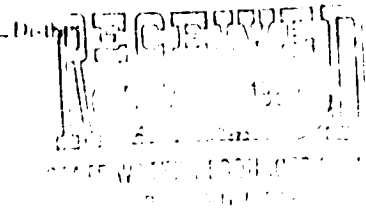


1. Considered 1-7, 1970
2. Name of Applicant JACK M. CROK
3. Post Office Address REE HEIGHTS
4. Amount of water claimed .39
5. Source of water supply SLOUGHS
6. Water to be used for IRRIGATION
- Acres to be irrigated 27
7. Water to be diverted and used in HAND county
about 6 miles S of REE HEIGHTS
8. Proof of Publication Received 1-5-70
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

17073

No. 1707-3Map No. 1234-3 Water Division No. 3 JAMES RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Jack H. Cook
 Postoffice address Ree Heights 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) direct labor and employment
 of others _____
3. Name of diversion work Jack H. Cook Project No 2
4. Amount of water claimed (cubic feet per second) .39 Maximum permitted _____
5. Source of water supply Pond
6. Location of point of diversion No 1/4 660' South and 660' E of the west 1/4 Corner, Sect
12, 111, 70. No 2 5 990' S and 960' E of the West 1/4 Corner Sect.
12, 111, 70. County Hand
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 27

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>S 1/4, Sect. 12, 111, 70</u>	<u>27</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 3 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Ree Heights Review, Ree Heights
12. Principal Features of the Proposed Water Supply System:

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

Pump

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

Pipeline

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)
) ss.
 County of Hand)

I, Jack H. Cook 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 Jack H. CookSubscribed and sworn to before me this 3 day of Mar. 1969

Sheldon H. Minner
 Notary Public (or other qualified officer)

IRRIGATION PROJECT NO 1

AREA	SECTION	TWNSHIP	RNG
20 ACRES	SE 1/4-6	111	69
13 ACRES	NW 1/4-6	111	69
33 ACRES TOTAL			

IRRIGATION PROJECT NO 2

27 ACRES	SW 1/4-12	111	70
----------	-----------	-----	----

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 JACK M. COOK,
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON OCT 21, 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 21ST DAY OF OCT 1969

Harlan W. Meyer
REGISTERED LAND SURVEYOR
#175

STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE)
SUBSCRIBED AND SWORN TO BEFORE ME THIS 21ST DAY
OF OCT 1969

Lynn Jones
NOTARY PUBLIC

MY COMMISSION EXPIRES *July 16, 1977*

NOTE ① DENOTES DIVERSION POINTS

JACK M. COOK IRRIGATION PROJECT #1 AND #2
SHOWS AREA TO BE IRRIGATED & DIVERSION POINTS FROM
POND WHERE WATER WILL BE DIVERTED FOR PERMIT TO
APPROPRIATE WATER

OWNER
SURVEYOR

JACK M. COOK.
HARLAN W. MEYER
OCT 1969

MAP NO 1234-3 (APRIL NO 1706-3)
1707-3

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approve Water Right Application No. 1707-3

JACK M. COOK
(Applicant)

REE HEIGHTS
(Post Office Address)

SOUTH DAKOTA
(State) With the following modifications:

Date of first receipt of application NOVEMBER 4 19 69

Date of return to applicant for correction, amendments or changes required — 19 —

Date of receipt of corrected application — 19 —

Approved JANUARY 7 19 70 Recorded in Book 11 Page 72

WATER RIGHT PERMIT NO. 1707-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1707-3 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 NOVEMBER 4 19 69
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 7 19 70
3. The whole of said work is to be completed on or before JANUARY 7 19 71
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 7 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 .39 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 JANUARY 7 19 74; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 9TH day of JANUARY 19 70

WATER RESOURCES COMMISSION

By

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 5 19 73

Water License Issued MARCH 5 19 73

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1707-3

(1) WHEREAS, On the 4th day of November A. D. 19 69
Jack H. Cook

made Water Right Application No. 1707-3 for a permit to use .39 cubic feet per second of the waters
of sloughs
County of Hand State of South Dakota, for irrigation

purpose; and
(2) WHEREAS, On the 9th day of January A. D. 19 70
Permit No. 1707-3 with a date of priority of November 4, 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 7th day of January A. D. 19 71 and for the
application to beneficial use of said water on or before the 7th day of January 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 .39 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 27 acres in the W½ SW¼, Section 12, T111N, R70W

(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 Jack M. Cook

_____ of Ree Heights, S.D.

the holder _____ and owner _____ of said permit No. 1707-3 a water right, dating from November 4, 1969

_____ to use of .39 cubic feet per second of the waters

of sloughs

in the County of Hand and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point in the NW 1/4 SW 1/4, Section 12, T111N, R70W

and conduct to and upon a portion of the E 1/2 SW 1/4, Section 12, T111N, R70W.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1707-3 and subject to the laws of the State of South Dakota.

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

this 5th day of March A. D.

Nineteen Hundred and seventy-three

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.V. CRIMES

Permit No. 1707-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Jack M. Cook

_____ the holder _____ of
Permit No. 1707-3, issued upon Application No. 1707-3, bearing date of priority of November 4,
1969 authorizing the diversion of .39 cu. ft. per second of the waters of _____
sloughs County of Hand, State of South Dakota at _____
a point in the NE 1/4 SW 1/4, Section 12, T111N, R70W
_____, for irrigation

_____ purposes, has 8 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.55 cu. ft. per second of water.

Date March 5, 1973

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Publish first publication, on or before December 10, 1969NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 5, 1969Notice is hereby given that Jack M. Cookwhose post office address is Rec Heights, 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.59 cubic feet of water per second of time from the sloughs through the Jack M. Cook Project #2, the point of diversion of which is to be located in the _____NW 1/4 SW 1/4of Section 12, Twp. 111N, Range 70W. Said water to be used for the purpose

of providing irrigation on the following described land:

NW 1/4, Section 12, T111N, R70WThis application No. 1707-3 will be considered by the Water Resources Commission at their office atPierre upon the 7th day of January, 1970, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

cc: Jack M. Cook, Rec Heights, S.D. By:

BURTON F. JONES, Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Hand)

I, Robert H. McFarlane hereby

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

Water was taken from the Ree Heights Reservoir

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 Miller

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

_____ December 12, 1969 _____

_____ December 19, 1969 _____

_____ December 26, 1969 _____

_____ January 2, 1970 _____

Robert H. McFarlane
(Signature)

Paul
(Title)

1-2-70
(Date Signed,

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501

December 5, 1969

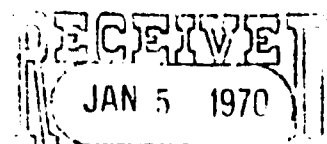
Notice is hereby given that
Jack M. Cook whose post office
address is Ree Heights, South
Dakota, has made an application
in accordance with the provi-
sions of the water laws of South
Dakota for a permit to appro-
priate for beneficial use .39
cubic feet of water per second
of time from sloughs through
the Jack M. Cook Project No. 2,
the point of diversion of which
is to be located in the NW¼
SW¼ of Section 12, Twp. 111N,
Range 70W. Said water to be
used for the purpose of pro-
viding irrigation on the follow-
ing described land:

SW¼, Section 12, T111N,
R70W

This application No. 1707.3
will be considered by the Water
Resources Commission at their
office at Pierre upon the 7th
day of January, 1970, at 2:00
P.M. All interested persons may
appear and be heard.

WATER RESOURCES
COMMISSION

By: Burton F. Jones
BURTON F. JONES,
Water Rights Specialist
FP32 LP35



WATER RESOURCES
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office REE HEIGHTS, S.D.
Date Sept. 28 - 1970

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

Dear Sirs:

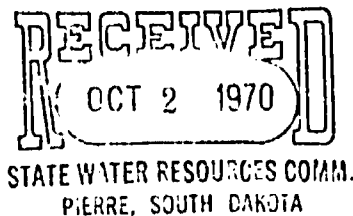
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1707-3.

Water Right Permit No. 1707-3 states that the diversion system is to be constructed by Jan 7, 1971 and that the water is to be put to beneficial use by Jan 7, 1974.

The diversion system was completed on May 1970, 1970. Applying the water to beneficial use was completed on May 1970, 1970.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Jack P. Clark
(Signature)



Permit No. 1707-3
 Water Division 3 JAMES RIVER Water District

REPORT 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 JACK M. COOK of REE HEIGHTS holder of Permit No. 1707-3 bearing date of priority of NOVEMBER 4, 1969 authorizing the diversion of .39 cu. ft. per second of the waters of SLOUGHS for IRRIGATION purposes, in HAND 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:

MOUNTED SELF PROPELLED PUMPING UNIT WITH BERKELEY, MODEL 6YHREH PUMP - 8" IN & 8" OUT, POWERED BY INTERNATIONAL #123 GAS MOTOR, RATED @ 1600 G.P.M *

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

C. Works used to apply water to beneficial use.

1620' OF 8" GATED PIPE WITH 40" SPACING ON GATES

The system is in the following condition: GOOD

The point of diversion is located AT A POINT IN THE NW⁴SW⁴ SECTION 12, T11N, R70W, SHOWN ON WIR MAP NO 1234-3

The works are capable of diverting and conveying to the place of use 3.55 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: FOR IRRIGATING 27 ACRES IN THE W²SW⁴ SECTION 12, T11N, R70W

comprising a total of 27 acres of land.

* PUMPING UNIT & PIPE USED ON PERMITS NO 1706-3, 1707-3 & 1720-3

Date MARCH 2, 1973
Burton Jones
 (Signature)
 WATER RIGHTS SPECIALIST
 WATER RESOURCES COMMISSION

November 8, 1983

Michael M. Cook
HCR #1, Box 5A
Ree Heights, South Dakota 57371

Dear Mr. Cook:

This letter is in reference to Water Right Nos 1706-3, 1707-3 and 1720-3 listed in the name of Jack Cook. Mr. Cook indicated on his 1983 Irrigation Questionnaires that the water rights should be transferred to your name.

Enclosed please find a partially completed transfer form for each of the Water Rights. These should be checked over, dated, signed before a notary and returned to this office with a \$2.50 filing fee for each one (total of \$7.50). The water rights can then be transferred to your name.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease conveyance, or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact this office.

Sincerely,

Genny McMath
Water Rights Specialist

GM:ms
Enc.

Equal Opportunity Employer



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

March 14, 1984

SECOND NOTICE

Permit Nos. 1706-3
1707-3
1720-3

Michael M Cook
HCR 1, Box 5A
Ree Heights SD 57371

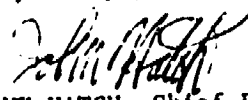
Dear Mr. Cook:

On November 8, 1983 notice was sent to you concerning the transfer of Water Permit Nos. 1706-3, 1707-3 and 1720-3 in the name of Jack Cook. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional forms. Please sign, have notarized and return the forms to this office with the required filing fee of \$2.50 each. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current. The first notice sent to you made reference to South Dakota Water Law 46-5-30.3 which requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

ks

enclosures

NOTE: Total for transfer of three permits \$7.50.

Equal Opportunity Employer

1706-3
1707-3
1720-3

Also,

The other water
rights are correct.

Thank you.

Wm. J. McLaughlin

1720-3 was the only water
right they submitted transfer
notice for. See above note.

Genny

1706-3
1707-3

December 5, 1986

Mike Cook
Ree Heights, South Dakota 57371

Dear Mr. Cook:

Enclosed are the 1986 irrigation questionnaires pertaining to Water Right Nos. 1706-3 and 1707-3. These water rights are listed in the name of Jack Cook. They were returned to our office with a notation that you now own the lands covered under the water rights.

Also enclosed are partially completed transfer forms for use in transferring Water Right Nos. 1706-3 and 1707-3 to your name. Please check them over, complete and sign in the presence of a notary. Upon completion, return the transfer forms to our office with a required filing fee of \$2.50 each (total of \$5.00).

The irrigation questionnaires should be completed with 1986 irrigation data. Please return the questionnaires, transfer forms and filing fees to this office as soon as possible.

If you have any questions, please contact our office.

Sincerely,

Genny McMath
Natural Resource Analyst

GM:ms
Enc.

Equal Opportunity Employer

1706-3
(1707-3)

January 7, 1987

Mike Cook
HCR Box 5A
Ree Heights, South Dakota 57371

Dear Mr. Cook:

Enclosed are partially completed transfer forms for Water Right Nos. 1706-3 and 1707-3. The first set you returned did not have a notary signature.

Please complete the forms and return them to us. The filing fees have been paid and additional fees are not necessary.

Thank you for your assistance in this matter. If you have any questions, please contact me.

Sincerely

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

South Dakota
Department of
Water & Natural Resources

oe Foss Building
23 East Capitol
Pierre, South Dakota 57501-3181

WATER RIGHTS DIVISION
(605) 773-3352

1706-3

1707-3

March 13, 1987

Mike Cook
HCR Box 5A
Ree Heights, South Dakota 57371

Dear Mr. Cook.

This letter is to remind you that we have not yet received the completed "Notice of Transfer" forms from you for Water Right Nos. 1706-3 and 1707-3. The fees were paid January 6, 1987, and on January 7, 1987, the transfer forms were returned to you for a notary signature.

Please complete the forms and return them to us as soon as possible. The Water Rights remain in Jack Cook's name until a transfer is filed.

Thank you for your assistance in this matter.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms

Water Rights Division - DWR
Conversation or File Documentation

File No. 1706-3

1707-3

NAME OF PERSON OR FILE: Mike Cook

ADDRESS: HCR Box 5A, Ree Heights, SD 57371 COUNTY

DATE: March 19, 1987 TELEPHONE 605-438-1073

RE: transfer of 1706-3 and 1707-3

COMMENTS:

After receiving a letter from me reminding him he had not yet submitted the transfer forms for transferring the above water rights from his father's name to his, Mr. Cook called and stated that he did not really own the land. He was leasing the land from his father (Jack). The land was still owned by Jack and the water rights should remain the same.

I indicated to Mike Cook that the filing fees he paid for the transfers would be refunded. The water rights would remain in Jack's name with a notation to send the yearly irrigation questionnaires to Mike.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Genny McMath

1707-3

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

January 29, 1988

MICHAEL M COOK, LESSOR
HCR BOX 5A
REE HEIGHTS, SD 57371

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

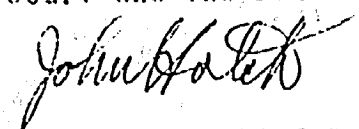
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1706-3, 1707-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 1706-3, 1707-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352
cc: Jack Cook, RR #1 Box 5, Ree Heights, SD 57371

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

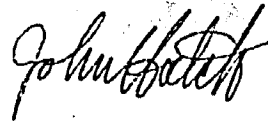
SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 14, 1988

NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: MICHAEL M COOK, LEASOR
RGR BOX 5A
REE HEIGHTS, SD 57371

FROM: John Hatch, Chief Engineer
Water Rights Division
773-3352



SUBJECT: Amendment to Water Permit No(s). 1706-3, 1707-3

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 1706-3, 1707-3 to add the following qualification to each:

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

The addition of this qualification to your Permit(s) means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

cc: Jack Cook, RR 1, Box 5, Ree Heights SD 57371



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 1706-3, 1707-3

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 1706-3, 1707-3 to add the following qualification to each:

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



1707-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1999

NOTICE

TO: MICHAEL M COOK, PO BOX 42, REE HEIGHTS, SD 57371 0042

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1706-3, 1707-3 & 1720-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1706-3, 1707-3 & 1720-3 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 the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 1706-3, 1707-3 & 1720-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(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 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.



1707-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 1999

1706-3

1707-3

1720-3

Michael M Cook
PO Box 42
Ree Heights, SD 57371-0042

Dear Mr. Cook:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Permit Nos. 1706-3, 1707-3 and 1720-3.

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



1707-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: MICHAEL M COOK, PO BOX 42, REE HEIGHTS, SD 57371 0042
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1706-3, 1707-3 & 1720-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1706-3, 1707-3 & 1720-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 1706-3, 1707-3 & 1720-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, 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 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.



1707-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 15, 2000

No. 1706-3 and 1707-3

Georgia Soper
20280 Cook Place
Ree Heights SD 57371

Dear Mrs. Soper:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1706-3 and 1707-3. The water rights are currently listed in the name of Jack M Cook. It is our understanding that Jack Cook is deceased. In order to keep our records accurate, the water rights should be transferred to the new owner.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (\$5.00 total).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

You should be aware that the Irrigation Questionnaires reporting water use for the 1999 irrigation season, for the Water Right Nos. 1706-3 and 1707-3, was sent to Michael M Cook. We have Michael M Cook listed as the operator of these systems. Is this still correct? As of today, those forms have not been returned to us. Please give us a call if these forms should be sent to someone else.

If you have any questions, please contact Genny McMath or me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure



1707-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 2000

1706-3
1707-3
1720-3

Michael M Cook
PO Box 42
Ree Heights, SD 57371-0042

Dear Mr. Cook:

Thank you for taking the time to contact me regarding your 1999 irrigation questionnaires. I completed forms for you based on our telephone conversation. The forms reflect that you did not irrigate in 1999.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 1706-3, 1707-3 and 1720-3. 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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1707-3



Date: MAR. 10, 2000

I/We request that Water Right No. 1707-3

formerly owned by: Jack M Cook

be transferred to: (name & address) GEORGIA M SOPER, 20280 COOK PLACE
REE HEIGHTS SD 57371-6600 Telephone No. 605-943-5540

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

27 acres - portions of W 1/4 SW 1/4 Section 12-T111N-R70W

I/We understand that the validity of Water Right No. 1707-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of HAND)

I/We GEORGIA M SOPER being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Georgia M Soper
(Signed)

Subscribed and sworn to before me this 13th day of March, 2000.

Earle E. Rasmussen
(Notary Public)

my commission expires 6-22-02

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

112 416421

Pierre, _____ March 14, 2000

RECEIVED OF Georgia M. Soper, 20280 Cook Place, Ree Heights, SD 57371-6600
the following amount in fees for services rendered as provided for by law:

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

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

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

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

Fee for Filing Transfer Form Water Right No. 1707-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By [Signature]
Chief Engineer



1707-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 16, 2000

1706-3
1707-3

Georgia M Soper
20280 Cook Place
Ree Heights, SD 57371-6600

Dear Mrs. Soper:

Thank you for sending in the transfer of ownership forms for Water Right Nos. 1706-3 and 1707-3. The transfers have been completed and the water rights are now listed in your name.

Enclosed are your Receipt Nos. 416420 and 416421 in the amounts 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

enclosures



1707-3
**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, 2007

NOTICE

TO: MICHAEL M COOK, LEASOR, PO BOX 42, REE HEIGHTS, SD 57371 0042
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1706-3, 1707-3 & 1720-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1706-3, 1707-3 & 1720-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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) 1706-3, 1707-3 & 1720-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, 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/E0455V5-IQ.pdf>

c: GEORGIA SOPER, 20280 COOK PLACE, REE HEIGHTS SD 57371

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**

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

February 6, 2007

1706-3
1707-3
1720-3

Michael M Cook
PO Box 42
Ree Heights SD 57371-0042

Dear Mr. Cook:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 1706-3, 1707-3 and 1720-3.

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

c: Georgia Soper



1707-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: MICHAEL M COOK, LEASOR, PO BOX 42, REE HEIGHTS, SD 57371 0042
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1706-3, 1707-3 & 1720-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1706-3, 1707-3 & 1720-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** 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) 1706-3, 1707-3 & 1720-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, 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/E0455V7-IQ.pdf>

c: GEORGIA SOPER, 20280 COOK PLACE, REE HEIGHTS SD 57371

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 2009

1706-3
1707-3
1720-3

Michael M Cook
PO Box 42
Ree Heights SD 57371-0042

Dear Mr. Cook:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 1706-3, 1707-3 and 1720-3.

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
email: genny.mcmath@state.sd.us

c: Georgia Soper



1707-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: MICHAEL M COOK, LEASOR, PO BOX 42, REE HEIGHTS, SD 57371 0042
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(s) has not been submitted for Permit No(s) 1706-3, 1707-3 & 1720-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1706-3, 1707-3 & 1720-3 qualification:

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

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. 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) 1706-3, 1707-3 & 1720-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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>

c: GEORGIA SOPER, 20280 COOK PLACE, REE HEIGHTS SD 57371

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.



1707-3

[Home](#) | [Help](#) | [Sign In](#)[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 8634

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

Your item was delivered at 9:45 AM on January 23, 2010 in REE HEIGHTS, SD 57371. The item was signed for by S COOK.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 23, 2010, 9:45 am, REE HEIGHTS, SD 57371
- Notice Left, January 23, 2010, 9:22 am, REE HEIGHTS, SD 57371
- Arrival at Post Office, January 23, 2010, 8:58 am, REE HEIGHTS, SD 57371

Notification Options

Track & Confirm by email

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

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)[Site Map](#)[Customer Service](#)[Forms](#)[Gov't Services](#)[Careers](#)[Privacy Policy](#)[Terms of Use](#)[Business Customer Gateway](#)

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No FEAR Act EEO Data

FOIA

U.S. Postal Service Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 8634

MICHAEL M COOK, LEASOR
PO BOX 42
REE HEIGHTS SD 57371 0042

Waiver of Signature ☐ YES ☐ NOPostmark
Here

POSTAL CUSTOMER:

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

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 153, May 2009 (Rev. 1-09) (See Reverse) 110



1707-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 8641

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

Your item was delivered at 9:46 AM on February 1, 2010 in MILLER, SD 57362. The item was signed for by D SVNGER.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, February 01, 2010, 9:46 am, MILLER, SD 57362
- Processed through Sort Facility, January 29, 2010, 5:38 pm, MINNEAPOLIS, MN 55413
- Forwarded, January 23, 2010, 9:46 am, REE HEIGHTS, SD
- Sorting Complete, January 23, 2010, 7:41 am, HIGHMORE, SD 57345
- Arrival at Post Office, January 23, 2010, 7:22 am, HIGHMORE, SD 57345

Notification Options

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

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 8641

GEORGIA SOPER
20280 COOK PLACE
REE HEIGHTS SD 57371

Waiver of Signature ☐ YES ☐ NOPostmark
Here

POSTAL CUSTOMER:

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

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 163, May 2002

(See Reverse)



**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 26, 2010

1706-3
1707-3
1720-3

Michael M Cook
PO Box 42
Ree Heights SD 57371 0042

Dear Mr. Cook:

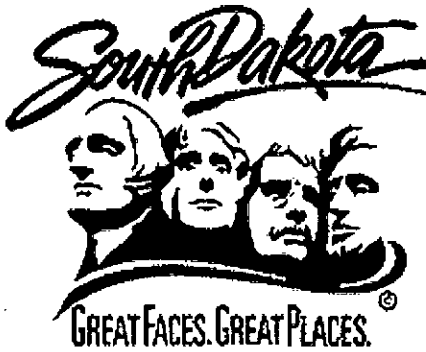
I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 1706-3, 1707-3 and 1720-3.

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
email: genny.mcmath@state.sd.us



1707-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 14, 2019

1706-3
1707-3

Mike Cook
PO Box 42
Ree Heights SD 57371-0042

Dear Mr. Cook:

I am contacting you regarding Water Right Nos. 1706-3 and 1707-3, both listed in the name of Georgia Soper (copies enclosed).

Each year, irrigation questionnaires are mailed to you as "leaser". I know that Ms. Soper passed away in January and the land may be in an "estate" however I wanted to touch base with you to see if you now own the land or if it is being sold.

In the event the water rights should now be listed in your name, I am enclosing partially completed transfer of ownership forms. Once completed, return them to our office with a required filing fee of \$50 each (total of \$100).

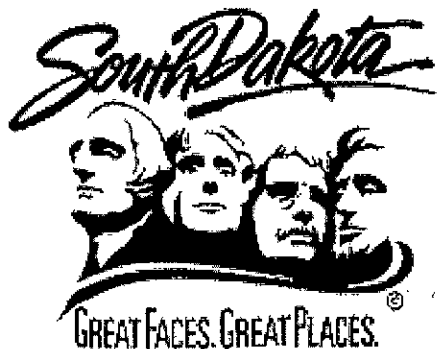
If the water rights are not ready to be transferred, let me know that as well. Thank you in advance for your help in updating the water rights.

Sincerely,

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

enclosures

1707-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 7, 2020

1706-3
1707-3

Mike Cook
PO Box 42
Ree Heights SD 57371-0042

Dear Mr. Cook:

I am contacting you regarding Water Right Nos. 1706-3 and 1707-3, both listed in the name of Georgia Soper. Last summer I sent a letter to you about updating the water rights with current ownership. To date, we have not received anything back from you.

Is the land in an estate or has ownership changed due to the sale of the land? If ownership of the land has been determined, the water rights need to be transferred.

Enclosed are partially completed transfer of ownership forms. Once completed, return them to our office with a required filing fee of \$50 each (total of \$100).

If the water rights are not ready to be transferred or I need to be contacting someone else, let me know that as well. Thank you in advance for your help in updating the water rights.

Sincerely,

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

enclosures

1707-3

RECEIPT**WATER RIGHTS PROGRAM**
South Dakota Department of Agriculture and Natural ResourcesDate December 30, 2021RECEIVED OF Michael/Shirley Cook Box 42 Ree Hieghts SD 57371

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>1707-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineervm

PAID

DEC 30 2021

Ck# 8306

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

DEC 30 2021

WATER RIGHTS
PROGRAM

No. 1707-3

Date: 12-24-21

I/We request that Water Right No. 1707-3

formerly owned by: Georgia Soper

be transferred to: (name & address)

Box 42

Ree Heights SD 57371

Telephone No. 605-943-5543

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

27 acres - W 1/2 SW 1/4 Section 12, T111N, R70W

I/We understand that the validity of Water Right No. 1707-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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



(Signed by new owner)

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

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

1707-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 4, 2022

1706-3
1707-3

Michael M Cook
PO Box 42
Ree Heights SD 57371

Dear Mr. Cook:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 1706-3 and 1707-3.

The ownership changes have been completed. The above listed water rights formerly held by Georgia Soper are now listed in your name.

Enclosed for your records are receipts for the filing fees you paid. If I can answer any questions, please let me know.

Sincerely,

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

enclosures



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: MICHAEL M COOK, PO BOX 42, REE HEIGHTS, SD 57371 0042

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(s) has not been submitted for Permit No(s) 1706-3, 1707-3 & 1720-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1706-3, 1707-3 & 1720-3 qualification:

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

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. 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) 1706-3, 1707-3 & 1720-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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: AGEQAX**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 14, 2023

1706-3
1707-3
1720-3

Michael M Cook
PO Box 42
Ree Heights SD 57371-0042

Dear Mr. Cook:

I am writing to acknowledge receipt of the information for your 2022 irrigation questionnaires. Forms were completed for you based on my phone conversation with Shirley.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 1706-3, 1707-3 and 1720-3. 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



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 19, 2024

NOTICE

TO: MICHAEL M COOK, PO BOX 42, REE HEIGHTS, SD 57371 0042

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1706-3, 1707-3 & 1720-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1706-3, 1707-3 & 1720-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 1706-3, 1707-3 & 1720-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: SKEXUU**

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.



1706-3 1707-3 1720-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 29, 2024

1706-3
1707-3
1720-3

Michael M Cook
PO Box 42
Ree Heights SD 57371

Dear Mr. Cook:

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

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 1706-3, 1707-3 & 1720-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: MICHAEL M COOK, PO BOX 42, REE HEIGHTS, SD 57371 0042

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1706-3, 1707-3 & 1720-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1706-3, 1707-3 & 1720-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, 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. 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) 1706-3, 1707-3 & 1720-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: SFFPIX**

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

March 4, 2025

1706-3, 1707-3
1720-3

Shirley Cook
PO Box 42
Ree Heights SD 57371

Dear Ms. Cook:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 1706-3, 1707-3, and 1720-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 4, 2025

1706-3, 1707-3
1720-3

Shirley Cook
PO Box 42
Ree Heights, SD 57371

Dear Ms. Cook:

I am writing you regarding Water Right Nos. 1706-3, 1707-3, and 1720-3, currently held by Michael M Cook.

Water Right No. 1706-3 authorizes the diversion of 0.49 cubic feet of water per second from a slough, located at points in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, T111N, R69W, Hand County, for irrigation purposes.

Water Right No. 1707-3 authorizes the diversion of 0.39 cubic feet of water per second from a slough, located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, T111N, R70W, Hand County, for irrigation purposes.

Water Right No. 1720-3 authorizes the diversion of 1.65 cubic feet of water per second from a slough, located at points in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, T111N, R69W, Hand County, for irrigation purposes.

The Water Rights Program has noted the unfortunate passing of your husband, Michael M Cook, however the Water Right Nos. 1706-3, 1707-3, and 1720-3 should be transferred accordingly. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope, as well as a copy of the original water right.

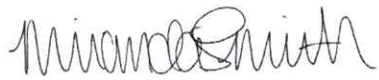
Please return the form with a check for \$150.00 (\$50.00/each) made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

continued

Should you decide you wish to discontinue the use of these Water Rights, we would ask that you let us know.

If you have any questions or concerns, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Miranda Smith". The signature is fluid and cursive, with the first name "Miranda" written in a larger, more prominent script than the last name "Smith".

Miranda Smith
Water Rights Program
605 773-3352
Miranda.Smith@state.sd.us

enclosures

1707-3

RECEIVED

MAR 18 2025

OFFICE OF
WATER

PAID

MAR 18 2025

Ck# 8808

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 1707-3

Date: _____

I/We request that Water Right/Permit No. 1707-3 formerly owned by:
Michael M Cook be transferred to:

New Owner Name: Shirley R. Cook
Address: PO Box 42 mobile: 605-870-0981
City, State, Zip: Ree Heights, SD email: _____
57371

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

Section 12, T111N, R70W
W 1/2 SW 1/4 - 27 acres

*EMAILED SHANNON 3.18.25

☒ I understand that the validity of Water Right/Permit No. 1707-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Shirley R. Cook, the new owner, certify that the above information is true and correct.

Shirley R. Cook
(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

Date March 18th, 2025

RECEIVED OF Shirley R Cook PO Box 42 Ree Heights SD 57371

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>1706-3, 1707-3, & 1720-3</u>	\$ <u>150.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$ <u>150.00</u>

By

Mark Hays

Chief Engineer

SR



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 8th, 2026

1707-3

Shirley R. Cook
PO Box 42
Ree Heights, SD 57371

Dear Ms. Cook,

The Water Rights Program is in receipt of the 2025 Irrigation Questionnaire you submitted for Water Right No. 1707-3.

Water Right No. 1707-3 authorizes the diversion of .39 cfs (200 gpm) from Soughs for the purpose of irrigation of 27 acres located within the W1/2 SW1/4 Section 12-T111N-R70W, Hand County, SD.

After a brief conversation with you, you indicated that irrigation practices were no longer in use.

Pursuant to SDCL 46-5-37, if water appropriated under a permit/water right, is not placed to beneficial use for a period of three or more years (without legal excuse), the unused position of the permit/water right may be subject to cancellation due to abandonment or forfeiture.

Please contact me via email or by calling my direct line (605) 773.8204 to discuss potential cancellation of Water Right No. 1707-3.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us