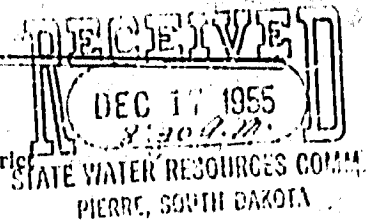


No. 141-3Water Division No. 3Big Sioux River

District

(Blanks to be filled by the Engineer for the W. R. C.)

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

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

1. Name of applicant Ernest Kangas
 Postoffice address Hartt Lake Nordan, County Hemlin, State S. Dak.

I. If a corporation

- (a) Name of same Hartt Potato Co.
 (b) Date and place of incorporation May 7, 1947 - S. Dak.
 (c) Amount of capital stock 125,000.00 authorized
 (d) Amount paid in 38,000.00
 (e) Names and addresses of directors Frederick L. Hake, Hartt, S. Dak.
Katharin A. Sour, Watertown, S. Dak.

(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)
Well finished in 1953. Overhead sprinkler system bought in 1954.
 (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work _____
 3. Amount of water claimed 300 G.P.M. cubic feet per second
 4. Source of water supply 60 ft. well.
 5. Location of point of diversion _____ on _____ bank _____ County.
 6. Annual period or periods during which water is to be used May through September.
 7. To be used for:

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

(a) Number of acres to be irrigated 150 acres.

(b) Legal subdivisions to be irrigated SW 1-8-113-53

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

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

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

(a) Nature of use _____
 None 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 _____

8. Estimated cost of work:

(a) Head Gate \$.....

(b) Pumping plant, \$.....

(c) Fluming \$.....

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

Rock, \$.....

(e) Other structures \$.....

Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction.....

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

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-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 MIL
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 Completed years.

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

12. Choice of newspaper for publication of notice of intention to appropriate
Hamlin County Herald Enterprise, Hayti, S. Dak.

STATE OF SOUTH DAKOTA

County of Hamlin

ss.

I, Fredrick L. Hube, 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

Fredrick L. Hube

Subscribed and sworn to before me this

17th

day of

December1953

Barbara Anderson
Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

"Vested Right" claimed

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

Jan 11

1956

This is to certify that the foregoing application was received by the Commission at 11 o'clock

A. m. upon the 17 day of Dec, 1955.

State Water Resources Commission

By:

J. W. Limer

Chief Engineer, Executive Officer

Number of permit

141-3

Date of first receipt of application

Dec 17

1955

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

Jan 4

1955

Date of receipt of corrected application

July 20

1956

Date from which applicant may claim right

1953

1953

Approved

August 8

1956

Recorded in Book

141-3

Page

144

This is to certify that we have examined the foregoing application for 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 ^{was} to be completed ~~on or before~~

in 1953

2nd. The whole of said work ^{was} to be completed ~~on or before~~

in 1953

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

1953

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

irrigation

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

6th. The amount of the appropriation herein granted shall not exceed 2.0 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 ^{was} actually and beneficially applied for irrigation ~~on or before~~ in 1953; said water to be used during the following described annual period:

May through September inclusive

Witness my hand this

8

day of

August

1956

State Water Resources Commission

By:

J. W. Limer

Chief Engineer, Executive Officer

Certificate of Construction issued

August 8

1956

Water License issued

August 8

1956

9. (continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 4 1/2 inches

Depth 60 ft.

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

Size of casing 13" x 12", Thickness of casing 2"
Length of casing 60 ft. If collection gallery,
length, size, and depth of gallery _____.

(b) Screens

Type of perforated screen Kelly

Size of perforated screen 13"x12", 60 ft.
(diameter) (length)

Thickness of gravel pack 10", length of gravel
pack 50 ft.

(c) Water Bearing Materials

Distance to water 14 ft.

Character of water bearing materials _____
Coarse sand and gravel

Thickness of water bearing material 4 ft.

(d) Pump and Motor

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

Name of pump General, size 3/4 HP

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

Horsepower _____

Name of motor _____

(e) Complete well

Capacity 900 gal. at drawdown of 2'

Estimated cost _____

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

Potato Company, Maple, S. D.
Address

(g) Distance to nearest existing wells

On same Owner's property None rods

On property owned by others _____ rods

STATE OF SOUTH DAKOTA SS
COUNTY OF CODDINGTON

Frederick L. Luke, hereby certifies that he is the duly elected, qualified and acting Secretary of Hayti Potato Co., a corporation; and that attached hereto is a full, true and complete copy of the Articles of Incorporation of Hayti Potato Co., and of the whole thereof.

Frederick L. Luke
Secretary, Hayti Potato Co.

(CORPORATE SEAL)

RECEIVED
DEC 17 1955
STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

ARTICLES OF INCORPORATION

OF

HAYTI POTATO CO.

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, Frederick L. Hulse, Roy W. Sour and A. H. Steinmetz, having associated ourselves together for the purpose of forming a corporation under and by virtue of the statutes and laws of the State of South Dakota, do hereby certify and declare as follows:

ARTICLE I.

