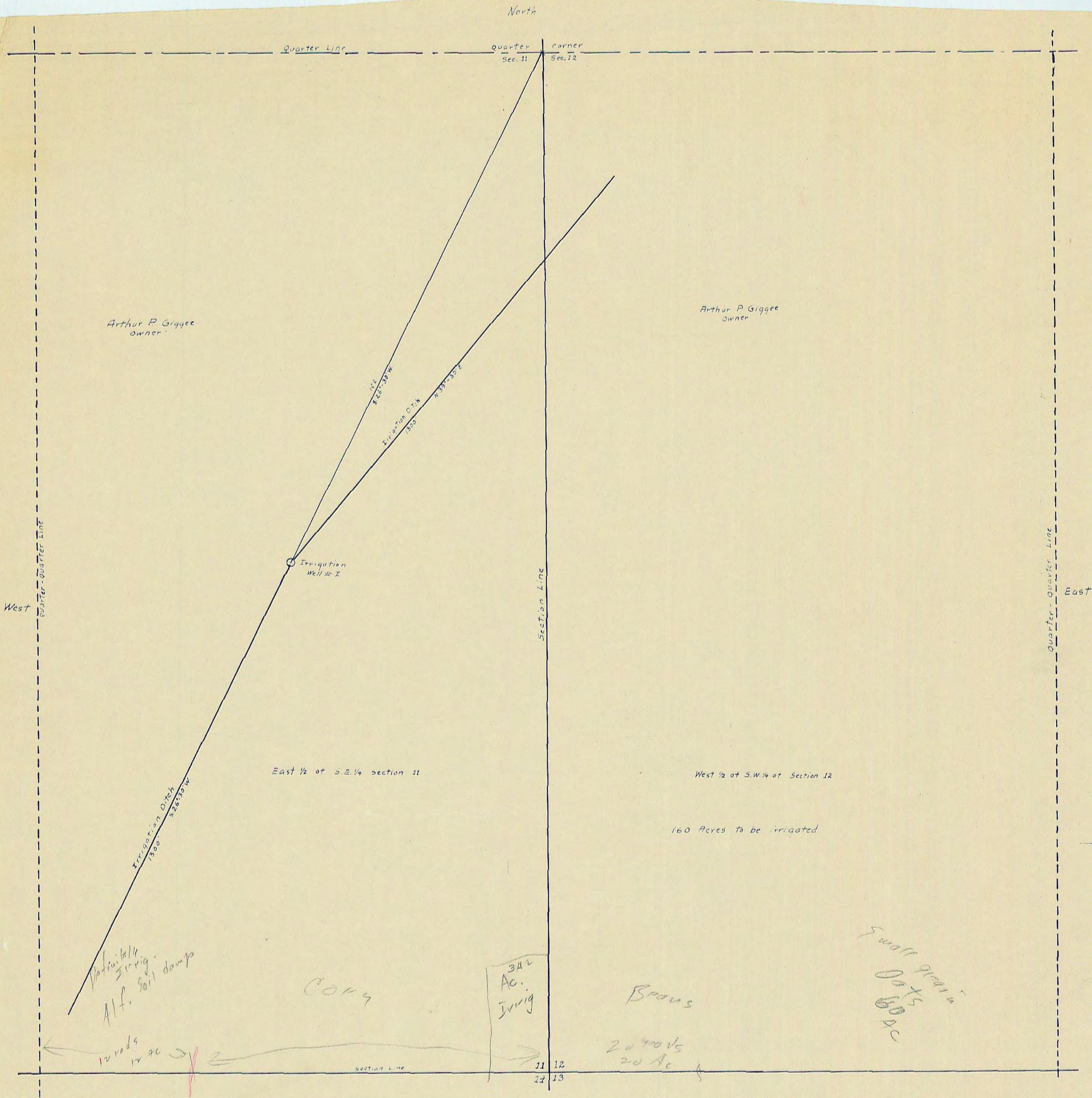
I, Arthur P. Siggee, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated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

Signed Arthur P. Siggee

Subscribed and sworn to before me this 19th day of March 1956

Nathan Steinbach
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



Giggee Irrigation Project # I
in East 1/2 of S.E. 1/4 of Section 11
and West 1/2 of S.W. 1/4 of Section 12
Twp. 93, R 55, Yankton County, S. Dak.

