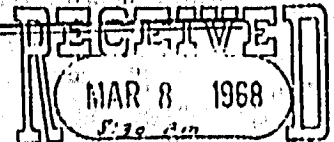


1. Considered 5 - 22, 19 68 1533-3
2. Name of Applicant LEONARD PENNEY
3. Post Office Address DE SMET
4. Amount of water claimed 4.181
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
- Acres to be irrigated 29.8
7. Water to be diverted and used in KINGSBURY county
about 2E 35 miles _____ of DE SMET
8. Proof of Publication Received ✓
 Not Received _____
9. Application Approved _____
 Subject to _____
 Not Approved _____
 Action deferred _____
10. Remarks:

SEE 1456-3
C.S. AC.
6.84 - 479

No. 1533-3

Water Division No. 3 VERMILION RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant Leonard Penney
 Postoffice address De Smet, County Kingsbury, State South Dakota

- I. If a corporation not applicable
- (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)

Direct labor & contract(b) Cash on hand, \$ Adequate to complete project

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Schutler - Penney Irrigation Project3. Amount of water claimed 4.18 cubic feet per second4. Source of water supply groundwater5. Location of point of diversion 3900' N 78° W and 4220' S 66° W of NE corner of Section 11-110-56 on _____ bank _____ County.6. Annual period or periods during which water is to be used April through October

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkler Irrigation(a) Number of acres to be irrigated 293 acres.(b) Legal subdivisions to be irrigated see back sheet

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

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

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

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

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

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

MAP NO. 1060-3

8. Estimated cost of work:

(a) Head Gates, \$ _____ (b) Pumping plant, \$ 4000
 (c) Fluming, \$ _____ (d) Canal earth, \$ _____ Rock, \$ _____
 (e) Other structures 111 1/2 (4000) \$ 2000 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 MILE
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work _____ years.

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

12. Choice of newspaper for publication of notice of intention to appropriate Des Moines News

STATE OF SOUTH DAKOTA

County of Kingsbury ss.

I, Norman Shattler

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 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

Norman Shattler

Subscribed and sworn to before me this

4

day of March

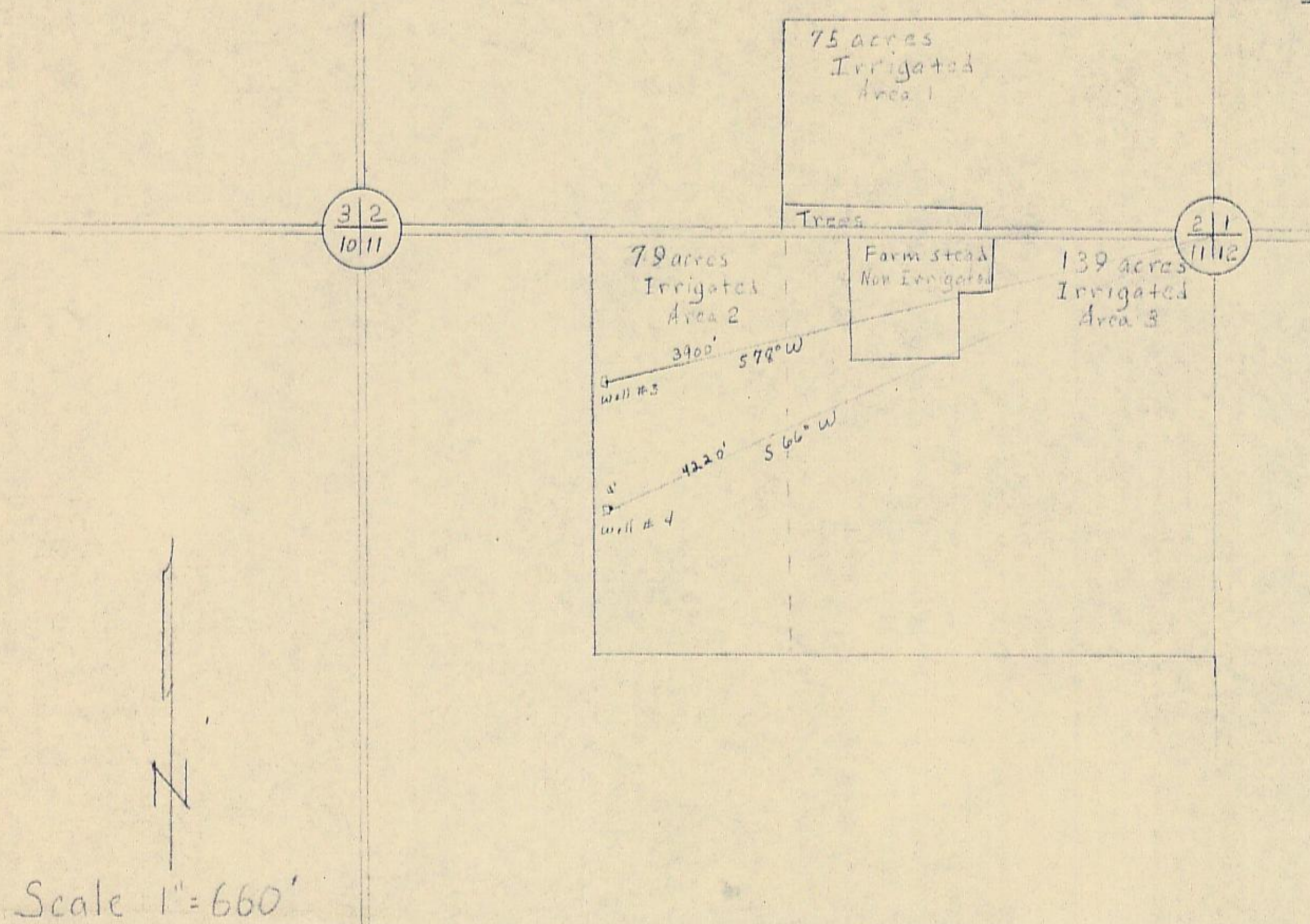
10. 68

Notary Public (or other qualified officer.)