The name of this corporation shall be Hayti Potato Co.

ARTICLE II.

The purpose for which this corporation is formed is to engage in the business of growing, shipping, storing, and acting as broker in the handling of potatoes, including the buying and selling of potatoes and the buying and selling of seed potatoes and certifying of the same, and doing all things necessary to carry out the general purpose of said corporation, including authority to engage in general farming operations and general merchandizing, with authority to buy, pledge, sell, mortgage, hold and own or lease real estate and personal property, stocks and bonds of this and other corporations; to borrow money and give the usual evidences of debt and securities therefor; to buy, assign, endorse and dispose of negotiable paper and general commercial paper or other securities; to purchase, obtain and furnish warehouseman's bonds or any other bonds or surety or security that may be necessary to carry on the business and to do all other things necessary or proper to carry out each of the above named powers and purposes and to possess all additional powers of whatever kind or nature that may be necessary to effectuate the objects above enumerated, provided that the same are not prohibited by the laws of the State of South Dakota or the United States of America.

ARTICLE III.

The place where the principal place of business of this corporation shall be transacted is Hayti, in Hamlin County, South Dakota, but business offices and other places of business may be located in other towns or cities, either within or without the State of South Dakota, where meetings of the stockholders and directors may be held for the transaction of business.

ARTICLE IV.

The term for which this corporation shall exist shall be perpetual.

ARTICLE V.

The number of directors of this corporation shall be three, and the names and residences of such directors who are to serve until the election and qualification of their successors are as follows:

Frederick L. Huke
Roy W. Sour
A. H. Steinmetz

Watertown, South Dakota
Watertown, South Dakota
Watertown, South Dakota

That such directors shall serve until the first annual meeting of the stockholders, at which time three directors shall be chosen to serve for a period of one year, and thereafter directors shall be elected annually.

ARTICLE VI.

The amount of the capital stock of this corporation shall be \$25,000.00, divided into 250 shares of common stock of the par value of \$100.00 per share.

ARTICLE VII.

The liability of each stockholder subscribing for stock in this corporation shall be limited to the amount remaining unpaid on his capital stock.

IN TESTIMONY WHEREOF we have hereunto set our hands this 5th day of

May
1917.

FREDERICK L. HUKÉ

ROY W. SOUR

A. H. STEINMETZ

STATE OF SOUTH DAKOTA

COUNTY OF CODINGTON

BE IT REMEMBERED, That on this 5th day of ^{May} April, 1947, before the undersigned personally appeared the above named Frederick L. Huke, Roy W. Sour and A. H. Steinmetz, well and personally known to me to be the same persons described in and who executed the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at said County the day and year last above written.

(SEAL)

ALAN L. AUSTIN

Notary Public, South Dakota

STATE OF SOUTH DAKOTA

COUNTY OF CODINGTON

ROY W. SOUR AND A. H. STEINMETZ, being duly sworn, each for himself deposes and says: That he is one of the persons described in and who signed the foregoing Articles of Incorporation as an incorporator therein; that he has read said Articles and knows the contents thereof; that the incorporators intend in good faith to form a corporation for the purpose of the promotion of a lawful business as set forth in said Articles and not for the purpose of enabling any corporation or corporations to avoid the provisions of Chapter 13.18 of the South Dakota Code of 1939, relating to unlawful trusts and combinations, and laws amendatory thereto.

ROY W. SOUR

A. H. STEINMETZ

Subscribed and sworn to before me this 5th day of ^{May} April, 1947.

(SEAL)

ALAN L. AUSTIN

Notary Public, South Dakota

STATE OF SOUTH DAKOTA

WATER LICENSE No... 141-3 ...

WHEREAS, On the 17th day of December A. D. 1955

the Hayti Potato Company

of Hayti County of Hamlin and State of

South Dakota duly made application (No. 141-3) to us for a permit to use 2.0

cubic feet per second of the waters of ground water

County of Hamlin, State of South Dakota, for irrigation purposes

~~XXXXXX~~ and

WHEREAS, On the 8th day of August A. D. 1956

Vested Right Permit No. 141-3 was issued to said applicant... for the diversion of said water, and recognizing

completion of the works of diversion therein described ~~XXXXXX~~ XXXXXX

in 1952 ~~XXXXXX~~ and ~~XXXXXX~~ application to beneficial use of said

water ~~XXXXXX~~ XXXXXX in 1953 ~~XXXXXX~~

and,

WHEREAS, On the 31st day of July A. D. 1956

Vested Right the holder... of said permit duly made proof of the completion of adequate works for the diversion of 2.0

cubic feet per second of said waters, as evidenced by our Certificate No. 141-3

dated August 8, 1956 confirming the completion of works of sufficient capacity for

diverting and conveying to the place of intended use 2.0 cubic feet per second of water, with date of

priority of 1953 ~~XXX~~ ~~XXX~~

WHEREAS, On the 31st day of July A. D. 1956

proof was duly made of the application to beneficial use of 2.0 cubic feet per second of said water;

on 150 acres in the SW¹, Sec. 8, T 113N, R 53W

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 the Hayti Potato Company

of Hayti, South Dakota the holder and owner Vested Right of said permit No. 141-3

a water right, dating from 1953 to the use of 2.0

cubic feet per second of the waters of ground water

In the County of Hamlin and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at the center of the SW 1/4

Sec. 8, T 113N, R 53W.

and conducted to and upon the SW 1/4, Sec. 8, T 113N, R 53W

for the purpose of irrigation

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

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 3th day of August A. D. Nineteen
Hundred and Fifty-six

State Water Resources Commission

By:

W. Grimes, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 141-3
Water Division No. 3 Big Sioux River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That The Hayti Potato Company
of Hayti, County of Harlin, and State of South Dakota,
the holder of Permit No. 141-3, issued up on Application
No. 141-3, bearing date of priority of 1 53, authorizing the diversion of
2.0 cu. ft. per second of the waters of ground water
County of Harlin, State of South Dakota, & in the center of
the SW 1/4, Sec. 8, T 113N, R 53W
for irrigation purposes
purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.0 cu. ft.
per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,
to-wit: SW 1/4, Sec. 8, T 113N, R 53W - - - - - 150 acres

Witness my hand this 8th day of August A. D. 1956

State Water Resources Commission

BY:

J. W. CRIDER, Chief Engineer, Executive Officer

HAYTI POTATO COMPANY

Growers of Certified Seed Potatoes

WATERTOWN, SOUTH DAKOTA

July 7, 1955

Water Resource Commission
c/o State Engineer
Pierre, South Dakota

Dear Sirs:

In the summer of 1953 I had an irrigation well drilled on my farm located in SW $\frac{1}{4}$ of section 8 township 11S range 53.

I would like to make application for water rights if it is necessary.

Yours very truly

HAYTI POTATO COMPANY

By J. L. York

Copy FHA

January 4, 1956

Mr. F. L. Huke
Hayti
South Dakota

Dear Mr. Huke:

Your application for a water right (No. 141-3) was received in this office on December 17, 1955. A receipt is enclosed for the check of the Hayti Potato Company in the amount of \$5.00 to cover examination of the application.

Since your well was constructed in 1953 and apparently water was applied in 1954, you may establish your water right as a "vested right" under provisions of the new Water Laws.

Please complete the enclosed Form 2A - Wells, in duplicate, and Form 24, Proof of Application of Water to Beneficial Use, in single. Since you use a sprinkler system for irrigation, I will appreciate it if you will send me the name, size, and number of sprinkler nozzles you use, the pressure you use, and a copy of the manufacturer's pressure-discharge table for the nozzles.

This information will permit action on your water right to go forward.

Sincerely,

J. W. GRIMES
Chief Engineer

JWG:rs

Enc: 4

July 25, 1956

Mr. F. L. Huke
Hayti
South Dakota

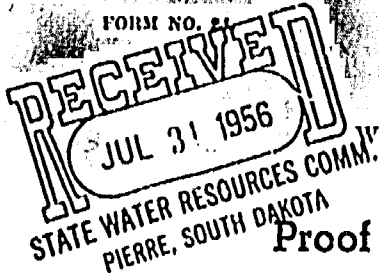
Dear Mr. Huke:

The two forms, No. 24, and two forms, No. 2A, which you mailed to this office were received July 20.

We are returning the above-mentioned forms herewith. Please complete Question No. 10 on the back of forms, No. 24, in as much detail as possible. Be sure to state when you constructed the works and started irrigating, at what rate or amount you have been using the water, and over what acreage of lands it has been used. Please return the corrected forms to this office as soon as possible.

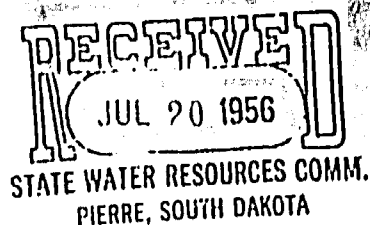
In checking our records we find only one application (No. 141-3) that has been submitted by the Hayti Potato Company, Hayti, South Dakota. This application was received December 17, 1955, and referred to a well located in the SW¹/₄, Sec. 8, T 113N, R 53W. The amount of water claimed is 800 gallons per minute to be used on the 150 acres in the SW¹/₄, Sec. 8, T 113N, R 53W. One of the enclosed Form 24 covers this well. When you have corrected this Form 24 and returned it, your vested right record can be established on this one well.

However, the other Form 24 and Form 2A which we received referred to a 30 foot well located in the center of O.L.D. Lot 3, NW¹/₄, Sec. 5, T 116N, R 52W. A capacity of 450 gallons per minute was noted, and the water was to be used on Lot 3, NW¹/₄, Sec. 5. An application Form 2 for use of water from this



Location No. 141-3

Water Division No. 3 Big Lake River Water District



Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Frederick L. Hake

Watertown, S. D.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. Mayti Potato Company, Mayti, S. D. Manager, Secretary, authorized by
articles to act in its behalf.

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. _____

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Well located in center of SW $\frac{1}{4}$, Sec. 8, Township 113, Range 53

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. _____

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Irrigation entire quarter.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 200 GPH

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Well was constructed in 1952. Started irrigating in summer of 1953.

The rate of application is 900 gallons per minute. Sprinkler size is 1/8x3/16. The entire quarter may be irrigated.

(Sign) Frederick P. Burke

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Wynette, County of Hamlin

State of South Dakota, on this 18 day of July A. D. 1956

Witnesses.

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

James E. Johnson

Location No.-----

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water ----- c. f. s.

Source -----

County -----

Purpose -----

Place of Use -----

Date of recording -----

Received and filed -----

Harlin County

LAKE POWDER, South Dakota
April 17, 1961

Tel. No. 728 LAKE POWDER

Burton F. Jones
Water Rights Specialist
Water Resources Commission
Pierre, S. D.

Dear Mr. Jones:

I have just recently purchased 160 acres of land, previously owned by Fred Huks, Hayti. This transaction included a complete irrigation unit on it. The source of water is from a well and is a sprinkler type system.

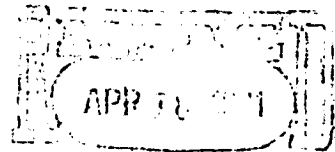
I am interested in obtaining a copy of the irrigation permit which is supposed to be recorded with the Water Resources Commission.

Will you please check on this and contact me at your earliest convenience?

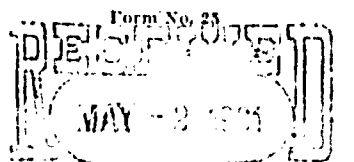
Sincerely,

Ernest Kangas

Ernest Kangas
Lake Powder, S. D.



WATER RESOURCES COMMISSION
PIERRE, S. D.



Permit No. 141-3

NOTICE OF TRANSFER OF WATER PERMIT

May 1, 19 61

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that Hayti Potato Company

who previously owned the land described below has sold his interests to Ernest Kangas, Lake Morden, S. Dak.

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 141-3
and as provided for in section 61.0141 of the SDC of 1939 and elsewhere SW $\frac{1}{4}$ Sec. 8, T 113N, R 53W

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1503 of the SDC of 1939.

STATE OF SOUTH DAKOTA }
County of Harlin } ss.

I, Ernest Kangas 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.

Signed Ernest Kangas

Subscribed and sworn to before me this 1st day of May 19 61.

My Commission expires 8-4-67

Alvin Heggelund
Notary Public Alvin Heggelund



Department of Water & Natural Resources

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

September 21, 1988

NOTICE

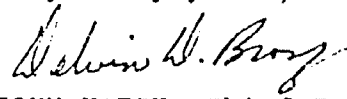
Mrs. Ernest Kangas
RR 1, Box 22
Lake Norden SD 57248

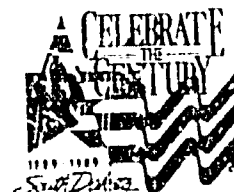
Dear Mrs. Kangas:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 141-3 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,

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





Department of Water & Natural Resources

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

February 8, 1989

MRS ERNEST KANGAS
RR 1 BOX 22
LAKE NORDEN, SD 57248

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 141-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, 1-30 at LaCrosse, Rapid City SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 141-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
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 is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,

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





Department of Water & Natural Resources

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

#141-3

February 22, 1989

Mrs. Ernest Kangas
RR 1, Box 111
Lake Norden, SD 57248

Dear Mrs. Kangas:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



February 22, 1989
Kangas
page 2

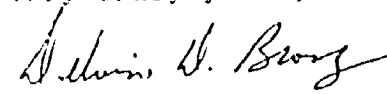
Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified.

If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

for 
JOHN HATCH, Chief Engineer
Water Rights Division

 **Department of
Water & Natural Resources**

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

February 24, 1989

141-3

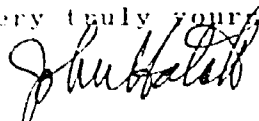
Mrs. Ernest Kangas
RR #1 Box 111
Lake Norden, SD 57248

Dear Mrs. Kangas:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 141-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

 **Department of
Water & Natural Resources**

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

July 13, 1989

Alvin E. Kangas
Rural Route 1, Box 111
Lake Norden, SD 57248

Dear Mr. Kangas:

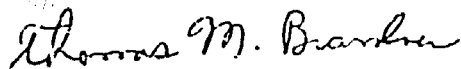
On Wednesday, June 28, 1989 I inspected your irrigation system under Vested Water Right No. 241-3 to determine the current state of your vested water right claim for the SW1/4 of Section 8, T113N, R53W. The inspection was necessary to validate the claim.

The inspection revealed that a new well had been drilled to supply the irrigation system. The old abandoned well, approximately 75 feet north of the production well, has not been plugged properly.

According to South Dakota Codified Laws 46-6-18 and 46-6-27, when the owner of an existing well constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged pursuant to 74:02:04:69. If the old well will be used, it can be capped so that no leaking occurs either underground or at the surface.

If there are no plans to use this well, it must be plugged within 30 days by a licensed South Dakota well driller. If you have any other questions or require any technical assistance, please contact our office.

Sincerely,



Thomas M. Brandner
Natural Resources Engineer
Water Rights Division
(605) 773-3352



Permit No. 141-3(VESTED RIGHT)
INSPECTION

Water District

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

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

(Mrs Ernest Kangas)

I have this day made a thorough examination of the water use system constructed by ALVIN E.KANGAS of LAKE NORDEN holder ofPermit No. 141-3, bearing the priority of _____, 1953 authorizingthe diversion of 2.0 cu. ft. per second of the waters of GROUNDWATER (ONE WELL)for IRRIGATION purposes, in HAMLIN County.

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

A. Works used to divert the water:

A 50 FOOT DEEP WELL WITH 15" PLASTIC CASING + 10' SS SCREEN
WESTERN LAND ROLLER PUMP, 850 GPM CAPACITY, HEAD-BM 6 100 M
POWERED BY A 75 HP GE INDUCTION MOTOR, MODEL-5X6255XM01A, TYPE-K

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

75' OF 6" ABOVE GROUND ALUMINUM PIPE

C. Works used to apply water to beneficial use:

A VALLEY-SELF PROPELLED, 12 TOWER CP WITH NELSON 100 END GUN
850 GPM CAPACITY, HIGH PRESSURE (65 PSI), MODEL-1041, SERIAL # 4110The system is in the following condition FAIR (IT IS AN OLDER SYSTEM)The point of diversion is located 1320'E + 1300'N OF THE SW CORNER OF
SECTION 8, T113N, R53W.The works are capable of diverting and conveying to the place of use 1.89 (850 GPM)cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 8, T113N, R53WNW 1/4 SW 1/4 - 22 ACRESNE 1/4 SW 1/4 - 28 ACRESSE 1/4 SW 1/4 - 32 ACRESSW 1/4 SW 1/4 - 28 ACREScomprising a total of 110 acres of land and the license should be issued for 1.57 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date 6-28-89Thomas M. Brundage
(signature)

LICENSE FOR PERMIT NUMBER 141-3

1. Legal location of wells: Near center of SW 1/4 of Section 8,
T 113 N, R 53 W
dams & structures: One Center Pivot - Near center of quarter as
above
2. Well Information: Well Drilling Firm Huron Well Drilling (1978)

Completion Report Yes ☒ No ☐ No. of Wells 1 Depth 50 feet

Casing a) diameter 15" Screen a) type Stainless steel
b) length 40' b) length 10'
c) type Plastic Static Water Level ≈ 12'

Pump a) make Western Land Puller Motor a) make GE Induction Motor
b) ~~Serial~~ # C6B524 b) model No. 5X6255XM01A
c) size Head-8M 6 IDC M c) horsepower rating 75
d) capacity 850 gpm Type-K, 1765 RPM
e) turbine pump - no. of stages _____
f) operating PSI _____

3. Distribution lines or canals

a) size 6"
b) type Aluminum (above ground)
c) length ≈ 75'

4. Dam Information:

a) height to crest _____ m) Outlet tubes:
b) height to primary spillway _____ 1) diameter _____
c) height to secondary spillway _____ 2) type _____
d) crest width _____ 3) valved (Y/N) _____
e) crest length _____ 4) valve type _____
f) spillway length _____ 5) location on structure _____
g) spillway width _____
h) approx. storage _____ n) Category of Dam _____
i) approx. storage to crest _____
j) date constructed _____
k) inspection sheet completed (Y/N) _____
l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make Valley - Self Propelled
- 2) number of towers 12
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) Y - Nelson 100
- 6) high or low pressure H - 65 PSI
- 7) make & size of nozzles _____

- 8) capacity (GPM) 850

g) siphons Model - 1041, Serial # 4110

- 1) size _____
- 2) number _____

NOTE:

For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available. This well is a replacement well drilled in 1979 for one drilled in 1952; 900 GPM capacity,

Indicate any other permit(s) which are associated with project _____

Yes No Check Items

- | | | |
|-----|-----|---|
| NA. | --- | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit? <u>NOT NEEDED YET</u> |
| ✓ | --- | 2. Special qualifications to permit being abided by? |
| ✓ | --- | 3. All structures, wells and lands on map? |
| ✓ | --- | 4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period? <u>Started irrigating in 1953</u> |
| ✓ | --- | 5. Is chemigation used? <u>(Continual irrigation since at least 1982)</u> |
| --- | --- | 6. If yes, does equipment comply with chemigation rules? <u>(Was not set up at the time)</u> |

REMARKS:

South Dakota

DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

April 26, 1991

Mrs. Ernest Kangas
RR 1, Bcx 111
Lake Norden SD 57248

Dear Mrs. Kangas:

The Water Management Board has validated the enclosed Vested Water Right No. 141-3. This validation gives legal status to your claim.

The diversion rate and the number of acres validated are based on an inspection that was conducted by the Division of Water Rights. If you do not agree with these numbers, please contact us immediately.

As long as you use the water beneficially, as stated in the validation, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,



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

enclosure

SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 141-3 FOR IRRIGATION

Date Claim Accepted For Filing December 17, 1955.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim Permit No. 141-3 for irrigation purposes for Mrs. Ernest Kangas, Rural Route 1, Box 111, Lake Norden, South Dakota 57248 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 141-3 appropriates 1.57 cubic feet of water per second from one well approximately 60 feet deep to irrigate 110 acres. The well and the irrigated acres are located in the SW 1/4, Section 8, T113N, R53W.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per acre per year for each acre of irrigated land. The water is to be used during the following annual period: May 1 - September 30.
3. The priority date of the Vested Water Right is January 1, 1953.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

John H. H. H.
Chief Engineer
Division of Water Rights
Dept. of Water and Natural Resources

APR 26 1991

date

South Dakota

GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 26 1991

141-3

Mrs. Ernest Kangas
RR #1 Box 111
Lake Norden, SD 57248

Dear Mrs. Kangas:

Enclosed is your Vested Right Water License No. 141-3. The license was issued based upon the September 27, 1989, validation of the vested right claim.

As long as you use the water beneficially, as stated in the license, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,



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

enclosure

STATE OF SOUTH DAKOTA
VESTED RIGHT WATER LICENSE NO. 141-3 FOR IRRIGATION

(1) Hayti Potato Company, Hayti, South Dakota originally filed Vested Water Right Claim No. 141-3, December 17, 1955, to appropriate 2.00 cubic feet of water per second (cfs) from groundwater in Hamlin County, South Dakota for irrigation purposes.

On May 2, 1961, Vested Right Claim No. 141-3, was transferred to Ernest Kangas, Lake Norden, SD.

Vested Water Right Claim No. 141-3 was validated September 27, 1989, with a priority date of January 1, 1953. The validation was based upon a June 28, 1989 inspection of the water use system. Construction of the described water supply system and application of water to beneficial use was completed and complies with applicable provisions of South Dakota State Law.

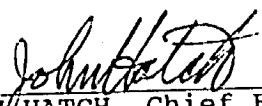
(2) The applicant is entitled to divert 1.57 cfs of water for beneficial use. The location of the diversion point is 1320 feet east and 1300 feet north of the SW corner of Section 8, T113N, R53W.

The location of the irrigated acreage is:

T113N, R53W Section 8	NW 1/4 SW 1/4	22	acres
	NE 1/4 SW 1/4	28	"
	SE 1/4 SW 1/4	32	"
	SW 1/4 SW 1/4	28	"

Total 110 acres

(3) Pursuant to Section 46-5-30.1 Mrs. Ernest Kangas of RR #1 Box 111, Lake Norden, SD 57248, the holder and owner of Vested Water Right No. 141-3 is issued a license to appropriate 1.57 cfs from groundwater, with a priority date of January 1, 1953, from the location specified in (2) of this license. The water is to be used for the purpose of irrigation. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 141-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Dept of Environment & Natural Resources

SEP 26 1991

MURON DRILLING INC. DRILLERS LOG

PAGE NO

Impress. Prov.

6.7-0-11'-5"-Haulin

5/21/79

18

JOB NAME.

LOCATION ^{County}

DATE:

Rev. 200

FOUR

DATE	TIME	DEPTH	REMARKS
		0-10	Black top soil
		10-20	Yellow clay
		20-30	Dark sand
		30-40	Light sand and gravel, good
		40-50	Sand and gravel, good
		50-52	Clay
		This well cased to 50 ft.	

141-3

WELL REPORT

S.W. 8-11-53

Hall County

MURPHY
DRILLING CO
HALL COUNTY

May 23, 1979
DATE

Kangas Bros.

OWNER

DESCRIPTION

CASING LOG

Depth	50	ft			
Flow	gpm	23	ft 15' Plastic	pipe to	23 ft
Pumps	gpm	17	ft 15' PVC Plastic	pipe to	40 ft
			Perforated		
17 ft. 15" Plastic Perf.	10		ft 16" Stainless	pipe to	50 ft
10 ft. Stainless Steel Screen			Steel Screen		
70 slot			" 70 slot	pipe to	ft

Promote

2 days

Drilling Time

REMARKS

10 Ft. 10" Stainless Steel Screen

Rig No. 18

Bernard Schleder

Foreman

1-27-41. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC FILMS USED FOR MICROFILMING OF THE RECORDS AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR REPRODUCTIONS. REFLECTION 2571



141-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: MRS ERNEST KANGAS
RR 1 BOX 111
LAKE NORDEN SD 57248

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

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 141-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 141-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

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

141-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: MRS. ERNEST KANGAS
RR 1, BOX 111
LAKE NORDEN, SD 57248

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

RE: Failure to Report Chemical Use under Water Permit No(s) 141-3

The first notice to file chemigation report(s) for Permit No(s) 141-3 was dated October 16, 1992. Our records indicate that we have not received the 1992 chemigation report for Permits No(s) 141-3. The Water Management Board has directed that owners of water permits who have not submitted the 1992 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the 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). 141-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 3, 1993 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

141-3

MRS ERNEST KANGAS
RR 1 BOX 111
LAKE NORDEN SD 57248

4a. Article Number

P906 560 002

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

1-30-93

5. Signature (Addressee)

Mrs Ernest Kangas by AER

6. Signature (Agent)

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

PS Form 3811, December 1991 * U.S.G.P.O. : 1992-307-533

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



141-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 1, 1993

141-3
3505-3

Alvin Kangas
RR #1 Box 111
Lake Norden, SD 57248

Dear Mr. Kangas:

I am writing to acknowledge receipt the 1992 irrigation questionnaires for Water Right No. 3505-3 and Vested Water Right No. 141-3 (Mrs. Ernest Kangas). You may disregard the January 29, 1993, Notices of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire and Failure to Report Chemical Use.

The questionnaires were received 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
Natural Resources Analyst
Water Rights Division
(605) 773-3352



141-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

January 30, 1996

NOTICE

TO: MRS ERNEST KANGAS, RR 1 BOX 111, LAKE NORDEN, SD 57248 9753

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

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 141-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

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

1. Amend Permit No(s) 141-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

MRS ERNEST KANGAS
RR 1 BOX 111
LAKE NORDEN SD 57248-9753

4a. Article Number

2348318867

4b. Service Type

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

7. Date of Delivery

1/31/96

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Mary Kangas

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



141-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 12, 1996

Mrs. Ernest Kangas
RR 1 Box 22
Lake Norden, SD 57248

141-3

Dear Mrs. Kangas:

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

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

If you have any questions, please contact me.

Sincerely,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

141-3

MRS ERNEST KANGAS
RR 1 BOX 22
LAKE NORDEN SD 57248 9753

4a. Article Number

P 378 081 369

4b. Service Type

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

7. Date of Delivery

2/6/96

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Mrs Ernest Kangas

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

141-3



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

NOTICE

TO: MRS ERNEST KANGAS, RR 1 BOX 22, LAKE NORDEN, SD 57248 9753

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 141-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 141-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



141-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1997

141-3
3505-3

Alvin Kangas
RR 1 Box 111
Lake Norden, SD 57248-9753

Dear Mr. Kangas:

I am writing to acknowledge receipt of the 1996 irrigation questionnaires for Water Permit/Right Nos. 141-3 and 3505-3. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

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

As you requested, I will mail future questionnaires for No. 141-3 (Mrs. Ernest Kangas) to you. This will not affect ownership of the water right. Thank you and if you have any questions, please contact me.

Sincerely,

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

c: Mrs. Ernest Kangas, RR 1 Box 22, Lake Norden, SD 57248



141-3

January 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: ALVIN KANGAS, RR 1 BOX 111, LAKE NORDEN, SD 57248 9753

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 141-3 & 3505-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 141-3 & 3505-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

141-3

ALVIN KANGAS
RR 1 BOX 111
LAKE NORDEN SD 57248 9753

4a. Article Number

2179 157239

4b. Service Type

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

7. Date of Delivery

10 JAN 98

5. Received By: (Print Name)

Bonnie Kangas

6. Signature: (Addressee or Agent)

X Bonnie C. Kangas

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

PS Form 3811, December 1994

102505-97-8-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



141-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 1998

141-3
3505-3

Alvin Kangas
RR 1 Box 111
Lake Norden, SD 57248-9753

Dear Mr. Kangas:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 141-3 and 3505-3.

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

If you have any questions, please contact me.

Sincerely,

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



January 22, 1999

141-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: ALVIN KANGAS, RR 1 BOX 111, LAKE NORDEN, SD 57248 9753

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 141-3 & 3505-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 141-3 & 3505-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

141-3

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

ALVIN KANGAS
RR 1 BOX 111
LAKE NORDEN SD 57248 9753

4a. Article Number

Z 119 141 684

4b. Service Type

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

7. Date of Delivery

1/23/99

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X Molly Kangas

Thank you for using Return Receipt Service.



141-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 19, 1999

141-3
3505-3

Alvin Kangas
RR 1 Box 111
Lake Norden, SD 57248-9753

Dear Mr. Norden:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right Nos. 141-3 and 3505-3.

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

If you have any questions, please contact me.

Sincerely,

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

NOT TO SCALE

1989





141-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: ALVIN KANGAS, 19243 448TH AVE, LAKE NORDEN, SD 57248

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 141-3 & 3505-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2008**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 141-3 & 3505-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

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

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

141-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 4131
Status: **Delivered**

Your item was delivered at 2:36 PM on January 19, 2008 in LAKE NORDEN, SD 57248. The item was signed for by A KANGAS.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

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

Proof of Delivery

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

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No FEAR Act EEO Data

FOIA

U.S. Postal Service Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
1E1H 2090 0000 0912 EDE2

ALVIN KANGAS
19243 448TH AVE
LAKE NORDEN SD 57248

Waiver of Signature ☐ YES ☐ NOPostmark
Here**POSTAL CUSTOMER:**

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

ORIGINATOR (POSTER) USE ONLY

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PS Form 3800, May 2002



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2008

141-3
3505-3

Alvin Kangas
19243 448th Ave
Lake Norden SD 57248

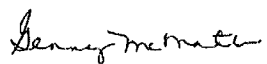
Dear Mr. Kangas:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 141-3 and 3505-3.

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

If you have any questions, please contact me.

Sincerely,


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



141-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: ALVIN KANGAS, 19243 448TH AVE, LAKE NORDEN, SD 57248

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire has not been submitted for Permit No(s) 141-3 & 3505-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **8:30 am, March 7, 2013**, 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) 141-3 & 3505-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2013

141-3
3505-3

Alvin Kangas
19243 448th Ave
Lake Norden SD 57248

Dear Mr. Kangas:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 141-3 and 3505-3. 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,

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

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



141-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: ALVIN KANGAS, 19243 448TH AVE, LAKE NORDEN, SD 57248

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire has not been submitted for Permit No(s) 141-3 & 3505-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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 **Thursday, March 3, 2016 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 141-3 & 3505-3 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, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 3, 2016

141-3
3505-3

Alvin Kangas
19243 448th Ave
Lake Norden SD 57248

Dear Mr. Kangas:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right Nos. 141-3 and 3505-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

No. 141-3

July 13, 2016

Alvin Kangas
19243 448th Ave
Lake Norden SD 57248

Dear Mr. Kangas:

On June 28, 2016, a staff member from the Department of Environment and Natural Resources (DENR) observed overspray from the irrigation system located in the SW 1/4 Section 8-T113N-R53W onto the adjacent east/west road (see attached photo). This irrigation system is covered by Water Right No. 141-3 listed in the name of Mrs. Ernest Kangas.

It is common for center pivots to have stops which are used to shut off the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right.

If you don't believe this irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosure

Overspray Report

Date of Picture: 06/28/2016

County: Hamlin

Water Right/Permit No.: 141-3

Reported by: Watertown Water Rights Program Seasonal Well Technician .



Description from summer help: picture is facing west on 192th St just west of corner of 192th & SD 21

Notes: location information from the picture matches summer help's description and is shown as a green dot on the map





141-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: ALVIN KANGAS, 19243 448TH AVE, LAKE NORDEN, SD 57248

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire has not been submitted for Permit No(s) 141-3 & 3505-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 141-3 & 3505-3 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 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



141-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 21, 2017

141-3
3505-3

Alvin Kangas
19243 448th Ave
Lake Norden SD 57248

Dear Mr. Kangas:

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

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right Nos. 141-3 and 3505-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



141-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 28, 2021

141-3

Jeffrey Kangas
18765 452nd Ave
Hayti SD 57241

Dear Mr. Kangas:

Thank you for sending in the 2021 irrigation questionnaire for Vested Water Right No. 141-3. On the form you indicated your dad has retired and requested we change everything over to you. The vested right is still listed under **Mrs. Ernest Kangas**. We were sending the questionnaire to Alvin as the operator.

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

If you do not own the land, we can change the mailings to you as operator but still need current ownership changed. Please let me know if you own or operate the land. Thank you in advance.

Sincerely,

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

enclosure

141-3

RECEIPT

WATER RIGHTS PROGRAM
South Dakota Department of Agriculture and Natural Resources

Date March 24, 2022

RECEIVED OF Jeffrey/Patsy Kangas 18765 452nd Ave., Hayti SD 57241

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>141-3</u>	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$ <u>50.00</u>

By *Eric Gronlund*
Chief Engineer

PAID

MAR 24 2022

Ck# 1229

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP
RECEIVED

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

MAR 24 2022

WATER RIGHTS
PROGRAM

No. 141-3

Date: 3-21-2022

I/We request that Water Right No. 141-3

formerly owned by: Mrs. Ernest Kangas

be transferred to: (name & address)

Jeffrey Kangas
18765 452nd Ave Hwy 1, SD 57241

Telephone No. 605-783-3390

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

110 acres – SW ¼ Section 8, T113N, R53W

I/We understand that the validity of Water Right No. 141-3 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 Jeffrey Kangas, the new owner, certify that the above information is true and correct.



(Signed by new owner)

owner and operator

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.



141-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 24, 2022

141-3

Jeffrey Kangas
18765 452nd Ave
Hayti SD 57241

Dear Mr. Kangas:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 141-3.

The ownership change has been completed. The water right formerly listed under Mrs. Ernest Kangas is now listed in your name.

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

Sincerely,

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

enclosure



**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: JEFFREY KANGAS, 18765 452ND AVE, HAYTI, SD 57241

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire has not been submitted for Permit No(s) 141-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 141-3 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 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 questionnaire(s) 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: QABNFD**

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

February 12, 2024

141-3

Jeffrey Kangas
18765 452nd Ave
Hayti SD 57241

Dear Mr. Kangas:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 141-3. The information was received prior to the March 6, 2024, Water Management Board meeting and this permit number has been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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