I, Ellis V. Nelson a licensed engineer hereby
certify that I have made a survey of the
East 1/2 of the S.E. 1/4 of Section 11 and the
West 1/2 of the S.W. 1/4 of Section 12, Twp 93
R 55 Yankton County, S. Dakota and located
Irrigation Well # I as indicated on the
above plat.

Dated at Sioux Falls, S. Dakota, Feb 10 1956

Ellis V. Nelson
Licensed Engineer

State of South Dakota ss
County of Minnehaha

On this 10th day of February, 1956 before
me, the undersigned officer, personally appeared
Ellis V. Nelson known to me or satisfactorily pro-
ven to be the person whose name is subscribed
to the within instrument and acknowledged
that he executed the same for the purposes
therein contained.

In witness whereof I hereunto set my
hand and official seal.

Notary Public, Minnehaha
County, South Dakota

Ellis V. Nelson, civil engineer
1801 S. West 11th, Sioux Falls
S. Dakota, February 1956

Map No. 122-3
(A.P. No. 127-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, Oct. 13, 1956

This is to certify that the foregoing application was received by the Commission at 10:00 o'clock
9 m. upon the 13 day of Oct., 1956

State Water Resources Commission

By:

J. W. Prineas
Chief Engineer, Executive Officer

Number of permit 127-3

Date of first receipt of application Oct. 13, 1956

Date of return to applicant for correction, amendments or changes required as follows: Nov. 16, 1956

Date of receipt of corrected application Mar. 20, 1956

Date from which applicant may claim right Mar. 20, 1956

Approved May 7, 1956, Recorded in Book 27 Page 1257

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 24, 1957

2nd. The whole of said work is to be completed on or before May 24, 1959

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

May 24, 1961

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 2.28 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 24, 1961; said water to be used during the following described annual period:

April 1st to October 31st inclusive

Witness my hand this 24 day of May, 1956

State Water Resources Commission

By:

J. W. Prineas
Chief Engineer, Executive Officer

Certificate of Construction issued _____, 19____

Water License issued _____, 19____

Test Well Log of
Arthur P. Gigges Farm
Rt. #2 Yankton, So. Dak.

0-12 feet	Clay
12-26	Fine Sand
26-40	Course Sand
40-43	Gravel
43-52	Course Gravel
52-65	Fine Gravel
65-76	Gravel
76-123	Course Sand

9. (continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36 inches,

Depth 85

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

Size of casing 18 inch, Thickness of casing 1/8th inch
Length of casing 85 ft. If collection gallery,
length, size, and depth of gallery No. _____.

(b) Screens

Type of perforated screen Slotted

Size of perforated screen XXXXXXX,
(diameter) (length)

Thickness of gravel pack 2 inch, length of gravel
pack 85 ft.

(c) Water Bearing Materials

Distance to water 12 ft.

Character of water bearing materials _____
Test Well log Attached

Thickness of water bearing material _____

(d) Pump and Motor

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

Name of pump Western, size 6 inch

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

Horsepower 39

Name of motor John Deere A

(e) Complete well

Capacity 1000-1200 at drawdown of 10 ft

Estimated cost \$2000. Well & Pump

(f) Owner of land upon which well is located _____
Name

Arthur P. Giggee Rt. #2 Yankton, So.
Address

(g) Distance to nearest existing wells

On same Owner's property None rods

On property owned by others _____ rods
One & 1/4 Mile

STATE OF SOUTH DAKOTA

WATER LICENSE No. 127P3....

