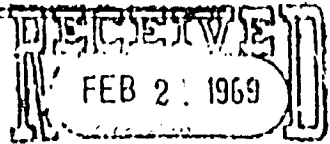


1666-3

1. Considered 3-26, 1969
2. Name of Applicant JOHN S. KOOPAL
3. Post Office Address PLATTE
4. Amount of water claimed 3.3
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 2.35
7. Water to be diverted and used in CHAS MIX county
about 7W 55 miles of PLATTE.
8. Proof of Publication Received ✓
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1666-3Water Division No. 3 MISSOURI RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMMISSION
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 John S. Koopal
 Postoffice address Platte, County Charles Mix, State S. Dak.

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

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

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

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

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

2. Name of diversion work John S. Koopal No. 1
3. Amount of water claimed 3.3 cubic feet per second
4. Source of water supply Fort Randall Reservoir Missouri River
5. Location of point of diversion 05' S-850' of the center of Section 15-90-09
 _____ 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? overhead

- (a) Number of acres to be irrigated 435 acres.

- (b) Legal subdivisions to be irrigated Part of S 1/2 Sect 15-90-09

(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 N-1198-3

8. Estimated cost of work:

(a) Head Gates, \$..... (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 topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face
 material used in construction
 (b) Reservoir: Capacity when filledacre 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; heightfeet;
 Material
 (d) Canal: Total lengthmiles.

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 work5..... years.

11. Time required for complete application of water to the proposed beneficial use1..... years.

12. Choice of newspaper for publication of notice of intention to appropriate
 The Platte Enterprise Platte, So. Dak.

STATE OF SOUTH DAKOTA

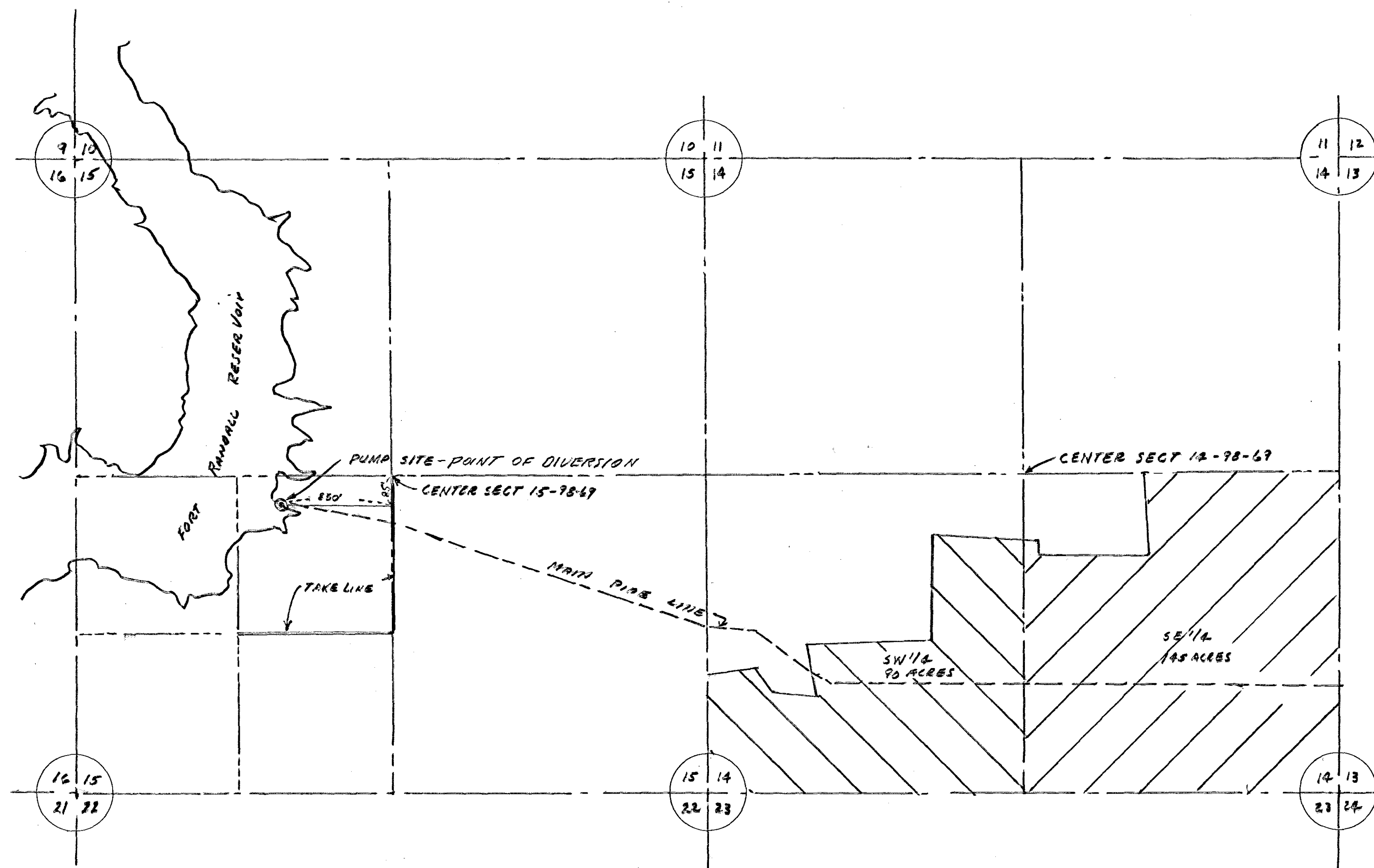
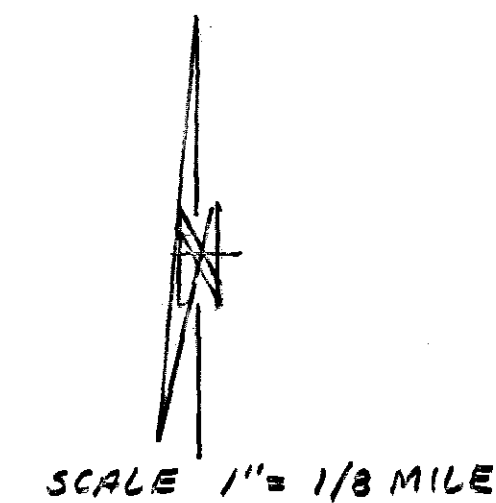
County of } ss.

I,
 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
 Notary Public (or other qualified officer.)

Subscribed and sworn to before me this day of 1962

AREAS BY LEGAL SUBDIVISION			
AREA (ACRES)	SECTION	TOWNSHIP	RANGE
145	PART-SE 1/4 OF 14	78 N	69 W
90	PART-SW 1/4 OF 14	78 N	69 W
235 TOTAL			



SURVEYOR'S CERTIFICATE
 STATE OF SOUTH DAKOTA) SS
 COUNTY OF BEADLE)
 I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
 IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
 CERTIFY THAT AT THE REQUEST OF JOHN S KOOPAL,
 SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED
 WITHIN HIS OWNERSHIP BOUNDARIES ON FEB 19, 1969 FOR WHICH APPLICATION
 FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP
 IS A TRUE REPRESENTATION THERE OF.
 WITNESS MY HAND AND SEAL THIS 19TH DAY OF FEB 1969

STATE OF SOUTH DAKOTA) SS
 COUNTY OF BEADLE)
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 19TH DAY
 OF FEB. 1969
 MY COMMISSION EXPIRES MARCH 10, 1972

JOHN S. KOOPAL IRRIGATION PROJECT NO 1
 SHOWS AREA TO BE IRRIGATED & PUMP SITE POINT OF DIVERSION
 FOR DIVERTING WATER - FOR PERMIT TO APPROPRIATE WATER

OWNER JOHN S. KOOPAL
 SURVEYOR HARLAN W. MEYER
 FEB 1969

MAP NO 1188-3 (APPL NO 666-3)

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, MARCH 27, 1969

This is to certify that the foregoing application was received by the Commission at 1:00 o'clock
p.m. upon the 24TH day of FEBRUARY, 1969

State Water Resources Commission

By:

Burton Z. [Signature]
for Chief Engineer, Active Officer

Number of permit 1666-3

Date of first receipt of application FEBRUARY 24, 1969

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right FEBRUARY 24, 1969

Approved MARCH 26, 1969 Recorded in Book 10 Page 333

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 _____

SEPTEMBER 26, 1971

2nd. The whole of said work is to be completed on or before MARCH 26, 1974

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

MARCH 26, 1975

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

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

6th. The amount of the appropriation herein granted shall not exceed 3.3 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 MARCH 26, 1975; said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 27TH day of MARCH, 1969

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 27, 1970

Water License Issued OCTOBER 27, 1970

Permit No. 1666-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That John S. Foopal

_____ the holder _____ of
Permit No. 1666-3, issued upon Application No. 1666-3, bearing date of priority of February 24,
1969 authorizing the diversion of 3.3 cu. ft. per second of the waters of _____
the Missouri River County of Charles Mix, State of South Dakota at a
point 85' South and 830' West of the Center, Section 15, T98N, R69W

_____, for irrigation

purposes, has s 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 2.68 cu. ft. per second of water.

Date October 27, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

WATER LICENSE NO. 1656-3

(1) WHEREAS, On the 26th day of February A. D. 19 69
John S. Foopal

made Water Right Application No. 1656-3 for a permit to use 3.3 cubic feet per second of the waters
of the Missouri River

County of Charles Mix, State of South Dakota, for irrigation
purpose; and

(2) WHEREAS, On the 27th day of March A. D. 19 69
Permit No. 1656-3, with a date of priority of February 24, 1969

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 26th day of March A. D. 19 74 and for the
application to beneficial use of said water on or before the 26th day of March A. D. 19 75

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 2.58 cubic feet
per second of water for beneficial use and,

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

for irrigating the following land in Section 14, T98N, R39W

	Acres
SE 1/4	60
NE 1/4 SE 1/4	40
NW 1/4 SE 1/4	25
SE 1/4 SW 1/4	38
NE 1/4 SW 1/4	18
SW 1/4 SW 1/4	34
Total	235 Acres

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

_____ of Platte, S.D.

the holder _____ and owner _____ of said permit No. _____ a water right, dating from February 24, 1969

_____ to use of 2.68 cubic feet per second of the waters of the Missouri River

in the County of Charles Mix and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 85' South and 830' West of the Center of Section 15, T98N, R69W

and conduct to and upon portions of the 3 1/2, Section 14, T98N, R69W, described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1666-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 27th day of October A. D.
Nineteen hundred and Seventy

WATER RESOURCES COMMISSION

By: _____
Chief Engineer, Executive Officer, J.W. GRIBBS

on or before
(First Publication February 24th 1969)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., February 24, 1969

Notice is hereby given that John S. Koopal whose postoffice address is Platte 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 3.3 cubic feet of water per second of time from the Missouri River through the John S. Koopal #1, the point of diversion of which is to be located on the left bank of said stream in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15 Twp. 28N Range 69W Said water to be used for the purpose of providing irrigation on ^{a portion of} the following described land:

S $\frac{1}{2}$, Section 14, T28N, R69W.

~~and/or~~

~~DUPLICATE~~
~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 26th day of March, 1969, 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

cc: John S. Koopal, Platte, S.D.

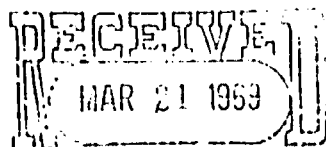
By:

~~Chief Engineer, Executive Office~~

Burton F. Jones

Water Rights Specialist

PROOF OF PUBLICATION

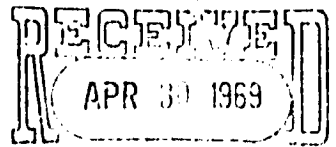
STATE OF SOUTH DAKOTA }
County Charles Mix } ss.Polph Nechtigal being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____Platte Enterprise a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Platte County of Charles Mix and State of South Dakota; that the said notice was published in said newspaper on the following dates:Feb. 27March 7March 14March 21in each and every issue of the full number thereof, the first publication being made on the 27th day of Feb. 1969 and the last publication on the 21st day of Feb. March 1969, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ the printer and publisher of the said newspaper.Polph NechtigalSubscribed and sworn to before me this 20th day of March A. D. 1969STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTAAPPROPRIATION OF WATER
No. 16663Office of State Water Resources
Commission, Pierre, S. Dakota
February 24, 1969.Notice is hereby given that John S. Koopal whose post office address is Platte, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.3 cubic feet of water per second of time from the Missouri River through the John S. Koopal No. 1, the point of diversion of which is located on the left bank of said stream in the NW¹/₄ of the SW¹/₄ of Section 15 Twp. 98N Range 69 W. Said water to be used for the purpose of providing irrigation on a portion of the following described land:S¹/₂, Section 14, T98N, R63W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 26th day of March, 1969, 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

Burton F. Jones
Water Rights Specialist
(Feb. 27, March 7, 14, 21)Notary Public Charles Mix County, S. D.

Permit No. 1666-3

Water Division No. _____

Water District _____

STATE WATER RESOURCES COMMISSION
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.)

Platte, S. Dak.

(Date)

4-29-69

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 _____

3.3cu. ft. per second of the waters of the state from Let

Platte River
through the _____

John S. Karpal "1"

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 John S. Karpal

2. The postoffice address of such person or the place of business of such corporation is Platte

County of Charles MixState of S. Dak.

3. The number of such permit is 1666-3 and the date set for the completion of such work is

July 1, 1969

4. Said water to be used for _____ purposes.

irrigation

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 _____ cubic feet per second.

3.3

6. The amount of land for which said water is available is 235 acres,

particularly described as follows: 55 Acres 14-98-69

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

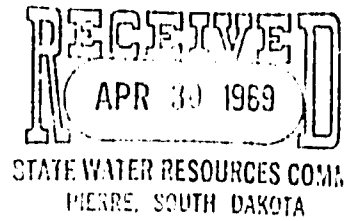
John S. Karpal

(Signature of Owners)

Edwin Karpal

Permit No. 1666-3

Water Division No. _____ 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.) Platte, So. Dak.(Date) 4-29-69

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

DEAR SIR: Notice is hereby given that on the 1 day of July
1969, at Platte County of Charles Mix State of South Dakota,
before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)

of 3.3 cubic feet per second of the waters of Fort Randall Reservoir

_____ in accordance with the terms and conditions of Permit No. 1666-3
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 _____

John S. Koppal Platte, So. Dak.

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

3. The amount applied to beneficial use is 3.3

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) 5 $\frac{1}{2}$ Section 14 - T8 - R9

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

John S. Koppal #1

6. The right to take the water from such works is based upon permit No. 1666-3

7. The source of supply from which such water is diverted is Missouri River

8. The date of priority which said user is prepared to establish is July 1 - 1969

(Sign) John S. Koppal

DEPARTMENT OF THE ARMY
EASEMENT FOR RIGHT OF WAY
(PIPELINE)

ON EAST RANDALL LAKE, LAKE FRANCIS CREEK PROJECT, SOUTH DAKOTA

No. DACW 45-2-70-0023

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2669, hereby grants to

John S. Koopal
Platte, South Dakota

coextensive with South Dakota State
hereinafter designated as the grantee, for a period ~~not exceeding~~ Water Permit No. 1666-3,
(~~XXXXXX~~) years from the date hereof, an easement for a right of way for the installation,
operation and maintenance of a portable irrigation water pipeline and
portable pumping system

over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit "A" a map entitled Fort Randall Reservoir Segment "E" attached hereto and made a part hereof, and described as follows:

A strip of land 50.00 feet in width, situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T-98-N, R-69-W of the Fifth Principal Meridian, Charles Mix County, South Dakota, said strip of land lying 25.00 feet on each side of the following described line:

Commencing at the Northeast corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ thence South along the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 65.00 feet to the point of beginning; thence West parallel to the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the shoreline of Lake Francis Case, containing 0.57 acre, more or less.

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of

Fifty and no/100 Dollars (\$ 50.00)
for the term, payable in advance. Compensation shall be made payable to the
Treasurer of the United States and forwarded by the grantee to the District Engineer,
Omaha District, Corps of Engineers, 7410 U. S. Post Office and Court House,
Omaha, Nebraska 68102.

2. The installation and/or operation and maintenance of said line shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having immediate jurisdiction over the property, hereinafter designated as "said officer", and in such manner as not to endanger personnel or property of the United States on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.

3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.

4. The grantee shall supervise the said line and cause it to be inspected at reasonable intervals, and shall immediately repair any leaks found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said line and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.

5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

6. The United States reserves to itself the right to construct, use, and maintain across, over, and/or under the right of way hereby granted, electric transmission, telephone, telegraph, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right of way herein granted.

7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to government activities, and the grantee shall hold the United States harmless from any and all such claims.

8. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said line.

9. That the grantee shall furnish through said line such service as may be required from time to time for governmental purposes on said land, provided that payment for such service will be made by the United States at rates which shall be mutually agreeable but which shall never exceed the most favorable rates granted by the grantee for similar service.

10. In the event all or any portion of said land occupied by said line shall be needed by the United States, or in the event the existence of said line shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said line and related facilities to such other location or locations on said land as may be designated by said officer, and, in the event said line shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee.

11. This easement may be terminated by the Secretary of the Army upon a reasonable notice to the grantee if the Secretary of the Army shall determine that the right of way hereby granted interferes with the use or disposal of said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for nonuse, or for abandonment.

12. Upon the expiration or termination of this grant, the grantee shall, without expense to the United States, and within such time as the Secretary of the Army may indicate, remove the said line from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said line and so restore the premises, the United States shall have the option either to take over the said line as the property of the United States, without compensation therefor, or to remove the said line and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents, on account of the taking over of said line or on account of its removal.

13. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the heirs, representatives, successors, and assigns of the grantee.

14. That it is understood that this instrument is effective only insofar as the rights of the United States in the said property are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

15. That the grantee shall not discharge waste or effluent from the granted property in such manner that such discharge will contaminate streams or other bodies of water or otherwise become a public nuisance.

16. That this easement and right of way for a water pipeline and pumping plant is granted for the exercise of water rights granted by the State of South Dakota. It is understood and agreed that no right to use water from the reservoir is created by this grant. It is further understood by the grantee that the granting of this easement does not preclude the Secretary of the Interior from requiring the grantee to enter into an appropriate water service contract in consideration of such irrigation benefits as may, in the opinion of the Secretary of the Interior, be derived from the withdrawal of irrigation water from the reservoir.

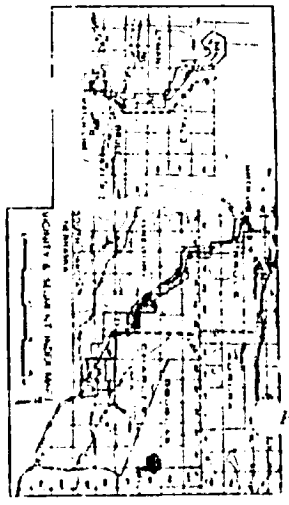
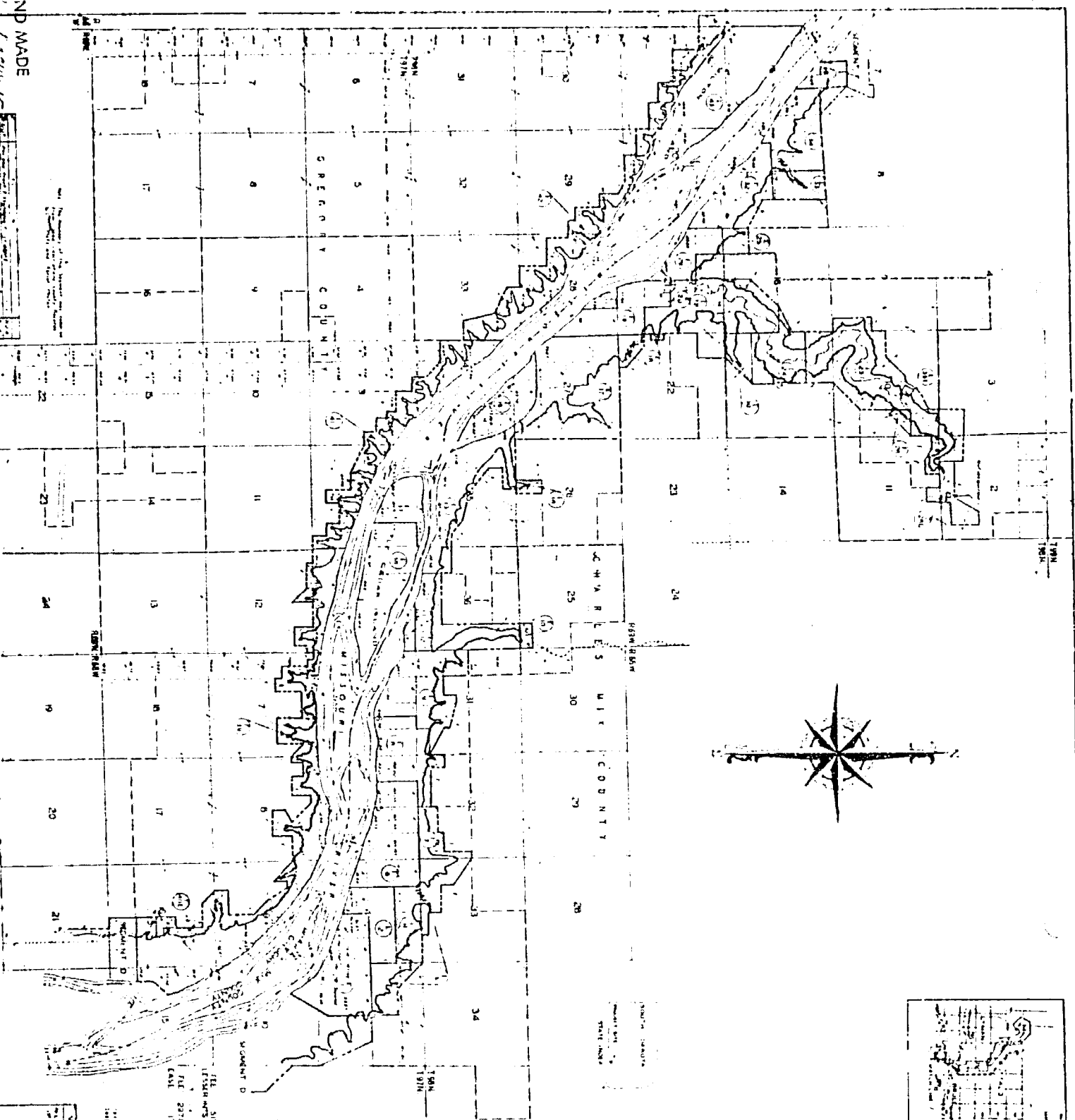
17. That the grantee shall not install erosion control devices around the intake of the irrigation system, without the approval by said officer in charge.

Prior to the execution of this instrument, Conditions Nos. 15, 16 and 17 were added. This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this
day of August 19 69.

26th

/s/ E. Y. Linton
Acting Chief, Real Estate Division
Omaha District, Corps of Engineers



ACQUISITION DATA		
TRACT NO.	LAND OWNER	ACQUISITION METHOD
1	...	...
2	...	...
3	...	...
4	...	...
5	...	...
6	...	...
7	...	...
8	...	...
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31	...	...
32	...	...
33	...	...
34	...	...

LEGEND

...

ACQUISITION

...

TRANSPORTATION FACILITIES

...

LOCATION OF PROJECT

...

LAND USE & MANAGEMENT PLAN

...

166-6-3



DEPARTMENT OF THE ARMY
OMAHA DISTRICT, CORPS OF ENGINEERS
6014 U.S. POST OFFICE AND COURT HOUSE
OMAHA, NEBRASKA 68102

1 November 1976

MRCOP-N
SD 2SB OXT 1 000966
John Koopal
Irrigation Intake Structure
Missouri River Mile 911.80L (1960 Mileage)

NOTICE OF PERMIT PENDING

The application of John Koopal, Platte, South Dakota 57369 for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Engineer District, Omaha, Nebraska.

The applicant requests permission to construct a permanent water intake structure to provide irrigation water to approximately 230 acres. The work will consist of excavating approximately 15,000 cubic yards for the pipe trench utilizing a dragline and backhoe, laying approximately 500 linear feet of 12-inch steel pipe, and constructing a vertical stand-pipe to the 100 horsepower electric pump. The 100 horsepower electric pump has a capacity of 1,000 gallons per minute.

The State of South Dakota has waived its right to certify compliance with applicable water quality standards required under the provisions of Section 401 of the Federal Water Pollution Control Act and Amendments of 1972. Accordingly, certification that the proposed project will not violate applicable water quality standards has been requested from the Regional Administrator, Environmental Protection Agency, Region VIII, Denver, Colorado.

A preliminary determination has been made that neither singularly nor cumulatively would this project have a significant effect on the quality of the human environment within the meaning of the National Environmental Policy Act and, therefore, an Environmental Impact Statement will not be required.

In compliance with the National Environmental Policy Act of 1969 and Section 106 of the National Historic Preservation Act of 1966, the National Register of Historic Places and monthly supplements thereto have been consulted and no properties included therein will be affected by this activity. However, presently unknown archeological, scientific, prehistoric, or historic data may be lost or destroyed by work to be accomplished under the requested permit.



The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, and in general the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

Any person who may have an interest in the proposed work described herein may request a public hearing. The request must be submitted in writing to the District Engineer within 30 days of the date of this public notice. The request must state the specific reasons for holding the public hearing.

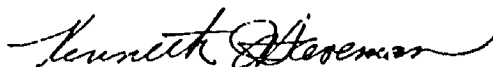
Any interested party (particularly officials of any town, city, county, state, federal agency, or local association whose interests may be affected by the proposed work) is invited to submit to this office written facts, arguments, or objections on or before 3 December 1976. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons.

A permit, if granted, will be under Section 10 of the River and Harbor Act of 1899 (30 Stat. 1151; 33 U.S.C. 403).

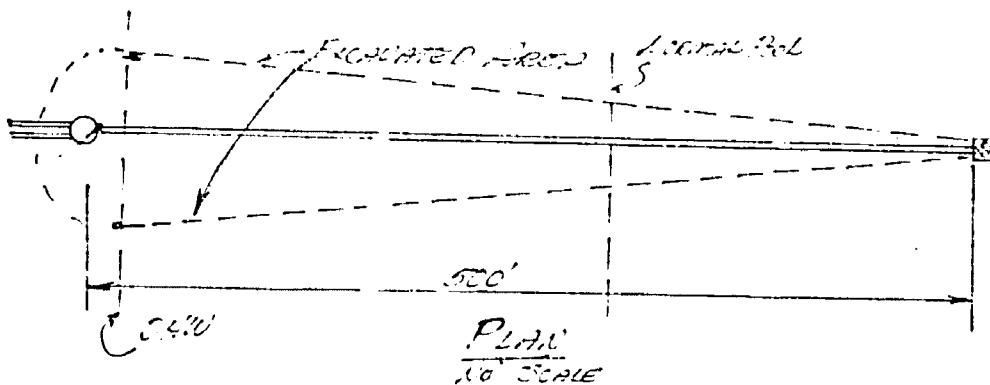
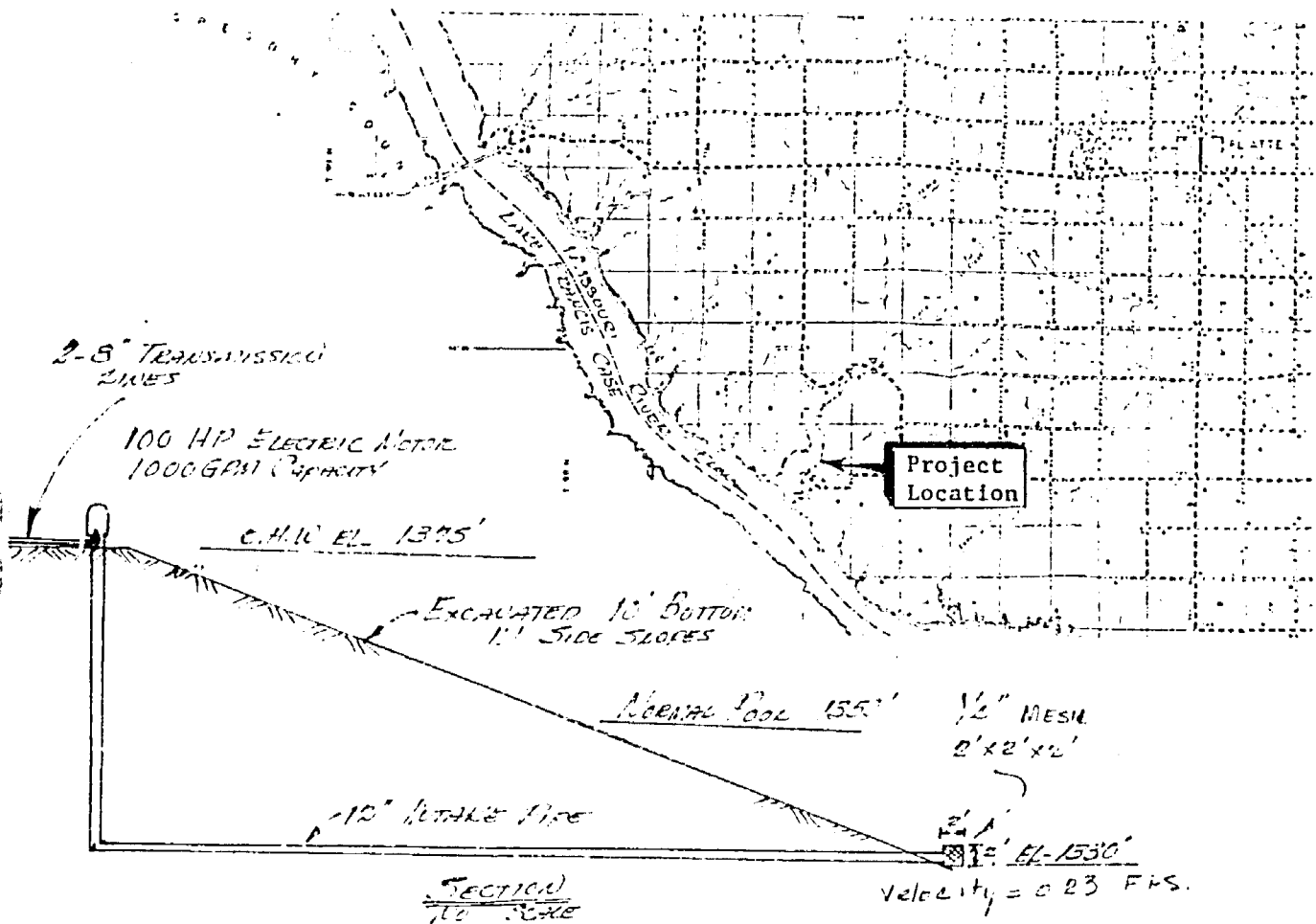
A drawing showing the location and extent of the work is attached to this notice.

FOR THE DISTRICT ENGINEER:

Attachment
As stated



KENNETH J. HAVEMAN
Major, Corps of Engineers
Deputy District Engineer for Civil Works



PURPOSE: WATER INTAKE, IRRIGATION
 DATUM: M.S.L.
 ADJACENT PROPERTY OWNERS:
 1. WYNNA RANCH, INC.
 2. U.S. GOV.

T. 25 N., R. 26 E., Sec. 15
 IN MISSOURI RIVER
 AT MILE 314.524
 COUNTY OF CHARLES, MO. STATE MO.
 APPLICATION BY JOHN KOCHAL
 SHEET 1 OF 1 DATE 11/25/75



11666-3

DEPARTMENT OF THE ARMY
OMAHA DISTRICT, CORPS OF ENGINEERS
6014 U.S. POST OFFICE AND COURT HOUSE
OMAHA, NEBRASKA 68102

MROOP-N
SD 2SB OXT 1 000966
John Koopal
Irrigation Intake Structure
Missouri River Mile 911.80L (1960 Mileage)

10 February 1977

REVISED NOTICE OF PERMIT PENDING

The application of John Koopal, Platte, South Dakota 57369 for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Engineer District, Omaha, Nebraska.

The Notice of Permit Pending issued 4 November 1976, is being revised to correct the horsepower rating, intake pipe length and size, eliminate the proposed excavation of 13,000 cubic yards of material and the vertical stand pipe.

The applicant requests permission to construct a permanent water intake structure in the Missouri River at mile 911.80L, in Section 15, Township 98 North, Range 69 West, Charles Mix County, South Dakota.

The proposed activity would consist of installing one, 30 horsepower, skid mounted, submersible pump that would pump directly into a 75 horsepower electric pump rated at 1,000 gallons per minute (g.p.m.). Approximately 200 feet of 8 inch steel intake pipe and the submersible pump will be pushed out in Lake Francis Case to elevation 1330. An additional 200 feet of intake pipe will run landward to the 75 horsepower electric pump which will rest on a 6 foot by 4 foot by 6 inch concrete pad above the ordinary high water. The water will be pumped into two 8 inch discharge lines. The only excavation will be for the concrete pad and the buried electric supply cable. The irrigation intake structure will provide water to irrigate approximately 230 acres.

A preliminary determination has been made that neither singularly nor cumulatively would this project have a significant effect on the quality of the human environment within the meaning of the National Environmental Policy Act and, therefore, an Environmental Impact Statement will not be required.

In compliance with the National Environmental Policy Act of 1969 and Section 106 of the National Historic Preservation Act of 1966, the National Register of Historic Places and monthly supplements thereto have been consulted and no properties included therein will be affected by this activity. However, presently unknown archeological, scientific, prehistoric, or historic data may be lost or destroyed by work to be accomplished under the requested permit.



The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, and in general the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

Any person who may have an interest in the proposed work described herein may request a public hearing. The request must be submitted in writing to the District Engineer within 30 days of the date of this public notice. The request must state the specific reasons for holding the public hearing.

Any interested party (particularly officials of any town, city, county, state, federal agency, or local association whose interests may be affected by the proposed work) is invited to submit to this office written facts, arguments, or objections on or before 11 March 1977. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons.

A permit, if granted, will be under Section 10 of the River and Harbor Act of 1899 (30 Stat. 1151; 33 USC 403).

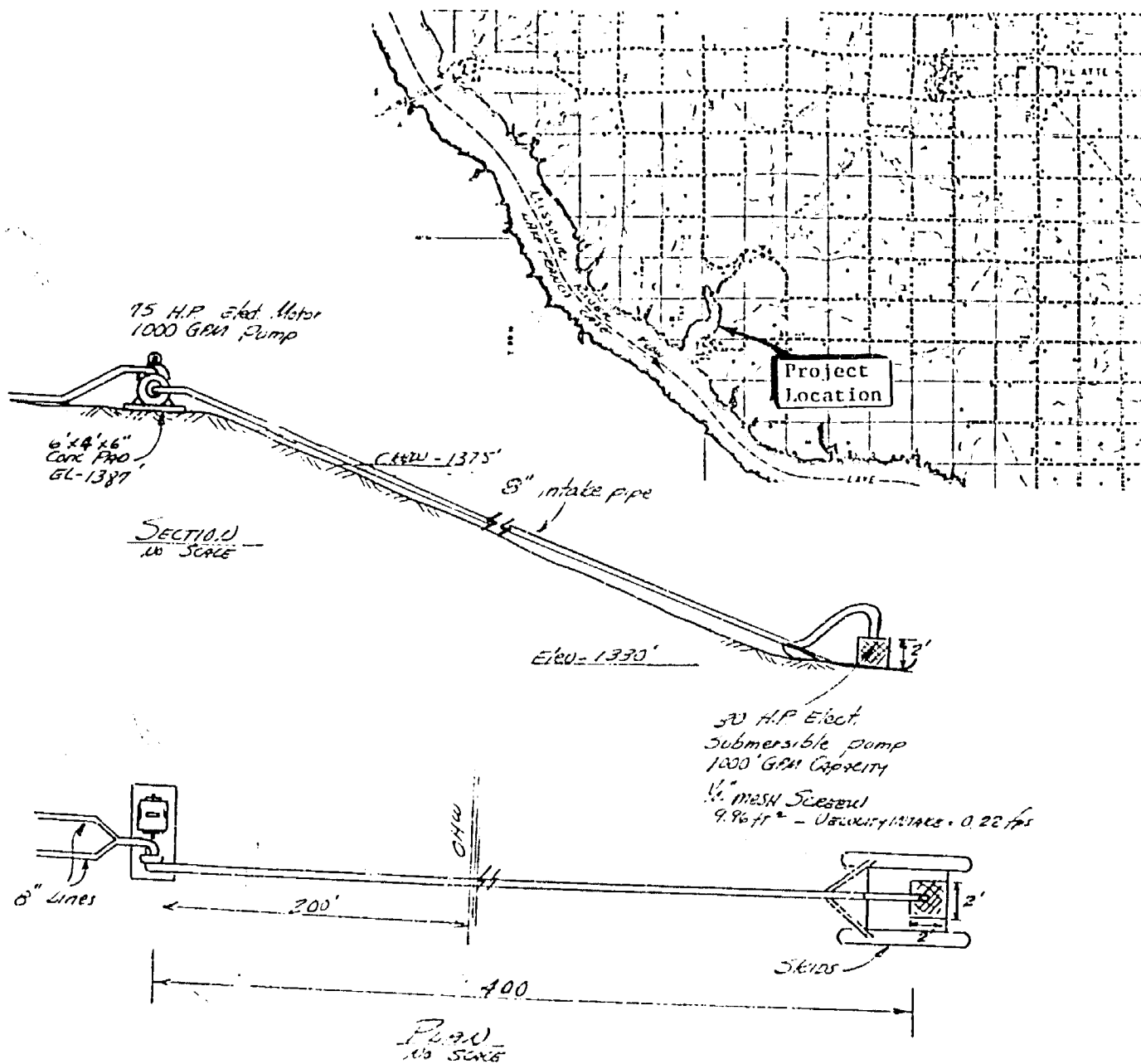
A drawing showing the location and extent of the work is attached to this notice.

FOR THE DISTRICT ENGINEER:

Attachment
As stated



KENNETH J. HAVEMAN
Major, Corps of Engineers
Deputy District Engineer for Civil Works



PURPOSE: *Water Intake, Irrigation*

DATUM *M.S.L.*

ADJACENT PROPERTY OWNERS:

1 *USULA RANCH*

2 *U.S. GOV'T*

T98N., R69W., Sec 15
IN *Missouri River*

AT *1716 911.804*

COUNTY OF *CHARLES MIX* STATE *So Dak.*

APPLICATION BY *JOHN KOPPEL*

SHEET 1 OF 1 DATE *7 Sept 76*

DEPARTMENT OF THE ARMY
U. S. ARMY ENGINEER DISTRICT, OMAHA
CORPS OF ENGINEERS
8014 U. S. POST OFFICE AND COURTHOUSE
OMAHA, NEBRASKA 68102

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

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FIRST CLASS

PUBLIC NOTICE

S. D. WATER RESOURCES COMMISSION
ATTN: CHIEF ENGINEER
STATE OFFICE BUILDING #2
PIERRE
SD 57501 (2)

MRD FORM
1 JUN 73 0156b

DEPARTMENT OF THE ARMY
U. S. ARMY ENGINEER DISTRICT, OMAHA
CORPS OF ENGINEERS
6014 U. S. POST OFFICE AND COURTHOUSE
OMAHA, NEBRASKA 68102
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

POSTAGE , FEES PAID
DEPARTMENT OF THE ARMY
DOD-314



FIRST CLASS

PUBLIC NOTICE

SD DEPT OF NATURAL RESOURCE DEV
STATE OFFICE BLDG. # 2
PIERRE SD 57501

HRD FORM
1 JUN 73 0156b



1666-3
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 14, 2004

NOTICE

TO: JOHN S KOOPAL, 28169 SD HWY 1804, PLATTE, SD 57369

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 1666-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 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 3, 2004, 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) 1666-3 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 27, 2004**, 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.



1666-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 8565

Your item was delivered at 11:11 am on January 15, 2004 in PLATTE, SD 57369. The item was signed for by G KOOPAL.

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 8565

JOHN S KOOPAL
28169 SD HWY 1804
PLATTE SD 57369

Waiver of Signature ☐ YES ☐ NO

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PS Form 153, July 2001

(See Reverse)



January 20, 2004

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

1666-3

Duane Pedersen
28169 SD Hwy 1804
Platte SD 57369

Dear Mr. Pedersen:

Thank you for calling about Water Right No. 1666-3 listed in the name of John S Koopal. As we discussed, enclosed is a 2003 irrigation questionnaire for you to complete.

Also enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form (or if its going to be transferred to your mom, she should sign it) and return it to our office 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.

I have included a postage paid envelope for your use in returning the irrigation questionnaire. Thank you in advance for your help. Give me a call if you have any questions.

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. 1666-3

Date: 2-1-04

I/We request that Water Right No. 1666-3

formerly owned by: John S Koopal

be transferred to: (name & address) Duane Pedersen
28169 SD Hwy 1804 Platte SD 57369
Telephone No. 337-9611

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

235 acres in the SE ¼ and E ½ SW ¼ & SW ¼ SW ¼ all in Section 14, T98N, R69W

I/We understand that the validity of Water Right No. 1666-3 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 Duane Pedersen, the new owner, certify that the above information is true and correct.

Duane Pedersen

(Signed by new owner)

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

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

RECEIVED

FEB - 6 2004

WATER RIGHTS
PROGRAM



February 9, 2004

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

1666-3

Duane Pedersen
28169 SD Hwy 1804
Platte SD 57369

Dear Mr. Pedersen:

I am writing to acknowledge receipt of the 2003 irrigation questionnaire and the "Notice of Transfer of Ownership" form for Water Right No. 1666-3.

The transfer form was completed properly, however can not be filed for record without a \$2.50 fee as required by Statute. My first letter may not have been clear with respect to the fee.

Please remit a total of \$2.50 and the ownership change will be processed. The check or money order for the fee can be made payable to the Water Rights Program.

Give me a call if you have any questions.

Sincerely,

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

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 18, 2004

RECEIVED OF Rhonda Pedersen, 28169 SD Hwy 1804, Platte SD 57369

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>1666-3</u>		2 50
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	2.50

No.

001197

By

Darland Erbe
Chief Engineer *gm*



February 18, 2004

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

1666-3

Duane Pedersen
28169 SD Hwy 1804
Platte SD 57369

Dear Mr. Pedersen:

The transfer of Water Right No. 1666-3 has been completed. The water right, formerly held by John S Koopal, is now listed in your name.

Enclosed is your Receipt No. 001197 in the amount of \$2.50. You may keep this for your records.

Thank you for following up on the ownership change, if I can answer any questions for you, please give me a call.

Sincerely,

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

enclosure

1666-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 18, 2008

NOTICE

TO: DUANE PEDERSEN, 28169 SD HWY 1804, PLATTE, SD 57369

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) 1666-3. 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) 1666-3 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.

1666-3

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Label/Receipt Number: 2303 2160 0000 0802 4308
Status: **Delivered**

Your item was delivered at 10:55 AM on January 19, 2008 in PLATTE, SD 57369. The item was signed for by D PEDERSON.

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FOIA

United States
Postal ServiceUnited States
Postal ServiceSIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 4308

DUANE PEDERSEN
28169 SD HWY 1804
PLATTE SD 57369

Waiver of Signature ☐ YES ☐ NOPostmark
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www.state.sd.us/denr

January 24, 2008

1666-3

Duane Pedersen
28169 SD Hwy 1804
Platte SD 57369

Dear Mr. Pedersen:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 1666-3.

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



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 22, 2010

NOTICE

TO: DUANE PEDERSEN, 28169 SD HWY 1804, PLATTE, SD 57369

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 1666-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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 10, 2010**, 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) 1666-3 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 5, 2010**, 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq.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.

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Search Results

Label/Receipt Number: 2303 2160 0000 0802 8177

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 10:39 AM on January 23, 2010 in PLATTE, SD 57369. The item was signed for by K PEDERSVN.

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Detailed Results:

- Delivered, January 23, 2010, 10:39 am, PLATTE, SD 57369
- Out for Delivery or Available at PO Box, January 23, 2010, 8:08 am, PLATTE, SD 57369
- Sorting Complete, January 23, 2010, 7:38 am, PLATTE, SD 57369
- Arrival at Post Office, January 23, 2010, 7:10 am, PLATTE, SD 57369

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 8177

DUANE PEDERSEN
28169 SD HWY 1804
PLATTE SD 57369

mailing.

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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**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 29, 2010

1666-3

Duane Pedersen
28169 SD Hwy 1804
Platte SD 57369

Dear Mr. Pedersen:

I am writing to acknowledge receipt of your 2009 irrigation questionnaire. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 1666-3.

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 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



1666-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: DUANE PEDERSEN, 28169 SD HWY 1804, PLATTE, SD 57369

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire has not been submitted for Permit No(s) 1666-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1666-3 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 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: NAVIHS**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 26, 2023

1666-3

Duane Pedersen
28169 SD Hwy 1804
Platte SD 57369

Dear Mr. Pedersen:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 1666-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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