Director, Water Resources Research Institute

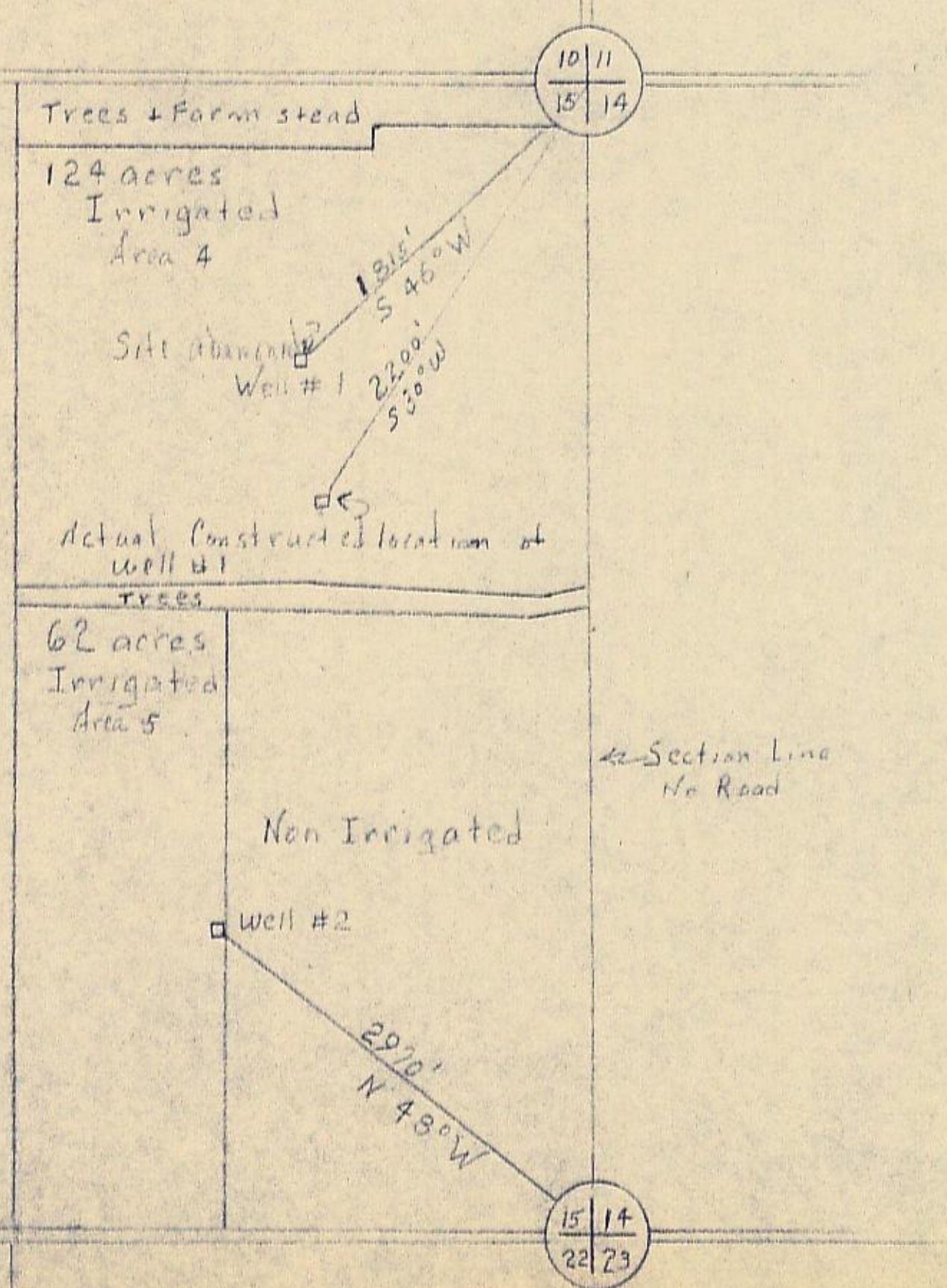
*Each diversion must have a headgate or measuring device.

Schutler - Penney Irrigation Project



Area to be Irrigated
 Area 1 - 75.0 acres
 Area 2 - 79.0 acres
 Area 3 - 139.0 acres
 Area 4 - 124.0 acres
 Area 5 - 62.0 acres
 Total 479.0 acres

Note: Water to be transported by buried conduit from Section 15 to Section 2 and 11



Location of Land to be Irrigated
 S 1/2 of SE 1/4 of Sec 2 (except trees)
 E 1/2 of NW 1/4 of Sec 11
 NE 1/4 of Sec 11 (except farmstead)
 NE 1/4 of Sec 15 (except trees + farmstead)
 W 62 acres of SE 1/4 of Sec 15
 All in T10N - R56E
 Kingsbury County

Owner - Norman Shutler
 408 South Main
 Kingfisher Oklahoma

Surveyor's Certificate I, John L. Wiersma do hereby certify that this map identifies a reasonably accurate record of the land of: Schutler - Penney Irrigation Project John L. Wiersma Director Water Resources Institute SDSU	
Subscribed and sworn to before me this <u>8th</u> day of <u>November</u> 19 <u>67</u> A.D. <u>Geneva Crace</u> Notary Public My Commission expires <u>10/9</u> 19 <u>75</u>	Schutler - Penney Irrigation Project Desmet SD Kingsbury Co 11-7-67 Drawn by J.L.W. Chkd by L.L.L.

MAP N° 10603 (APPL N° 1456-3 1533-3)

Remarks by State Water Resources Commission:

THE PRIORITY DATE FOR THIS PERMIT IS ESTABLISHED BY THE DIVISION OF PERMIT 1456-B.

- The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

STATE OF SOUTH DAKOTA

County of

HUGHES

ss.

Pierre, South Dakota,

MAY 24

1968

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock

9 m. upon the 8TH day of MARCH, 1968

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Number of permit 1533.3

Date of first receipt of application

MARCH 8

1968

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

Date of receipt of corrected application

Date from which applicant may claim right

NOVEMBER 9

1967

Approved

MAY 22

1968. Recorded in Book

10

Page

175

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 22, 1970

2nd. The whole of said work is to be completed on or before

MAY 22

1973

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

MAY 22

1973

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

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

6th. The amount of the appropriation herein granted shall not exceed 4.18 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 22, 1973, said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this

28TH

day of

MAY

1968

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued

AUGUST 16

1968

Water Licence Issued

AUGUST 16

1968

Remarks by the Applicant:

7(b) E $\frac{1}{2}$ of NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of Sec 11-110-56
and S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec 2-110-56

Form 2A — Wells (Supplement to Form 2)

well # 3

3. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 24", Depth 40'

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

Size of casing 12" Thickness of casing 0.25"

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

(b) Screens

Type of perforated screen continuous slot

Size of perforated screen 12" (diameter), 110' (length)

Thickness of gravel pack 6", length of gravel pack 12'

(c) Water Bearing Materials

Distance to water 15' Character of water bearing materials 20' of

water bearing sand under 20' of
overburden

Thickness of water bearing material 20'

(d) Pump and Motor

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

Name of pump Layne Bailer, size 8"

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

Horsepower 5/8 88, Name of Motor Cryslor

(e) Complete well

Capacity 90 gpm at drawdown of 18', Estimated cost 1000

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

Kingfisher Okla.
Address

(g) Distance to nearest existing wells

On same owner's property 100 85 rods. On property owned by others 200 rods

Well # 4

9. (Continued)

III Well Specifications

(a) Hole and casing

Size of drill hole or excavation 24" Depth 40'Type of casing Steel
(wood, concrete, steel, etc.)Size of casing 12" Thickness of casing 0.25"Length of casing 30' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Continuous slotSize of perforated screen 12" 10'
(diameter) (length)Thickness of gravel pack 6" Length of gravel pack 15'

(c) Water Bearing Materials

Distance to water 12' Character of water bearing materialsSand and gravel - 10'Sand - 15'Thickness of water bearing material 25'

(d) Pump and Motor

Type of pump turbine
(centrifugal, propeller, mixed flow, etc.)Name of pump Layne Butler size 8"Kind of motor Propane
(gasoline, electric, diesel, etc.)Horsepower 75' Name of Motor Propane

(e) Complete well

Capacity 900 gpm at drawdown of 20' Estimated cost 1000'

(f) Owner of land upon which well is located

Norman Shatler
NameKingfisher Okla.
Address

(g) Distance to nearest existing wells

On same owner's property 95' rods. On property owned by others 210' rods

Permit No. 1533-3
VERMILLION
 Water Division No. 3 **RIVER** Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Leonard Penney

of De Smet, County of Kingsbury, and State of South Dakota, the holder of Permit No. 1533-3 issued upon Application No. 1533-3, bearing date of priority of November 9, 1967, authorizing the diversion of 4.18 cu. ft. per second of the waters of ground water County of Kingsbury, State of South Dakota, at points S 78° W, 3900' and S 66° W, 4220' from NE Corner, Section 11, T110N, R56W for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.66 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: all in T110N, R56W

<u>Section 2, S½ SE¼</u>	<u>75 acres</u>
<u>Section 11, NE¼</u>	<u>139 acres</u>
<u>E½ NW¼</u>	<u>79 acres</u>
Total	293 acres

Witness my hand this 16th day of August A. D. 1968

State Water Resources Commission

By:

J. W. GRIMES
 Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. . . . 1533-3.

WHEREAS, On the 8th day of March A. D. 1968
Leonard Penney
 of De Smet County of Kingsbury and State of
South Dakota duly made application (No. 1533-3) to us for a permit to use 4.16
 cubic feet per second of the waters of ground water
 County of Kingsbury, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 24th day of May A. D. 1968
 Permit No. 1533-3 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 22nd day of
May A. D. 1973 and for the application to beneficial use of said
 water on or before the 22nd day of June A. D. 1973
 and,

WHEREAS, On the 27th day of June A. D. 1968
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.66
 cubic feet per second of said waters, as evidenced by our Certificate No. 1533-3
 dated August 16, 1968 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 2.66 cubic feet per second of water, with date of
 priority of November 9, 1967 and,

WHEREAS, On the 27th day of June A. D. 1968
 proof was duly made of the application to beneficial use of 2.66 cubic feet per second of said water;
for irrigating 293 acres in portions of Sections 2 and 11, T110N, R56W.

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 Leonard Penney
of De Smet the holder and owner of said permit No 1533-3
a water right, dating from November 9, 1967 to the use of 2.66
cubic feet per second of the waters of ground water
In the County of Kingsbury and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at points S 78° W, 29 30' and
S 66° 42' 20" from the NE Corner, Section 11, T110N, R56W
and conducted to and upon portions of Sections 2 and 11, T110N, R56W more
specifically described in the Certificate of Completion of Works

for the purpose of irrigation, subject to any limitations listed in the

Permit to Appropriate Water, and

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 16th day of August A. D. Nineteen

Hundred and Sixty-eight

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

on or before
(First Publication April 25, 1968)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 1, 1968

Notice is hereby given that Leonard Penney whose postoffice address is De Smet S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.18 cubic feet of water per second of time from the ground water through the Schutler Penney #2 the point of diversion of which is to be located on the in the NE $\frac{1}{4}$, NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, T11N, R56W portions of following described land:

NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 11, SE $\frac{1}{4}$, Section 2, T11N, R56W

and for XXXXXX PURPOSES: XXXXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 1968, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

cc: Leonard Penney, De Smet, S.D.

Chief Engineer, Executive Officer
~~XXXXXXXXXXXX~~
BURTON F. JONES
Water Rights Specialist

1533-3

Affidavit of Publication

STATE OF SOUTH DAKOTA,
County of Kingsbury.

Aubrey H. Shorwood

of said county being first duly sworn, on oath says that

he is the publisher of THE DE SMET NEWS, a weekly newspaper printed and published in De Smet in said County of Kingsbury and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at

said place of publication; that the Appropriation

of Water, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet and is made part of this affidavit, was published in said newspaper at least once in each

week for four successive weeks, on the day of each week on which said newspaper was regularly published to-wit:

April 4 1968, 19

April 11 1968, 19

April 18 1968, 19

April 25 1968, 13

that the full amount of the fee charged for the publication of said notice insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person; and that no part thereof has been agreed to be paid to any person whomsoever, and that the fees

charged for the publication thereof are \$13.89

Subscribed and sworn to before me this 25th

day of April A. D., 1968

Notary Public
County of Kingsbury, South Dakota

RECEIVED
MAY 13 1968

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER

Office of State Water Resources
Commission, Pierre, S. Dak.

April 1, 1968, 1968

Notice is hereby given that Leonard Penney, whose postoffice address is De Smet, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to divide previous permits and add two diversion points, and to appropriate for beneficial use 4.18 cubic feet of water per second of time from ground water through the Schuttler-Penney No. 2 the point of diversion of which is to be located in the NE 1/4 NW 1/4 and in the SE 1/4 of the NW 1/4 of Section 11, Twp. 110N, Range 56W. Said water to be used for the purpose of providing irrigation on the following described land:

E 1/3 NW 1/4 NE 1/4, Section 11, S 1/2 SE 1/4, Section 2, T10N, R66W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 1968 at 2:00 p.m. All interested persons may appear and be heard.

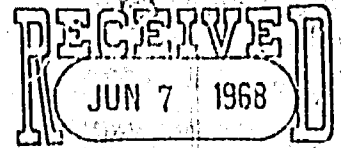
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

by: Burton F. Jones

Water Rights Specialist

cc: Leonard Penney, De Smet, S.D.
4-4-68-4-25

Permit No. 1533-3Water Division No. 3 Vermillion River Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

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

(P. O.)

De Smet, South Dakota

(Date)

June 4, 1968

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

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

4.18 cu. ft. per second of the waters of the state from

through the

for irrigation purposes

in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota

1. The name of the person or corporation holding said permit is (Shutler - Penney Leonard Penney Irrigation Project)

2. The postoffice address of such person or the place of business of such corporation is De Smet
County of Kingsbury State of South Dakota

3. The number of such permit is 1533-3 and the date set for the completion of such work is

May 22, 1973

4. Said water to be used for irrigation purposes.

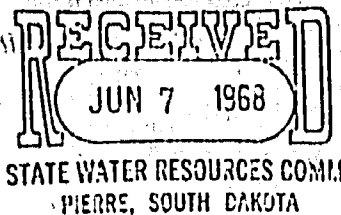
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 4.18 cubic feet per second.

6. The amount of land for which said water is available is 29.3 acres,
particularly described as follows: 3700' S 78° W and 4220' S 66° W of
NE corner of Sec. 11-110-56

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

(Signature of Owners)

Leonard Penney

Permit No. 1533-3Water Division No. 3 Veumillon River Water District

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) De Smet, South Dakota(Date) June 6, 1968

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

DEAR SIR: Notice is hereby given that on the 6 day of June 1968, at De Smet County of Kingsbury State of South Dakota, before _____ (Examining Engineer or Officer) proof will be submitted of the application to beneficial use of 4.18 cubic feet per second of the waters of ground water in accordance with the terms and conditions of Permit No. 1533-3 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

Leonard Penney (Shutler-Penney
Irrigation Project)

2. The use to which said water has been applied is irrigation purposes

3. The amount applied to beneficial use is _____

4. The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) 3900' S 78° W and 4230' S 66° W of
NE corner of Sec 11-116-56

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

6. The right to take the water from such works is based upon permit No. 1533-37. The source of supply from which such water is diverted is ground water8. The date of priority which said user is prepared to establish is June 6, 1968(Sign) Leonard Penney

Permit No. **1533-3**
VERMILLION
 Water Division No. **3** **RIVER** Water District

Certificate of Examination of Works

Report of Examining Engineer

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

Dear Sirs: I hereby certify that ~~in accordance with your letter of authorization dated~~

I have this day made a thorough examination of the diversion works constructed by **LEONARD PENNEY** of **DESMET** **KINGSBURY** County, South Dakota, holder of Permit No. **1533-3**, issued upon Application No. **1533-3**, bearing date of priority of **NOVEMBER 9, 1967**, authorizing the diversion of **4.18** cu. ft. per second of the waters of **GROUND WATER** for **IRRIGATION** purposes. I have to report on the condition of the same as follows:

The diversion works comprise: **2 40' WELLS W/ LAYNE BOWLER 6" PUMPS, POWERED BY 40 H.P. U.S. ELECTRIC MOTORS. 940' 8", AND 1280' OF 6" MAINLINE. 4-1000' 4" TOWLINES WITH RAINBIRD #30 - 3/16 SPRINKLER HEADS @ 30' SPACING.**

and the system is in the following condition: **NEW**

The point of diversion is located **AS SHOWN ON W/R MAP #1060-3**

The works are capable of diverting and conveying to the place of use **1200 G.P.M.** of water, which is to be used for **IRRIGATION** (**2.66 CFS.**)

The legal sub-divisions to be irrigated are:

comprising a total of **293** acres of land.

The domestic use intended comprises

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

Witness my hand, this **27th** day of

JUNE

1968

—SEAL—

WATER RIGHT SPECIALIST
WATER RESOURCES COMM.



Department of Water & Natural Resources

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

2037-3A

2086-3

1456-3

1533-3

February 17, 1989

Leonard Penney
Rt. 2, Box 166
De Smet, SD 57231

Dear Mr. Penney:

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;



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,

John W. Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 1533-3

Date: July 28, 1997

I We request that Water Right No. 1533-3

formerly owned by: Leonard Penney

be transferred to: (name & address) Norman Shutler Trust, P. O. Box 599, Kingfisher, OK 73750

Telephone No. (405)-375-5911

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

293 acres - S $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 11, T110N, R56W

I We understand that the validity of Water Right No. 1533-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

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

OKLAHOMA
STATE OF ~~SOUTH DAKOTA~~)
County of Kingfisher)

I We Peggy F. Reheman, Trust Officer 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.

Peggy F. Reheman, Trust Officer
(Signed)

Subscribed and sworn to before me this 28th day of July, 19 97.

Judith Ann Schwartz
(Notary Public)

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

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



1533-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 4, 1997

Peggy F Reheman, Trust Officer
Kingfisher National Bank
PO Box 599
Kingfisher, OK 73750-0599

RE: Norman Shutler Trust

Dear Ms. Reheman:

This will acknowledge receipt of the "Notice of Transfer Of Ownership" forms you filed for transferring Water Right Nos. 1456-3, 1533-3 and 2086-3 from Leonard Penney to the Norman Shutler Trust.

I noticed when looking at the cashier's check, that it was not signed. This does not invalidate the transfers in anyway, but I do need to return the check to you for signature. The transfers will be processed as soon as the signed check is returned to our office.

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

Sincerely,

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

enclosure

RECEIPT

Division of Water Rights

415435

South Dakota Department of Environment and Natural Resources

Pierre, _____ August 11, 19 97

RECEIVED OF Kingfisher National Bank, P.O. box 599, Kingfisher, OK 73750-0599

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 regain 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>Water Right No. 1533-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer



1533-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 11, 1997

No. 1456-3

1533-3

2086-3

Peggy F. Reheman, Trust Officer
Kingfisher National Bank
P O Box 599
Kingfisher, OK 73750-0599

Dear Ms. Reheman

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 1456-3, 1533-3 and 2086-3.

Our records now show Norman Shutler Trust as the owner of Water Right Nos. 1456-3, 1533-3 and 2086-3.

Sincerely,

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

enclosure

1533-3

SENDER COMPLIANCE ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) _____ B. Date of Delivery <u>1-24-01</u>	
1. Article Addressed to: NORMAN SHUTLER TRUST TRUST COMPANY OF OKLAHOMA PO BOX 3627 KINGFISHER OK 74101		C. Signature <u>[Signature]</u> ☐ Agent ☐ Addressee D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below: _____	
2. Article Number (Copy from service label) <u>7000 0600 0026 9814 2980</u>		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
PS Form 3811, July 1999		4. Restricted Delivery? (Extra Fee) ☐ Yes Domestic Return Receipt	

102595-00-M-0952

1533-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: NORMAN SHUTLER TRUST, TRUST COMPANY OF OKLAHOMA, PO BOX 3627,
KINGFISHER, OK 74101

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No(s) 1456-3, 1533-3 & 2086-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 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 7, 2001, 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) 1456-3, 1533-3 & 2086-3 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 2, 2001, 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 McMillan 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.

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

State of South Dakota

Fax

To: Sandy Crowley

From: Genny McMath

Fax: (405) 840-9450

Date: March 6, 2001

Phone: (405) 840-8401

Pages: 8

Re: Norman Shutler Trust

CC:

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

•Comments:

Sandy - I am sending copies of the "2000" irrigation questionnaire for Water Right Nos. 1456-3, 1533-3 and 2086-3 (Norman Shutler Trust). These are the forms that need to be filed with our office each year. Typically, they are mailed out in October with a due date of December 1st. Those we do not receive are scheduled for Board hearing.

I am also sending along a copy of the notice sent out in January. You will note that the address I used was incorrect. For this reason, I am taking the matter off the agenda for tomorrow's hearing. We will work with you and/or the operator of the land to complete the forms. On the top of the irrigation questionnaires, there is an area for any address changes - feel free to edit as needed! Thanks!

My phone number, mailing address and fax number are listed at the top of this page. Thank you again for your help.

Genny

File No. 1456-3

1533-3

2086-3

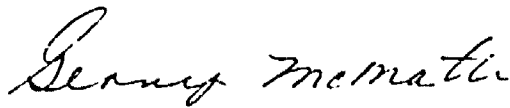
WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

DATE: March 26, 2001

RE: irrigation questionnaires

COMMENTS:

The 2000 irrigation questionnaires for Water Right Nos. 1456-3, 1533-3 and 2086-3 (Norman Shutler Trust) were received March 26, 2001. They were received from the tenant/renter of the property (Alan Hojer, 43469 209th St, DeSmet, SD 57231-6417)



Genny McMath
Environmental Scientist



United States Department of Agriculture
Farm & Foreign Agricultural Services
Risk Management Agency
Northern Regional Compliance Office

3440 Federal Drive, Suite 200
Eagan, MN 55122-1301
612/725-3730
612/725-3735 (FAX)

To: Henny Mc Math
Organization: Water Rights Division
Fax Number: 605 - 773 - 4068
From: Elaine Mayer
Subject: Irrigated Land, Kingsbury County, SD
Comments: _____

Per our telephone conversation on Thur. May 31,
attached is land location & years that
Alan Hoyer indicated he had irrigated land.
You said they report each year what they have
done. This information would be very helpful
in my review or additional info you can give me.

Any questions, please call (Ext 38)
Thank You

Date: 6-4-01 Time: 10:30 AM

This Transmission Contains 3 Pages Including The Cover Page.

If There Are Problems With This Transmisstion, Please Notify Us Immediately.



United States
Department of
Agriculture

Risk
Management
Agency

Northern
Regional
Compliance
Office

3440 Federal Drive, Suite 200
Eagan, MN 55122-1361
(612) 725-3730
FAX: (612) 725-3735

Crop Year 1996:

Producer: Alan Hojer

Irrig Land Location: 11-110-56 (145.0 acres)

Water Source/Location:

Comments By Producer:

*no irrigation
reported*

Crop Year 1997:

Producer: Alan Hojer

Irrig Land Location: 15-110-56 (98.5 acres)

Water Source/Location:

Comments By Producer:

Crop Year 1998:

Producer: Alan Hojer

Irrig Land Location: 15-110-56 (100.0 acres)
11-110-56 (78.0 acres)

Water Source/Location:

Comments By Producer:

*no irrigation
reported*

Crop Year 1999:

Producer: Alan Hojer

Irrig. Land Location: 15-110-56 (100.0 acres)
11-110-56 (90.0 acres)

Water Source/Location:

Comments By Producer:

Page 2

Crop Year 2000:

Producer: Alan Hojer

Irrig. Land Location: 15-110-56 (99.0 acres)
11-110-56 (85.0 acres)

Water Source/Location:

Comments By Producer:

> did not irrigate

1533-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 5, 2001

Elaine Mayer
USDA - Farm & Foreign Agricultural Services
Risk Management Agency
3440 Federal Drive - Suite 200
Eagan, MN 55122-1201

RE: Alan Hojer

Dear Ms. Mayer:

Enclosed, as we discussed, are copies of Water Right Nos. 1456-3, 1533-3 and 2086-3. The water rights are listed in the name of Norman Shutler Trust. The land is farmed by Alan Hojer of DeSmet, SD.

I have included copies of the irrigation questionnaires for the 1996, 1997, 1998, 1999 and 2000 crop years. The forms are light and not the best quality so I am hoping you are able to read them.

If you have any questions concerning the enclosed materials, please get in touch with me.

Sincerely,

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

enclosures

Water Rights held by the Norman Shutler Trust – land leased by Alan Hojer

Water Right No.	Well Location(s) (all in T110N, R56W)	Description of Acreage (all in T110N, R56W)
No. 1456-3	2 wells: E ½ Section 15	NE ¼ Section 15 (24 acres) W ½ SE ¼ Section 15 (62 acres)
No. 1533-3	2 wells: E ½ NW ¼ Sec 11	S ½ SE ¼ Section 2 (75 acres) NE ¼ Section 11 (139 acres) E ½ NW ¼ Section 11 (79 acres)
No. 2086-3	1 well: SE ¼ Section 15	W ½ SE ¼ Section 15 (62 acres)

Irrigation Questionnaires for 1996, 1997, 1998, 1999 and 2000 crop years

1996: Did not irrigate (note that the forms were sent to Leonard Penney, DeSmet)

1997: Irrigated 85 acres under Water Right No. 1533-3 (no mention of which acreage was irrigated).

1998: Did not irrigate

1999: Irrigated 105 acres under Water Right No. 1456-3; irrigated 50 acres under Water Right No. 1533-3; did not irrigate under Water Right No. 2086-3

2000: Did not irrigate



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

www.state.sd.us/denr

March 19, 2002

1456-3

1533-3

2086-3

Darwin Fox
Fox Auction Service
515 Hwy 25 South
DeSmet, SD 57231

Dear Mr. Fox:

Enclosed, as you requested, are copies of the 1996-2001 irrigation questionnaires for Water Rights held by the Norman Shutler Trust. I included a summary sheet of past irrigation questionnaire records from 1983 through the present and a summary of what each water right authorizes.

In South Dakota, in order for a water permit or right to be maintained, water must be placed to beneficial use for the purpose it was appropriated, at least once every three years unless legal excuse exists for the non-use of water. Enclosed is a summary sheet of the South Dakota Water Laws and Water Management Board Rules dealing with the issue of abandonment and/or forfeiture and legal excuse for non-use of water.

A review of past irrigation questionnaire records for Water Right Nos. 1456-3, 1533-3 & 2086-3 show several years of non-use of water. The past owners may have information with regard to the reasons no irrigation took place that may be of use in determining whether legal excuse exists.

The Water Management Board is the entity for determining the validity of a water right. If, after reviewing the past irrigation history, there is uncertainty of whether legal excuse exists, they can petition the Board to make a declaratory ruling on the validity of the water right. We can provide you or the new owner of the land with information on the procedure to follow for a declaratory ruling. Also, please be aware that even if the permit is subject to forfeiture for nonuse, a new owner may file a new water right permit application.

I hope that the enclosed information is helpful to you. If you have additional questions, please give me a call.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 17, 2002

1533-3

Raymond Kerr
43773 Hwy 14
Lake Preston, SD 57249

Dear Mr. Kerr:

Enclosed, as we discussed, is a partially completed Notice of Transfer of Ownership form for use in filing an ownership change with Water Right No. 1533-3. The water right is currently listed in the name of "Norman Shutler Trust". I have included a copy of the water right for your records.

Please review the transfer form and complete as needed. Upon completion, please sign the form and return it to us with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

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

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1533-3

Date: 6-18-02

I/We request that Water Right No. 1533-3

formerly owned by: Norman Shutler Trust

be transferred to: (name & address) Raymond Kerr

43773 Hwy 14

Lake Preston SD 57249

Telephone No. 605-847-4591

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

293 acres - S 1/2 SE 1/4 Section 2 and the NE 1/4 and E 1/4 NW 1/4 Section 11, all in T110N, R56W

I/We understand that the validity of Water Right No. 1533-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Raymond Kerr, the new owner, certify that the above information is true and correct.

RECEIVED

JUN 20 2002

WATER RIGHTS
PROGRAM

Raymond Kerr
(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

417189

Pierre, June 20, 20 02

RECEIVED OF Raymond Kerr, 43773 Hwy 14, Lake Preston, SD 57249
the following amount in fees for services rendered as provided for by law: (Norman Shutler Trust)

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 _____ 1533-2 _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By Darland Erbe
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FUSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3132
www.state.sd.us/denr

June 20, 2002

1533-3

Raymond Kerr
43773 Hwy 14
Lake Preston, SD 57249

Dear Mr. Kerr:

Thank you for following up on the ownership change for Water Right No. 1533-3. The transfer has been completed. The water right formerly listed in the name of the Norman Shutler Trust is now listed in your name.

Each year in October, we mail out the annual irrigation questionnaire. Enclosed is a sample copy for your review. This will give you an idea of what type of information you will need to keep track of during the irrigation season.

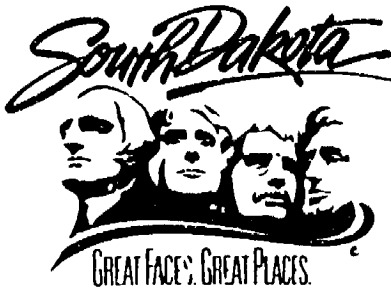
Also enclosed is your Receipt No. 417189 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

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

enclosure



1533-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3152
www.state.sd.us/denr

January 17, 2003

NOTICE

TO: RAYMOND KERR, 43773 HWY 14, LAKE PRESTON, SD 57249

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 1533-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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 5, 2003, 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) 1533-3 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, 2003**, 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.



1533-3

Track & Confirm**Delivery Status**

You entered 2301 0370 0000 7540 5973

Your item was delivered at 11:53 am on January 18, 2003 in LAKE PRESTON, SD 57249. The item was signed for by K KERR.

[Request Delivery Record](#)**Track & Confirm**

Enter label number:

[Track & Confirm FAQs](#)POSTAL INSPECTORS
Preserving the Trust[site map](#) [contact us](#) [government services](#)
Copyright © 1995-2002 USPS. All Rights Reserved. Terms of Use Privacy Policy**U.S. Postal Service Signature Confirmation Receipt**SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7540 5973RAYMOND KERR
43773 HWY 14
LAKE PRESTON SD 57249Postmark
Here**POSTAL CUSTOMER:**
Keep this receipt. For inquiries:
Access Internet web site at
www.usps.com
or call 1-800-222-1811**CHECK ONE (POSTAL USE ONLY)**

- ☐
- Priority Mail
-
- ☐
- Package Services

(See Reverse)

PS Form 153, February 2001



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 6, 2003

1533-3

Raymond Kerr
43773 Hwy 14
Lake Preston SD 57249

Dear Mr. Kerr :

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 1535-3.

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

1533-3

RECEIVED
OCT 17 2013
WATER RIGHTS
PROGRAM



**Rabo
AgriFinance**

Grace Sandow
Loan Closing Specialist
Closing Department

Office 12443 Olive Blvd.
Address Suite 50
St. Louis, MO 63141
Tel 314-317-8242
Fax 877-655-9513
Email Grace.Sandow@raboag.com
www.RaboAg.com

October 14, 2013

PBM 2020
DENR-Water Rights Program
523 E. Capitol Ave
Pierre, SD 57501-3182

Re: Water Right/Permit 1533-3

To Whom It May Concern:

Enclosed is the "Notice of Transfer of Ownership" executed on the above permit number. Please process this transfer and send us the applicable acknowledge information in the envelope provided. If you have any questions please contact me at 314-317-8242 or by e-mail at grace.sandow@raboag.com.

I appreciate the assistance in advance in this matter.

Sincerely,

RABO AGRIFINANCE, INC.

A handwritten signature in cursive script that reads "Grace Sandow".

Grace Sandow
Loan Closing Specialist

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

OCT 17 2013

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 1533-3Date: 8/20/2013

I/We request that Water Right/Permit No. 1533-3 formerly owned by:
Raymond Kerr be transferred to:

New Owner Name: Rustin Emil Albrecht & Austie Lee AlbrechtAddress: 307 4th ST SWCity, State, Zip DeSmet SD 57231 Telephone No. 605-230-1291

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

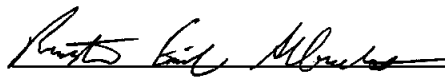
Warranty Deed dated June 5, 2013

☒ I understand that the validity of Water Right/Permit No. 1533-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Rustin Emil Albrecht, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/17, 20 13

RECEIVED OF Rabo AgriFinance Inc (Albrecht) PO Box 411995 St Louis MO 63141

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1533-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **06460**

By *James Goodman*
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 22, 2013

1533-3

Rustin Emil & Austie Lee Albrecht
307 4th St SW
DeSmet SD 57231

Grace Sandow
Rabo AgriFinance
12443 Olive Blvd Suite 50
St Louis MO 63141

Dear Mr. & Mrs. Albrecht and Ms. Sandow:

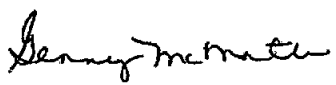
I am writing to acknowledge receipt of the transfer of ownership form and filing fee for transferring Water Right No. 1533-3. The ownership change has been completed. Water Right No. 1533-3 formerly held by Raymond Kerr is now listed in the names of Rustin Emil & Austie Lee Albrecht.