WHEREAS, On the 20th day of March A. D. 1956

Arthur P. Giggee

of Route 2, Yankton County of Yankton and State of
South Dakota duly made application (No. 127-3) to us for a permit to use 2.28

cubic feet per second of the waters of ground water

County of Yankton, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 24th day of May A. D. 1956

Permit No. 127-3 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 24th day of

May A. D. 1959 and for the application to beneficial use of said
water on or before the 24th day of May A. D. 1961
and,

WHEREAS, On the 19th day of June A. D. 1956

the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.28

cubic feet per second of said waters, as evidenced by our Certificate No. 127-3

dated July 7, 1956, confirming the completion of works of sufficient capacity for

diverting and conveying to the place of intended use 2.28 cubic feet per second of water, with date of

priority of March 20, 1956 ~~xxx~~ ~~xxx~~,

WHEREAS, On the 19th day of June A. D. 1956

proof was duly made of the application to beneficial use of 2.28 cubic feet per second of said water;

on the following described lands:

E½ SE¼, Sec. 11, T 93N, R 55W - - - - 80 acres

W½ SW¼, Sec. 12, T 93N, R 55W - - - - 80 acres

160 acres

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 Arthur P. Giggoo
 of Rt. 2, Yankton, South Dakota, the holder and owner of said permit No. 122-3
 a water right, dating from March 20, 1956 to the use of 2.28
 cubic feet per second of the waters of ground water
 in the County of Yankton and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at 1521 feet S. 26°30'W. of the
East 1/2 Cor., Sec. 11, T 93N, R 55W
 and conducted to and upon the E 1/2 SE 1/4, Sec. 11, and W 1/2 SW 1/4, Sec. 12, all
in T 93N, R 55W
 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 7th day of July A. D. Nineteen
 Hundred and Fifty-six

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 _____

Permit No. 127-3Water Division No. 2 - James River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Arthur P. Giggieof Route 2, Yankton, County of Yankton, and State of
South Dakota, the holder of Permit No. 127-3, issued upon ApplicationNo. 127-3, bearing date of priority of March 20, 1956, authorizing the diversion of
2.28 cu. ft. per second of the waters of ground waterCounty of Yankton, State of South Dakota, at 1521 feet S 26°30'W
of the east $\frac{1}{2}$ Cor., Sec. 11, T 93N, R 55W, for irrigationpurposes, 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 2.28 cu. ft.per second of water; and that the lands proposed to be irrigated by the use of said water are described as follow;
to-wit: E $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 11 and the W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 12, all in T 93N, R 55W160 acresWitness my hand this 7th day of July A. D. 1956

State Water Resources Commission

By
J. W. Grimes, Chief Engineer, Executive Officer

(First Publication before April 13, 1956)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., March 23, 1956

Notice is hereby given that Arthur P. Girce whose postoffice address is Route 2, Yankton, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from ~~the~~ ground water through ~~xxx~~ a well, the point of diversion of which is to be located ~~xxxxx~~ in the E¹ ~~xx~~ of the SE $\frac{1}{4}$ of Section 11 Twp. 93N Range 55W. Said water to be used for the purpose of providing irrigation on the following described land:

E¹, SE¹, Sec. 11 and NE¹, SW¹, Sec. 12 all in T 93N, R 55W.

~~xxxxx~~ xxxxxx

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of May, 1956, 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: E. J. by R. S.

J. W. Grimes, Chief Engineer, Executive Officer

cc: Gail Nichols, Publisher
Yankton Public Opinion
Yankton, South Dakota

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

SS

Faile Nichols, of
said County and State, being first duly sworn,
on his oath says: That The Yankton Public
Opinion is a legal weekly newspaper of general
circulation and an official newspaper as re-
quired by Section 55.0508 of South Dakota Code
of Nineteen Hundred Thirty-Nine as amended,
printed and published at Yankton, in said
County and State and has been such legal
newspaper during the time hereinafter men-
tioned: that she is and during all of said time
was chief clerk of said newspaper and has
personal knowledge of the facts stated in this

affidavit; that the advertisement headed

Appropriation of Water

a printed copy of which is hereto attached, was
printed and published in the said newspaper for

4 consecutive weeks,
to-wit: The first publication being made on

April 5 - 1956

the last publication being made on

April 26 - 1956; that
the full amount of the fees charged for publish-

ing the same to-wit: The sum of \$ *10.75*
inures solely to the benefit of the publisher of
the said newspaper; that no agreement or
understanding for any division thereof has been
made with any other person, and that no part
thereof has been agreed to and paid to any
person whomsoever.

