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No. 381-3Water Division No. 3 Missouri River District
(Blanks to be filled by the Engineer for the W. R. C.)

MAR 23 1967

STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTAAPPLICATION FOR PERMIT
To Appropriate Water within the State of South Dakota

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

1. Name of applicant Alvin Thomas
Postoffice address Orinda, County Sully, State S. Dak.

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

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

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

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
contract
- (b) Cash on hand, \$ adequate
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$

2. Name of diversion work Thomas Irrigation System
3. Amount of water claimed 1.81 cubic feet per second
4. Source of water supply ground water
5. Location of point of diversion two wells - one S 44° E, 1265 feet from the other S 55° 30' E, 2530 feet from the NW Sec corner Sec 4 T114N, R74W.
on Sully County.
6. Annual period or periods during which water is to be used April through November
7. To be used for:

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

(a) Number of acres to be irrigated 127 acres.(b) Legal subdivisions to be irrigated NE 1/4 - 55 acres, NW 1/4 - 52 acres, SW 1/4 - 23 acres

(NOTE—A list of lands to be irrigated, giving each subdivision and acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

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

(a) Nature of use
Name any of the above uses claimed

(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map # 991-3

8. Estimated cost of work:

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

(b) Pumping plant, \$4000

(c) Fluming, \$-----

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

Rock, \$-----

(e) Other structures

10,000

Total, \$4000

9. Description of diversion works:

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

Two wells with sprinkler system

II. Dimensions of works.

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top -----

feet; thickness at bottom ----- feet; thickness at top -----

feet; slope at front water face -----; slope at back face -----

material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater

mark ----- acres.

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

(c) Head gate: Width ----- feet; height ----- feet;

Material -----

(d) Canal: Total length ----- miles

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- 5 ----- year

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 -----

Orrick Watchman

STATE OF SOUTH DAKOTA

County of -----

Hughes

ss.

I, A. L. S. Thomas, 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

A. L. S. Thomas

Subscribed and sworn to before me this

23rd

day of

March

19

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

H. E. Bowers, Notary Public

My Commission Expires

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, May 24, 1967

This is to certify that the foregoing application was received by the Commission at 3:00 o'clock
P.m. upon the 23rd day of March, 1967

State Water Resources Commission

By: Richard D. Schuyler
Chief Engineer, Executive Officer

Number of permit 1381-3

Date of first receipt of application March 23, 1967

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right March 23, 1967

Approved May 17, 1967, Recorded in Book 9 Page 225

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 17, 1969

2nd. The whole of said work is to be completed on or before May 17, 1972

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

May 17, 1976

4th. The water appropriated shall be used for the purpose of irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 1.81 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 17, 1976; said water to be used during the following described annual period:

April 1st through November 1st

and may hand this 24th day of May, 1967

State Water Resources Commission

By: Richard D. Schuyler
Chief Engineer, Executive Officer

Certificate of Construction issued JANUARY 28, 1974

Water License issued JANUARY 28, 1974

Form 24 — Wells (Supplement to Form 2)

well #1

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30 inches Depth 30 ft.
 Type of casing steel (wood, concrete, steel, etc.)
 Size of casing 18 inches Thickness of casing —
 Length of casing 30 feet If collection gallery length, size and depth of gallery —

(b) Screens

Type of perforated screen to be decided when well is built
 Size of perforated screen 18 inch dia. to be decided
 (diameter) (length)
 Thickness of gravel pack 6 inch length of gravel pack to have screen

(c) Water Bearing Materials

Distance to water 11 ft. Character of water bearing materials sand and gravel
—
—
 Thickness of water bearing material 19 feet

(d) Pump and Motor

Type of pump propeller (centrifugal, propeller, mixed flow, etc.)
 Name of pump to be decided (excelsior, etc.) size 6 inch
 Kind of motor electric or propane engine
 (gasoline, electric, diesel, etc.)
 Horsepower to be decided Name of Motor —

(e) Complete well

Capacity 6000 gals at drawdown of 6 feet Estimated cost 2000

(f) Owner of land upon which well is located Alvin Thomas Name of Harry Thomas
owner, S.D.
 Address

(g) Distance to nearest existing wells

On same owner's property 60 rods. On property owned by others 320 rods

Form 2A — Wells (Supplement to Form 2)

Well # 2

2. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30 inches Depth 30 feet

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

Size of casing 18 inch dia Thickness of casing

Length of casing 30 feet If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen to be decided when well is built

Size of perforated screen (diameter) 18 inch dia (length) to be decided

Thickness of gravel pack 6 inch length of gravel pack to above screen

(c) Water Bearing Materials

Distance to water 11 feet Character of water bearing materials

..... sand and gravel

Thickness of water bearing material 10 feet

(d) Pump and Motor

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

Name of pump to be decided (B & B size 2 1/2 hp)

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

Horsepower to be decided Name of Motor

(e) Complete well

Capacity 600 gal at drawdown of 6 ft. Estimated cost \$3000

(f) Owner of land upon which well is located

Name above Name Thomas
Address Orinda, S.D.
By: Larry Thomas

(g) Distance to nearest existing wells

On same owner's property 120 rods. On property owned by others 12 rods

Form 15.

