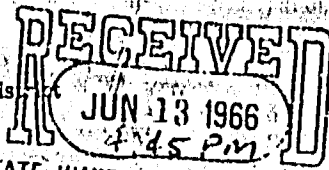


1285-3

1. Considered 7-20, 1965
2. Name of Applicant R. Guy GODDARD
3. Post Office Address B Hunt
4. Amount of water claimed 4.02
5. Source of water supply Ground water (2 well)
6. Water to be used for irrigation
Acres to be irrigated 297
7. Water to diverted and used in Butler County
about 8W 6S miles of Okla.
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1285-3Water Division No. 3 Missouri River
(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 Frank Seltzinger
 Postoffice address Blount 3700 Martin Yard, Sioux City, Iowa 51104
 County Wright State Iowa

☒ Is a corporation

- (a) Name of same _____
 (b) Date and place of incorporation _____
 (c) Amount of capital stock _____
 (d) Amount paid in _____
 (e) Names and addresses of directors _____

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

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

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

Contract

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

2. Name of diversion work Edward No. 1

3. Amount of water claimed 4.02 cubic feet per second

4. Source of water supply ground water

5. Location of point of diversion Well No. 1, Center of 21 1/2 Sec. 9, T. 113 N. R. 78 W.

Well No. 2, Center of 11 1/2 Sec. 7, T. 113 N. R. 78 W. bank County.

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

7. To be used for:

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

(a) Number of acres to be irrigated 292 acres.

(b) Legal subdivisions to be irrigated 1/4 Sec. 9 - T. 113 N. R. 78 W. 1/4 Sec. 4 - T. 113 N. R. 78 W.
 (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.) none

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use None of above anticipated
 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. 900-3

8. Estimated cost of work:

(a) Head Gates, \$

(c) Plumbing, \$

(e) Other structures

(d) Canal-earth, \$

(b) Pumping plant, \$

Rock, \$

Total, \$

9. Description of diversion works:

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

2. 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-FOOT CAPACITY

Head gate: Width feet; height feet; material

(d) Canal: Total length miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work years.

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

12. Choice of newspaper for publication of notice of intention to appropriate

STATE OF SOUTH DAKOTA

County of

I,

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

Subscribed and sworn to before me this

day of

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

H. E. BOWEN, Notary Public
My Commission Expires

Remarks by State Water Resources Commission:

This well is located near domestic wells which may obtain water from the same aquifer. If the well covered by this Permit to appropriate water depletes the domestic water supply, restrictions, to the extent necessary, of the capacity of this well or periods of operation or other arrangements will be required to protect the domestic water supply.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, JULY 22, 1966

This is to certify that the foregoing application was received by the Commission at 4:45 o'clock

P.m. upon the 13TH day of JUNE, 1966

State Water Resources Commission

By:

Burton J. Jones
Chief Engineer, Executive Officer

Number of permit 1285-3

Date of first receipt of application JUNE 13, 1966

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 JUNE 13, 1966

Approved JULY 20, 1966, Recorded in Book 9 Page 139

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 JANUARY 20, 1969

2nd. The whole of said work is to be completed on or before JULY 20, 1971

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is JULY 20, 1975

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 4.02 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 JULY 20, 1975; said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 2ND day of JULY, 1966

State Water Resources Commission

By:

J. B. Brimmer
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 18, 1971

Water License Issued FEBRUARY 18, 1971

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 36", Depth 45 to 60 feet
- (2) Casing, Type steel Diameter 18" Thickness 14 gauge
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type slotted, Diameter 18", Length 20'
- (4) Gravel Pack. Thickness 9", Length of gravel pack 30'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials fine sand

Depth to top of water bearing material 10 to 20 feet

Depth to bottom of water bearing material 45 to 60 feet

Thickness of water bearing material 25 to 40 feet

Depth to water (ground surface to water level) 7 to 15 feet

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 100 or more rds. On property owned by others 100 or more rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

R. Huey Goodhart
Signature of Applicant

ATTACHMENT

Water Permit No. 1492-3 authorizes the irrigation of the NW $\frac{1}{4}$ of Section 4, T113N, R78W. This system has been completed. The proposed well location was the approximate center of the NW $\frac{1}{4}$ of Section 4, but actually two wells (Wells #1 and #2) located over 1/2 mile southeast of the proposed well site are the sources of water.

Water Permit No. 1285-3 authorized the irrigation of the NW $\frac{1}{4}$ of Section 9, and the SW $\frac{1}{4}$ of Section 4, both in T113N, R78W. The system to irrigate the NW $\frac{1}{4}$ of Section 9 has been completed. One diversion point, existing well No. 4 is at the location as proposed in Water Right Application No. 1285-3. Existing Well No. 3 is a supplemental well to well No. 4. The irrigation system for the SW $\frac{1}{4}$ of Section 4, has not been constructed.

The inspections of the two irrigation systems have been completed.

The intent of this water right application is to:

- 1) Change the authorized diversion point shown in Water Permit No. 1492-3 to the two diversion points actually used and after this change has been authorized, issue Water License No. 1492-3 for the irrigation of the NW $\frac{1}{4}$ of Section 4, T113N, R78W, retaining its January 18, 1968 priority.

The new diversion points are:

Well No. 1., 700 feet due north of the S $\frac{1}{2}$ Corner of Section 4, T113N, R78W.

Well No. 2., 50 feet due south of the N $\frac{1}{2}$ Corner of Section 9, T113N, R78W.

- 2) Add an additional diversion point for the irrigation system completed for the NW $\frac{1}{4}$, Section 9, T113N, R78W, authorized in Water Permit No. 1285-3, and issue Water License No. 1285-3 for the irrigation of the NW $\frac{1}{4}$ of Section 9, T113N, R78W, retaining its June 13, 1966 priority.

Diversion point No. 3 (Well No. 3) is to be located 600 feet due south of the N $\frac{1}{2}$ Corner of Section 9, T113N, R78W.

The originally authorized diversion point (Well No. 4) for the NW $\frac{1}{4}$ Section 9, T113N, R78W, located 1320 feet south and 1320 feet east of the NW Corner of Section 9, T113N, R78W is now being used.

- 3) Apply for a new Water Right for the SW $\frac{1}{4}$ of Section 4, T113N, R78W, (authorized in Water Permit No. 1285-3 but no system was constructed) with the following diversion points:

Diversion Point No. 5 (a well) 50 feet north and 1320 feet east of the SW Corner of Section 4, T113N, R78W.

Diversion Point No. 6 (a well) 1320 feet north and 1320 feet east of the SW Corner of Section 4, T113N, R78W.

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation , Depth 75'

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

Size of casing 18" , Thickness of casing STANDARD

Length of casing 75' . If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen 3/32" x 3/4" SLOTTED

Size of perforated screen 20'
(diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water , Character of water bearing materials

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump , size

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

Horsepower , Name of Motor

(e) Complete well

Capacity at drawdown of , Estimated cost

(f) Owner of land upon which well is located R. GUY GODDARD
Name

ELMONT, S. DAK.
Address

(g) Distance to nearest existing wells

On same owner's property 100 rods. On property owned by others 1 MILE

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1285-3

(1) WHEREAS, On the 13th day of June A. D. 19 66

R. Guy Goddard

made Water Right Application No. 1285-3 for a permit to use 4.02 cubic feet per second of the waters of ground water

County of Sully State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 22nd day of July A. D. 19 66

Permit No. 1285-3 with a date of priority of June 13, 1966

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 20th day of July A. D. 19 71 and for the application to beneficial use of said water on or before the 20th day of July A. D. 19 75

and,

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.90 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

for irrigating 136 acre circle approximately centered in the NW $\frac{1}{4}$, Section 9,

T113N, R78W

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to R. Guy Coddard

_____ of Onida, S.D.

the holder _____ and owner _____ of said permit No. 1285-3 a water right, dating from June 13, 1966

_____ to use of 1.90 cubic feet per second of the waters

of ground water

in the County of Sully and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at Points (1) 600 ft. South of the NW $\frac{1}{4}$ Corner and (2)

1320 ft. South and 1320 ft. East of e NW $\frac{1}{4}$, Section 9, T113N, R78W

and conduct to and upon 136 acres in the NW $\frac{1}{4}$, Section 9, T113N, R78W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1285-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 14th day of February A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 1285-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That R. Guy Geddard

_____ the holder _____ of
Permit No. 1285-3, issued upon Application No. 1285-3, bearing date of priority of June 13, 1966
_____ authorizing the diversion of 4.02 cu. ft. per second of the waters of _____
ground water _____ County of Sully, State of South Dakota at _____
points 600 ft. South of the N $\frac{1}{4}$ Corner, and 1320 ft. South and 1320 ft. East of
the NW Corner, Section 9, T113N, R78W
_____, for irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.23 cu. ft. per second of water.

Date February 17, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

on or before June 23, 1966
(First Publication , 1966)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 20, 1966

Notice is hereby given that R. Guy Goddard whose postoffice address is Blunt 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 4.02 cubic feet of water per second of time from the xxx ground water through the Goddard #1 are the point^s of diversion of which^{xx} is to be located xxxx in the center of the NW $\frac{1}{4}$, Section 9, and xxxxxx/xxxxxx/ in the center xx of the SW $\frac{1}{4}$ 4 of Section 4 portions of 113N 78W Tap. Range . Said water to be used for the purpose of providing irrigation on the following described land:
NW $\frac{1}{4}$, Section 9, SW $\frac{1}{4}$ Section 4, T113N, R78W

xxxxxx and for xxxxxx purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th July 66 2 P. day of 19 , at 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:
BUFTON F. JONES
Water Right Specialist

CC: Mr. E. L. Thompson, Publisher
Onida Watchman
Onida, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Sully } ss.

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

Onida Watchman 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 Onida County of Sully and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

June 23, 1966

June 30, 1966

July 7, 1966

July 14, 1966

In each and every issue of the full number thereof, the first publication being made on the 23rd day of June

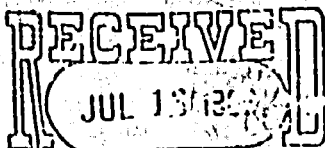
1966 and the last publication on the 14th day of

July 1966, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was publisher the printer and publisher of the said newspaper.

E. L. Thompson

Subscribed and sworn to before me this 14th day of July A. D. 1966



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., June 20, 1966

Notice is hereby given that R. Guy Goddard, whose post office address is Blunt, 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 4.02 cubic feet of water per second of time from ground water through the Goddard well, the point of diversion of which are to be located in the center of the NW1/4, Section 9, and in the center of the SW1/4 of Section 4, T113N, Range 78W, S. Dak. Said water to be used for the purpose of providing irrigation on portions of the following described land: NW1/4, Section 9, SW1/4 Section 4, T113N, R. 78W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of July, 1966, at 2 P.M. All interested persons may appear and be heard. Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By: EURTON F. JONES
Water Right Specialist

20-73

Notary Public Sully County, S. D.

Water Division 3 Missouri River Water District

900-3 & 1082-3

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

I have this day made a thorough examination of the water use system constructed by R/ Guy Goddard
_____ of _____ Onida, S.D. _____ holder _____
of Permit No. 1285-3, bearing date of priority of June 13, 19 66
authorizing the diversion of 4.02 cu. ft. per second of the waters of _____ ground water
for irrigation _____ purposes, in Sully _____ County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:
Well No. 3, 45' deep, 18" steel casing
 600 g.p.m. capacity-static level 7' $\frac{1}{2}$
 Electric 10 HP, 2 bowl, submersible
 pump

Well No. 4., 50' deep, 18" steel casing
700 g.p.m. capacity-static level 15' ±
Berkeley vertical 8 in. turbine pump
G.E. Electric motor, 75 HP, Type K

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

From well No. 3, to Well No. 4, 1340 feet of 8 inch plastic pipe buried to depth of four feet

C. Works used to apply water to beneficial use.

Farm hand Walking water, 14 tower, circular moving sprinkler, Model F 2000A, operated at a pressure of 100 pounds per square inch to apply 1000 gallons of water per minute.

The system is in the following condition: very good

The point of diversion is located Well No.3, 600 ft. due south of the N $\frac{1}{2}$ Corner, Section 9,
and well No. 4., 1320 ft. south and 1320' East of the NW $\frac{1}{4}$ ^{Center of} Section 9, Both in T113N, R78W.