Subscribed and sworn to before me this

day of

April 28 1956
William H. Nelson
Notary Public, South Dakota

My Commission expires *1-1-9*, 195

127-3
APR 30 1956

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER

Form 8— Notice of Intention to
Appropriate Water

No. 127-3

Office of State Water Resources
Commission,

Pierre, S. Dak., March 28, 1956

Notice is hereby given that Ar-
thur P. Giggee whose postoffice
address is Route 2, Yankton, S.
Dak., has made an application in

accordance with the provisions of
the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.28 cubic feet of
water per second of time from
ground water through a well, the
point of diversion of which is to
be located in the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of
Section 11 Twp. 93N Range 55W.
Said water to be used for the pur-
pose of providing irrigation on the
following described land:

E $\frac{1}{2}$, SE $\frac{1}{2}$, Sec. 11 and W $\frac{1}{2}$,
SW $\frac{1}{4}$, Sec. 12 all in T 93N, R
55W.

This application will be taken
up by the State Water Resources
Commission at their office at Pierre
for consideration upon the 7th day
of May, 1956, at 2:00 P.M. All in-
terested persons may appear and be
heard.

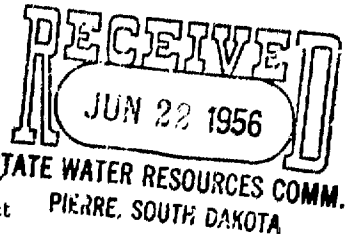
Appropriate action will be taken
by the Water Resources Commis-
sion after suitable time has elap-
sed for the consideration of any or
all information presented.

State Water Resources Commis-
sion

By:

J. W. Grimes, Chief Engineer
Executive Officer

4-26-4

Permit No. 127-3Water Division No. 3James River Water District

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Yankton, S. Dak
(Date) June 19, 56

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____

_____ 2.28 cu. ft. per second of the waters of the state from April
through the Month of October
for Supplementary Irrigation purposes
_____ in accordance with the terms and con-

ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Arthur P. Giggie

2. The postoffice address of such person or the place of business of such corporation is Yankton
County of Yankton State of S. Dak

3. The number of such permit is 127-3 and the date set for the completion of such work is

~~May 24, 1959~~ May 24, 1959
4. Said water to be used for Supplementary Irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 2.28 cubic feet per second.

6. The amount of land for which said water is available is 160 acres,
particularly described as follows: E 1/2 of SE 1/4 of Sec 11 + W 1/2 of SW 1/4
of Sec 12 - T. 11 N. R. 55 E. - Yankton, Co. S. Dak.

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

Arthur P. Giggie

Permit No. 127-3Water Division No. 3 Tower 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 June 22 1956, I have this day made a thorough examination of the diversion works constructed by Arthur F. Giegree, of Route 2, Yankton Yankton County, South Dakota, holder of Permit No. 127-3, issued upon Application No. 127-3, bearing date of priority of March 20, 1956, authorizing the diversion of 2.28 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: Pump is a Duncan No. 3, 3", 2 stage tubing, 40' setting, set in a concrete foundation. Water is distributed through 1320' of gated pipe. Gates are spaced 40" apart and are rated at a maximum of 80 rpm or an estimated normal 70 rpm. Well has a gravel pack drilled with a 33" cutter head, 101 ft. deep. It is cased with 40' of solid at the top followed by 60' of perforated, 18" diameter. Well was checked at a 31 1/2 foot drawdown at rpm's exceeding normal operation. Less now as a larger pulley is being used. This pump was tested at 1400 rpm's and will operate at not to exceed 1750 rpm's. Power is furnished by either a John Deere-A, @30-38 Hp and about 1200 rpm's or a B(H₂) @27 Hp and 125 rpm's. and the system is in the following condition: Pump and pipe - Excellent; A and B(H₂) tractors - Good.