Permit No. 1381-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Alvin Thomas

_____ the holder _____ of
Permit No. 1381-3, issued upon Application No. 1381-3, bearing date of priority of March 23,
1967 authorizing the diversion of 1.81 cu. ft. per second of the waters of _____
ground water County of Sully, State of South Dakota at _____
a point South 50° East, 2550 feet from the NW Corner, Section 4, T17N, R74W

_____, for irrigation

purpose, he 8 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 3.00 cu. ft. per second of water.

Date January 28, 1974

~~_____
By: WATER RIGHTS COMMISSION~~

DONALD DRISCOLL, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1381-3

(1) WHEREAS, On the 23rd day of March A. D. 19 67
Alvin Thomas

made Water Right Application No. 1381-3 for a permit to use 1.81 cubic feet per second of the waters
of groundwater
County of Sully, State of South Dakota, for irrigation
purposes; and

(2) WHEREAS, On the 24th day of May A. D. 19 67
Permit No. 1381-3 with a date of priority of March 23, 1967
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 17th day of May A. D. 19 72 and for the
application to beneficial use of said water on or before the 17th day of May A. D. 19 76

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 1.81 cubic feet
per second of water for beneficial use and.

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

for irrigating the following land in Section 4, T217N, R74W

NE 1/4 69 acres

SW 1/4 20 acres

SE 1/4 37 acres

Total 126 acres

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

_____ of Onida, S.D.

the holder _____ and owner _____ of said permit No. 1381-3 a water right, dating from March 23, 1967

_____ to use of 1.81 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 _____

a point South 50° East, 2550 feet from the NW Corner, Section 4, T117N, R74W

and conduct to and upon portions of Section 4, T117N, R74W more fully described on the
face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1381-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 28th day of January A. D.
Nineteen Hundred and Seventy-four

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

On or before **April 20**, 19**67**
 (First Publication

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., **March 29**, 19**67**

Notice is hereby given that **Alvin S. Thomas** whose postoffice address is **Onida** S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use **1.81** cubic feet of water per second of time from ~~xxx~~ **ground water** through the **Thomas Irrigation Project** the points of diversion of which ~~is~~ **are** to be located on the **NW 1/4 NW 1/4** and in the **SE 1/4** of the **N 1/2** of Section **4** portions of Twp **11 1/2 N** Range **74 W**. Said water to be used for the purpose of providing irrigation on the following described land:

E 1/2 NW 1/4 NW 1/4, N 1/2 SW 1/4, and NE 1/4, Section 4, T11 1/2 N, R74 W.

~~and/or~~ **1/4 NW 1/4 NW 1/4**

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the **17th** day of **May**, 19**67**, 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:

RICHARD D. SCHMOYER
 Chief Engineer, Executive Officer
 Water Right Specialist

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

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County of 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:

April 6, 1967
April 13, 1967
April 20, 1967
April 27, 1967
 in each and every issue of the full number thereof, the first publication being made on the 6th day of April 1967 and the last publication on the 27th day of April 1967, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was owner the printer and publisher of the said newspaper:

E. L. Thompson

No. 1381-3
 APPROPRIATION OF WATER
 Office of State Water Resources Commission, Pierre, S. Dak., March 29, 1967.

Notice is hereby given that Alvin S. Thomas, whose post-office address is Onida, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.61 cubic feet of water per second of time from ground water through the Thomas Irrigation Project, the points of diversion of which are to be located in the NW1/4 NW1/4 and in the SE1/4 of the NW1/4 of Section 4, Twp. 11-N, Range 74W. Said water to be used for the purpose of providing irrigation on portions of the following described land: E1/2 NW1/4, NW1/4 NW1/4, N1/2 SW1/4, and NE1/4, Section 4, T114N, R74W.

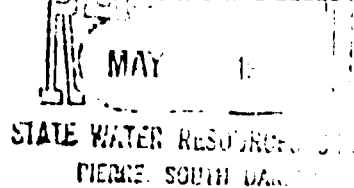
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of May, 1967, at 2 P.M. All interested persons may appear and be heard.

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: RICHARD D. SCHMOYER
 Water Right Specialist

2-12

Subscribed and sworn to before me this 28th day of April A. D. 1967



Richard D. Schmoeyer
 Notary Public Sully County, S. D.

1381-3

Driller's Notice Of Intent To Construct Well

Water Resources Commission of South Dakota
State Office Building
Pierre, South Dakota

Gentlemen:

In accordance with Section 61.0406 of the 1960 Supplement to the South Dakota Code of 1939, Notice of Intent is hereby given to drill the following well.

Person for whom the well is to be drilled: Harry Thomas
(Name)

Harvard S Dak
(Address)

Owner of land if other than above: Alvin Thomas
(Name)

Onida S Dak
(Address)

Location of well: S.E. 1/4, N.W. 1/4, Section 4, Township 117

Range 74

Proposed use of water
(domestic, irrigation, municipal, industrial, other)

Very truly yours,

Vergil N. Worn

MAR 13 1961
STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

Permit No. 1381-3
 Water Division 3 MISSOURI RIVER Water District

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

RIGHTS

TO: Water ~~Resource~~ 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 Alvin Thomas
 of Onida, South Dakota holder
 of Permit No. 1381-3, bearing date of priority of March 23, 19 67
 authorizing the diversion of 1.81 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, 42 feet deep, 18 inch c.m. pipe
 Berkeley, 8 inch pump, Mod. 100H 45T
 Perkins Industrial engine, 510 cu.in. Diesel, 125 H.P.

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

1560 feet of 8 inch aluminum main line to center pivot.
 300 feet of 6 inch aluminum main line to tow line.

