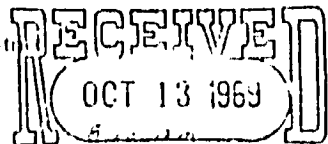


1700-3

1. Considered NOVEMBER 12, 1969
2. Name of Applicant DUANE A. WILSON
3. Post Office Address FRANKFORT
4. Amount of water claimed 3.00
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 214.00
7. Water to be diverted and used in SPINK county
about 3 miles EAST of FRANKFORT
8. Proof of Publication Received 11-12-69
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1700-3
 Map No. 1228-3 Water Division No. 3 JAMES RIVER District
 (Blanks to be Filled In by the Engineer for the W. R. C.)


APPLICATION FOR PERMIT

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Duane A. Wilson
 Postoffice address Frankfort, State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Duane A Wilson Irrigation Project No. 1
4. Amount of water claimed (cubic feet per second) 3m 3 cfs
5. Source of water supply Well
6. Location of point of diversion 1820 ft West and 1320 North of the SE Corner of SEct. 13,
T. 116 N., R. 62 W, 5th PM.
 _____ County _____
7. Annual period or periods during which water is to be used April thru Oct
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, _____ Total number of acres to be irrigated 214

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>13</u> S.W. $\frac{1}{4}$, 116,62	<u>74</u>		
<u>S.E. $\frac{1}{4}$, 13,116,62</u>	<u>140</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Redfield Press
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ _____

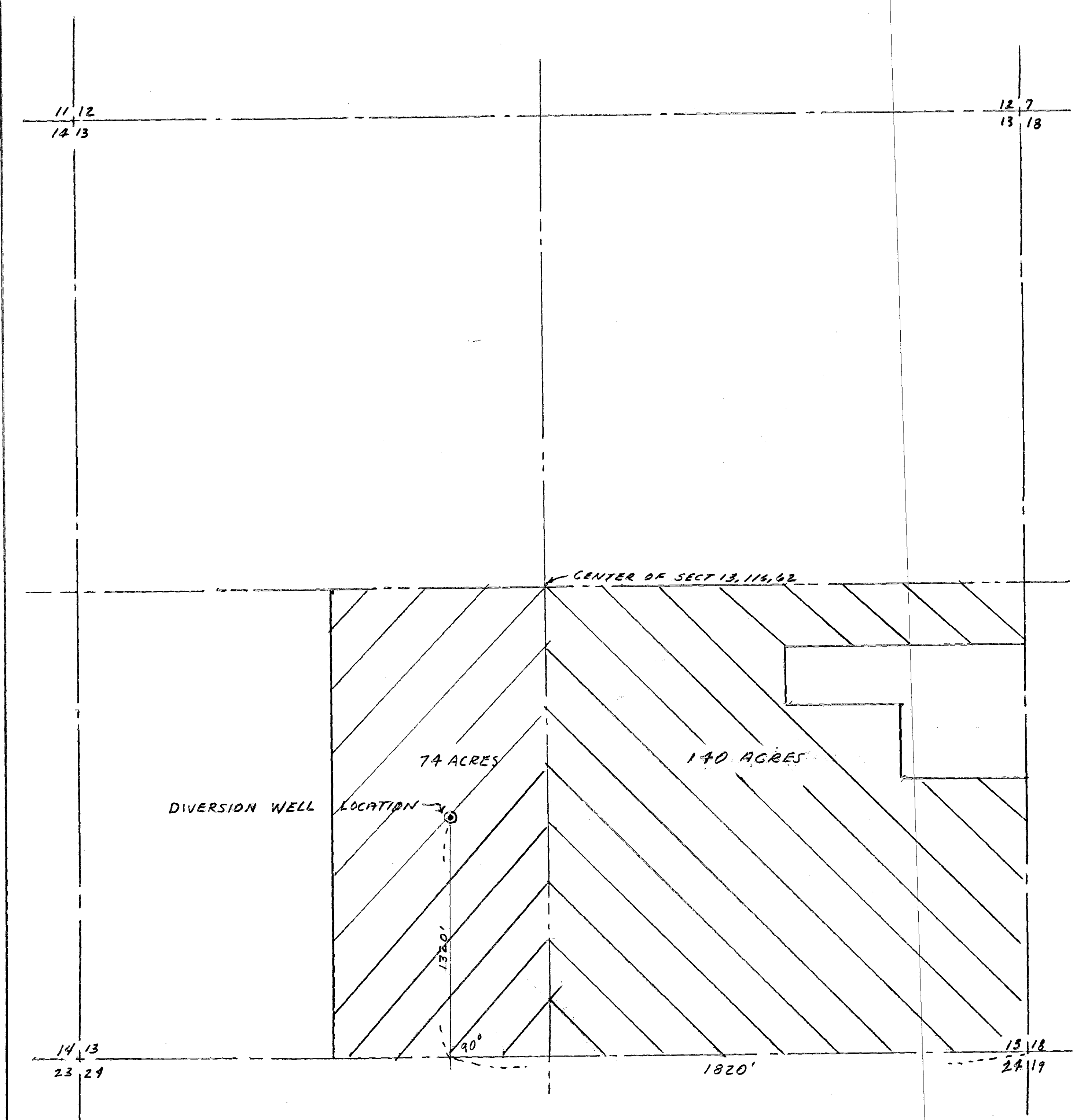
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of DeWitt

I, _____ the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Duane A. WilsonSubscribed and sworn to before me this 5th day of October 1969
James L. Wilderman
 Notary Public (or other qualified officer)



AREAS BY LEGAL SUBDIVISION

140 ACRES - SE 1/4 SECT 13, T116N, R62W 5TH PM
74 ACRES - SW 1/4 SECT 13, T116N, R62W 5TH PM
214 ACRES 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 DUANE A. WILSON,
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON OCT 1, 1969 FOR WHICH
APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THIS 1ST DAY OF OCT 1969

Harlan W. Meyer
REGISTERED LAND SURVEYOR #495

STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE)
SUBSCRIBED AND SWORN TO BEFORE ME THIS 1ST DAY
OF OCT. 1969

Lena Bonn
NOTARY PUBLIC

MY COMMISSION EXPIRES July 16, 1977

SCALE 1" = 400'

DUANE A WILSON IRRIGATION PROJECT # 1
SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE
WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

OWNER
SURVEYOR
DUANE A. WILSON
HARLAN W. MEYER

OCT 1969

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1700-3DUANE A. WILSON

(Applicant)

FRANKFORT

(Post Office Address)

SOUTH DAKOTA

(State)

With the following modifications:

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

Date of first receipt of application OCTOBER 13, 19 69Date of return to applicant for correction, amendments or changes required , 19 Date of receipt of corrected application , 19 Approved NOVEMBER 12, 19 69, Recorded in Book 11 Page 47WATER RIGHT PERMIT NO. 1700-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1700-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is OCTOBER 13, 19 69
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 12, 19 70
3. The whole of said work is to be completed on or before NOVEMBER 12, 19 70
4. The unit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 12, 19 74
5. The water appropriated shall be used for the purpose of IRRIGATION

6. 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.

7. The amount of the appropriation herein granted shall not exceed 3.00 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 NOVEMBER 12, 19 74; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 14TH day of NOVEMBER, 19 69

WATER RESOURCES COMMISSION

By:

[Signature]

Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 1, 19 74Water License Issued OCTOBER 1, 19 74

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 28", Depth 60
- (2) Casing, Type Steel Diameter 16" O.D. Thickness 2.19
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type 16" screen, Diameter 16" O.D., Length 15'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 60'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water Bearing materials 10' top over bank 10' - 10' Brown
Sand 30 - 45 Coarse sand 45 - 60' Gravel

Depth to top of water bearing material 23'

Depth to bottom of water bearing material 60'

Thickness of water bearing material 37'

Depth to water (ground surface to water level) 23'

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

On same owner's property 1/2 mile rds. On property owned by others 1 1/4 mile rds.

G. Water Storage Dams.

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

Duane A. Wilson

Signature of Applicant

DUANE A WILSON

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1700-3

(1) WHEREAS, On the 13th day of October, A. D. 19 69
Duane A. Wilson
made Water Right Application No. 1700-3 for a permit to use 3.00 cubic feet per second of the waters
of ground water
County of Spink, State of South Dakota, for irrigation
purposes; and
(2) WHEREAS, On the 14th day of November, A. D. 19 69
Permit No. 1700-3 with a date of priority of October 13, 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 12th day of November, A. D. 19 70 and for the
application to beneficial use of said water on or before the 12th day of November, A. D. 19 74

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.93 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 a 135 acre circle in the E½ SW¼ and W½ SE¼, Section 13, T116N, R62W

(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 Dwane A. Wilson

_____ of Frederick, S.D.

the holder _____ and owner _____ of said permit No. 1700-3 a water right, dating from October 13, 1969

_____ to use of 1.93 cubic feet per second of the waters of ground water

in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Main Well, 1820 feet West and 1320 feet North of the SE Corner, Section 13, T116N, R62W, small well 440 feet East of main well

and conduct to and upon a 135 acre circle in the E½ SW¼ and W½ SE¼, Section 13, T116N, R62W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1700-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 1st day of October A. D.