The point of diversion is located at 1521 feet, S26°30'W, of the east 1/4 Cor., Sec. 11, T 93N, R 55W,

The works are capable of diverting and conveying to the place of use 2.28 cu. ft. per second of water, which is to be used for irrigation

The legal sub-divisions to be irrigated are: E 1/4, SE 1/4, Sec. 11, T 93N, R 55W and W 1/4, NW 1/4, Sec. 12, T 93N, R 55W

comprising a total of 160 acres of land.

The domestic use intended comprises none

The utilization for power, mining, or other beneficial uses comprises: None

Witness my hand, this 27th day of June, A. D. 1956

—SEAL—

Les Nybarr Examining Engineer,
Water Engineer

OBSERVATIONS DURING THE FIELD INSPECTION of the
Arthur P. Giggee Irrigation Project (No. 127-3)
on June 27, 1956

At the time of the inspection, the system was in operation and the areas as compared on the map were either damp or had water running on them. The spread was very good except on small incidental areas which is 160 acres.

1320 feet of gated pipe was used with a 40 inch spacing on the gates. 70 gpm would be tops on these gates.

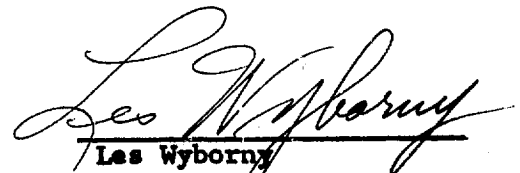
The Pump was an 8 inch, 2 stage, 40 foot setting, Turbine pump manufactured by the Duncan Irrigation Pump Co. It was a new pump and set in a good concrete foundation. It is rated at 1,200 gpm.

The well was drilled with a 33 inch cutter head to a depth of 101 feet. It is cased with 100 feet of 18 inch casing, the top 40 feet being solid and the bottom 60 feet is perforated. The draw down was checked at 31½ feet with a 7 inch pulley and running the power unit wide open. Mr. Giggee now has an 8 inch pulley on the pump so the draw down should be less.

The pump has been tacted at 1400 rpm's but will go to 1750 which is above the recommended operating speed.

The power is furnished by a John Deere A which is rated at 38 Hp and will turn over at 975-1200 rpms or a 46-B rated at 27 Hp and will turn over at 1250-1300 rpms.

The system and pump is new and in excellent condition.


Les Wyborny
Water Rights Engineer



127-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

NOTICE

TO: ARTHUR P GIGGEE, RR 4 BOX 185, YANKTON, SD 57078

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

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 127-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am, March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 127-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

Is your RETURN Airmail?
 If so, check the box on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

ARTHUR P GIGGEE
RR 4 BOX 185
YANKTON SD 57078

4a. Article Number

7 348 318 852

4b. Service Type

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

7. Date of Delivery

1-31-96

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Arthur P Giggie*

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 1996

127-3

Art Giggee
RR 4 Box 185
Yankton, SD 57078

Dear Mr. Giggee:

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

I completed a questionnaire for you based on our February 1st telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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



127-3

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: ARTHUR P GIGGEE, 3405 ALUMAX RD, YANKTON, SD 57078

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire

Our records indicate your 2014 Irrigation Questionnaire has not been submitted for Permit No(s) 127-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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 **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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 127-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 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>

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.

127-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

January 21, 2015

Tom Arens
Prairie Creek Ranch
4408 Broadway
Yankton SD 57078

RE: Irrigation questionnaires for Water Permit or Right Nos. 127-3, 2539A-3, 3594-3 and 7187-3

Dear Mr. Arens:

I am writing to acknowledge receipt of the 2014 irrigation questionnaires for Prairie Creek Ranch, Arthur Giggee and Robert Weverstad.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for the above listed permits. The information was received in our office prior to the Water Management Board meeting and no hearing will be scheduled concerning these permits.

Thank you for calling to confirm the information and for working to get the forms submitted on-line. Next year's irrigation questionnaires will be mailed directly to your address. Please keep us updated on any new address or renter changes.

Sincerely,

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

c: Robert Weverstad, 4604 Broadway, Yankton SD 57078
Arthur P Giggee, 3405 Alumax Rd, Yankton SD 57078



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 28, 2021

127-3

Michael Giggee
44629 SD Hwy 50
Mission Hill SD 57046

RE: Arthur P Giggee Trust

Dear Mr. Giggee:

Recently when updating a water right for Prairie Creek Ranch, we noticed one of the water rights for land Mr. Arens farms is still listed under Arthur P Giggee. Enclosed is a copy of the water right.

I obtained your name and address from the Yankton County Assessor's office as being the owner of the land or at least the executor of the trust. The water right needs to be transferred to reflect current ownership.

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

If I misunderstood and the water right should be transferred to someone else, please give me a call and let me know. Thank you in advance for helping to update the water right.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 14, 2021

127-3

Michael Giggee
44629 SD Hwy 50
Mission Hill SD 57046

RE: Arthur P Giggee Trust

Dear Mr. Giggee:

Back in June, I contacted you regarding a possible transfer of ownership for a water right listed under Arthur P Giggee. To date, we have not heard from you as to the status of ownership.

Often, time sensitive materials are mailed out to irrigators and failure to have up to date ownership records may cause water rights to be mistakenly suspended or cancelled. Under SD Water Law, notice of any sale, grant, lease, conveyance or other transfer of an application, permit, or license to appropriate water must be filed with the Chief Engineer of the Water Rights Program within 90 days. No assignment is binding, except upon the parties thereto, unless filed for record in the Water Rights Program.

The Yankton County Equalization office lists the land under "Arthur P Giggee Rev. Trust". If someone else is managing the trust and I should direct correspondence to them, please give me a call with the information. Thank you in advance,

Sincerely,

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

enclosure: transfer of ownership form

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 127-3

Date: 11-10-2021

I/We request that Water Right No. 127-3

formerly owned by: Arthur P Giggee

be transferred to: (name & address) PRAIRIE CREEK RANCH LLC

TOM & TERRI ARENS OWNERS

4408 BROADWAY, YANKTON SD 57078 Telephone No. 605-661-8477

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

160 acres - E 1/2 SE 1/4 Section 11 and W 1/2 SW 1/4 all in Section 12, T93N, R55W

I/We understand that the validity of Water Right No. 127-3 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.

Prairie Creek Ranch LLC
I/We by Tom Arens, the new owner, certify that the above information is true and correct.

Prairie Creek Ranch LLC
by Tom Arens
(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.

RECEIVED

NOV 12 2021

WATER RIGHTS
PROGRAM



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 15, 2021

127-3

Tom & Terri Arens
Prairie Creek Ranch LLC
4408 Broadway
Yankton SD 57078

Dear Mr. & Mrs. Arens:

The "***Notice of Transfer of Ownership***" form for changing ownership on Water Right No. 127-3 was received from you November 12th.

Statutes require that we assess a \$50 fee for filing of the ownership change. Please remit the fee made payable to the Water Rights Program. Once the fee is received, Water Right No. 127-3 will be transferred from Arthur Giggee to Prairie Creek Ranch LLC.

Please include the water right number along with your payment to ensure proper handling of the fee. If you have any questions, please let me know.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 2, 2021

127-3

Tom & Terri Arens
Prairie Creek Ranch LLC
4408 Broadway Ave
Yankton SD 57078

Dear Mr. & Mrs. Arens:

In follow-up to our phone conversation, enclosed is the check you submitted for filing the ownership change on Water Right No. 127-3.

Please fill in the amount for the check and return it to us. Once received, I'll process the ownership change.

I have included a postage paid envelope for your convenience. Thank you in advance,

Sincerely,

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

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date December 9, 2021

RECEIVED OF Priarie Creek Ranch LLC 4408 Broadway Ave., Yankton SD 57078

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>127-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
Em



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 14, 2021

127-3

Tom & Terri Arens
Prairie Creek Ranch LLC
4408 Broadway Ave
Yankton SD 57078

Dear Mr. & Mrs. Arens:

The ownership change for Water Right No. 127-3 has been completed. The water right formerly held by Arthur P Giggee is now listed under **Prairie Creek Ranch LLC, Tom & Terri Arens owners.**

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

Sincerely,

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

enclosure