For informational purposes, under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

Last week the 2013 irrigation questionnaires were mailed to irrigators in South Dakota for reporting annual water use. I am enclosing the irrigation questionnaire pertaining to Water Right No. 1533-3. Please complete the form and return it to our office prior to **December 2, 2013.** Submission of the form is mandatory whether or not the land was irrigated.

The receipt for the filing fee paid for the ownership change is included with the correspondence sent to Grace Sandow. If I can answer any questions for you, please give me a call.

Sincerely,


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

enclosures

RECEIVED

APR 10 2015

WATER RIGHTS
PROGRAM

Dear Eric Grolund with SD Water Rights Program

I am requesting permission to change diversion points from two existing irrigation wells to two new diversion points. The reason for changing diversion points is that the two existing wells are no longer functioning and I would like to put one or two new wells to irrigate my field. These diversion points are part of water rights no. 1533-3. The new wells would be 40 foot deep and they would not irrigate any more acres than are already being irrigated. We would not put more than 2 diversion points in.

Thank You,

Rustin Albrecht (owner/operator)



43495 209th st.

De Smet, SD 57231

(605)203-1291

Water rights no. 1533-3



Common Land Unit ☐ Tract Boundary
☐ Cropland ☐ PLSS
☐ Non-Cropland

Wetland Determination Identifiers

- ☐ Restricted Use
- ☐ Limited Restrictions
- ☐ Exempt from Conservation Compliance Provisions

New map -

RECEIVED

APR 10 2015

WATER RIGHTS PROGRAM

2015 Program Year

Map Created November 07, 2014

Farm 6413

11 -110N -56W

File No. 1533-3

Approval of Change of Diversion Points

NAME: Rustin Albrecht **ADDRESS:** 43495 209th St., De Smet, SD 57231

DATE: May 4, 2015 **COUNTY:** Kingsbury **TELEPHONE:** (605) 203-1291

Water Right No. 1533-3 appropriates 2.66 cubic foot per second (cfs) from two wells completed into the Vermillion East Fork aquifer to irrigate 293 acres in Kingsbury County. These two wells were both constructed in the E ½ NW ¼ of Sec 11, T110N R56W. The descriptions of the acres irrigated are as follows: 75 acres in the S ½ SE ¼ of Section 2, 139 acres in the NE ¼ of Section 11, and 79 acres in the E ½ NW ¼ of Section 11, all in T110N-R56W. The original permit was conditioned with the standard well interference, well completion, and irrigation questionnaire qualifications.

Rustin Albrecht submitted a letter to the South Dakota DENR Water Rights Program (received on April 10, 2015) requesting a change in the location of the two existing wells from the E ½ NW ¼ of Section 11 to (according to a map submitted with the letter by Mr. Albrecht) the SE ¼ NW ¼ of Section 11, all in T110N R56W. Mr. Albrecht explains in the letter that the two existing wells are no longer functioning and that two new wells are necessary to continue diverting water under Water Right No. 1533-3. The new wells would be completed to a depth of approximately 40 feet and into the same aquifer for which the original water permit was approved, the Vermillion East Fork.

AUTHORITY:

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

- **Developed water source is the same as licensed source and no additional water is appropriated.**

The water source authorized by Water Right No. 1533-3 is the Vermillion East Fork aquifer. The depth of existing wells as well as the depth of the new wells which Rustin Albrecht proposes to construct is consistent with the known depth of the Vermillion East Fork aquifer.

No additional appropriation of water is authorized. Water Right No. 1533-3 appropriates 2.66 cfs and no additional diversion rate authority is being requested.

Review of Existing Diversions

The well completion report and water rights databases were reviewed for the nearest production wells to the proposed well site. The nearest wells to the proposed diversion points were constructed under Water Right Nos. 1456A-3 and 2037-3A, and are located approximately 6,000 feet to the southwest and 6,000 feet to the northwest, respectively. This distance is expected to be sufficient in order to minimize potential impairment as a result of constructing the new wells. In addition, the new well sites are not appreciably closer to these existing wells than the previous diversion points authorized under Water Right No. 1533-3.

The Water Rights Program is also aware of domestic wells completed into the Vermillion East Fork aquifer in the region. Since the proposed location of the new diversion points will be in approximately

the same area as the existing diversion points, potential for interference of nearby domestic wells is not expected to increase with the construction of the proposed wells.

Observation Well Data

The Water Rights Program monitors a series of observation wells completed into the Vermillion East Fork aquifer and its various management units. The closest of these observation wells completed into the Vermillion East Fork aquifer (KG-77F) is located approximately 0.75 miles to the southwest of the proposed well sites. This well has been in place since 1978 and shows static water level fluctuations of 11 to 24 feet below the top of the casing. Historic water levels in KG-77F appear to be primarily climatically controlled with very little visible effects of pumping. Approval of a change in diversion points under Water Right No. 1533-3 is not expected to increase the volume of water withdrawn from the aquifer annually and is therefore not expected to affect overall water levels in the aquifer.

Abandoned Wells

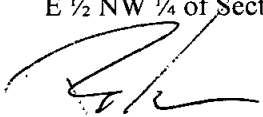
The Water Rights Program requires that if these two existing wells are no longer in use, that they be plugged in accordance with South Dakota well drilling standards.

CONCLUSION:

- The new diversion points do not propose to appropriate additional water.
- The developed wells are pumping water from the same source as the proposed new wells, the Vermillion East Fork aquifer.
- Unlawful impairment of existing water rights/permits and domestic wells is not expected to occur.
- The two existing wells shall be plugged in accordance with South Dakota well drilling standards.

RECOMMENDED ACTION:

Based on the above criteria, it is recommended that the request for a change in diversion points, from the E ½ NW ¼ of Section 11 to the SE ¼ NW ¼ of Section 11, all in T110N R56W be approved.