C. Works used to apply water to beneficial use.

15 tower, T & L Hydraulic Drive, center pivot sprinkler system
 two 1/4 mile long tow line - 4 inch diameter

The system is in the following condition: excellent

The point of diversion is located approximately South 50° East, 2550 feet from the
NW Corner of Section 4, T117N, R74W

The works are capable of diverting and conveying to the place of use 3.0

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

Water has been put to beneficial use to the maximum extent as follows: all in Section 4, T117N, R74W

NE 1/4 69 acres

NW 1/4 37 acres

SW 1/4 20 acres

comprising a total of 126 acres of land.

Everything should be sent to Harry Thomas, Harrold, S.D.

However License and Certificate should be in name of Alvin Thomas, Onida.

Date December 17, 1973

Donal Quisell
 (Signature)

#1381
Alvin Thomas
Onida, S. Dak

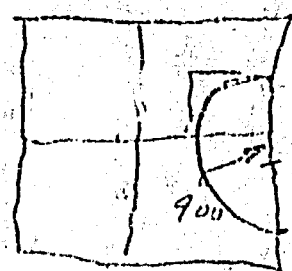
42' deep well
18" steel casing

Perkins 5' in. Dial 100 467

Perkins 5' in. Dial

175 ft. 516

175 ft. 516
700 ft. 2000



center point

Top area marked by 700 ft. line

300 ft. line

1/2 mile to 1/4 mile 4"

well to 1000 ft.

13 ft. 10' 6"

1381-1 Alvin Thomas. 973-2444
Talk to Harry as he operates
the Permit Ph-973-2417.

Let from Harry Thomas 77-1-973-2417
as per permit call

Feb. 2, 1960 Well #1 by CP.

Depth 42 ft.

Static 11 ft down

Pumping 9:00 a.m.

Well #2 (deep 1973)

depth 52.

static 16 ft

Pumping 8:50 test pump

Well #2 and only in any way in dry spell

CP. Make T 4 1/2

Acreage Covered

198 ac.

#1927-3
#1381-3

WATER RIGHTS DIVISION (605) 773-3352

June 10, 1982

Harry Thomas
RR, Box 13
Harrold, South Dakota 57536

Robert F. Richards
Box 126
Bridgewater, South Dakota 57319

Dear Mr. Thomas and Richards:

In the process of making the final inspection of the Robert F. Richards Water Permit No. 1927-3 I found that there are two wells, whereas the two permits only call for one well located in the SE $\frac{1}{4}$ HW $\frac{1}{4}$, as shown on the attached map (Well #1). Well #2 was dug in 1978 which is after the completion date of March 15, 1977.

In order to comply with the South Dakota Water Laws it will be necessary to submit an application for the additional well (Well #2). I have discussed this matter with Mr. John Hatch, Chief Engineer for Water Rights. Mr. Hatch said to submit a joint application in order that all lands of both parties are covered under the new application.

Enclosed are two copies of a completed form #2, "Application for Permit" for the additional well. You should check the form over and make any changes necessary, then sign the form and have both copies notarized and returned to this office with a check for \$150.00 to cover the cost of the filing fees.

Our office will need a Drillers Log or a completed Form 2A (enclosed) of Well #2. We have no record of this well in our files.

Water Quality approval will be needed for the land irrigated by Well #2. This will include all lands irrigated by both parties. An instruction sheet is enclosed. (See No. 5).

Also enclosed is a map of the area. Check this over and make any corrections necessary. If there are no changes to the map you may keep it for your files. If there are changes then return the map to this office so that we may correct the office map.

The Forms are being sent to Harry Thomas to take the necessary action because the well is on his property.

If you have any questions regarding this matter, please feel free to contact this office.

Sincerely,

LeRoy J. Hernaugh
Water Resources Engineer

LJM:ms
cc: Jim Stukel, SOG

comprising a total of 92 acres of land and the license should be issued for 1.0 cfs.

Application permit qualifications have been complied with X Yes No

Exceptions to compliance are: none Date 9-3-92

Lynn Beck

Lynn Beck
Natural Resources Engineer III
DENR, Water Rights Division

Comments: The center pivot is capable diverting 2.0 cfs to lands irrigated under Lic. No 1381-3 and Permit No. 1927-3. Lic. No. 1381-3 authorizes 1.81 cfs with a priority date of March 3, 1967, 1.7 cfs is authorized in Permit No. 1927-3, with a priority date of February 22, 1972. The total number of acres irrigated is 184, using one center pivot. License No. 1381-3, owned by Harry Thomas should be reissued for 92 acres and 1.0 cfs; Permit No. 1927-3 owned by Robert Richards should be issued for 92 acres and 1.0 cfs.

All in Section 4-T114N-R74W: Lands owned by Harry Thomas under Lic. No. 1381-3, south half of the center pivot.

NE 1/4 NW 1/4	29 acres	NW 1/4 NE 1/4	40 acres
SE 1/4 NW 1/4	2 "	NE 1/4 NE 1/4	14 "
		SW 1/4 NE 1/4	7 "



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1994

No. 1381-3

Harry Thomas
HCR 1, Box 13
Harrold, SD 57536

Dear Mr. Thomas:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1381-3. The water right is currently listed in the name of Alvin Thomas.

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

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.

If you have any questions, please contact me.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 4, 1994

1381-3

Harry Thomas
HCR 1, Box 13
Harrold, SD 57536

Dear Mr. Thomas:

We are in receipt of the Notice of Transfer of Ownership you submitted for Water Right No. 1381-3, but have not received the required fee of \$2.50. Before we can proceed with the transfer of ownership, we must be in receipt of the fee.

Your immediate response is appreciated, and if you have further questions, please feel free to contact me.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

NOTE: On check or money order, please specify the water right number. This will insure proper handling of the fee.

RECEIPT

414172

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 16, 19 94

RECEIVED OF Kay Thomas, Thomas Ranch, HCR Box 13, Harrold, SD 57536

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form Water Right No. 1381-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By John Hatch / JMK
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1381-3

Date: _____

I\We request that Water Right No. 1381-3

formerly owned by: Alvin Thomas

be transferred to: (name & address) Harry Thomas HARRIS HOUSE HARRIS, SD.
57536 (Telephone No) 605-973-3417

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

92 acres - N 1/2 of Section 4, T114N, R74W

I\We understand that the validity of Water Right No. 1381-3 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 the 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 fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Sully)

I\We Harry Thomas 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.

Harry Thomas
(Signed)

Subscribed and sworn to before me this 27th day of April, 19 94

my Commission
Expires 8-15-94

Patty Neger
(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.

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 1381-3

(1) Alvin Thomas, of Onida, SD 57564 was issued Water License No. 1381-3, January 28, 1974 for a water right to appropriate 1.81 cubic feet of water per second from groundwater (one well), Sully County, South Dakota for irrigation purposes. Water License No. 1381-3, with a priority date of March 23, 1967 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

On May 16, 1994 Water Right No. 1381-3 was transferred to Harry Thomas.

Water Right No. 1381-3 (Harry Thomas) and Water Permit No. 1927-3 (Robert Richards) combined, authorize irrigation of one center pivot system. An inspection of the system found the well and pivot capable of diverting 900 gallons per minute (2.0 cfs) and irrigating 184 acre pivot. Water License No. 1381-3 is being reissued to reflect irrigation of the S½ of the pivot system and Water License No. 1927-3 will be issued to authorize irrigation of the N½ of the pivot system.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.00 cubic feet of water per second for beneficial use. The location of the diversion point is 1433'S and 2085'E of the NW corner of Section 4, T114N, R74W (SE¼ NW¼).

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land: all in Section 4, T114N, R74W

NE¼ NW¼ 29 acres
SE¼ NW¼ 2 acres

NW¼ NE¼ 40 acres
NE¼ NE¼ 14 acres
SW¼ NE¼ 7 acres

TOTAL 92 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Harry Thomas of HCR 1 Box 13, Harrold, SD 57536 the holder and/or owner of Water Right No. 1381-3 is issued a license to appropriate water, the right to use 1.00 cubic feet of water per second from groundwater (one well) with a priority date of March 23, 1967 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 1381-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 15 1994

date

1381-3

Form 12

Permit No. 1927-3

Missouri River Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DENR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Robert F. Richards of Bridgewater, SD 57319 holder of Permit No. 1927-3, bearing the priority of February 22, 1972 authorizing the diversion of 1.7 cu. ft. per second of the waters of Highmore-Blunt Aquifer for irrigation purposes, in Sully County.

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

A. Works used to divert the water:

One well 48' deep, 36' of 16" pvc casing and 12' of 16" stainless steel screen. Deutz Diesel motor, model no. 56800, 136 hp; Berkeley pump, model no. 1004H-5ST, 900 gpm capacity.

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

1660' of 10" pvc.

C. Works used to apply water to beneficial use:

Zimmerman 8 tower center pivot, 1590' long, with end gun, low pressure nozzles, and a capacity of 900 gpm.

The system is in the following condition good. The point of diversion is located 1433' S and 2085' E of the NW corner of Section 4, T114N, R74W. The works are capable of diverting and conveying to the place of use 2.0 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in Section 33, T115N, R74W: Lands covered under Permit No. 1927, north half of the center pivot owned by Robert Richards. See comments for lands covered under Lic. No. 1381-3, south half of center pivot owned by Harry Thomas.

<u>NE 1/4 SW 1/4</u>	<u>2 acres</u>	<u>SW 1/4 SE 1/4</u>	<u>40 acres</u>
<u>SE 1/4 SW 1/4</u>	<u>29 "</u>	<u>SE 1/4 SE 1/4</u>	<u>14 "</u>
<u>NW 1/4 SE 1/4</u>	<u>7 "</u>		



1381-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 15 1994

1381-3

Harry Thomas
HCR 1, Box 13
Harrold, SD 57526

Dear Mr. Thomas:

Enclosed is Reissued Water License No. 1381-3. Enclosed is Receipt No. 414172 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

gm
enclosures

NOT TO SCALE

115-74

(20-35)

State Land

78-L

(20-48)

Robert F. Richards

R 74 W

33

(20-48)

Robert F. Richards

1927-3

NW 1/4 SE 1/4

7. Ac

NE SW 1/4
2. Ac

102.4

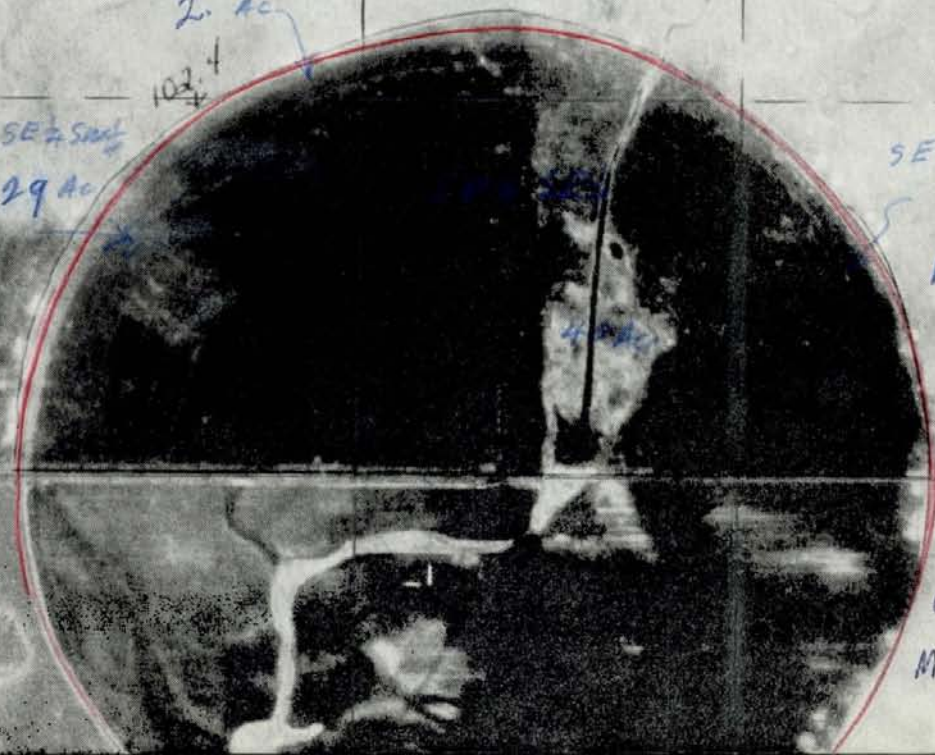
SE 1/4 SW 1/4
29 Ac

SE 1/4 SE 1/4

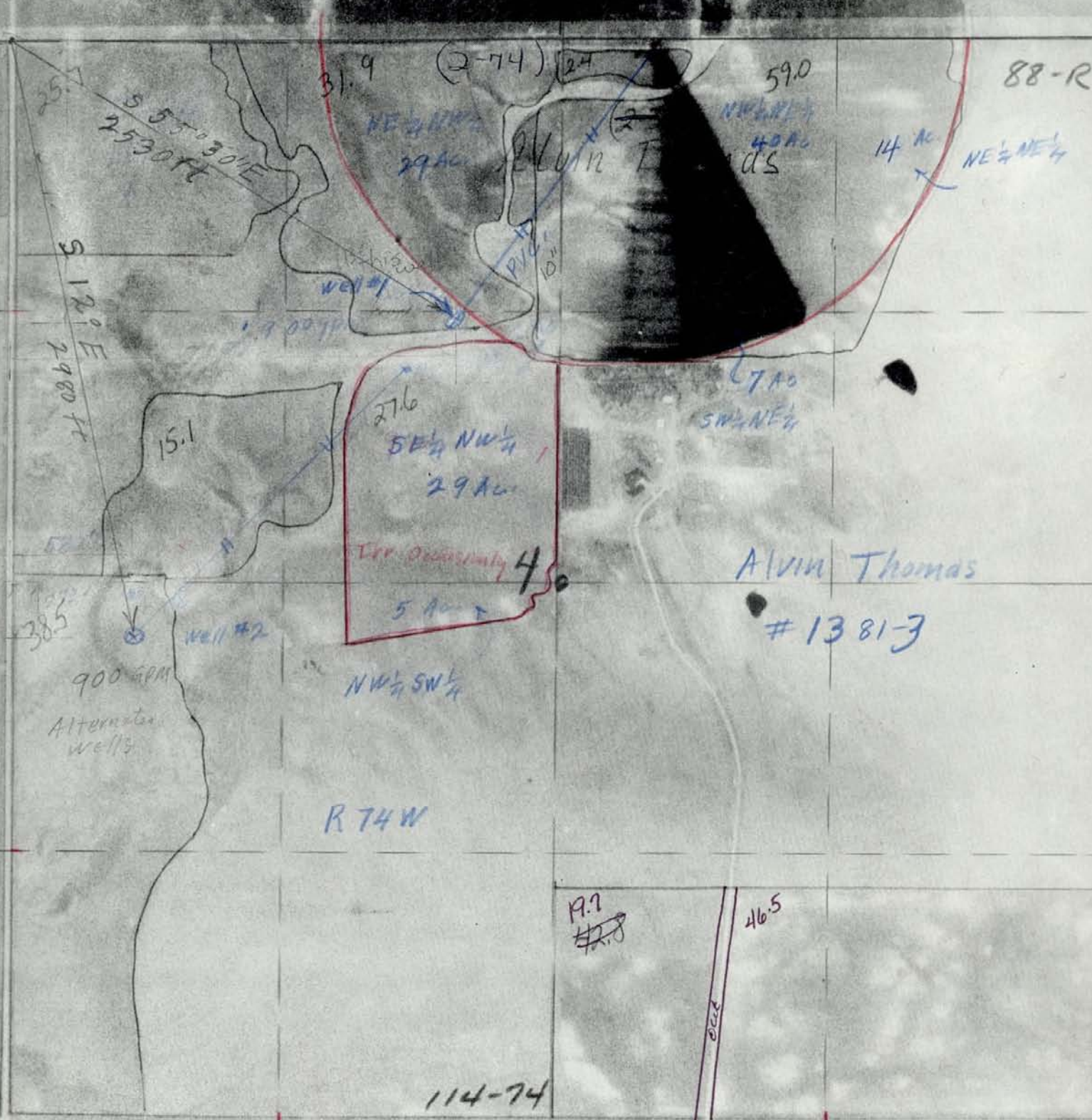
14 Ac

115-74

UR 1381-3
Map 991-3



NOT TO SCALE



88-R
(17-58)
Kenneth Kirby
Transferred to Potter

NOT TO SCALE

115-74

(20-35)

78-L

(2048)

State Land

Robert F. Richards

33

(2048)

Robert F. Richards # 1927-3

NW $\frac{1}{4}$ SE $\frac{1}{4}$

7. Ac

NE $\frac{1}{4}$ SW $\frac{1}{4}$

2. Ac

SE $\frac{1}{4}$ SW $\frac{1}{4}$
29 Ac

SW $\frac{1}{4}$ SE $\frac{1}{4}$
40 Ac

SE $\frac{1}{4}$ SE $\frac{1}{4}$
14 Ac

115-74

88-R

NE $\frac{1}{4}$ NW $\frac{1}{4}$
29 Ac

NW $\frac{1}{4}$ NE $\frac{1}{4}$
40 Ac
US

NE $\frac{1}{4}$ NE $\frac{1}{4}$
14 Ac

SE $\frac{1}{4}$ NW $\frac{1}{4}$
29 Ac

SW $\frac{1}{4}$ NE $\frac{1}{4}$
7 Ac

Alvin Thomas

1381-3

5 Ac

NW $\frac{1}{4}$ SW $\frac{1}{4}$

S 55° 30' E
2530 ft

S 12° E
2980'

15.1

27.6

4

900 GPM
Alternates
wells

Well #2

19.7
#2.8

46.5

114-74

89.0



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 26, 2016

Harry Thomas
18439 Capri Place
Harrold SD 57536

Mr. Thomas:

Water Right Nos. 1381-3 and 1927-3, combined, appropriate 2.0 cubic feet of water per second from one well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, T114N, R74W to supply a center pivot for irrigation of 184 acres in portions of N $\frac{1}{2}$ Section 4, T114N, R74W and S $\frac{1}{2}$ Section 33, T115N, R74W. During a recent licensing inspection by Mike DeFea of a separate irrigation system, DENR became aware that a second well was drilled in 2008 to supplement water to the center pivot described above.

This additional well is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, T114N, R74W. This letter serves as notice that DENR has reviewed the additional well pursuant to SDCL 46-5-13.1. The additional well location is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. No increase in the authorized diversion rate of 2.0 cfs (900 gpm) from the Highmore-Blunt aquifer under Water Right Nos. 1381-3 and 1927-3 is authorized. If the total diversion rate increases above 2.0 cfs, a new water right permit will need to be obtained.

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

Sincerely,


Jeanne Goodman, Chief Engineer
Water Rights Program

c: Robert F Richards, Box 126, Bridgewater SD 57319

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Harry Thomas

ADDRESS: 18439 Capri Place, Harrold, SD 57536

DATE: February 16, 2016

COUNTY: Sully

TELEPHONE: 222-1983, 973-2417

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

• **Developed water source same as permitted source and no additional water appropriated**

Water Right Nos. 1381-3 and 1927-3 authorize a combined diversion rate of 2.0 cfs for irrigation of 184 acres located in the S ½ Section 33-T115N-R74W and N ½ Section 4-T114N-R74W under a single pivot system capable of delivering 2.0 cfs of water. The original well is located in the SE ¼ NW ¼ Section 4-T114N-R74W. During a licensing investigation of separate water permits, it was found that another well had been drilled in 2008. This additional well, located in the NE ¼ NW ¼ Section 4-T114N-R74W, is used for irrigation of the above described acres.

The water source is the Highmore-Blunt aquifer same as permitted with no additional water appropriated. This additional well is only used to supplement or supply water for the irrigation system authorized by Water Right Nos. 1381-3 and 1927-3 when needed. The additional well is capable of producing 1.56 cfs.

• **If irrigation, no new land is irrigated**

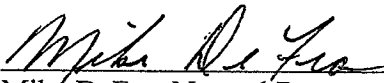
No new land is being irrigated.

• **Review of Existing Diversions**

There is one existing water right located within one-half mile of the additional well. Water Right No. 8093-3 is also held by Harry Thomas which is authorized to divert water from the Highmore-Blunt aquifer. Since the nearest existing well is also Mr. Thomas', water levels can be managed if interference occurs. The next nearest water right authorized to divert water from the Highmore-Blunt aquifer is located approximately 8.5 miles south-east from the location of this additional well. Interference would not be expected to be a concern.

RECOMMENDED ACTION

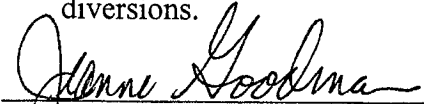
Based on the above criteria, it is recommended that the additional diversion point be authorized and the license reissued.



Mike DeFea, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion point does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program

Water Rights Program - DENR

Conversation or File Documentation

Name of Person: Harry Thomas

File No: 1381-3 and 1927-3

Address: 18439 Capri Place, Harrold, SD 57536

County: Sully

Date: February 12, 2016

Telephone: 222-1983, 973-2417

RE: Additional Irrigation Well for Water Permit Nos. 1381-3 and 1927-3

Comments:

On February 11, 2016, Harry Thomas stopped by my office and gave me the Invoice from Jennings Well Drilling for a new well he had constructed in 2008. The invoice did not include the well log, but the drilling company was contacted, and DENR did receive the well log on February 11, 2016 by Fax.

This additional well was identified during the licensing inspection of Water Permit Nos. 8093-3 and 6425-3. During the inspection, and in the conversation on February 11, 2016, Mr. Thomas stated the reason the additional was needed was because one of the original wells authorized to divert water to the irrigation systems authorized by Water Permit Nos. 1381-3, 1927-3, 6425-3 and 8093-3 had deteriorated to the point where new casing and screen had to be replaced. Mr. Thomas also indicated the refurbished well was not always capable to provide enough water to operate the system.

Currently, one of the wells authorized to appropriate water for Water Permit Nos. 8093-3, 6425-3, 1381-3 and 1927-3 located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4-T114N-R74W (N 44.71460, W -99.75439) is now only authorized and licensed to divert 0.89 cfs of water for Water Right Nos. 8093-3 and 6425-3.

The water source for Water Right Nos. 1381-3 and 1927-3 is provided by one of the original wells located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4 (N 44.71747, W -99.74838) and the additional well located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4 (N 44.71891, W -99.74862); both in T114N-R74W.

The additional well is only used to supplement or supply water for the irrigation system authorized by Water Right Nos. 1381-3 and 1927-3 when needed. The well pump is a Franklin, Model 700STS, 40 hp submersible capable of producing 1.56 cfs.

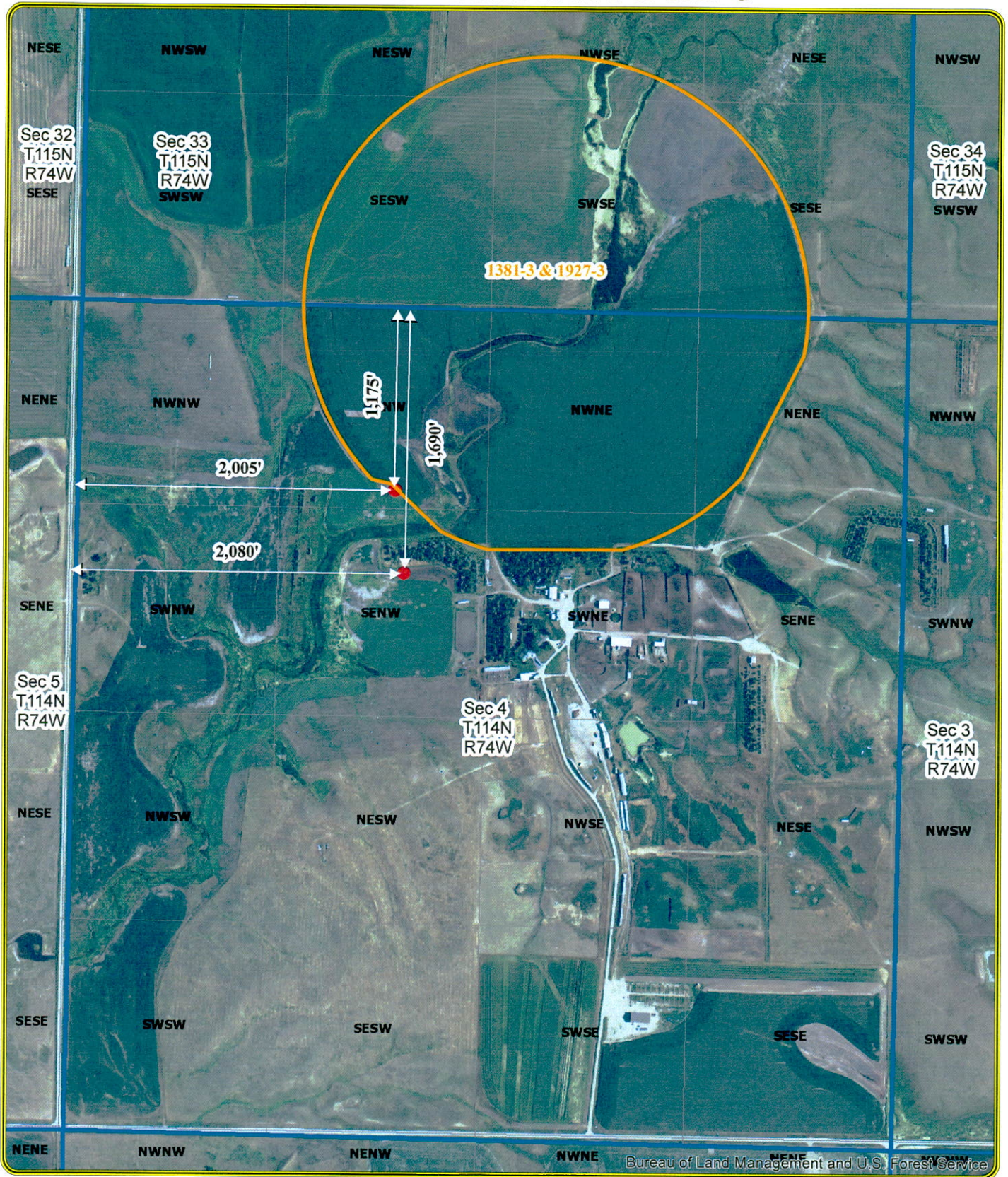


Mike DeFea

Natural Resources Engineer II
DENR, Water Rights Program

Harry Thomas

Water Permit Nos. 1381-3 & 1927-3



0 0.125 0.25 0.5 Miles

Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
February 23, 2016



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow...Today

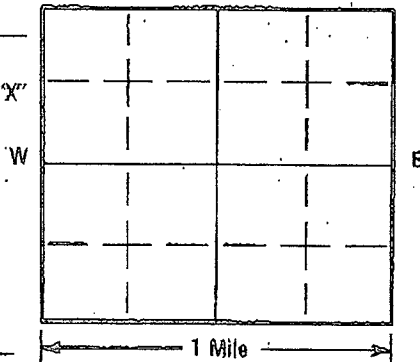
1381-341927-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location $\frac{1}{4}$ $\frac{1}{4}$ Sec 4 Twp 114 N Rg 74 W
County _____ North

Please mark well location with an "X"



Well Completion Date

10-3-08Well Owner: Harry Thomas

Business Name: _____

Address: 185 N St

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top soil	0	3
Clay (gray)	3	17
SAND + Gravel (gray)	17	49
Clay (gray)	49	53

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) NA ft. from in a field (identify source).

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

RotarySTATIC WATER LEVEL 21 below _____ Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200</u> LB/FT	<u>12</u> IN	<u>0</u> FT	<u>30</u> FT	<u>18</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>bentonite</u>	<u>6</u>	<u>14</u> lb./gal	<u>21</u> ft	<u>8</u> ft
<u>Cement</u>	<u>8</u>	<u>19</u> lb./gal	<u>8</u> ft	<u>3</u> ft

Describe grouting procedure pumpedSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12" IN Length 20 FEETMaterial Stainless steelSlot Size 100 Set From 30 Feet to 50 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How:Chlorine

Laboratory sent to for water quality analysis

☐ NO, Why Not?

WELL TEST DATA:

☐ Pumped Describe: Air☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

30 ft. After 6 Hrs. pumped 600 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

FEB 11 2016

WATER RIGHTS PROGRAM

This well was drilled under license # 610

And this report is true and accurate.

Drilling firm Jennings WELL Drilling Inc

Signature of License Representative:

Bue

Signature of Well Owner or Equitable Property Holder:

Date: _____

1381-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 5, 2018

1381-3
1927-3
8093-3

Troy & VeaBea Thomas
18441 Capri Place
Harrold SD 57536