The works are capable of diverting and conveying to the place of use 2.23

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

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

approximate 136 acre irrigated circle approximately centered in NW $\frac{1}{4}$ of Section 9,
T113N, R78W

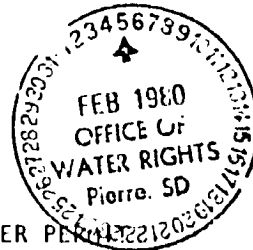
comprising a total of 136 acres of land.

Date October 27, 1970

Donald Driscoll
(Signature)

(Signature)
DONALD DRISCOLL, Deputy Chief Engineer
Water Resources Commission

FORM 20



NO. 1285-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Jan 23, 1980

This is to notify you that the title to the lands described as follows:

136 acre circle approximately centered in the NW 1/4 Section 9, T113N, R78W

formerly owned by R Guy Goddard, Onida, SD

has been transferred to Frank Seitzinger, 3700 Martin Yard, Sioux City, IA 51104

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 1285-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit"
in its appropriate file at the Office of the Board of Water Management 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 MINNESOTA)
) ss.
County of Kittson)

I, Frank Seitzinger being first duly sworn on my oath despose and say:
That my relation to the above described undertaking is that of Owner, that I have read
the above foregoing statement, and I know of my own personal knowledge that the infor-
mation herein stated is true.

Frank Seitzinger
(Signed)

Subscribed and sworn to before me this 23rd Day of January, 1980.



Anita L. Westling
(Notary Public)

Sally

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: 1/3 1/4 Sec 1 Section 9 Township 113 Range 28

Well owner: Truman S. Wells (Name) Box 2 (Address)

Date well drilling completed: 12-31-77 Purpose of well: _____
(Domestic, irrigation, municipal, industrial, other)

WELL LOG

Feet, in. to top in feet	Description of layer	Depth to top of water producing aquifer	ft.
0-1	Top Soil	Depth to static water level	ft.
1-17	clay	Name of producing aquifer (if known)	
2-17	Dark Silty Clay	Total depth of drill hole	ft.
17-18	Dark Silty Clay	Depth to bottom of casing	ft.
32-46	Dark Silty Clay	Casing information: In the space below show kind, size, weight, length per diameter, etc., for production casing and surface casing, if used.	
45-47	Dark Silty Clay	15" PVC 12.5 lb. ft.	
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.	
		Johnson Standard Steel	
		If a flowing well, flow of completed well	G.P.M.

Attach sheet if more space is needed

(2) PUMP INSTALLATION

Company name and size of pump _____ HP _____

Type of pump _____ Capacity of installed pump _____ G.P.M.

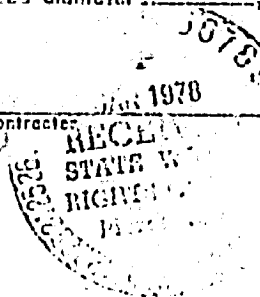
Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required. See Section 46.40B of Chapter 46.0, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____ tube material _____

Name of Pump Installation Contractor _____



**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
(605) 733-3352

1285-3
1492-3
1785-3
4775-3

September 24, 1981

Frank Seitzinger
Box 742
Onida, SD 57564

Mr. Seitzinger:

Enclosed herewith is your Water Right Permit No. 4775-3 as approved by the Water Management Board authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified by the Board. The qualifications are:

1. The permit is approved with the qualification that one half volume of water (612 acre feet) be severed from existing Water Right Nos. 1285-3, 1492-3 and 1785-3 to irrigate the additional 780 acres of land. Measuring devices must be installed to record the total amount of water pumped on each quarter, and such readings must be recorded before pivots are moved.
2. The irrigation wells approved under this permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights. Priority is established by Water Right Nos. 1285-3, 1492-3 & 1785-3.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Also enclosed is FORM 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Management Board when you have completed the system and/or have put the water to beneficial use. The Board can then schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN BETCH, Chief Engineer
Water Rights Division

JH/BW/gy

encl

cc: Thomas M Maher

Equal Opportunity Employer

SOUTH DAKOTA
Department of
Water & Natural Resources
Job Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
WATER RIGHTS DIVISION
(605) 773-3352

1285-3
1492-3
1785-3
4775-3

December 17, 1986

Guy Goddard
HCR 37, #145
Pierre, South Dakota 57501

Dear Mr. Goddard:

Enclosed are partially completed transfer forms for transferring Water Right Nos. 1285-3, 1492-3, 1785-3 and Water Permit No. 4775-3 to your name. These are currently listed in Frank Seitzinger's name.

Please check over the forms. They should be signed in the presence of a notary and returned to our office with a \$2.50 filing fee for each (total of \$10.00).

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.

As you indicated during our telephone conversation of December 12, 1986, I will check with Tom Tveit for information relative to irrigation done during 1986. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

NO. 1285-3

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:

136 Acres - NW $\frac{1}{4}$ Section 9, T113N-R78W

formerly owned by Frank Seitzinger, Sioux City, IA

has been transferred to Guy Goddard, HCR 37, #145, Pierre, South Dakota 57501
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1285-3 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.

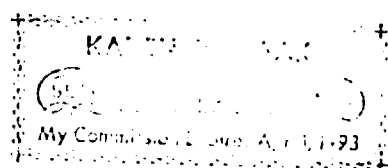
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Huachuca) ss.

I, Guy Goddard 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.

Guy Goddard
(Signed)

Subscribed and sworn to before me this 27th Day of December, 1986



Kaye M. Smith
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, December 28, 19 21

RECEIVED OF L. Guy Boudard, 401 27, 116, Pierre 50 57501

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 <u>for Permit No. 1281-3</u>	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 (KS)



Department of Water & Natural Resources

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

1285-3
1492-3
1785-3
4775-3

December 23, 1986

R Guy Goddard
HCR 37 Box 145
Pierre, SD 57501

Dear Mr. Goddard:

Enclosed are copies of the "Notices of Transfers" you submitted for Water Right Nos. 1285-3, 1492-3, 1785-3 and Water Permit No. 4775-3. The transfers have been completed and the the above water rights and permit are now listed in your name.

Thank you for stopping by our office to take care of the transfers. If I can answer any questions for you, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMATH". The signature is written in black ink.

GENNY MCMATH
Natural Resources Analyst

encl

 **Department of
Water & Natural Resources**

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

October 16, 1990

1285-3
1492-3
1785-3
4775-3

Waymon Williams
RR #1 Box 744A
Onida, SD 57564

Dear Mr. Williams:

Enclosed are the 1990 irrigation questionnaires and partially completed "Notice of Transfer of Ownership" forms for Water Right Nos. 1285-3, 1492-3, 1785-3 and Water Permit No. 4775-3. Mrs. Guy Goddard has notified our office that you purchased the property covered under the above on January 26, 1990.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$10.00).

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.

Also enclosed, is a copy of the cover letter sent along with the questionnaires mailed to irrigators on October 12, 1990. The irrigation questionnaires should be completed and returned by December 14, 1990. I have enclosed a postage paid envelope for your convenience in returning the questionnaires, transfer forms, and filing fees.

If you have any questions, please contact me.

Sincerely,



Genny McMath
Natural Resources Analyst
(605) 773-3352

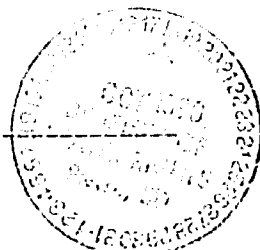
enclosures

NOTICE OF TRANSFER OF OWNERSHIP

No. 1285-3

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: 10-17-90

I/We request that Water ~~Permit~~/Right No. 1285-3

formerly owned by: Guy Goddard

be transferred to: (name & address) Doodwater Corporation% Tom Williams, Owner, NO. 57564 (telephone No.) 258-2281

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

HW Section 9, T113N, R78W

I/We understand that the validity of Water ~~Permit~~/Right No. 1285-3 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 at Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Sully)

I/We Tom Williams, President of Doodwater Cys. 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.

Tom Williams
(Signed)

Subscribed and sworn to before me this 17 day of October, 1990.

PATRICIA A MCGEE
My commission expires
March 21, 1994

Patricia A. McGee
(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 water 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

412691

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____, October 18, 19⁹⁰RECEIVED OF Goodwater Corp., c/o Tim Williams, Onida SD 57564

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 _____ Water Right No. 1295-3

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

0

2 50

By

Chief Engineer

**South Dakota Department of
Water & Natural Resources**

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

November 20, 1990

Nos. 1285-3
1492-3
1785-3

Tim Williams
Goodwater Corporation
Onida, SD 57564

Dear Mr. Williams:

Enclosed are three receipts in the amount of \$2.50 each which you paid for the transfer of Water Rights 1285-3, 1492-3, and 1785-3.

Our records now show you as the owner of these Water Rights.

Sincerely,

Jaci Konop

JACI KONOP
Senior Secretary
Water Rights Division
605 773-3352

enclosure

1285-3

DENR- Water Rights
523 E Capitol
Pierre, SD 57501
Phone: 605 773-3352
Fax: 605 773-4068

State of South Dakota

Fax

To:	Holly Ziedat	From:	Genny McMath
Fax:	605 258-2884	Date:	August 20, 1999
Phone:	605 258-2331	Pages:	1
Re:	land ownership	email:	genny.mcmath@state.sd.us

Comments:

I am in the process of reviewing a water right currently listed in the name of Goodwater Corporation % Tim Williams, Onida, SD.

The water right is for irrigation of land in the NW 1/4 Section 9, T113N, R78W. Could you tell me whether or not the land is still owned by Goodwater Corporation? If it has been sold, please forward me the name and mailing address of the new owner(s).

I appreciate any assistance you could give. You may reply by email, fax, phone or regular mail. Thank you in advance for your help.

new owner:

Randall Warner

29774 192 st

Onida SD 57501

264-5531

Genny McMath
Environmental Scientist

File No. 1285-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Randy Warne, 29774 192nd St. Onida, SD 57564

DATE: August 23, 1999

TELEPHONE: 605 264-5531

RE: ownership of 1285-3 - Goodwater Corporation

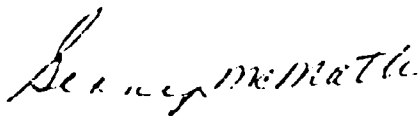
COMMENTS:

The land covered under water right No. 1285-3 was supposedly coming out of CRP this year. I faxed the Register of Deeds office to find out who now owned the land. They replied that Randy Warne, Onida, was the current owner.

I contacted Mr. Warne about ownership of the land and he confirmed that he had purchased the land a few years ago from Tim Williams w/Goodwater Corporation and thought Tim had taken care of the transfer.

When I asked him about the land being in CRP, he replied that the land has not been in CRP and he didn't know why Tim would have told us that. Mr. Warne said he has been reporting the irrigation for No. 1285-3 (land in Section 9) on the questionnaire we send him for 5227-3 (land in Section 17). He said he did not irrigate in 1997 due to extreme wet conditions. In 1998 he irrigated Section 9 (1285-3), but could not irrigate the land in Section 17 (5227-3) because the contour of the land was much lower and was under water most of the time.

Send a transfer form to him and a copy of the water right.



Genny McMath
Environmental Scientist



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 24, 1999

1285-3

Randy Warne
29774 192nd St
Onida, SD 57564

Dear Mr. Warne:

Thank you for getting in touch with me about ownership of the land described in Water Right No. 1285-3. The water right is currently listed in the name of "Goodwater Corporation".

As we discussed, since you own the land, the water right should be transferred to your name. I am enclosing a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. Please review the form for accuracy and complete as needed. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50.

Also enclosed is a copy of the water right. If you have any questions concerning the enclosed water right or with completion of the transfer form, please contact me.

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. 1285-3

Date: 10-7-99

I/We request that Water Right No. 1285-3

formerly owned by: Goodwater Corporation % Tim Williams

be transferred to: (name & address) RANDY WARNE 29774 193rd ST
ONIDA, SD 57564 Telephone No. 605-264-5531

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

136 acres - NW 1/4 Section 9, T113N, R78W

I/We understand that the validity of Water Right No. 1285-3 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 Sully)

I/We RANDY WARNE 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.

Randy Warner
(Signed)

Subscribed and sworn to before me this 7th day of October, 1999.

Kathy J. Heying
(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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 13, 1999

1285-3

Randy Warne
29774 192nd St
Onida, SD 57564

Dear Mr. Warne:

Thank you for sending in the transfer form and filing fee for Water Right No. 1285-3. The transfer has been completed. The water right formerly held by Goodwater Corporation is now listed in your name.

Enclosed is your receipt No. 416219 in the amount of \$2.50. I am also enclosing a copy of the transfer form you submitted. You may keep both of these for your records.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

November 20, 2020

1285-3

Cody Warne
3520 Lambeth Place
Pierre SD 57501

Dear Mr. Warne:

I am writing in follow-up to our phone conversation about Water Right No. 1285-3, currently listed in Randy Warne's name.

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.

Also included as we discussed is the 2020 irrigation questionnaire, a copy of the water right and forms for filing an application to irrigate additional acreage.

Please keep in mind the irrigation questionnaire needs to be submitted as soon as possible. If you have any questions concerning any of the enclosed materials, please let me know.

Sincerely,

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

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

enclosures



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: RANDY WARNE, 29774 192ND ST, ONIDA, SD 57564

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire has not been submitted for Permit No(s) 1285-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1285-3 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 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: YNDBYJ**

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.

PAID

FEB 1 2021

Ck# 2086

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

FEB 01 2021

WATER RIGHTS
PROGRAM

No. 1285-3

Date: Dec 18-20

I/We request that Water Right No. 1285-3

formerly owned by: Randy Warne

be transferred to: (name & address) Cody Warne

3520 Lambeth Place, Pierre SD 57501

Telephone No. 605-222-7407

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

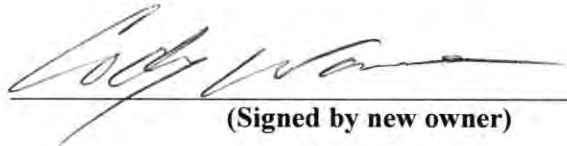
136 acres – NW ¼ Section 9, T113N, R78W

I/We understand that the validity of Water Right No. 1285-3 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 Cody Warne, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

1285-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date February 1, 2021RECEIVED OF CW Land LLC 3520 Lambeth Place Pierre SD 57501

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>1285-3</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law) TOTAL	\$50.00

By Eric Gronlund
Chief Engineer
um

1285-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2021

1285-3
5227-3

Cody Warne
3520 Lambeth Pl
Pierre SD 57501

Dear Mr. Warne:

I am writing to acknowledge receipt of the 2020 irrigation questionnaires for Water Right Nos. 1285-3 and 5227-3.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for the above listed water rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Also received was the transfer form and filing fee for changing ownership on Water Right No. 1285-3. The ownership change has been completed. Water Right No. 1285-3 formerly held by Randy Warne is now listed in your name. A receipt for the filing fee is enclosed.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

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

enclosure

1285-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: CODY WARNE, 3520 LAMBETH PL, PIERRE, SD 57501
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 1285-3 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) 5227-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 5227-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1285-3 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 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional 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: <https://danr.sd.gov/iq> using this password: NBRYOA**

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.

1285-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 1, 2022

1285-3
5227-3

Cody Warne
3520 Lambeth Pl
Pierre SD 57501

Dear Mr. Warne:

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

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 1285-3 and 5227-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: CODY WARNE, 3520 LAMBETH PL, PIERRE, SD 57501
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 1285-3 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) 5227-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 5227-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1285-3 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 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional 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: <https://danr.sd.gov/iq> using this password: QSKNGN**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 7, 2023

1285-3
5227-3

Cody Warne
3520 Lambeth Pl
Pierre SD 57501

Dear Mr. Warne:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 1285-3 and 5227-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 19, 2024

NOTICE

TO: CODY WARNE, 3520 LAMBETH PL, PIERRE, SD 57501

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaires

Our records indicate your 2023 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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) 1285-3 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) 5227-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 5227-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1285-3 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 6, 2024** 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: WJANWP**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2025

NOTICE

TO: CODY WARNE, 3520 LAMBETH PL, PIERRE, SD 57501

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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) 1285-3 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) 5227-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 5227-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1285-3 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 5, 2025**, 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: IHOTLW**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 3, 2025

1285-3
5227-3

Cody Warne
3520 Lambeth Pl
Pierre SD 57501

Dear Mr. Warne:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 1285-3 & 5227-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: CODY WARNE, 3520 LAMBETH PL, PIERRE, SD 57501

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaires

Our records indicate your 2025 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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) 1285-3 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) 5227-3 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 5227-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1285-3 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 4, 2026** 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: OXQDRQ**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 2, 2026

1285-3

Cody Warne
3520 Lambeth Pl
Pierre, SD 57501

Dear Mr. Gorder,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us