Bracken Capen
Natural Resources Engineer

The Chief Engineer makes a finding pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14:01 that: The change in diversion points does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 7, 2015

1533-3

Rustin Albrecht
43495 209th St.
De Smet, SD 57231

Dear Mr. Albrecht:

Water Right No. 1533-3 appropriates 2.66 cubic foot per second (cfs) from two wells completed into the Vermillion East Fork aquifer to irrigate 293 acres in Kingsbury County. These two wells were both constructed in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec 11, T110N R56W. The descriptions of the acres irrigated are as follows: 75 acres in the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2, 139 acres in the NE $\frac{1}{4}$ of Section 11, and 79 acres in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 11, all in T110N-R56W. The original permit was conditioned with the standard well interference, well completion, and irrigation questionnaire qualifications.

You submitted a letter to the South Dakota DENR Water Rights Program requesting a change in location of the two diversion points to the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T110N-R56W. In your letter you explain that the existing wells are no longer functioning and that you require two new wells in order to continue to divert water under Water Right No 1533-3 at the authorized rate.

Upon review of the request and pursuant to SDCL 46-5-13.1, the change in well locations 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 2.66 cfs under Water Right No. 1533-3 has been requested or approved. If the total diversion rate increases, a new water permit will need to be obtained from the SD DENR Water Rights Program.

The Water Rights Program requires that if these two existing wells are no longer in use, that they be plugged in accordance with South Dakota well drilling standards.

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

Sincerely,

Jeanne Goodman
Chief Engineer
Water Rights Program

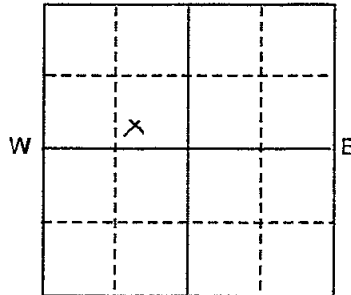
1533-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE 1/4 NW 1/4 Sec 11 Twp 110 Rg 58County Kingsbury

North

Please mark well
location with an "X"

Well Completion Date

6/29/2015

K 1 Mile E

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
None ft. from _____ (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse

CASING DATA:

☐ Steel ☒ Plastic ☒ Other
 If other describe Stainless Steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
3DR 26 LB/FT	16 IN	0 FT	20 FT	26 IN
SS LB/FT	16 IN	20 FT	40 FT	26 IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
#20	10	Lb/gal	0 Ft	20 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Tremie Pipe

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16 Inches Length 20 Feet
Material Stainless SteelSlot Size .050 Set From 20 Feet to 40 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ NoIf so, what material? Enviro Plug

Describe packer(s) and location

Above Screen

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine
☐ No, Why Not?
 Lab to which water
 quality sample sent for analysis
Well Owner: Rustin Albrecht

Business Name:

Address: 43495 209th St.City, State, Zip: De Smet SD 57231

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	2
Yellow Clay	2	25
Blue Clay & Gravel	25	28
Sand & Gravel	28	40

STATIC WATER LEVEL 6 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: Submersable☐ Bailed☐ Other

Pumping Level Below Land Surface

25 Ft. After 10 Hrs. pumped 500 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

SEP 03 2015

WATER RIGHTS
PROGRAM

VEF KB

This well was drilled under license # 722 and this report is true and accurate.Drilling firm: Stretch's Well Service Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 8-27-15

1533-3

SD EForm - 1621LD V1

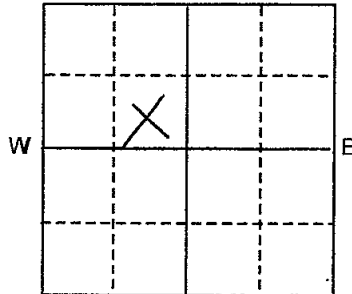
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE ¼ NW ¼ Sec 11 Twp 110 Rg 56

County Kingsbury

North

Please mark well
location with an "X"

Well Completion Date

6/4/2015

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
none ft. from (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Circulation

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe Stainless Steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
S.S LB/FT	16 IN	22 FT	42 FT	26 IN
160 LB/FT	16 IN	0 FT	22 FT	26 IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
#20	10	Lb/gal	0 Ft	20 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Tremie Pipe

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16 Inches Length 20 Feet

Material Stainless Steel

Slot Size .050 Set From 22 Feet to 42 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No

If so, what material? Enviro Plug

Describe packer(s) and location

Above Screen

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine
☐ No, Why Not?
 Lab to which water quality sample sent for analysis

Well Owner: Rustin Albrecht

Business Name:

Address: 43495 209th St

City, State, Zip: De Smet SD 57231

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	2
Yellow Clay	2	10
Fine Sand	10	25
Good Sand & Coal	25	42

STATIC WATER LEVEL

FEET

If flowing: closed in pressure

PSI

GPM flow through

Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe: Air☐ Bailed☐ Other

Pumping Level Below Land Surface

10 Ft. After 2 Hrs. pumped 400 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

RECEIVED

SEP 03 2015

WATER RIGHTS
PROGRAM

VEF

This well was drilled under license # 722 and this report is true and accurate.

Drilling firm: Stretch's Well Service Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 8-27-15

1533-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 17, 2021

1533-3

Rustin E Albrecht
43495 209th St
DeSmet SD 57231

Dear Mr. Albrecht:

Thank you for sending in the irrigation questionnaire so promptly. On the form you made a notation to remove Austie's name. In order to do this, an ownership change will need to be filed. We can't edit names on a water right without the owner signing off on the change.

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

If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date December 2, 2021RECEIVED OF Rustin Albrecht 43495 209th St., DeSmet SD 57231

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>1533-3</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

vm

PAID

DEC 02 2021

Ck# 2277

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

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

DEC - 2 2021

WATER RIGHTS
PROGRAM

No. 1533-3

Date: 11-26-21

I/We request that Water Right No. 1533-3

formerly owned by: Rustin E & Austie Lee Albrecht

be transferred to: (name & address) Rustin E Albrecht, 43495 209th St., DeSmet SD 57231

Telephone No.

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

293 acres – S ½ SE ¼ Section 2; NE ¼, E ½ NW ¼ Section 11, T110N, R56W

I/We understand that the validity of Water Right No. 1533-3 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 Rustin Albrecht, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

1533-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 7, 2021

1533-3

Rustin E Albrecht
43495 209th St
DeSmet SD 57231

Dear Mr. Albrecht:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for transferring Water Right No. 1533-3.

The ownership change has been completed. Water Right No. 1533-3 formerly held by you and Austie Lee Albrecht is now listed only in your name.

Enclosed for your records is a receipt for the filing fee you paid.

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

October 27, 2022

1533-3

Rustin E Albrecht
509 Calumet Ave
DeSmet SD 57231

Dear Mr. Albrecht:

Enclosed is a "Notice" dated October 21, 2022 concerning the 2022 irrigation questionnaire.

Based on our phone conversation, I have updated for files accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures