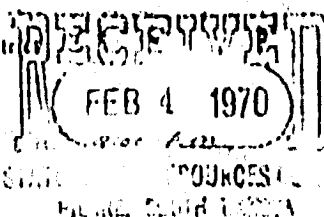


1723-3

1. Considered MARCH 18, 1970
2. Name of Applicant ALBERT ALLEN WIDE
3. Post Office Address DOLAND
4. Amount of water claimed 2.28
5. Source of water supply WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted or used in SPINK county
about 7 miles E & 10 S of FRANKFORT
8. Proof of Publication
Received 3-13-70
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1723-3Map No. 1249.3 Water Division No. 3 JAMES RIVER District 1
(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 Albert A. Wipf
- Postoffice address Deland 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 and Labor
3. Name of diversion work Albert A. Wipf Irrigation Project No. 2
4. Amount of water claimed (cubic feet per second) 2.28 MAXIMUM ALLOWABLE
5. Source of water supply Well
6. Location of point of diversion 1320 ft S. and 1320 ft W. of the N.E. Corner of Section 28-115-61-5th P.M.
- County Beadle
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 160

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.
N E 1/4 Sect 28-115-61	160

Land Description	No. Acres Irr.

Attach sheet if more space is needed

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

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

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

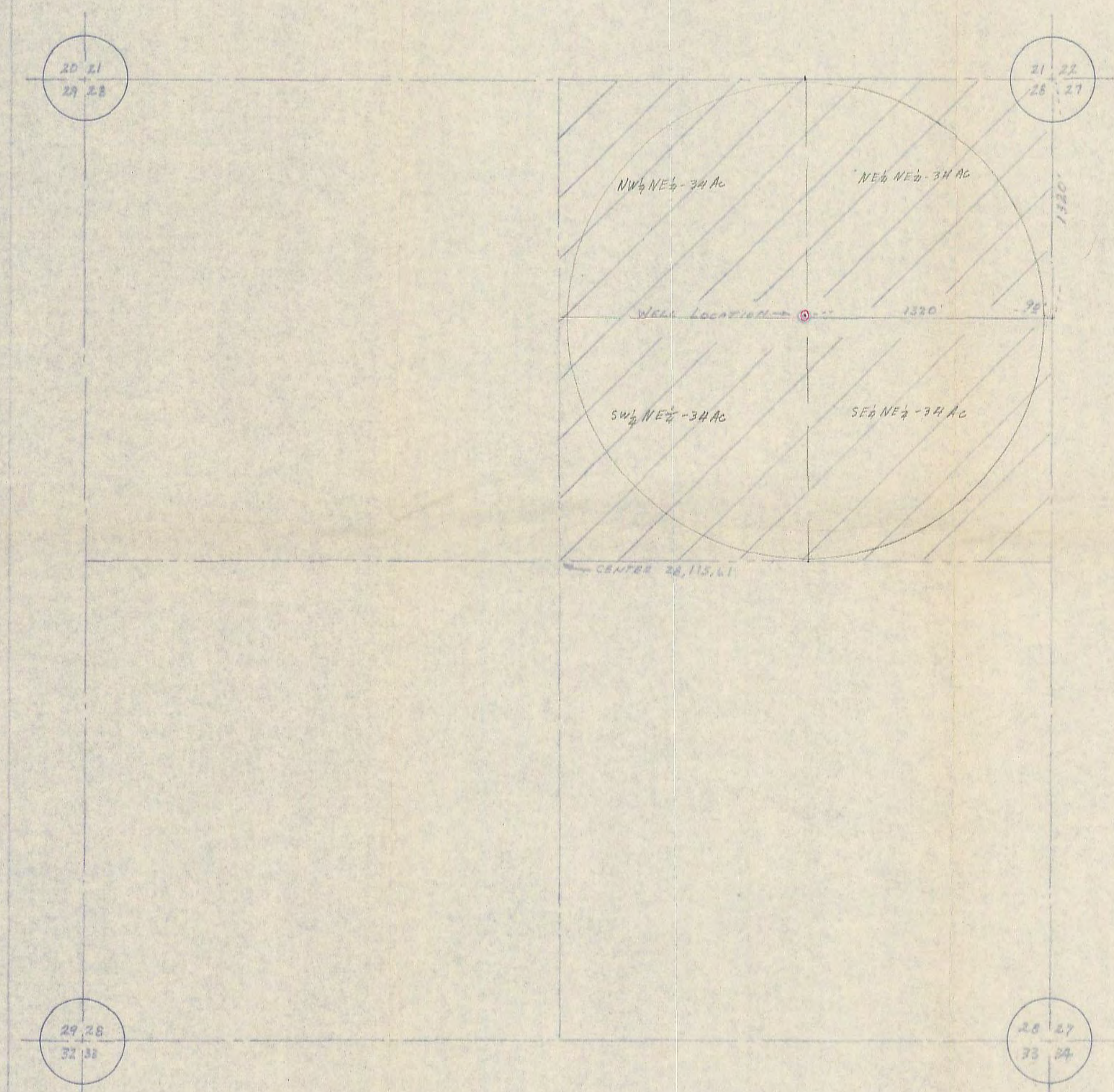
C. Works proposed to apply water to beneficial use.

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 BeadleI, Albert Allen Wipf 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 Albert Allen WipfSubscribed and sworn to before me this 25th day of November 19 69Linda Luciani
Notary Public (or other qualified officer)



AREA BY LEGAL SUBDIVISION
160 ACRES NE 1/4 SECT 21 T115N, R11W ST4PM.

SURVEYOR'S CERTIFICATE
STATE OF SOUTH DAKOTA) ss
COUNTY OF BEADIE)
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF ALBERT ALLEN WIFE
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON JAN 25, 1970 FOR WHICH
APPLICATION FOR APPROPRIATING WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THIS 25TH DAY OF JAN, 1970.

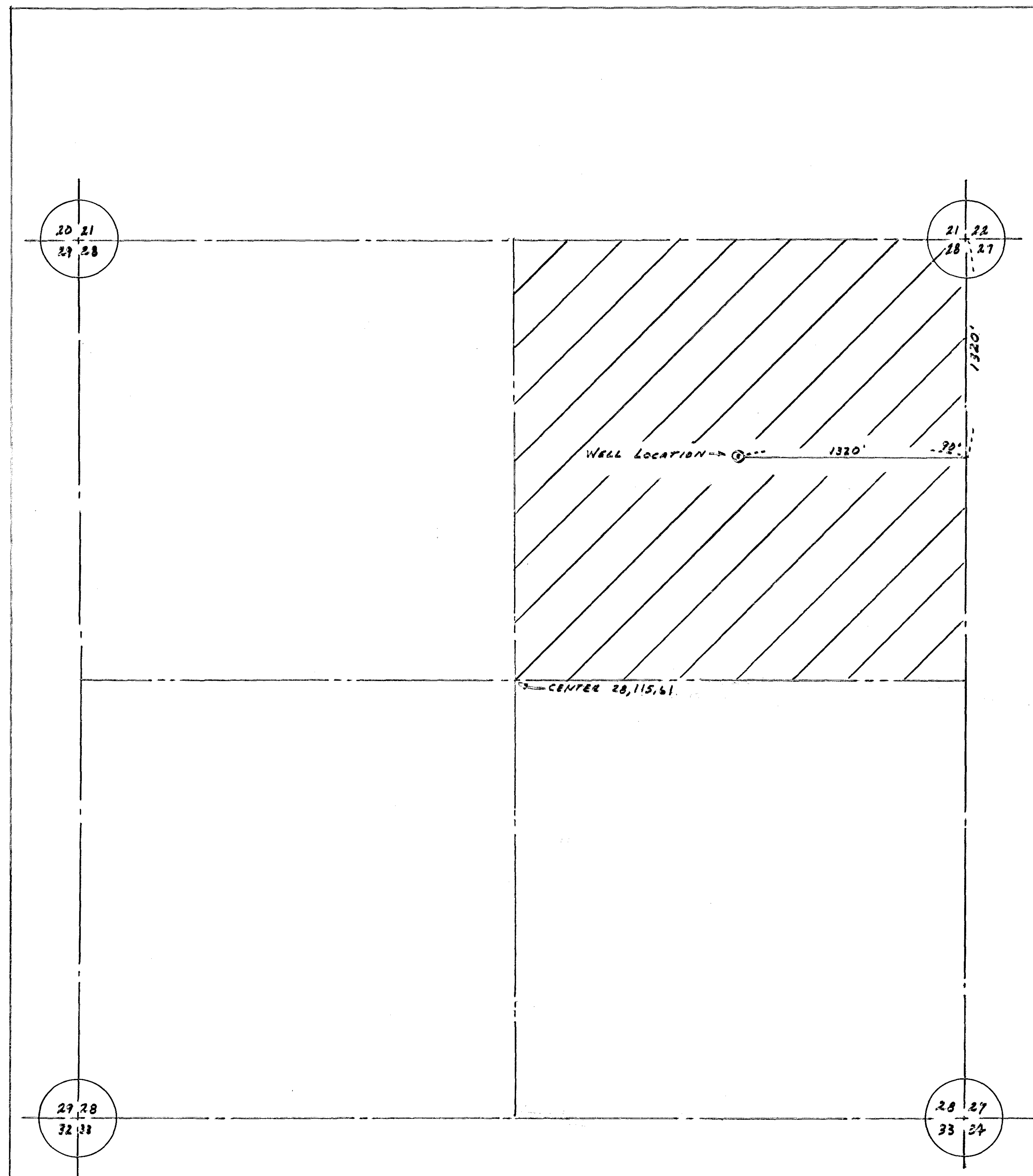
Harlan W. Meyer
REGISTERED LAND SURVEYOR #445



ALBERT ALLEN WIFE IRRIGATION PROJECT #2
SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE
WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

OWNER
SURVEYOR

ALBERT ALLEN WIFE
HARLAN W. MEYER
JAN 25, 1970



AREA BY LEGAL SUBDIVISION
160 ACRES NE 1/4 SECT 28 T1415N, R.61W, S1414N.

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 ALBERT ALLEN WIFE,
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON JAN 25, 1970 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 25TH DAY OF JAN. 1970

Harlan W. Meyer
REGISTERED LAND SURVEYOR #495

ALBERT ALLEN WIFE IRRIGATION PROJECT #2
SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE
WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

OWNER
SURVEYOR

ALBERT ALLEN WIFE
HARLAN W. MEYER
JAN 25, 1970

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1723-3ALBERT ALLEN WIFE
(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 FEBRUARY 4, 1970Date of return to applicant for correction, amendments or changes required ---, 19---Date of receipt of corrected application ---, 19---Approved MARCH 18, 1970 Recorded in book 11 Page 94WATER RIGHT PERMIT NO. 1723-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1723-3 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 FEBRUARY 4, 1970
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 18, 1972
3. The whole of said work is to be completed on or before MARCH 18, 1975
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 18, 1976
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 2.28 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 MARCH 18, 1976; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 20TH day of MARCH, 1970

WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 12, 1977Water License Issued SEPTEMBER 12, 1977

1723.5

(1) WELL CONSTRUCTION

Location of well: 1/4 1/4 N E Section 25 Township 11.5 Range 201
Well owner Allen M. Hiph (Name) Frankfort, MO 64440 (Address)
Date well drilling completed 9/1/75 Purpose of well Domestic
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer
0-2	top soil	178
2-20	yellow till	117
20-25	gray till	117
25-117	shale and sand	117

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

0-7716" Fiberglass

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

77-117 16" ID Fiberglass

If a flowing well, flow of completed well _____ G.P.H.

Empire Irrigation Drilling Co.
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump Not done by Empire HP. _____
Type of pump _____ Capacity of installed pump _____ G.P.M. _____
Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells on air-tight water surface measuring tube is required; See Section 46.40B of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____ tube material _____



Name of Pump Installation Contractor

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 _____, Depth _____

(2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

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 0-2 TOPSOIL, 2-25 yellow Till
25-34 CLAY TILL 34-178 SAND & GRAVEL

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) 13'

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

On same owner's property _____ rds. On property owned by others _____ 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.

Albert Allen Wipf
Signature of Applicant

Permit No. 1723-3Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Albert Allen Wlpf

_____ the holder _____ of
Permit No. 1723-3, issued upon Application No. 1723-3, bearing date of priority of February 4,
1970 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
ground water County of Spink, State of South Dakota at _____
a point in the center of the NE $\frac{1}{4}$, Section 28, T115N, R61W

_____, for Irrigation

_____, purposes, has s complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use. 2.22 cu. ft. per second of water.

Date September 12, 1977

By:

WATER RIGHTS COMMISSION



JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1723-3

(1) WHEREAS, On the 4th day of February A. D. 1970
Albert Allen Wlpf

made Water Right Application No. 1723-3 for a permit to use 2.28 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 18th day of March A. D. 1970
Permit No. 1723-3, with a date of priority of February 4, 1970
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 18th day of March A. D. 1975 and for the application to beneficial use of said water on or before the 18th day of March A. D. 1976

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 1.95 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 136 acre circle in the NE 1/4, Section 28, T115N, R61W

(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 Albert Allen Wipf

_____ of Frankfort
the holder _____ and owner _____ of said permit No. 1723-3 a water right, dating from February 4, 1970
_____ to use of 1.95 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
a point in the center of the NE $\frac{1}{4}$, Section 28, T115N, R61W

and conduct to and upon a 136 acre circle in the NE $\frac{1}{4}$, Section 28, T115N, R61W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1723-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 12th day of September A. D.
Nineteen Hundred and Seventy-seven

WATER RIGHTS COMMISSION
By: John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Form 6 - Notice of Intent to Appropriate Water

1723-3

Publish first publication, on or before February 19, 19 70

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 9, 19 70

Notice is hereby given that Albert Allen Wipf

whose post office address is Doland, 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

2.28 cubic feet of water per second of time from the ground water through the

Wipf Irrigation Project #2, the point of diversion of which is to be located in the

Center of the NE 1/4

of Section 28, Twp. 115N, Range 6W. Said water to be used for the purpose of providing irrigation on the following described land:

NE 1/4, Section 28, T115N, R61W

This application No. 1723-3 will be considered by the Water Resources Commission at their office at Pierre upon the 18th day of March, 19 70, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Albert Wipf, Doland, S.D.

Form 8 - Proof of Publication - Notice of
Intent to Appropriately Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, Arlene Farmer hereby

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

Water was taken from the Daily-Plainsman

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

_____ of Huron, South Dakota

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

Notice*Intent to Appropriately Water

Arlene Farmer
(Signature)

Bookkeeper
(Title)

March 12, 1970
(Date Signed)

EP 2-12-70 LP 2-12-70
NOTICE
INTENT TO APPROPRIATE WATER
Pierre, South Dakota 57501
February 9, 1970
Notice is hereby given that Albert
Allen Wipf whose post office address is
Frankfort, South Dakota, has made an
application in accordance with the pro-
visions of the water laws of South Dakota
for a permit to appropriate for beneficial
use 4.5 cubic feet of water per second
of time from ground water through the
Wipf Irrigation Project No. 2, the point
of diversion of which is to be located in
the Center of the NE 1/4 of Section 28,
Twp. 115N, Range 61W. Said water to
be used for the purpose of providing
irrigation on the following described
land: NE 1/4, Section 28, T115N, R61W.
This application No. 1723-3 will be con-
sidered by the Water Resources Com-
mission at their office at Pierre upon
the 15th day of March, 1970, at 2:00 p.m.
All interested persons may appear and
be heard.
WATER RESOURCES COMMISSION
By: Burton F. Jones,
Water Rights Specialist
cc: Albert Wipf, Frankfort, S. D.
102192-1820 No. 32 (adv.)

1723-3

September 12, 1977

Albert Allen Wipf
Frankfort
South Dakota 57440

Dear Mr. Wipf:

Enclosed herewith are Water License No. 1723-3 and Certificate of Construction.

Water License No. 1723-3 is the final water right document completing your process of obtaining a water right.

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

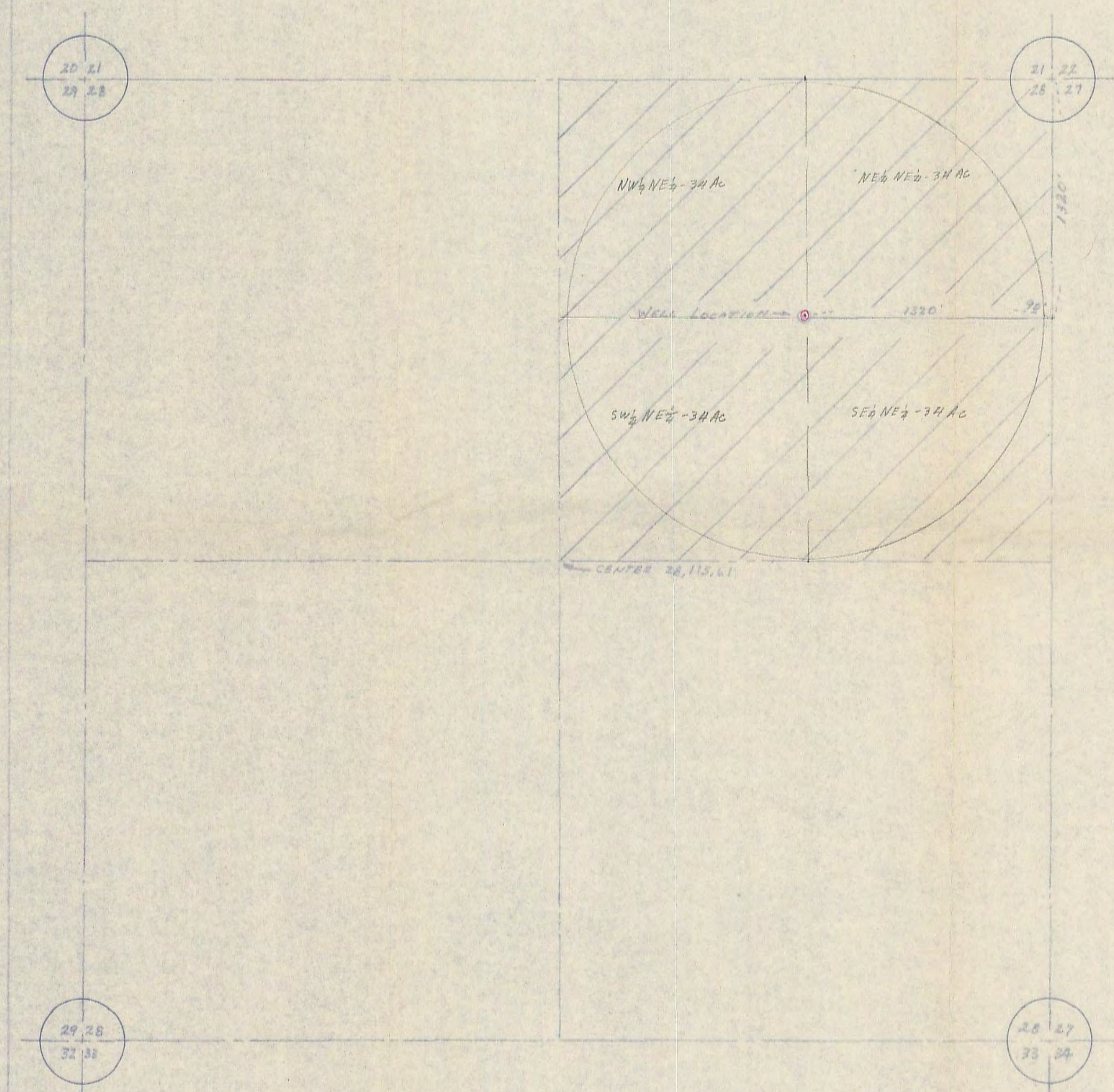
Very truly yours,

JOHN HATCH, Chief Engineer

JH/bw

Encl: As stated

NOTE: Your pump capacity is 2.22 cfs (997 gpm). Based upon the acreage actually irrigated you are entitled to only divert 1.95 cfs (875 gpm). Any diversion in excess of 1.95 cfs would be a violation of your water right.



AREA BY LEGAL SUBDIVISION
160 ACRES NE 1/4 SECT 21 T141N, R11W ST4PM.

SURVEYOR'S CERTIFICATE
STATE OF SOUTH DAKOTA)
COUNTY OF BEADIE) ss
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF ALBERT ALLEN WIFE
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON JAN 25, 1970 FOR WHICH
APPLICATION FOR APPROPRIATING WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THE 25TH DAY OF JAN, 1970.

Harlan W. Meyer
REGISTERED LAND SURVEYOR #445



ALBERT ALLEN WIFE IRRIGATION PROJECT #2
SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE
WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

OWNER
SURVEYOR

ALBERT ALLEN WIFE
HARLAN W. MEYER
JAN 25, 1970

3390-3A

1722-3

1723-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Albert Allen Wipf
RR 1, Box 77
Frankfort, SD 57440

Dear Mr. Wipf:

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

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

The new standards include:

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



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

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

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

for Alvin H. Brong
JOHN HATCH, Chief Engineer
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 28, 2013

1723-3
2618-3

Albert A Wipf
40476 184th ST
Doland SD 57436 7400

Dear Mr. Wipf:

Enclosed is a "Notice" dated October 18, 2013 concerning the 2013 irrigation questionnaire.

The notice was originally mailed to 18212 SD Hwy 37, Frankfort SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 2019

1723-3

RHN LLC
% C T Corporation
319 S Coteau St
Pierre SD 57501-3187

Dear Sirs:

I am writing in regard to ownership of land described in Water Right No. 1723-3, currently held by Albert Allen Wipf. It is our understanding that RHN LLC purchased the land in 2018.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right for your records. If you have any questions, please contact me.

Sincerely,

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

enclosure

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 Albert A. Wipf of Frankfort, S.Dak. 57440 holder of Permit No. 1723-3, bearing date of priority of February 4, 1970, authorizing the diversion of 2.28 cu. ft. per second of the waters of Ground 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:

Pump: Western Land Roller, Head "8M 5 12 ch
Ser# E76336 - pumping 1000 gpm.
Motor: High Thrust US Electrical, HP-75, RPM-1770,
ID# R-6326-01-807

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

8" dia Pipe to Center Pivot

C. Works used to apply water to beneficial use.

T & L Center Pivot. Coverage - 136 Acres

The system is in the following condition: Excellent.

The point of diversion is located 1320 ft South and 1320 ft West of the NE corner of Section 28, T115N R61W

The works are capable of diverting and conveying to the place of use 2.22

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: All in Sec. 28, T115N R61W

NW 1/4 NE 1/4 - 34 Ac, NE 1/4 NE 1/4 - 34 Ac, SW 1/4 NE 1/4 - 34 Ac.
SE 1/4 NE 1/4 - 34 Ac.

comprising a total of 136 acres of land.

Well Data:

Depth 120 ft

Depth to Water 19 ft.

Capacity 1000+ gpm at 40 ft Draw down

Casing 16" dia. Fiber Glass.

Date Oct 1, 1976

NOTICE OF TRANSFER OF OWNERSHIP

PAID

MAR 18 2019

Ck# 3360

RECEIVED

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

MAR 07 2019

No. 1723-3

WATER RIGHTS
PROGRAM

Date: 3-1-19

I/We request that Water Right/Permit No. 1723-3

formerly owned by: Albert Wipf

be transferred to: (name & address) RHN LLC

4535 Mormon Cattle Rd

haCrosse, WI 54601

Telephone No. 608-788-7962

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

NE 1/4 - Section 28 T-115-N @ R-61-W

I/We understand that the validity of Water Right/Permit No. 1723-3 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 Reuben Nicolai, the new owner, certify that the above information is true and correct.

Reuben Nicolai
(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 **March 18**

, 20 **19**

Reuben Nicolai 4800 S 33rd St La Crosse, WI 54601

RECEIVED OF _____

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 1723-3		
Fee for _____	50	00
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **09094**

By

Jeanne Goodman
Chief Engineer
JM

1723-3

McMath, Genny

From: Troy Rasmussen <trasmussen@robseeco.com>
Sent: Wednesday, March 20, 2019 3:59 PM
To: McMath, Genny
Subject: Fwd: [EXT] RHN LLC

Sent from my iPhone

Begin forwarded message:

From: Steve Nicolai <s.nic@centurytel.net>
Date: March 20, 2019 at 1:15:56 PM MDT
To: Troy Rasmussen <trasmussen@robseeco.com>
Subject: Re: RHN LLC

Troy, please use our address 4535 Mormon Coulee rd. LaCrosse Wis. 54601

Thanks.

Steven M. Nicolai
President



4535 Mormon Coulee Road
La Crosse, WI 54601
T: 608.788.7962 | F: 608.788.4430
W: www.NicolaiApartments.com

On Mar 20, 2019, at 2:00 PM, Troy Rasmussen <trasmussen@robseeco.com> wrote:

Which address would you like for the water permits?

Troy

Sent from my iPhone

Begin forwarded message:

From: "McMath, Genny" <Genny.McMath@state.sd.us>
Date: March 20, 2019 at 9:23:42 AM MDT
To: 'Troy Rasmussen' <trasmussen@robseeco.com>
Subject: RHN LLC

Troy,
We received the filing fees for the three transfers and I am working on processing the ownership changes.

I do have a question though, the address for Reuben on the RHN LLC transfers is different than the address we use for his other permits. Did he move or is one address his business address and the other a personal one? The reason I ask is so that I can update all of his permits with the new address if needed.

The two addresses I have are: 4535 Morman Coulee Rd and also 4800 S 33rd St. Both in LaCrosse.

Let me know, thanks!

Genny McMath
DENR - Water Rights Program
605.773.5455 (desk)
605.773.3352 (main phone)



1723-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 21, 2019

1504B-3
1723-3
3390-3A

RHN LLC
Reuben Nicolai
4535 Mormon Coulee Rd
LaCrosse WI 54601

Dear Mr. Nicolai:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for transferring Water Right Nos. 1504B-3, 1723-3 and 3390-3A.

The ownership changes have been completed. The above listed water rights, formerly held by Larry or Allen Wipf are now listed under RHN LLC.

Enclosed for your records are Receipt Nos. 09093, 09094 and 09096 in the amounts of \$50 each. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: RHN LLC, REUBEN NICOLAI, 4535 MORMAN COULEE RD, LACROSSE, WI 54601

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaires

Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 1723-3 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) 1504B-3 & 3390-3A qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 1504B-3 & 3390-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1723-3 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 before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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> using this password: EITZVP**

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.

1723-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2021

Reuben Nicolai
RHN LLC
4535 Morman Coulee Rd
LaCrosse WI 54601

RE: Water Right or Permit Nos. 1504B-3, 1723-3, 2211A-3, 3386-3, 3390-3A, 4295-3A, 4648-3, 8189-3
& 8190-3

Dear Mr. Nicolai:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires. They were submitted January 26th by Troy Rasmussen.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for the above listed water permits and rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, reading "Genny McMath".

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



1723-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: RHN LLC, REUBEN NICOLAI, 4535 MORMAN COULEE RD, LACROSSE, WI 54601

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 1723-3 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) 1504B-3 & 3390-3A qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 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) 1504B-3 & 3390-3A in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1723-3 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 before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: ZNAMSS**

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.

1723-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 9, 2022

RHN LLC
4535 Morman Coulee Rd
LaCrosse WI 54601

Dear Audra:

I am writing to acknowledge receipt of the 2021 irrigation questionnaires for Reuben Nicolai and RHN LLC. The forms were returned by Troy Rasmussen on January 27th and the last one on February 9th.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for the following water permits & water rights:

- Reuben Nicolai: 2211A-3, 3386-3, 4295-3A, 4648-3, 8189-3 & 8190-3 and
- RHN LLC: 1504B03, 1723-3 and 3390-3A

The information was received in our office prior to the Water Management Board meeting and is no longer on the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Troy Rasmussen (email)

McMath, Genny

From: audra@nicolaiapartments.com
Sent: Tuesday, February 21, 2023 1:34 PM
To: McMath, Genny
Subject: RE: [EXT] Deed
Attachments: Trustee's Deed - Turner County-Steven-recorded.pdf; Trustee's Deed - Clark County-Steven-recorded.pdf; Trustee's Deed - Hutchinson County-Steven-recorded.pdf

Genny-

The following deeds are attached:

- Permit 4648-3 (Turner County)
 - This paperwork should now be completed by and sent to the farmer.
 - L & L Feeders
28681 459th Avenue
Davis, SD 57021
605-238-5652
- Permit 8189-3 & 8190-3 (Clark County)
 - This paperwork should now be completed by and sent to the farmer.
 - Chris Lamb
43116 182nd St.
Vienna, SD 57271-5421
605-625-5082
- Permit 5392A-3 (Hutchinson County)
 - This paperwork should now be completed by and sent to the farmer.
 - Daniel Ulmer
159 Crestview Drive
Yankton, SD 57078
605-660-0485 & 605-760-3948 (Linda)
- Permits 1723-3, 1504B-3, & 3390-3A (Spink County)
 - This deed was not received with the others, so I've requested it be sent.
 - Will forward as soon as we receive it.
 - This paperwork should now be completed by and sent to the farmer.
 - Matt VanBuskirk
Box 98
Hitchcock, SD 57348
605-690-0100

Let me know if you need anything else from me.

And again, thank you for all of your help with this.

Audra B.

McMath, Genny

Subject: FW: [EXT] Steven Nicolai - Spink County Properties

Subject: RE: [EXT] Steven Nicolai - Spink County Properties

Genny-

To keep it consistent, we should probably just keep the Spink County land in the RHN LLC. VanBuskirk can still complete the annual irrigation questionnaires.

Also, we received your letter confirming the ownership changes and updates- thank you! Water Permit # 5392A-3 in Hutchinson County was not noted for Dan Ulmer to complete. Did you need something else from us to make that update?

Thank you again for your help with everything. We really appreciate it.

Audra B.



4535 Mormon Coulee Road

La Crosse, WI 54601

608.788.7962 ~ Phone

608.788.4430 ~ Fax

www.NicolaiApartments.com

*~ **Be sure to LIKE us on Facebook** <https://www.facebook.com/NicolaiApartments> ~*

-----Original Message-----

From: "McMath, Genny" <Genny.McMath@state.sd.us>

Sent: Monday, March 6, 2023 7:00am

To: "audra@nicolaiapartments.com" <audra@nicolaiapartments.com>

Subject: RE: Steven Nicolai - Spink County Properties

Audra,

So does this mean you do not want to transfer those in Spink County?

From: audra@nicolaiapartments.com <audra@nicolaiapartments.com>

Sent: Friday, March 3, 2023 9:44 AM

To: McMath, Genny <Genny.McMath@state.sd.us>

Subject: [EXT] Steven Nicolai - Spink County Properties

Genny-

The water transfer forms we completed for Spink County, transferring the property to Steven may not have been necessary. The property is listed under RHN LLC and that LLC was transferred to Steven. The assignment of the LLC is attached for your records.

Thanks!

Audra B.



4535 Mormon Coulee Road

La Crosse, WI 54601

608.788.7962 ~ Phone

608.788.4430 ~ Fax

www.NicolaiApartments.com

*~ **Be sure to LIKE us on Facebook** <https://www.facebook.com/NicolaiApartments> ~*

ASSIGNMENT OF LIMITED LIABILITY COMPANY INTEREST

We, Steven M. Nicolai and Ronald Helstad, as co-trustees of the Reuben Nicolai Revocable Trust do hereby assign, transfer and convey all of the Reuben Nicolai Revocable Trust's interest in RHN, LLC, a South Dakota Limited Liability Company, **effective on November 30, 2022**, to Steven M. Nicolai.

Dated this 20th day of October, 2022.

Reuben Nicolai Revocable Trust

BY: Steven M. Nicolai
Steven M. Nicolai

BY: Ronald Helstad
Ronald Helstad

STATE OF WISCONSIN)
) ss
COUNTY OF LA CROSSE)

Personally came before me this 20th day of October, 2022, the above-named Steven M. Nicolai and Ronald Helstad, as trustees of the Reuben Nicolai Revocable Trust, to me known to be the persons who executed the foregoing instrument and acknowledged the same.




Darla A. Krzoska
Notary Public, State of Wisconsin
My Commission is permanent.

1723-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 6, 2023

1504B-3
1723-3
3390-3A

Steven M Nicolai
RHN LLC
4535 Morman Coulee Rd
LaCrosse WI 54601

Dear Mr. Nicolai:

I am writing concerning the ownership changes submitted for Water Right Nos. 1504B-3, 1723-3 and 3390-3A. It is my understanding a decision has been made not to transfer those records but to leave them in the name of RHN LLC.

The filing fees of \$150 submitted for the ownership changes will be refunded to you and sent under separate cover. It may take up to two weeks for the refund to be processed.

The annual irrigation questionnaires for these water rights will be forwarded to Matt VanBuskirk, PO Box 98, Hitchcock SD 57348. If the operator changes for any reason, please let us know.

If I can answer any questions, give me a call.

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: VAN BUSKIRK FARMS LLP, MATT VAN BUSKIRK, PO BOX 98, HITCHCOCK, SD 57348
0098

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaires

Our records indicate your 2023 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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) 1723-3 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) 1504B-3, 3390-3A, 3191-3, 5601-3, 7264-3, 7315A-3, 7316-3 & 8261-3 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) 1504B-3, 3390-3A, 3191-3, 5601-3, 7264-3, 7315A-3, 7316-3 & 8261-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1723-3 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 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 questionnaires 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: LZTUNL**

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.



1723-3 3390-3A
1504B-3

**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: VAN BUSKIRK FARMS LLP, MATT VAN BUSKIRK, PO BOX 98, HITCHCOCK, SD 57348 0098

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaires

Our records indicate your 2023 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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) 1723-3 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) 1504B-3, 3390-3A, 3191-3, 5601-3, 7264-3, 7315A-3, 7316-3 & 8261-3 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) 1504B-3, 3390-3A, 3191-3, 5601-3, 7264-3, 7315A-3, 7316-3 & 8261-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1723-3 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 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 questionnaires 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: LZTUNL**

cc: STEVEN NICOLAI, 4535 MORMAN COULEE RD, LACROSS WI 54601

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 2, 2024

1504B-3, 3390-3A, 3191-3
5601-3, 7264-3, 7315A-3
1723-3, 7316-3 & 8261-3

Van Buskirk Farms LLC
c/o Matt Van Buskirk, Mgr
PO Box 98
Hitchcock SD 57348

Dear Mr. Van Buskirk:

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). 1504B-3, 1723-3, 3390-3A, 5601-3, 7264-3, 7315A-3, 7316-3 & 8261-3. 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

NOTE: The irrigation questionnaire for Scott Mueller's Permit No. 3191-3 has not been received. Permit No. 3191-3 is still scheduled to be reviewed by the Water Management Board on Wednesday, March 6, 2024. If the irrigation questionnaire is returned prior to the March 6th meeting, it will be removed from the agenda.

cc: STEVEN NICOLAI, 4535 MORMAN COULEE RD, LACROSS WI
SCOTT A MUELLER, 19221 397TH AVE, HITCHCOCK SD 57348