Nineteen Hundred and Seventy-four

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer

DONALD DRISCOLL

Permit No. 1700-3Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Duane A. Wilson

_____ the holder _____ of
Permit No. 1700-3, issued upon Application No. 1700-3, bearing date of priority of October 13,
1969 authorizing the diversion of 3.00 cu. ft. per second of the waters of _____
ground water County of Spink, State of South Dakota at _____
Main Well, 1820 feet West and 1320 feet North of the SE Corner, Section 13,
T116N, R62W - small well, 440 feet East of main well.

_____, for irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.00 cu. ft. per second of water.

Date October 1, 1974By: WATER RIGHTS COMMISSIONDONALD DRISCOLL, Chief Engineer

No. 1700-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.

I, Harold S. Jones hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Redfield Press

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 Redfield

County of Spink and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

Oct. 16, 23, 30; Nov. 6

Harold S. Jones
(Signature)
Editor
(Title)
Nov. 6, 1969
(Date Signed)

No. 85

NOTICE
INTENT TO
APPROPRIATE WATER

No. 1700-3
Pierre, South Dakota 57501
October 13, 1969

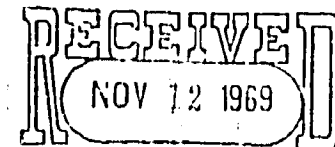
Notice is hereby given that
Duane A. Wilson whose post office
address is Frankfort, South Da-
kota, has made an application in
accordance with the provisions of
the water laws of South Dakota
for a permit to appropriate for
beneficial use 3.0 cubic feet of
water per second of time from
ground water through the Wilson
Irrigation Project No. 1, the point
of diversion of which is to be
located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of

Section 13, Twp. 116N, Range
62W. Said water to be used for
the purpose of providing irrigation
on the following described land:
a portion of the S $\frac{1}{2}$ Section 13,
T116N, R62W.

This application No. 1700-3 will
be considered by the Water Re-
sources Commission at their of-
fice at Pierre upon the 12th day
of November, 1969, at 2:00 P.M.
All interested persons may appear
and be heard.

WATER RESOURCES
COMMISSION

By:
Burton F. Jones,
Water Rights
Specialist
(Oct. 16, 23, ~~20~~ Nov. 6)



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Form 6 - Notice of Intent to Appropriate Water

J. 1700-3

Publish first publication, on or before October 16, 1969

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

October 13, 1969

Duane A. Wilson

Notice is hereby given that _____
whose post office address is Frankfort, 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
3.0 cubic feet of water per second of time from the ground water through the
Wilson Irrigation Project #1, the point of diversion of which is to be located in the _____

NW 1/4 SE 1/4

of Section 13, Twp. 116N, Range 62W. Said water to be used for the purpose
of providing irrigation on the following described land:
a portion of the S 1/4, Section 13, T116N, R62W

This application No. 1700-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 12th day of November, 1969, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: **Duane A. Wilson, Frankfort, S.D.**

Permit No. 1700-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by DUANE A. WILSON of FRANKFORT holder of Permit No. 1700-3 bearing date of priority of OCTOBER 13, 1969 authorizing the diversion of 3.00 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in SPINK County.

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

The Water Use System consists of,

A. Works used to divert the water:

6" WELL - 80' DEEP W/ LAYNE BOWLER 4" PUMP 15 H.P. U.S. ELEC MOTOR.
60' OF 6" LINE TO PIVOT
60' DEEP WELL WITH 16" STEEL CASING - LAYNE BOWLER 8" WITH 75 H.P. U.S. ELECTRIC MOTOR

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

8" MAINLINE - 500' TO CENTER PIVOT

C. Works used to apply water to beneficial use.

13 TOWER T-L SELF PROPELLED CENTER PIVOT
SPRINKLER SYSTEM

The system is in the following condition: GOOD

The point of diversion is located MAIN WELL 1820' W & 1320' N OF SE CORNER.
SECTION 13, T116N, R62W - SMALL WELL 440' E OF MAIN WELL

The works are capable of diverting and conveying to the place of use 2.00cu. ft. per second of water which is to be used for IRRIGATION

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

135 ACRE CIRCLE IN THE E²SW⁴ & W²SE⁴,
SECTION 13, T116N, R62W

comprising a total of 135 acres of land.Date SEPTEMBER 19, 1974

Duane A. Wilson
(Signature)
WATER RIGHT SPECIALIST
WATER RIGHTS COMMISSION



1700-3

January 29, 1993

NOTICE

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3181

TO: DUANE A. WILSON
BOX 49
FRANKFORT SD 57440

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

RE: Violation of Water Permit No(s) 1700-3 & 2208-3, 4772-3 and 1992 Irrigation
Questionnaire Requirements

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1700-3 & 2208-3, 4772-3. The request for the Questionnaires was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1700-3 & 2208-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4772-3 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4772-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1700-3 & 2208-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

NOTE: If the questionnaires are received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

1700-3

DUANE A. WILSON
BOX 49
FRANKFORT SD 57440

4a. Article Number

P906 560 090

4b. Service Type

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

7. Date of Delivery

1-30-93

5. Signature (Addressee)

Ray Wilson

6. Signature (Agent)

S. P. Robinson

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

PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



1700-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 26, 1993

Dan & Duane Wilson
RR #1 Box 49
Frankfort, SD 57440

RE: Water Permit Nos. 1700-3, 2208-3, 4772-3 (Duane Wilson)
Water Permit Nos. 3175-3, 3490-3, 3490-3A & 5280-3
(Dan Wilson)

I am writing to acknowledge receipt of the 1992 irrigation questionnaires for the above listed water permits. You may disregard the January 29, 1993 Notices for Violation of Water Permits and 1992 Irrigation Questionnaire Requirements.

The questionnaires were received prior to the Water Management Board Meeting and your names have been deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division



1700-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3181

February 4, 1994

Mrs. Gene Wilson
RR #1 Box 48
Frankfort, SD 57440

Dear Mrs. Wilson:

Enclosed, as we discussed, are copies of the following water rights or permits and the names they are listed in:

Water Right No. 1700-3	Duane A Wilson
Water Right No. 2208-3	Duane A Wilson
Water Right No. 3175-3	Dan R & Gene A Wilson
Water Permit No. 3490-3	Dan R Wilson
Water Permit No. 3490-3A	Dan R Wilson
Water Permit No. 4772-3	Duane A Wilson
Water Permit No. 5280-3	Dan R Wilson

In reviewing the files, I found that Water Permit Nos. 3490-3, 4772-3 and 5280-3 are ready for licensing. The permits were to be incorporated into one water license since they pertain to the same irrigation system. The license fee has already been paid, however the license was not issued due to a discrepancy in the names they were listed under.

In our telephone conversation, you indicated Duane was retired. If this is the case and Dan now owns or manages the land under Water Permit No. 4772-3, the permit could be transferred to Dan. This would allow the water license to be issued.

Please review the enclosed copies and let me know if any name changes should occur. If changes need to be made, whoever now owns the land will need to file a "Notice of Transfer of Ownership". I am enclosing a few forms in the event they are needed.

I appreciate you taking time to review the permits and licenses. If I can answer any questions for you, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
 523 EAST CAPITOL
 PIERRE, SOUTH DAKOTA 57501-3181
NOTICE
TO: DAN WILSON, RR 1 BOX 49, FRANKFORT, SD 57440

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

SUBJECT: Violation of Water Permit No(s) 3490-3, 3490A-3, 4772-3 & 5280-3, 1700-3, 2208-3 & 3175-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3490-3, 3490A-3, 4772-3 & 5280-3, 1700-3, 2208-3 & 3175-3. The request for the Questionnaires was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1700-3, 2208-3 & 3175-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 3490-3, 3490A-3, 4772-3 & 5280-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3490-3, 3490A-3, 4772-3 & 5280-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1700-3, 2208-3 & 3175-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 1997

Dan Wilson
RR 1 Box 49
Frankfort, SD 57440

RE: Water Permit Nos 1700-3, 2208-3, 3175-3, 3490-3, 3490A-3, 4772-3 & 5280-3

Dear Mr. Wilson:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation.

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

If you have any questions, please contact me.

Sincerely,

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



January 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: DAN WILSON, RR 1 BOX 49, FRANKFORT, SD 57440

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 3490-3, 3490A-3, 4772-3 & 5280-3, 1700-3, 2208-3 & 3175-3. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1700-3, 2208-3 & 3175-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 3490-3, 3490A-3, 4772-3 & 5280-3 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3490-3, 3490A-3, 4772-3 & 5280-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1700-3, 2208-3 & 3175-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



1700-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1998

Dan Wilson
RR 1 Box 49
Frankfort, SD 57440

RE: Water Permit Nos. 1700-3, 2208-3, 3175-3, 3490-3, 3490A-3, 4772-3 & 5280-3

Dear Mr. Wilson:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 1700-3, 2208-3, 3175-3, 3490-3, 3490A-3, 4772-3 & 5280-3.

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

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

Sincerely,

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



January 22, 1999

1700-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: DAN WILSON, RR 1 BOX 49, FRANKFORT, SD 57440

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 3490-3, 3490A-3, 4772-3 & 5280-3, 1700-3, 2208-3 & 3175-3. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1700-3, 2208-3 & 3175-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 3490-3, 3490A-3, 4772-3 & 5280-3 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 in 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3490-3, 3490A-3, 4772-3 & 5280-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1700-3, 2208-3 & 3175-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 1999

Dan Wilson
17463 SD Hwy 37
Frankfort, SD 57440-6806

RE: Water Right/Permit Nos. 1700-3, 2208-3, 3175-3, 3490-3, 3490A-3, 4772-3 & 5280-3

Dear Mr. Wilson:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right/Permit Nos. 1700-3, 2208-3, 3175-3, 3490-3, 3490A-3, 4772-3 & 5280-3.

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

If you have any questions, please contact me.

Sincerely,

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



January 14, 2004

NOTICE

1700-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: DAN WILSON, 17463 SD HWY 37, FRANKFORT, SD 57440 6806

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 5280-3, 1700-3, 2208-3 & 3175-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1700-3, 2208-3 & 3175-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5280-3 qualification:

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

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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5280-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1700-3, 2208-3 & 3175-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



1700-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 8039

Your item was delivered at 12:00 pm on January 15, 2004 in FRANKFORT, SD 57440. The item was signed for by D WILSON.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

Notification Options

▶ Track & Confirm by email

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 8039

DAN WILSON
17463 SD HWY 37
FRANKFORT SD 57440 6806

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

before mailing.

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
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1700-3
**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 26, 2004

1700-3
2208-3
3175-3
5280-3

Dan Wilson
17463 SD Hwy 37
Frankfort SD 57440-6806

Dear Mr. Wilson:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 1700-3, 2208-3, 3175-3 and 5280-3.

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



1700-3

**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 3, 2007

1700-3
2208-3

Gene Wilson
17456 SD Hwy 37
Frankfort SD 57440

Dear Mr. Wilson:

I am contacting you in regard to ownership of land described in Water Right Nos. 1700-3 and 2208-3. The 2006 irrigation questionnaires that were recently submitted indicated ownership changes had occurred on the land described in the water rights.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

It is our understanding that the leasers of the land will be filing the annual irrigation questionnaires next year. The forms will be directed to the following:

Water Right No. 1700-3 (Section 13): Dan Wilson
17463 SD Hwy 37
Frankfort SD 57440

Water Right No. 2208-3 (Section 18): United Feeders
26410 470th Ave
Morris MN 56267

If you have any questions concerning the enclosed forms, please give me a call. Thank you in advance for your help in updating the water rights.

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. 1700-3

Date: _____

I/We request that Water Right No. 1700-3

formerly owned by: Duane A Wilson

be transferred to: (name & address) Gene Wilson, 17456 SD Hwy 37, Frankfort SD 57440

Telephone No. 605 472-1513

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

135 acres – E ½ SW ¼ and W ½ SE ¼ Section 13, T116N, R62W

I/We understand that the validity of Water Right No. 1700-3 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 Gene & Kaylynn Wilson, the new owner, certify that the above information is true and correct.

RECEIVED

FEB 08 2007

WATER RIGHTS
PROGRAM

Gene A. Wilson Kaylynn Wilson
(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 Feb 8, 20 07

RECEIVED OF Gene Wilson, 17456 SD Hwy 37, Frankfort SD 57440

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	2 50
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>Water Right 1700-3</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

No.

02935

By

Barland Eikele

Chief Engineer

(KS)

1700-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 2007

1700-3
2208-3

Gene Wilson
17456 SD Hwy 37
Frankfort SD 57440

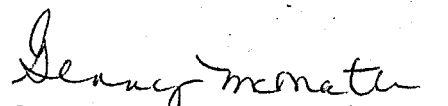
Dear Mr. Wilson:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees you submitted for transferring Water Right Nos. 1700-3 and 2208-3 to your name. The ownership changes have been completed. The water rights formerly held by Duane A Wilson are now listed in your name.

Enclosed are your Receipt Nos. 02935 and 02936 in the amount of \$2.50 each. You may keep these for your records.

If you have any questions, please contact me.

Sincerely,


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

enclosures