Dear Mr. & Mrs. Thomas:

I am writing in regard to ownership of Water Rights listed in the name of Harry Thomas and Robert Richards. The 2017 irrigation questionnaires submitted for these water rights indicate you now own the land.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

With respect to the water right currently listed in the name of Robert Richards, if you manage the irrigation system but do not own the land, make that notation on the form and do not submit a fee for transferring the water right. I have always just sent the questionnaire to Harry Thomas as that of operator. However, if you do own the land, please complete the form as needed and submit the required fee and it will be transferred as well.

I have enclosed a copy of all three water rights for your records. If you have any questions, please let me know.

Sincerely,

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

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

enclosures



RECEIVED
JUL 24 2018
WATER RIGHTS
PROGRAM

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 5, 2018

1381-3
1927-3
8093-3

Troy & VeaBea Thomas
18441 Capri Place
Harrold SD 57536

18475

Dear Mr. & Mrs. Thomas:

I am writing in regard to ownership of Water Rights listed in the name of Harry Thomas and Robert Richards. The 2017 irrigation questionnaires submitted for these water rights indicate you now own the land.

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I have enclosed a copy of all three water rights for your records. If you have any questions, please let me know.

Sincerely,

Genny McMath

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

pd 7-20-18
\$100.00
CK 12389

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED
JUL 24 2018
WATER RIGHTS
PROGRAM

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

No. 1381-3

Date: 07-17-18

I/We request that Water Right No. 1381-3

formerly owned by: Harry Thomas

be transferred to: (name & address) Thomas Ranch Partnership
Troy & VeaBea Thomas

Telephone No. _____

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

92 acres - E 1/2 NW 1/4, N 1/2 NE 1/4 and SW 1/4 NE 1/4 Section 4, T114N, R74W

I/We understand that the validity of Water Right No. 1381-3 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 Thomas Ranch Partnership, the new owner, certify that the above information is true and correct.

VeaBea Thomas
(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date **July 25**

, 20 **18**

Thomas Ranch 18441 Capri Place Harrold, SD 57536

RECEIVED OF _____

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 1381-3		
Fee for _____	50	00
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **08728**

By

Jeanne Goodman
Chief Engineer

TM

1381-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 25, 2018

1381-3
1927-3
8093-3

Troy & VeaBea Thomas
Thomas Ranch Partnership
18475 Capri Place
Harrold SD 57536

Dear Mr. & Mrs. Thomas:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for Water Right Nos. 1381-3 and 8093-3.

The ownership changes have been completed. Water Permit Nos. 1381-3 and 8093-3, formerly held by Harry Thomas, are now listed in the name of Thomas Ranch Partnership.

With respect to Water Right No. 1927-3, listed in the name of Robert Richards, I have made a notation in the file that you manage the property. This does not affect ownership but allows us to send the annual irrigation questionnaire directly to you.

Enclosed are Receipt Nos. 08727 and 08728 in the amounts of \$50 each which you paid for filing the ownership changes. If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures