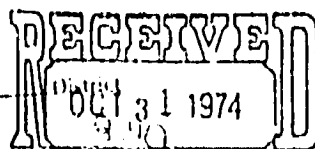


Water Right Number 2140-3

1. Considered JANUARY 22, 19 75
2. Name of Applicant GORDON MCGANN
3. Post Office Address SPRINGFIELD
4. Amount of Water claimed 1.04
5. Source of Water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 73
7. Water to be diverted and used in BON HOMME County
about 3N, 7E miles 1st of SPRINGFIELD
8. Proof of Publication
Received 1st
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 2140-3Map No. 319-3Water Division No. 3 MISSOURI RIVER
(Blanks to be filled by the Engineer for the W. H. C.)STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Gordon McCann
 Postoffice address Springfield, State South Dakota 57062
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work McCann Irrigation Project #2
4. Amount of water claimed (cubic feet per second) 1.04
5. Source of water supply Missouri River
6. Location of point of diversion at a point in the SW $\frac{1}{2}$ SW $\frac{1}{2}$, Section 11, T93N, R59W
 _____ County Bon Homme
7. Annual period or periods during which water is to be used April thru October
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 73

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.
<u>SW$\frac{1}{2}$ SE$\frac{1}{2}$, Sec. 11, T93N, R59W</u>	<u>73</u>

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 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Tribune and Register, Tyndall, SD
12. Principal Features of the Proposed Water Supply System.

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

Pump and motor

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

Mainline

C. Works proposed to apply water to beneficial use.

Sprinkler system

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 Bon Homme) ss.I, Gordon McCann 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 constructionSigned Gordon McCannSubscribed and sworn to before me this 29th day of October 1974

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2140-3
GORDON MCFANN SPRINGFIELD
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57062 With the following modifications:
 (State)

Date of first receipt of application OCTOBER 31 19 74
 Date of return to applicant for correction, amendments or changes required _____ 19 _____
 Date of receipt of corrected application _____ 19 _____
 Approved JANUARY 23 19 75, Recorded in Book 13 Page 182
 WATER RIGHT PERMIT NO. 2140-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2140-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is OCTOBER 31 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23 19 77
3. The whole of said work is to be completed on or before JANUARY 23 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23 19 84
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 1.04 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 23 19 84; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 6TH day of MARCH 19 75

WATER RIGHTS COMMISSION

By

Donald Dineill
 Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 14 19 76
 Water License Issued APRIL 14 19 76

Form 15.

Permit No. 2140-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

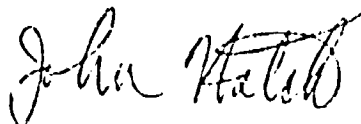
This is to Certify, That Gordon McCann

_____ the holder _____ of
Permit No. 2140-3, issued upon Application No. 2140-3, bearing date of priority of October 31,
1974 authorizing the diversion of 1.04 cu. ft. per second of the waters of _____
the Missouri River County of Bon Homme, State of South Dakota at _____
a point 1320 ft. West and 2100 ft. South of the Center,
Section 11, T93N:, R59W
_____, for irrigation

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

Date April 19, 1976

WATER RIGHTS COMMISSION



JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. . . . 2140-3

(1) WHEREAS, On the 31st day of October A. D. 19 74
Gordon McCann

made Water Right Application No. 2140-3 for a permit to use 1.24 cubic feet per second of the waters
of the Missouri River

County of Bon Homme, State of South Dakota, for irrigation

purposes; and
(2) WHEREAS, On the 6th day of March A. D. 19 75
Permit No. 2140-3, with a date of priority of October 31, 1974

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 23rd day of January A. D. 19 80 and for the
application to beneficial use of said water on or before the 23rd day of January A. D. 19 84

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 1.0 cubic feet
per second of water for beneficial use and,

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

for irrigating the following land in Section 11, T93N, R59W

SE $\frac{1}{4}$ SE $\frac{1}{4}$	33 acres	1
SW $\frac{1}{4}$ SE $\frac{1}{4}$	37 acres	

Total	70 acres	
--------------	-----------------	--

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to _____
Gordon Mc Cann

_____ of _____ Springfield, S.D.

the holder _____ and owner _____ of said permit No. 2140-3 water right, dating from October 31, 1974

_____ to use of 1.0 cubic feet per second of the waters

of the Missouri River

in the County of Bon Homme and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at _____

a point 1320 ft. West and 2100 ft. South of the Center,

Section 11, T93N, R59W

and conduct to and upon portions of the S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 11, T93N, R59W.

more fully described on the face of his license.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2140-3 and subject to the laws of the State of South Dakota.

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

this 19th day of April A. D.

Nineteen Hundred and Seventy-six

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

No. 2140-3

Publish first publication, on or before January 8, 1975

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

December 2, 1974

Notice is hereby given that Gordon McCann
whose post office address is Springfield, 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

1.04 cubic feet of water per second of time from the Missouri River through the
McCann Irrigation Project #2, the point of diversion of which is to be located in the _____

SW 1/4 SW 1/4

of Section 11, Twp. 93N, Range 59W. Said water to be used for the purpose
of providing irrigation on the following described land:

8 1/4 SE 1/4, Section 11, T93N, R59W

This application No. 2140-3 will be considered by the Water Rights Commission at its office at
Pierre upon the 22nd day of January, 1975, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

**DURTON F. JONES
Water Rights Specialist**

BFJ/bw

cc: Gordon McCann, Springfield, S.D. 57062

No. 2140-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bon Homme) ss.

I, Wayne L. Bertrand hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Tyndall Tribune & Register

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 Tyndall

County of Bon Homme and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

Dec. 19, 1974

" 26, 1974

Wayne L. Bertrand
(Signature)

Publisher
(Title)

12-26-74
(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
December 2, 1974

Notice is hereby given that
Gordon McCann whose post
office address is Springfield
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
1.64 cubic feet of water per
second of time from the Missouri
River through the McCann Irriga-
tion Project No. 2, the point of
diversion of which is to be located
in the SW¹/₄, SW¹/₂ of Section 11,
Twp. 93N, Range 59W. Said water
to be used for the purpose of
providing irrigation on the follow-
ing described land: S¹/₂, SE¹/₄,
Section 11, T93N, R59W.

This application No. 2140-3 will
be considered by the Water
Rights Commission at its office at
Pierre upon the 22nd day of
January, 1975, at 2:30 P.M. All
interested persons may appear
and be heard.

Water Rights Commission
Burton F. Jones
Water Rights Specialist
(Dec. 19 and 26) 1974

RECEIVED
MAR 05 1975
STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

2140-3 Geo. McCann H. M. M. M. M.
3-11-76 Co. B. Best in partnership with
neighbor John Thayer. Thayer
to go to 5000 ft. Approx. 1000 ft
more will be required.

Pump Berkeley Est. 2100000
Model B6 EXQB1. Not started
at expiration time.

Eng. 504 D Case. Serial B. B. B.
Pump and motor in good condition.
W. H. Moore

Pipe - all pipe burned
Steel pipe 12" dia 770 ft
PVC 12" dia 650 ft
10" " 1434 ft
8" " 1330 ft

Pump Berkeley Est. 1700000
Model 84JPB1 BM 51734
Serial 1543049, 1760 RPM, 30 HP
over

Permit No. 2140-3Water Division 3 Missouri River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Gordon
Mc Cann of Springfield, S. Dak. holder
of Permit No. 2140-3, bearing date of priority of October 31, 1974
authorizing the diversion of 1.04 cu. ft. per second of the waters of Missouri River
for Irrigation purposes, in Bon Homme 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 - Berkeley Est 2700 GPM, Model # B6EX QBL
Engine - 504D Case - Diesel.

B. Works used to transport water to place of use,
Pipe - 4" underground - 500 ft. 12" dia - 200 ft., PVC. 12" dia - 660 ft.,
PVC - 10" dia - 1434 ft., PVC. 8" dia 1330 ft.

C. Works used to apply water to beneficial use, Valmont Center Pivot., Model # 1260,
Serial # 1397, 11 towers - Approx 1280 ft Long. Water drive.
Booster Pump - Berkeley Centrifugal - Model # B45PBA,
Serial # 7573044, 17 RPM - 50 HP.
Booster Motor - Century - Electrical - Part # 6-323060-01, RPM 1765.

The system is in the following condition: Good.

The point of diversion is located from center of Section 11, 1320 ft west
and 2100 ft south.

The works are capable of diverting and conveying to the place of use 2.22cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in sec. 11 - T73N, R57WSE 1/4 SE 1/4 - 33.0 AcresSW 1/4 SE 1/4 - 37.0 Acrescomprising a total of 70.0 acres of land.

Note This Center Pivot also covers portions of Permit
No. 2241-3

Date March 22, 1976
Leroy J. McLaughlin
(Signature)



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3101

2140-3

January 29, 1988

GORDON MCCANN
BOX 226
SPRINGFIELD, SD 57062

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit Nos. 420-3, 2140-3, and 2452-3. 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 Nos. 420-3, 2140-3, and 2452-3 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

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.



Department of Water & Natural Resources

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

February 9, 1988

420-3
2140-3
2452-3

Gordon McCann
Box 226
Springfield SD 57062

Dear Mr. McCann:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 420-3, 2140-3 & 2452-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

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

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

February 8, 1989

GREG MCCANN, RENTER
BOX 226
SPRINGFIELD, SD 57062

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 2140-3, 2452-3, 420-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City 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, the Water Management Board can:

1. Amend Permit No(s). 2140-3, 2452-3, 420-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
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 is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

cc: Gordon McCann
Box 226
Springfield SD 57062





Department of Water & Natural Resources

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

February 24, 1989

420-3
2140-3
2452-3

Gordon & Gregg McCann
Box 226
Springfield, SD 57062

Dear Sirs:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 420-3, 2140-3 and 2452-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaires your name has been deleted from the March Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-5352.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division



2140-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

GREG MCCANN, RENTER
RR 1 BOX 226
SPRINGFIELD SD 57062

NOTICE

RE: Violation of Water Permit No(s) 420-3, 2140-3 & 2452-3, 5447-3 and 1993 Irrigation Questionnaire Requirements

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 420-3, 2140-3 & 2452-3, 5447-3. The request for the Questionnaires was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 420-3, 2140-3 & 2452-3 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) 5447-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



2140-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

NOTICE

TO: GREG MCCANN, RENTER
RR 1 BOX 226
SPRINGFIELD, SD 57062

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

RE: Failure to Report Chemical Use under Water Permit No(s) 420-3; 2140-3 & 5447-3

The first notice to file chemigation report(s) for Permit No(s) 420-3; 2140-3 & 5447-3 was dated October 18, 1993. Our records indicate that we have not received the 1993 chemigation report for Permits No(s) 420-3; 2140-3 & 5447-3. The Water Management Board has directed that owners of water permits who have not submitted the 1993 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 8:45 A.M. on April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the 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). 420-3; 2140-3 & 5447-3 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. Prior to April 1, 1994, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to April 1, 1994, you will no longer be in violation and your name will be deleted from the Board agenda.



2140-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 25, 1994

420-3
2140-3
2452-3
5447-3

Greg McCann
RR #1 Box 226
Springfield, SD 57062

Dear Mr. McCann:

I am writing to acknowledge receipt of your 1993 Irrigation questionnaires and chemigation forms. You may disregard the February 16, 1994, **Notice of Violation of Water Permit Nos. 420-3, 2140-3, 2452-3 & 5447-3 and 1993 Irrigation Questionnaire Requirements and the Notice of Failure to Report Chemical Use.**

The questionnaires and chemical reporting forms were 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 Division
(605) 773-3352

2140-3

40% McCann Shore

MCCANN/KREBER IRRIGATION
C/O GREG MCCANN
RR 1 BOX 226
SPRINGFIELD SD 57062

1994 IRRIGATION

40/60 split

5017950-02		MOTOR SIZE		100	
MONTH	KWH	COST	HOURS	CENTS/KWH	COST/HR
SEP 94	9600	1,217.15	163.5	12.68	7.44
AUG 94	19600	1,509.32	339.4	7.70	4.45
JUL 94	7600	841.49	161.8	11.07	5.20
TOTAL	36800	3,567.96	664.7	9.70	5.37



< - - - - - LOAD CONTROL SAVINGS - - - - - >

	CUT	CONTROL	NOT CONTROL	POSSIBLE SAVINGS	ACTUAL SAVINGS
SEP 94	NO	1217.15	1587.00	369.85	369.85
AUG 94	NO	1509.32	1855.20	345.88	345.88
JUL 94	NO	841.49	1071.39	229.90	229.90
TOTAL		3567.96	4513.59	945.63	945.63

1994 IRRIGATION SEASON SUMMARY

93-59-11-6		65M.		136M.		65M.		TOTAL HP	40%(C)-60%(J)
MONTH--	OCT 94	SEP 94	AUG 94	JUL 94	JUN 94	MAY 94	TOTALS		
HOURS--	.0	163.5	339.4	161.8	.0	.0	664.7		
KW-----	.0	148.0	120.0	92.0	.0	.0			
KW CHO--	.00	717.95	582.12	446.29	.00	.00	1746.36		
KWH-----		9600	19600	7600			36800		
KWH CHO	.00	499.20	927.20	395.20	.00	.00	1821.60		
PENALTY	.00	.00	.00	.00	.00	.00			
SALES----	.00	1217.15	1509.32	841.49	.00	.00	3567.96		

L



2140-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

NOTICE

TO: GREG MCCANN, RENTER, RR 1 BOX 226, SPRINGFIELD, SD 57062
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 5447-3, 420-3, 2140-3 & 2452-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 5447-3, 420-3, 2140-3 & 2452-3. The request for the Questionnaires was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 420-3, 2140-3 & 2452-3 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) 5447-3 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 6, 1996 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

c: Gordon McCann, Box 226, Springfield SD 57062



2140-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 1996

Greg McCann
RR 1 Box 226
Springfield, SD 57062

Dear Mr. McCann:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires and chemical reporting forms. You may disregard the January 30, 1996, Notices for Failure to Report Chemical Use, Violation of Water Permit and Violation of the Requirement to Submit the 1995 Irrigation Questionnaires.

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 that reads 'Genny McMath'.

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

2140-3



MCCANN/KREBER IRRIGATION
C/O GREG MCCANN
RR 1 BOX 226
SPRINGFIELD SD 57062

1996 IRRIGATION

MONTH	KWH	COST	HOURS	CENTS/KWH	COST/HR
SEP 96	11440	1,196.40	163.2	10.46	7.33
AUG 96	13400	958.07	200.4	7.15	4.78
JUL 96	7720	983.56	115.2	12.74	8.54
TOTAL	32560	3,138.03	478.8	9.64	6.55

(- - - - - LOAD CONTROL SAVINGS - - - - -)

CUT	CONTROL	NOT CONTROL	POSSIBLE SAVINGS	ACTUAL SAVINGS
SEP 96				
AUG 96	NO	958.07	1181.99	223.92
JUL 96	NO	983.56	1283.44	299.88
TOTAL		1941.63	2465.43	523.80

1996 IRRIGATION SEASON SUMMARY

MONTH---	OCT 96	SEP 96	AUG 96	JUL 96	JUN 96	MAY 96	TOTALS
HOURS---	.0	163.2	200.4	115.2	.0	.0	478.8
KW-----	.0	124.0	72.0	120.0	.0	.0	325.60
KW CHG---	.00	601.52	349.27	582.12	.00	.00	1532.91
KWH-----		11440	13400	7720			32560
KWH CHG---	.00	594.98	608.80	401.44	.00	.00	1605.12
PENALTY---	.00	.00	.00	.00	.00	.00	
SALES---	.00	1196.40	958.07	983.56	.00	.00	3138.03



2140-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: GREG MCCANN, RENTER, 41876 APPLE TREE RD, SPRINGFIELD, SD 57062 6410
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 5447-3, 420-3, 2140-3 & 2452-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 420-3, 2140-3 & 2452-3 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) 5447-3 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 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) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 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 (605) 773-3352.

c: Gordon McCann, Box 266, Springfield, SD 57062

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.



2140-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2000

Greg McCann
41876 Apple Tree Rd
Springfield, SD 57062-6410

RE: Water Permit/Right Nos. 420-3, 2140-3, 2452-3 and 5447-3

Dear Mr. McCann:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit/Right Nos. 420-3, 2140-3, 2452-3 and 5447-3.

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: Gordon McCann



2140-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: GREG MCCANN, RENTER, 41876 APPLE TREE RD, SPRINGFIELD, SD 57062 6410
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 5447-3, 420-3, 2140-3 & 2452-3. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit Nos. 420-3, 2140-3 & 2452-3 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. 5447-3 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 7, 2001 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No. 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit Nos. 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before March 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

c: GORDON MCCANN, BOX 226, SPRINGFIELD, SD 57062

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 1, 2001

420-3
2140-3
2452-3
5447-3

Greg McCann
41876 Apple Tree Rd
Springfield, SD 57062-6410

Dear Mr. McCann:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 420-3, 2140-3, 2452-3 and 5447-3.

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: Gordon McCann

2140-3

BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.

P.O. BOX 158 • TABOR, SOUTH DAKOTA 57063

PHONE (605) 463-2507 • TOLL FREE 1-800-925-2929 • FAX (605) 463-2411
10/13/00

Account#: 5017950-002

Annual Minimum: \$2,280.00

HorsePower: 160

2000 Irrigation Season Summary and Minimum Adjustment

5017950-002

Date	Present Reading	Previous Reading	KWH	KWHS	KW Demand	KWS	Tax	Total
6-2000 1 Charges	342	0	13,680	\$625.76	75	\$364.72	\$0.00	\$990.48
7-2000 3 Payment								(\$396.19)
7-2000 3 Payment								(\$594.29)
7-2000 1 Charges	1667	342	53,000	\$2,052.09	142	\$690.64	\$0.00	\$2,742.64
8-2000 3 Payment								(\$1,097.06)
8-2000 3 Payment								(\$1,645.58)
8-2000 1 Charges	1945	1667	11,120	\$578.24	123	\$595.58	\$0.00	\$1,173.82
9-2000 3 Payment								(\$469.53)
9-2000 3 Payment								(\$704.29)
9-2000 1 Charges	1945	1945	0	\$0.00	0	\$0.00	\$0.00	\$0.00
Totals			77,800	\$3,256.00	340	\$1,650.94	\$0.00	\$0.00

Total Charges	\$4,906.94
Total Adjustments	\$0.00
Total Sales 2000	\$4,906.94
Minimum Adjustment	\$0.00
Total with Adjustment	\$4,906.94
Total Payments	(\$4,906.94)
Total Amount Due	\$0.00

Hour Readings			
Motor	Beg Read	End Read	Hours Run
1	11165	11746	581
2	9957	10655	698



BH/MI

This is the Water Management Board data sheet for recording 1980 SURFACE WATER source irrigation estimates.

November 1980
For Dept. use only

2140-3
GORDON MCCANN
SPRINGFIELD
SD 57062

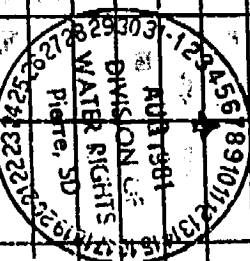
Please fill out and return at once.
No. Acres irrigated with Surface Water 110
If you did not irrigate during 1980-check this box ☐ No system ☐

Type of Power	No. acres irrigated	Total Energy used-1980
1. Electric	<u>160</u>	<u>141078</u> kWh
2. Gravity		
3. Gasoline		gal
4. Nat. Gas pipeline		cf
5. Diesel	<u>110</u>	<u>2000</u> gal
6. Propane		gal
7. Other		

Type of System
1. Hand Moved Sprinklers
2. Portable booms
3. Center pivots <u>(electric)</u> <u>2 units</u>
4. Gated pipes <u>(diesel)</u> <u>X</u>
5. Sidewheel
6. Towlines
7. Gun type
8. Hydromatic
9. Siphons
10. Flood
11. Other

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated and Estimated Water Use			
				Crop	Acres	Water Used	Water Used
April							
May							
June	<u>10</u>	<u>18</u>	<u>1000</u>	<u>corn</u>	<u>30</u>		
July	<u>25</u>	<u>18</u>	<u>1000</u>				
August	<u>25</u>	<u>18</u>	<u>1000</u>				
Sept.	<u>16</u>	<u>18</u>	<u>1000</u>				
Oct.							
Other Month							

Season Static Water Level: beginning 1204 end 1204 Missouri River



Comments: This sheet in the diesel pump - the sheet for the electric was misplaced - the given you the total energy acres for 1980 - if you want more info I guess I'll need another sheet

Owner or address change, if any:
Please complete front and back.

Complete and return to:
WATER MANAGEMENT BOARD
Water Rights Division
Joe Foss: Building
Pierre SD 57501

The South Dakota Office of Energy has requested your cooperation in completing the following:

1979

1978

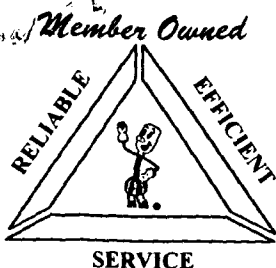
Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	_____	_____ kwh
2. Gravity	_____	_____
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	<u>110</u>	<u>1800</u> gal
6. Propane	_____	_____ gal
7. Other	_____	_____

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	_____	_____ kwh
2. Gravity	_____	_____
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	<u>110</u>	<u>1800</u> gal
6. Propane	_____	_____ gal
7. Other	_____	_____ gal

- What is your on-farm storage capacity for gasoline _____ gallons
diesel 600 gallons
- What are your present plans for acres under irrigation for 1981?
 _____ an increase in acres
☒ Irrigate same acres
 _____ a decrease in acres
- A. Has your regular fuel supplier been able to meet your fuel needs for irrigation this past year?
☒ yes
 _____ no
 B. If no, were you able to buy from other sources?
☒ yes
 _____ no
- Would you continue irrigating the same number of acres in 1981 if the price of fuel increased-

10% yes _____	20% yes _____
no _____	no _____
15% yes _____	over 20% yes <u>x</u>
no _____	no _____
- At what price for fuel would you cut back on irrigation activities? Depends on crop price
- What is your best estimate of your fuel needs for irrigation in 1981, if we experience a
 Dry summer: 2000 gallons.
 Wet summer: 1200 gallons.

2140-3



BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.

P.O. BOX 158 • TABOR, SOUTH DAKOTA 57063
PHONE (605) 463-2507 • TOLL FREE 1-800-925-2929 • FAX (605) 463-2419

MCCANN, GREGORY C
41876 APPLE TREE RD

SPRINGFIELD, SD 570629801

*Pivot
Irrigator*

11/10/2003

Account#: 5018200-009

Annual Minimum: \$570.00

HorsePower: 40

2003 Irrigation Season Summary and Minimum Adjustment

5018200-009

Date	Present Reading	Previous	KWH	KWH\$	KW Demand	KW\$	Tax	Total
7-2003 1 Charges	600	0	600	\$31.20	33	\$161.55	\$7.71	\$200.46
8-2003 3 Payment								(\$200.46)
8-2003 1 Charges	12140	600	11,540	\$452.02	33	\$160.54	\$24.50	\$637.06
9-2003 3 Payment								(\$637.06)
9-2003 1 Charges	14860	12140	2,720	\$141.44	33	\$161.36	\$0.00	\$302.80
Totals			14,860	\$624.66	100	\$483.45	\$32.21	\$302.80

Total Charges \$1,108.11

Total Adjustments \$0.00

Total Sales 2003 \$1,108.11

Minimum Adjustment \$0.00

Sales Tax

Total with Adjustmen \$1,140.32

Penalties

Total Payments (\$837.52)

Total Amount Due

RECEIVED
JAN 12 2004
WATER RIGHTS
PROGRAM

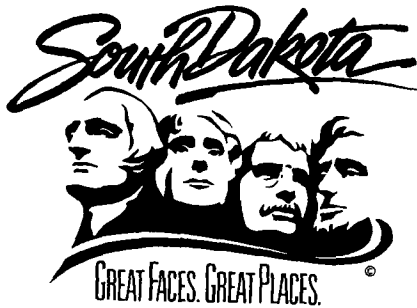
Hour Readings

5018200-009	Motor#	Beg Read	End Read	Hours Run
	1	0	551.	551.



A Touchstone Energy® Cooperative





2140-3

**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 20, 2005

NOTICE

TO: GREG MCCANN, RENTER, 41876 APPLE TREE RD, SPRINGFIELD, SD 57062 6410

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 420-3, 2140-3 & 2452-3 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) 5447-3 qualification:

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

The hearing will be held at 8:30 am, March 2, 2005 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) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before **February 25, 2005**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

c: GORDON MCCANN, BOX 226, SPRINGFIELD, SD 57062

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.



2140-3

**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, 2005

420-3
2140-3
2452-3
5447-3

Greg McCann
41876 Apple Tree Rd
Springfield SD 57062-6410

Dear Mr. McCann:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 420-3, 2140-3, 2452-3 and 5447-3.

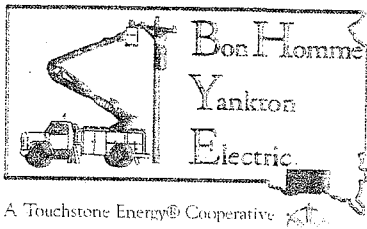
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Gordon McCann



BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.

P.O. BOX 158 • TABOR, SOUTH DAKOTA 57063
PHONE (605) 463-2507 • TOLL FREE 1-800-925-2929 • FAX (605) 463-2419

420-3
2140-3

MCCANN, GREGORY
41876 APPLE TREE RD

SPRINGFIELD, SD 57062

10/6/2006

Account#: 5018201-001

Annual Minimum: \$2,493.75

HorsePower: 175

Split/with Dave

2006 Irrigation Season Summary and Minimum Adjustment

5018201-001

Date	Present Reading	Previous Reading	KWH	KWHS	KW Demand	KWS	Tax	Total
1-2006 3 Payment								
1-2006 3 Payment								
7-2006 1 Charges	917	438	47,900	\$2,155.50	118.00	\$737.50	\$0.00	\$2,893.00
8-2006 3 Payment								(\$1,446.50)
8-2006 3 Payment								(\$1,157.20)
8-2006 3 Payment								(\$289.30)
8-2006 1 Charges	1043	917	12,600	\$567.00	118.00	\$737.50	\$0.00	\$1,304.50
9-2006 3 Payment								(\$782.70)
9-2006 3 Payment								(\$521.80)
Totals			60,500	\$2,722.50	236	\$1,475.00	\$0.00	4197.50

Total Charges \$4,197.50
Total Adjustments \$0.00
Total Sales 2006 \$4,197.50
Minimum Adjustment \$0.00
Total with Adjustment \$4,197.50
Penalties \$0.00
Total Payments (4,197.50)

Total Amount Due 00.00

Payment Due by 10/25/06

Hour Readings				
Motor#	Beg Read	End Read	Hours Run	
1	816	816	0	
2	12296	12712	416	

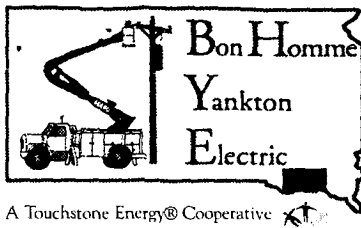
RECEIVED

DEC 22 2006

WATER RIGHTS
PROGRAM



2140-3



BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.

P.O. BOX 158 • TABOR, SOUTH DAKOTA 57063
PHONE (605) 463-2507 • TOLL FREE 1-800-925-2929 • FAX (605) 463-2419

RECEIVED

JAN 22 2009

**WATER RIGHTS
PROGRAM**

11/21/2008

MCCANN, GREGORY C
41876 APPLE TREE RD

Account#: 5018200-009

Annual Minimum: \$570.00

SPRINGFIELD SD 570626410

HorsePower: 40

2008 Irrigation Season Summary and *Booster* Minimum Adjustment

5018200-009

Date	Present Reading	Previous Reading	KWH	KWHS	KW Demand	KW\$	Tax	Total
7-2008 3 Payment								(\$2.97)
7-2008 1 Charges	15644	6838	8,806	\$484.33	34.22	\$256.65	\$0.00	\$740.98
8-2008 3 Payment								(\$740.98)
8-2008 1 Charges	21290	15644	5,646	\$310.53	34.63	\$259.73	\$0.00	\$570.26
9-2008 3 Payment								(\$570.26)
Totals			14,452	\$794.86	69	\$516.38	\$0.00	(\$2.97)

Total Charges \$1,311.24

Total Adjustments \$0.00

Total Sales 2008 \$1,311.24

Minimum Adjustment \$0.00

Total with Adjustment \$1,311.24

Penalties \$0.00

Total Payments (\$1,311.24)

Total Amount Due \$0.00 **Payment Due by 12/15/08**

Hour Readings

5018200-009	Motor#	Beg Read	End Read	Hours Run
	1	2060	2427	367



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 16, 2009

420-3
2140-3
2452-3

Greg McCann
41876 Apple Tree Rd
Springfield SD 57062

Dear Mr. McCann:

I am writing in follow-up to your phone conversation with Eric Gronlund in our program concerning the ownership changes needed for water rights listed in the name of Gordon McCann.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Upon completion, please sign and return the forms to our office with a required filing fee of \$50.00 each (total of \$150.00). The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed are copies of the three water rights listed in the name of Gordon McCann and Water Right No. 5447-3 listed in your name. You may keep these for your files. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures



2146-3
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: GREG MCCANN, RENTER, 41876 APPLE TREE RD, SPRINGFIELD, SD 57062 6410

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaires

Our records indicate that the 2009 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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) 420-3, 2140-3 & 2452-3 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) 5447-3 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) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 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 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: GORDON MCCANN, BOX 226, SPRINGFIELD, SD 57062

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

February 10, 2010

Greg McCann
41876 Apple Tree Rd
Springfield SD 57062 6410

RE: 2009 Irrigation Questionnaires for Water Right Nos. 420-3, 2140-3, 2452-3 and 5447-3

Dear Mr. McCann:

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. 420-3, 2140-3, 2452-3 and 5447-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

In July, 2009, I forwarded you copies of the water rights and "Notice of Transfer of Ownership" forms for Nos. 420-3, 2140-3 and 2452-3. To date, those water rights are still listed in the name of Gordon McCann. Enclosed is another partially completed set of forms. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$150.00). The check or money order for the fee can be made payable to the Water Rights Program. If the water rights should remain as they are and you do not wish to file an ownership change, please contact me.

Sincerely,

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

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

c: Gordon McCann

RECEIVED

FEB 16 2010

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2140-3

Date: _____

I/We request that Water Right No. 2140-3

formerly owned by: Gordon McCann

be transferred to: (name & address) Greg McCann, 31133 Bon Homme Rd, Tabor SD 57063

Telephone No.

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

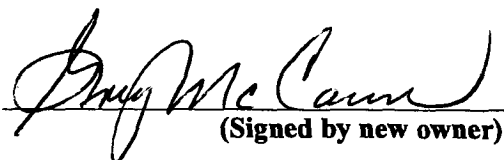
70 acres – S ½ SE ¼ Section 11, T93N, R59W

I/We understand that the validity of Water Right No. 2140-3 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 _____, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/16, 20 10

RECEIVED OF Gregory McCann 31133 Bon Homme Rd Tabor SD 57063

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

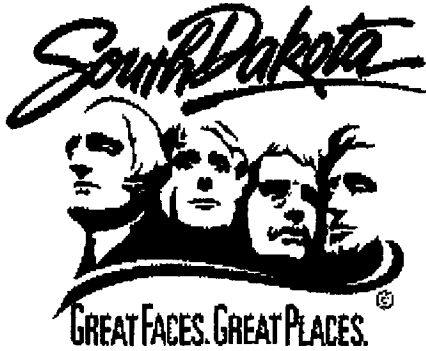
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2140-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No.

04475

By

Andrew Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 10, 2010

Greg McCann
41876 Apple Tree Rd
Springfield SD 57062 6410

RE: Water Right Nos. 420-3, 2140-3, 2452-3 and 5447-3

Dear Mr. McCann:

I have received the ownership changes you filed for Water Right Nos. 420-3, 2140-3 and 2452-3. I have a quick question for you and tried reaching you by phone but with no luck so needed to send you another letter.

The transfer of ownership forms were signed but were not completed. I can type in the information for you but noticed your check came from a different address than what we have been using for past mailings. Do you want us to use: 41876 Apple Tree Rd, Springfield, SD or 31133 Bon Homme Rd, Tabor SD?

If you would, please give me a call or an email to let me know which address to include in your files. Thank you in advance for your help.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 2010

Greg McCann
31133 Bon Homme Rd
Tabor SD 57063

Dear Mr. McCann:

The ownership changes have been completed for Water Right Nos. 420-3, 2140-3 and 2452-3. The water rights formerly listed in the name of Gordon McCann are now listed in your name.

Enclosed for your records are your Receipt Nos. 04474, 04475 and 04476 in the amounts of \$50.00 each.

If you have any questions, please contact me.

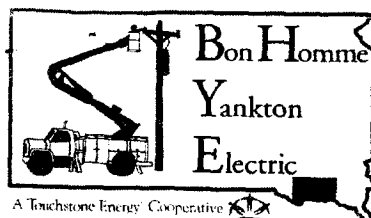
Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures

2140-3



BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.

P.O. BOX 158 • TABOR, SOUTH DAKOTA 57063

www.byelectric.com

PHONE (605) 463-2507 • TOLL FREE 1-800-925-2929 • FAX (605) 463-2419

RECEIVED

JAN 19 2012

WATER RIGHTS
PROGRAM

11/9/2011

MCCANN, GREGORY C

Account#: 5018200-009

31133 BON HOMME RD

Annual Minimum: \$600.00

TABOR SD

57063

HorsePower: 40

2011 Irrigation Season Summary and Minimum Adjustment

5018200-009

Date	Present Reading	Previous Reading	KWH	KWHS	KW Demand	KWS	Tax	Total
6-2011 1 Charges	0	0	0	\$0.00	0.00	\$0.00	\$0.00	\$0.00
7-2011 1 Charges	104	0	104	\$6.24	2.35	\$18.21	\$0.00	\$24.45
8-2011 3 Payment								(\$24.45)
8-2011 1 Charges	12020	104	11,916	\$714.96	34.04	\$263.81	\$0.00	\$978.77
9-2011 3 Payment								(\$978.77)
9-2011 1 Charges	12020	12020	0	\$0.00	0.00	\$0.00	\$0.00	\$0.00
10-2011 1 Charges	12020	12020	0	\$0.00	0.00	\$0.00	\$0.00	\$0.00
Totals			12,020	\$721.20	36	\$282.02	\$0.00	\$0.00

Total Charges \$1,003.22

Total Adjustments \$0.00

Total Sales 2011 \$1,003.22

Minimum Adjustment \$0.00

Total with Adjustment \$1,003.22

Penalties \$0.00

Total Payments (\$1,003.22)

Total Amount Due \$0.00

Payment Due by 11/30/2011

305 hrs.



2140-3
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 18, 2013

NOTICE

TO: GREG MCCANN, 3133 BON HOMME RD, TABOR, SD 57063

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 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) 420-3, 2140-3 & 2452-3 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) 5447-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** 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) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 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 questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, 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:

<http://denr.sd.gov/iq.aspx>

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

2140-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2013

420-3
2140-3
2452-3
5447-3

Greg McCann
3133 Bon Homme Rd
Tabor SD 57063

Dear Mr. McCann:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 420-3, 2140-3, 2452-3 and 5447-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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



2140-3

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 16, 2015

NOTICE

TO: GREG MCCANN, 3133 BON HOMME RD, TABOR, SD 57063

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 420-3, 2140-3 & 2452-3 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) 5447-3 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 4, 2015** 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) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 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 questionnaire(s) is (are) received in this office before the **March 4, 2015** 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: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

February 19, 2015

Greg McCann
3133 Bon Homme Rd
Tabor SD 57063

Dear McCann:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 420-3, 2140-3, 2452-3 & 5447-3. 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
email: genny.mcmath@state.sd.us

2140-3



DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

February 8, 2021

420-3
2140-3
2452-3
5447-3

Greg McCann
31133 Bon Homme Rd
Tabor SD 57063

Dear Mr. McCann:

Enclosed as you requested are four partially completed transfer forms for use in adding your daughter's name to the water rights.

Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (\$200 total). The check or money order for the fee can be made payable to the Water Rights Program.

If you or your daughter have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

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

enclosures

2140-3

Feb 2021

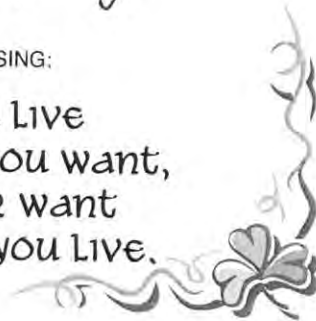
Ms McMath,

Please find enclosed
the completed forms and
check for \$200 to add
my daughter to the
irrigation permits. As
I stated, I wish to
remain on the permits
and add Holly's name to
them so that we co-own
them.

Thank you *Dag McLean*

IRISH BLESSING:

may you live
as long as you want,
and never want
as long as you live.



2140-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date February 22, 2021RECEIVED OF Gregory C McCann 31133 Bon Homme Rd. Tabor Sd 57063

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>2140-3</u>	\$50.00
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
	\$50.00

By *Eric Gronlund*
 Chief Engineer
vm

PAID

FEB 22 2021

Ck# 5944

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

FEB 22 2021

WATER RIGHTS
PROGRAM

No. 2140-3

Date: 2-16-2021

I/We request that Water Right No. 2140-3

formerly owned by: Greg McCann

As per letter received w/transfer
Include Mr. McCann as part owner
Greg McCann
31133 Bon Homme Rd
Tabor SD 57063

be transferred to: (name & address) Holly McCann

31079 Apple Tree Rd

Tabor, SD 57063

Telephone No. 605-464-1278

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

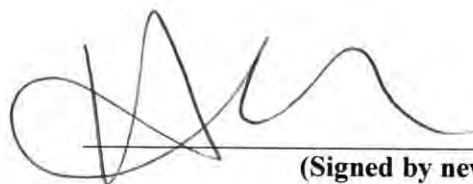
70 acres - S 1/2 SE 1/4 Section 11, T93N, R59W

I/We understand that the validity of Water Right No. 2140-3 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 Holly McCann, 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.

2140-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 2021

420-3
2140-3
2452-3
5447-3

Greg McCann
31133 Bon Homme Rd
Tabor SD 57063

Dear Mr. McCann:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for transferring Water Right Nos. 420-3, 2140-3, 2452-3 & 5447-3.

The ownership changes have been completed. Based on the letter you included, I added your name to the transfer forms and have made copies of the forms to send you to ensure everything is correct. The water rights formerly listed under your name are now listed under both you and Holly McCann.

Enclosed are receipts for the filing fees you paid. If you have any questions, please let me know.

Sincerely,

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

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

c: Holly McCann, 31079 Apple Tree Rd, Tabor SD 57063 w/copies of the transfer forms



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 6, 2024

2140-3

Greg & Holly McCann
31133 Bon Homme Rd
Tabor SD 57063

Dear Mr. & Ms. McCann:

I am writing in regard to Water Right No. 2140-3. The water right authorizes diversion 1.0 cfs (approx. 450 gpm) of water from the Missouri River, for the irrigation of 70 acres in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 11, T93N-R59W, Bon Homme County.

In reviewing your 2023 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

The following information is what was reported and what is authorized:

- 70 acres irrigated
- Reported water use – 266.9 ac-ft of water (approximately 46 inches) at a rate of 950 GPM
- Authorized water use – 1.0 cfs (approx. 450 GPM)

Typical water use is between 8 and 12 inches per acre. We realize that water use depends greatly on climactic conditions and may vary year to year. However, for the 2023 irrigation season you reported the application of nearly 4 feet of water per acre. The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are greatly exceeding the limits of your water right and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

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

NOTE: Water Right No. 2140-3 authorizes a diversion rate of 1.0 cubic feet or water per second (approx. 450 gallons per minute). The 2023 irrigation questionnaire you submitted lists a pump rate of 950 gpm. A new permit would be required to increase the rate of diversion from 1.0 cfs to 2.12 cfs.

enclosure



Gregory C. McCann
31133 Bon Homme Rd.
Tabor, SD 57063

RECEIVED

MAY 13 2024

OFFICE OF
 WATER

May 9, 2024
 Ms Dewell.

The pumps that supply water for permits 2140-3 and 420-3 I own in partnership with neighbor Jeff Heber. He has 60% & I have 40%. The water being pumped would have been supplying water to his land also, (60%). Therefore, I applied 18.30 in/acre for permit # 2140-3 and 24.32 in/ac for permit # 420-3.

I'm sorry I overlooked this.

Thank you

Greg McCann



**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: GREG MCCANN, 31133 BON HOMME RD, TABOR, SD 57063

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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) 420-3, 2140-3 & 2452-3 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) 5447-3 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) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 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 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 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: WPAGJJ**

cc: HOLLY MCCANN, 31079 APPLE TREE RD, TABOR SD 57063

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 21, 2025

420-3, 2140-3
2452-3, 5447-3

Greg McCann
31133 Bon Homme Rd
Tabor SD 57063

Dear Mr. McCann:

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). 420-3, 2140-3, 2452-3 & 5447-3. 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

cc: HOLLY MCCANN, 31079 APPLE TREE RD, TABOR SD 57063



5447-3 2452-3
2140-3 420-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: GREG MCCANN, 31133 BON HOMME RD, TABOR, SD 57063

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaires

Our records indicate your 2025 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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) 420-3, 2140-3 & 2452-3 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) 5447-3 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 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) 5447-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 420-3, 2140-3 & 2452-3 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 4, 2026** 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: NFCWCR**

HOLLY MCCANN, 31079 APPLE TREE RD, TABOR SD 57063

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 19, 2026

420-3, 2140-3

5447-3, 2452-3

Greg & Holly McCann
3113 Bon Homme Rd
Tabor, SD 57063

Dear McCann's,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us